

further support their implementation, the bill would also direct the Department to provide a list of training programs for individuals to become peer support mentors.

Our law enforcement officers often face challenging and at times traumatic experiences while performing their duties and keeping our communities safe. It's critical we ensure they have the necessary level of support to address these situations, and peer-to-peer counseling can serve as an effective mental health outlet to share their personal experiences; access and identify resources; and receive help and guidance within a trusted network of colleagues.

To ensure peer counseling programs are effective, it's also important we protect the privacy of those officers seeking mental health services. That's why I'm pleased the COPS Counseling Act would require that the information disclosed during peer support counseling sessions by Federal law enforcement officers is kept confidential, except under certain circumstances such as threats of physical harm and admission of criminal activity. This guarantee of privacy will go a long way in building confidence and encouraging more Federal law enforcement officers to take advantage of the opportunities provided through these programs.

Every day, our brave men and women in law enforcement put their lives on the line to protect our communities. As Members of Congress, we must redouble our efforts to support them, including through mental health and counseling services. That's why I support the COPS Counseling Act and urge my colleagues to do the same.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, S. 1502.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. JACKSON LEE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

PROTECTING AMERICA'S FIRST RESPONDERS ACT OF 2021

Ms. JACKSON LEE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1511) to amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1511

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 "Protecting America's First Responders Act of 2021".

SEC. 2. PAYMENT OF DEATH AND DISABILITY BENEFITS UNDER PUBLIC SAFETY OFFICERS' DEATH BENEFITS PROGRAM.

Section 1201 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by striking "the Bureau shall pay"; and

(B) by inserting ", and calculated in accordance with subsection (i), shall be payable by the Bureau" after "subsection (h)".

(2) in subsection (b)—

(A) by striking "the Bureau shall pay the same benefit" and inserting "a benefit shall be payable";

(B) by striking "that is payable under subsection (a) with respect to the date on which the catastrophic injury occurred," and inserting "in the same amount that would be payable, as of the date such injury was sustained (including)"

(C) by inserting ", and calculated in accordance with subsection (i), if such determination were a determination under subsection (a)" before "Provided, That"; and

(D) by striking "necessary;" and all that follows and inserting "necessary.";

(3) in subsection (c), by striking "\$3,000" and inserting "\$6,000, adjusted in accordance with subsection (h).";

(4) in subsection (h), by striking "subsection (a)" and inserting "subsections (a) and (b) and the level of the interim benefit payable immediately before such October 1 under subsection (c)";

(5) by striking subsection (i) and inserting the following:

(i) The amount payable under subsections (a) and (b), with respect to the death or permanent and total disability of a public safety officer, shall be the greater of—

(1) the amount payable under the relevant subsection as of the date of death or of the catastrophic injury of the public safety officer; or

(2) in any case in which the claim filed thereunder has been pending for more than 365 days at the time of final determination by the Bureau, the amount that would be payable under the relevant subsection if the death or the catastrophic injury of the public safety officer had occurred on the date on which the Bureau makes such final determination.;" and

(6) in subsection (m), by inserting ", (b)," after "subsection (a)".

SEC. 3. DEFINITIONS WITH RESPECT TO PUBLIC SAFETY OFFICERS' DEATH BENEFITS PROGRAM.

Section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284) is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), (5), (6), (7), (8), and (9) as paragraphs (4), (5), (6), (7), (8), (9), (10), (13), and (14), respectively;

(2) by striking paragraph (4), as so redesignated, and inserting:

"(4) 'catastrophic injury' means an injury, the direct and proximate result of which is to permanently render an individual functionally incapable (including through a directly and proximately resulting neurocognitive disorder), based on the state of medicine on the date on which the claim is determined by the Bureau, of performing work, including sedentary work: Provided, That, if it appears that a claimant may be functionally capable of performing work—

"(A) the Bureau shall disregard work where any compensation provided is de minimis, nominal, honorary, or mere reimbursement of incidental expenses, such as—

"(i) work that involves ordinary or simple tasks, that because of the claimed disability,

the claimant cannot perform without significantly more supervision, accommodation, or assistance than is typically provided to an individual without the claimed disability doing similar work;

"(ii) work that involves minimal duties that make few or no demands on the claimant and are of little or no economic value to the employer; or

"(iii) work that is performed primarily for therapeutic purposes and aids the claimant in the physical or mental recovery from the claimed disability; and

"(B) the claimant shall be presumed, absent clear and convincing medical evidence to the contrary as determined by the Bureau, to be functionally incapable of performing such work if the direct and proximate result of the injury renders the claimant—

