

PN1698 NAVY nomination of Michael G. Matson, which was received by the Senate and appeared in the Congressional Record of March 16, 2020.

PN1699 NAVY nomination of Kevan M. Mellendick, which was received by the Senate and appeared in the Congressional Record of March 16, 2020.

PN1700 NAVY nomination of Andrew S. Morris, which was received by the Senate and appeared in the Congressional Record of March 16, 2020.

PN1701 NAVY nomination of Andrew D. Cordrey, which was received by the Senate and appeared in the Congressional Record of March 16, 2020.

PN1702 NAVY nomination of Nicholas R. Leinweber, which was received by the Senate and appeared in the Congressional Record of March 16, 2020.

PN1703 NAVY nomination of Sean A. McKay, which was received by the Senate and appeared in the Congressional Record of March 16, 2020.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

SAFEGUARDING AMERICA'S FIRST RESPONDERS ACT OF 2020

Mr. CORNYN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged and that the Senate proceed to the immediate consideration of S. 3607.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3607) to extend public safety officer death benefits to public safety officers whose death is caused by COVID-19, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. CORNYN. Mr. President, I ask unanimous consent that the Grassley-Booker amendment at the desk be considered and agreed to, and that the bill, as amended, be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1587) was agreed to, as follows:

(Purpose: To improve the bill)

In section 2(a)(5), strike “deaths resulting from infectious disease sustained by public safety officers in carrying out their duties, the determination of claims may” and insert “deaths and permanent and total disabilities resulting from infectious disease sustained by public safety officers in carrying out their duties, the determination of claims involving personal injuries believed to have resulted from COVID-19 or its complications may”.

In section 3, strike “As determined” and insert “(a) DEATH BENEFITS.—As determined”.

At the end of section 3, add the following:

(b) DISABILITY BENEFITS.—As determined by the Bureau of Justice Assistance, COVID-19 (or complications therefrom) suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of section 1201(b) of title I of the

Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(b)), sustained in the line of duty by the officer, if—

(1) the officer engaged in a line of duty action or activity between January 1, 2020, and December 31, 2021; and

(2) the officer was diagnosed with COVID-19 (or evidence indicates that the officer had COVID-19) during the 45-day period beginning on the last day of duty of the officer.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. CORNYN. Mr. President, I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3607), as amended, was passed, as follows:

S. 3607

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Safeguarding America’s First Responders Act of 2020”.

SEC. 2. SENSE OF CONGRESS; PURPOSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) an infectious disease pandemic known as COVID-19 exists;

(2) to date, there is much still unknown about COVID-19, but it is known that COVID-19 and related complications may be fatal;

(3) services provided by public safety officers are nonetheless essential during this pandemic;

(4) due to the COVID-19 pandemic and what is currently known about how the disease is spread, public safety officers are uncharacteristically at risk of contracting the disease; and

(5) although the Public Safety Officers’ Benefits program currently covers deaths and permanent and total disabilities resulting from infectious disease sustained by public safety officers in carrying out their duties, the determination of claims involving personal injuries believed to have resulted from COVID-19 or its complications may be uniquely challenging or delayed given the lack of—

(A) definitive testing and medical records at this time; and

(B) a definitive uniform body of medical information about how the disease is spread or its effects.

(b) PURPOSE.—The purpose of this Act is to establish a carefully drawn framework wherein claims under the Public Safety Officers’ Benefits program, arising under the unique circumstances described in subsection (a), can be processed expeditiously and under fair and clear standards.

SEC. 3. PUBLIC SAFETY OFFICER BENEFITS.

(a) DEATH BENEFITS.—As determined by the Bureau of Justice Assistance, unless competent medical evidence establishes that the death of a public safety officer (as defined in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284)) was directly and proximately caused by something other than COVID-19, COVID-19 (or complications therefrom) suffered by the public safety officer shall be presumed to constitute a personal injury within the meaning of section 1201(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(a)), sustained in the line of duty by the officer and directly and proximately resulting in death, if—

(1) the officer engaged in a line of duty action or activity between January 1, 2020, and December 31, 2021;

(2) the officer was diagnosed with COVID-19 (or evidence indicates that the officer had COVID-19) during the 45-day period beginning on the last day of duty of the officer; and

(3) evidence indicates that the officer had COVID-19 (or complications therefrom) at the time of the officer’s death.