"(i) blind;

"(ii) paraplegic; or

"(iii) quadriplegic;";

(3) in paragraph (6), as so redesignated, by striking "at the time of the public safety officer's fatal or catastrophic injury" and inserting "at the time of the public safety officer's death or fatal injury (in connection with any claim predicated upon such death or injury) or the date of the public safety officer's catastrophic injury or of the final determination by the Bureau of any claim predicated upon such catastrophic injury";

(4) in paragraph (7), as so redesignated, by inserting ", including an individual who, as such a member, engages in scene security or traffic management as the primary or only duty of the individual during emergency response" before the semicolon;

(5) in paragraph (9), as so redesignated by striking "delinquency.," and inserting "delinquency.;"

(6) in paragraph (13), as so redesignated, by inserting ", and includes (as may be prescribed by regulation hereunder) a legally organized volunteer fire department that is a nonprofit entity and provides services without regard to any particular relationship (such as a subscription) a member of the public may have with such a department" before the semicolon;

(7) in paragraph (14), as so redesignated,—

(A) by striking subparagraph (A) and inserting:

"(A) an individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, as a firefighter, or as a chaplain: Provided, That (notwithstanding section 1205(b)(2) or (3)) the Bureau shall, absent clear and convincing evidence to the contrary as determined by the Bureau, deem the actions outside of jurisdiction taken by any such law enforcement officer or firefighter, to have been taken while serving such public agency in such capacity, in any case in which the principal legal officer of such public agency, and the head of such agency, together, certify that such actions—

"(i) were not unreasonable;

"(ii) would have been within the authority and line of duty of such law enforcement officer or such firefighter to take, had they been taken in a jurisdiction where such law enforcement officer or firefighter was authorized to act, in the ordinary course, in an official capacity; and

"(iii) would have resulted in the payment of full line-of-duty death or disability benefits (as applicable), if any such benefits typically were payable by (or with respect to or on behalf of) such public agency, as of the date the actions were taken.;"

(B) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (C), (D), (E), and (F), respectively;

(C) by inserting after subparagraph (A), the following new subparagraph:

“(B) a candidate officer who is engaging in an activity or exercise that itself is a formal or required part of the program in which the candidate officer is enrolled or admitted, as provided in this section;”; and

(D) by striking subparagraph (E), as so redesignated, and inserting the following:

“(E) a member of a rescue squad or ambulance crew who, as authorized or licensed by law and by the applicable agency or entity, is engaging in rescue activity or in the provision of emergency medical services: Provided, That (notwithstanding section 1205(b)(2) or (3)) the Bureau shall, absent clear and convincing evidence to the contrary as determined by the Bureau, deem the actions outside of jurisdiction taken by any such member to have been thus authorized or licensed, in any case in which the principal legal officer of such agency or entity, and the head of such agency or entity, together, certify that such actions—

“(i) were not unreasonable;

“(ii) would have been within the authority and line of duty of such member to take, had they been taken in a jurisdiction where such member was authorized or licensed by law and by a pertinent agency or entity to act, in the ordinary course; and

“(iii) would have resulted in the payment of full line-of-duty death or disability benefits (as applicable), if any such benefits typically were payable by (or with respect to or on behalf of) such applicable agency or entity, as of the date the action was taken;”;

(8) by inserting before paragraph (4), as so redesignated, the following new paragraphs:

“(1) ‘action outside of jurisdiction’ means an action, not in the course of any compensated employment involving either the performance of public safety activity or the provision of security services, by a law enforcement officer, firefighter, or member of a rescue squad or ambulance crew that—

“(A) was taken in a jurisdiction where—

“(i) the law enforcement officer or firefighter then was not authorized to act, in the ordinary course, in an official capacity; or

“(ii) the member of a rescue squad or ambulance crew then was not authorized or licensed to act, in the ordinary course, by law or by the applicable agency or entity;

“(B) then would have been within the authority and line of duty of—

“(i) a law enforcement officer or a firefighter to take, who was authorized to act, in the ordinary course, in an official capacity, in the jurisdiction where the action was taken; or

“(ii) a member of a rescue squad or ambulance crew to take, who was authorized or licensed by law and by a pertinent agency or entity to act, in the ordinary course, in the jurisdiction where the action was taken; and

“(C) was, in an emergency situation that presented an imminent and significant danger or threat to human life or of serious bodily harm to any individual, taken—

“(i) by a law enforcement officer—

“(I) to prevent, halt, or respond to the immediate consequences of a crime (including an incident of juvenile delinquency); or

“(II) while engaging in a rescue activity or in the provision of emergency medical services;

“(ii) by a firefighter—

“(I) while engaging in fire suppression; or

“(II) while engaging in a rescue activity or in the provision of emergency medical services; or

“(III) by a member of a rescue squad or ambulance crew, while engaging in a rescue activity or in the provision of emergency medical services;

“(2) ‘candidate officer’ means an individual who is enrolled or admitted, as a cadet or trainee, in a formal and officially established program of instruction or of training (such

as a police or fire academy) that is specifically intended to result upon completion, in the—

“(A) commissioning of such individual as a law enforcement officer;

“(B) conferral upon such individual of official authority to engage in fire suppression (as an officer or employee of a public fire department or as an officially recognized or designated member of a legally organized volunteer fire department); or

“(C) granting to such individual official authorization or license to engage in a rescue activity, or in the provision of emergency medical services, as a member of a rescue squad, or as a member of an ambulance crew that is (or is a part of) the agency or entity that is sponsoring the individual’s enrollment or admission;

“(3) ‘blind’ means an individual who has central visual acuity of 20/200 or less in the better eye with the use of a correcting lens or whose eye is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees;”; and

(9) in the matter following paragraph (10), as so redesignated, by inserting the following new paragraphs:

“(11) ‘neurocognitive disorder’ means a disorder that is characterized by a clinically significant decline in cognitive functioning and may include symptoms and signs such as disturbances in memory, executive functioning (that is, higher-level cognitive processes, such as, regulating attention, planning, inhibiting responses, decision-making), visual-spatial functioning, language, speech, perception, insight, judgment, or an insensitivity to social standards; and

“(12) ‘sedentary work’ means work that—

“(A) involves lifting articles weighing no more than 10 pounds at a time or occasionally lifting or carrying articles such as dock-ets files, ledgers, or small tools; and

“(B) despite involving sitting on a regular basis, may require walking or standing on an occasional basis.”;

SEC. 4. DUE DILIGENCE IN PAYING BENEFIT CLAIMS UNDER PUBLIC SAFETY OFFICERS’ DEATH BENEFITS PROGRAM.

Section 1206(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10288(b)) is amended by striking “the Bureau may not” and all that follows and inserting the following: “the Bureau—

“(1) may use available investigative tools, including subpoenas, to—

“(A) adjudicate or to expedite the processing of the benefit claim, if the Bureau deems such use to be necessary to adjudicate or conducive to expediting the adjudication of such claim; and

“(B) obtain information or documentation from third parties, including public agencies, if the Bureau deems such use to be necessary to adjudicate or conducive to expediting the adjudication of a claim; and

“(2) may not abandon the benefit claim unless the Bureau has used investigative tools, including subpoenas, to obtain the information or documentation deemed necessary to adjudicate such claim by the Bureau under subparagraph (1)(B).”;

SEC. 5. EDUCATIONAL ASSISTANCE TO DEPENDENTS OF CERTAIN PUBLIC SAFETY OFFICERS.

Section 1216(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10306(b)) is amended, in the first sentence, by striking “may” and inserting “shall (unless prospective assistance has been provided)”.

SEC. 6. TECHNICAL CORRECTION.

Section 1205(e)(3)(B) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10285(e)(3)(B)) is amended by striking

“subparagraph (B)(ix)” and inserting “subparagraph (I)’.

SEC. 7. SUBPOENA POWER.

Section 806 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10225) is amended—

(1) by inserting “Attorney General, the” before the “Bureau of Justice Assistance”;

(2) by striking “may appoint” and inserting “may appoint (to be assigned or employed on an interim or as-needed basis) such hearing examiners (who shall, if so designated by the Attorney General, be understood to be comprised within the meaning of ‘special government employee’ under section 202 of title 18, United States Code)”;

(3) by striking “under this chapter. The” and inserting “or other law. The Attorney General, the”; and

(4) by inserting “conduct examinations” after “examine witnesses.”.

SEC. 8. EFFECTIVE DATE; APPLICABILITY.

(a) IN GENERAL.—Except as otherwise provided in this section, the amendments made by this Act shall take effect on the date of enactment of this Act.

(b) APPLICABILITY.—

(1) CERTAIN INJURIES.—The amendments made to paragraphs (2) and (7) of section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284) shall apply with respect to injuries occurring on or after January 1, 2008.

(2) MATTERS PENDING.—Except as provided in paragraph (1), the amendments made by this Act shall apply to any matter pending, before the Bureau or otherwise, on the date of enactment of this Act, or filed (consistent with pre-existing effective dates) or accruing after that date.