(b) DISABILITY BENEFITS.—As determined by the Bureau of Justice Assistance, COVID-19 (or complications therefrom) suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of section 1201(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(b)), sustained in the line of duty by the officer, if—

(1) the officer engaged in a line of duty action or activity between January 1, 2020, and December 31, 2021; and

(2) the officer was diagnosed with COVID-19 (or evidence indicates that the officer had COVID-19) during the 45-day period beginning on the last day of duty of the officer.

Mr. CORNYN. Mr. President, I ask unanimous consent that the motion be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONFIDENTIALITY OPPORTUNITIES FOR PEER SUPPORT COUNSELING ACT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 3434 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3434) to make Federal law enforcement officer peer support communications confidential, and for other purposes.

There being no objection, the committee was discharged and the Senate proceeded to consider the bill.

Mr. CORNYN. I further ask unanimous consent that the bill be read a third time and passed, and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3434) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3434

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Confidentiality Opportunities for Peer Support Counseling Act” or the “COPS Counseling Act”.

SEC. 2. CONFIDENTIALITY OF PEER SUPPORT COMMUNICATIONS.

(a) DEFINITIONS.—In this section:

(1) LAW ENFORCEMENT AGENCY.—The term “law enforcement agency” means a Federal agency that employs a law enforcement officer.

(2) LAW ENFORCEMENT OFFICER.—The term “law enforcement officer” has the meaning

given the term “Federal law enforcement officer” in section 115 of title 18, United States Code.

(3) PEER SUPPORT COMMUNICATION.—The term “peer support communication” includes—

(A) an oral or written communication made in the course of a peer support counseling session;

(B) a note or report arising out of a peer support counseling session;

(C) a record of a peer support counseling session; or

(D) with respect to a communication made by a peer support participant in the course of a peer support counseling session, another communication, regarding the first communication, that is made between a peer support specialist and—

(i) another peer support specialist;

(ii) a staff member of a peer support counseling program; or

(iii) a supervisor of the peer support specialist.

(4) PEER SUPPORT COUNSELING PROGRAM.—The term “peer support counseling program” means a program provided by a law enforcement agency that provides counseling services from a peer support specialist to a law enforcement officer of the agency.

(5) PEER SUPPORT COUNSELING SESSION.—The term “peer support counseling session” means any counseling formally provided through a peer support counseling program between a peer support specialist and one or more law enforcement officers.

(6) PEER SUPPORT PARTICIPANT.—The term “peer support participant” means a law enforcement officer who receives counseling services from a peer support specialist.

(7) PEER SUPPORT SPECIALIST.—The term “peer support specialist” means a law enforcement officer who—

(A) has received training in—

(i) peer support counseling; and

(ii) providing emotional and moral support to law enforcement officers who have been involved in or exposed to an emotionally traumatic experience in the course of employment; and

(B) is designated by a law enforcement agency to provide the services described in subparagraph (A).

(b) PROHIBITION.—Except as provided in subsection (c), a peer support specialist or a peer support participant may not disclose the contents of a peer support communication to an individual who was not a party to the peer support communication.

(c) EXCEPTIONS.—Subsection (b) shall not apply to a peer support communication if—

(1) the peer support communication contains—

(A) an explicit threat of suicide;

(B) an explicit threat of imminent and serious physical bodily harm or death to a clearly identified or identifiable individual;

(C) information—

(i) relating to the abuse or neglect of—

(I) a child; or

(II) an older or vulnerable individual; or

(ii) that is required by law to be reported;

or

(D) an admission of criminal conduct;

(2) the disclosure is permitted by each peer support participant who was a party to, as applicable—

(A) the peer support communication;

(B) the peer support counseling session out of which the peer support communication arose;

(C) the peer support counseling session of which the peer support communication is a record; or

(D) the communication made in the course of a peer support counseling session that the peer support communication is regarding; or

(3) a court of competent jurisdiction issues an order or subpoena requiring the disclosure of the peer support communication.

(d) RULE OF CONSTRUCTION.—Nothing in subsection (b) shall be construed to prohibit the disclosure of—

(1) an observation made by a law enforcement officer of a peer support participant outside of a peer support counseling session; or

(2) knowledge of a law enforcement officer about a peer support participant not gained from a peer support communication.

(e) DISCLOSURE OF RIGHTS.—Before the initial peer support counseling session of a peer support participant, a peer support specialist shall inform the peer support participant in writing of the confidentiality requirement under subsection (b) and the exceptions to the requirement under subsection (c).

SEC. 3. BEST PRACTICES AND SUPPORT.

(a) DEFINITIONS.—In this section:

(1) FIRST RESPONDER.—The term “first responder” has the meaning given the term “public safety officer” in section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284).

(2) FIRST RESPONDER AGENCY.—The term “first responder agency” means a Federal, State, local, or Tribal agency that employs or otherwise engages the services of a first responder.

(3) PEER SUPPORT COUNSELING PROGRAM.—The term “peer support counseling program” means a program provided by a first responder agency that provides counseling services from a peer support specialist to a first responder of the first responder agency.

(4) PEER SUPPORT PARTICIPANT.—The term “peer support participant” means a first responder who receives counseling services from a peer support specialist.

(5) PEER SUPPORT SPECIALIST.—The term “peer support specialist” means a first responder who—

(A) has received training in—

(i) peer support counseling; and

(ii) providing emotional and moral support to first responders who have been involved in or exposed to an emotionally traumatic experience in the course of the duties of the first responder; and

(B) is designated by a first responder agency to provide the services described in subparagraph (A).

(b) REPORT ON BEST PRACTICES.—Not later than 2 years after the date of enactment of this Act, the Attorney General, in coordination with the Secretary of Health and Human Services, shall develop a report on best practices and professional standards for peer support counseling programs for first responder agencies that includes—

(1) advice on—

(A) establishing and operating peer support counseling programs; and

(B) training and certifying peer support specialists;

(2) a code of ethics for peer support specialists;

(3) recommendations for continuing education for peer support specialists;

(4) advice on disclosing to first responders any confidentiality rights of peer support participants; and

(5) information on—

(A) the different types of peer support counseling programs in use by first responder agencies;

(B) any differences in peer support counseling programs offered across categories of first responders; and

(C) the important role senior first responders play in supporting access to mental health resources.

(c) IMPLEMENTATION.—The Attorney General shall support and encourage the imple-

mentation of peer support counseling programs in first responder agencies by—

(1) making the report developed under subsection (b) publicly available on the website of the Department of Justice; and

(2) providing a list of peer support specialist training programs on the website of the Department of Justice.

LAW ENFORCEMENT SUICIDE DATA COLLECTION ACT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 2746 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 2746) to require the Director of the Federal Bureau of Investigation to provide information on suicide rates in law enforcement, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. CORNYN. I further ask unanimous consent that the bill be read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2746) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2746

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Law Enforcement Suicide Data Collection Act”.

SEC. 2. INFORMATION ON SUICIDE IN LAW ENFORCEMENT.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Attorney General, acting through the Director of the Federal Bureau of Investigation, shall establish, for the purpose of preventing future law enforcement suicides and promoting understanding of suicide in law enforcement, the Law Enforcement Officers Suicide Data Collection Program, under which law enforcement agencies may submit to the Director information on suicides and attempted suicides within such law enforcement agencies, including information on—

(1) the circumstances and events that occurred before each suicide or attempted suicide;

(2) the general location of each suicide or attempted suicide;

(3) the demographic information of each law enforcement officer who commits or attempts suicide;

(4) the occupational category, including criminal investigator, corrections officer, line of duty officer, 911 dispatch operator, of each law enforcement officer who commits or attempts suicide; and

(5) the method used in each suicide or attempted suicide.

(b) POLICIES.—The Federal Bureau of Investigation shall work with the Confidentiality and Data Access Committee of the Federal Committee on Statistical Methodology to develop publication policies to manage the risk of identity disclosure based upon the