(c) EFFECTIVE DATE FOR WTC RESPONDERS.—

(1) CERTAIN NEW CLAIMS.—Not later than two years after the effective date of this Act, a WTC responder may file a claim, under section 1201(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(b)), that is predicated on a personal injury sustained in the line of duty by such responder as a result of the September 11, 2001, attacks, where—

(A) no claim under such section 1201(b) so predicated has previously been filed; or

(B) a claim under such section 1201(b) so predicated had previously been denied, in a final agency determination, on the basis (in whole or in part) that the claimant was not totally disabled.

(2) CLAIMS FOR A DECEASED WTC RESPONDER.—Not later than two years after the effective date of this Act, a claim may be filed, constructively under section 1201(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(a)), where a WTC responder who otherwise could have filed a claim pursuant to paragraph (1) has died before such effective date (or dies not later than 365 days after such effective date), or where a WTC responder has filed such a claim but dies while it is pending before the Bureau: Provided, That—

(A) no claim under such section 1201(a) otherwise shall have been filed, or determined, in a final agency determination; and

(B) if it is determined, in a final agency determination, that a claim under such paragraph (1) would have been payable had the WTC responder not died, then the WTC responder shall irrebutably be presumed (solely for purposes of determining to whom benefits otherwise pursuant to such paragraph (1) may be payable under the claim filed constructively under such section 1201(a)) to have died as the direct and proximate result of the injury on which the claim under such paragraph (1) would have been predicated.

(3) DIFFERENCE IN BENEFIT PAY.—In the event that a claim under section 1201(b) of

title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(b)) and predicated on an injury sustained in the line of duty by a WTC responder as a result of the September 11, 2001, attacks was approved, in a final agency determination, before the effective date of this Act, the Bureau shall, upon application filed (not later than three years after such effective date of this Act) by the payee (or payees) indicated in subparagraphs (A) or (B), pay a bonus in the amount of the difference (if any) between the amount that was paid pursuant to such determination and the amount that would have been payable had the amendments made by this Act, other than those indicated in subsection (b)(1), been in effect on the date of such determination—

(A) to the WTC responder, if living on the date the application is determined, in a final agency determination; or

(B) if the WTC responder is not living on the date indicated in subparagraph (A), to the individual (or individuals), if living on such date, to whom benefits would have been payable on such date under section 1201(a) of such title I (34 U.S.C. 10281(a)) had the application been, instead, a claim under such section 1201(a).

(4) SPECIAL LIMITED RULE OF CONSTRUCTION.—A claim filed pursuant to paragraph (1) or (2) shall be determined as though the date of catastrophic injury of the public safety officer were the date of enactment of this Act, for purposes of determining the amount that may be payable.

SEC. 9. SAFEGUARDING AMERICA'S FIRST RESPONDERS.

Section 3 of Safeguarding America's First Responders Act of 2020 (Public Law 116-157) is amended—

(1) in subsection (a)(1), by striking “between January 1, 2020, and December 31, 2021” and inserting “during the period beginning on January 1, 2020, and ending on the termination date” and

(2) in subsection (b)(1), by striking “between January 1, 2020, and December 31, 2021” and inserting “during the period beginning on January 1, 2020, and ending on the termination date”; and

(3) by adding at the end the following:

“(c) TERMINATION DATE.—For purposes of this section, the term ‘termination date’ means the earlier of—

“(1) the date on which the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to the Coronavirus Disease (COVID-19), expires; and

“(2) December 31, 2023.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Ms. JACKSON LEE) and the gentleman from Oregon (Mr. BENTZ) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Ms. JACKSON LEE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support S. 1511, the Protecting America's First Responders

Act of 2021, which will make important improvements to the Department of Justice Public Safety Officers' Benefits Program.

Every day, public safety officers put their lives on the line for the greater good of those whom they have taken an oath to serve and protect. Unfortunately, some of those brave men and women make the ultimate sacrifice and die while in the line of duty.

The Public Safety Officers' Benefits Program, which is administered by the Justice Department's Bureau of Justice Assistance, was established in 1976 to provide certain benefits to families of these officers, as well as to officers who are disabled as a result of their service.

A death benefit is provided to eligible survivors of public safety officers whose deaths are sustained in or due to actions in the line of duty.

□ 1330

An education benefit is provided to spouses and children of public safety officers killed or disabled while on duty, and the program provides disability benefits to officers catastrophically injured in the line of duty.

This program provides critical support to these officers and their families, and it is important that Congress continually oversee implementation and periodically update it to make it more effective and more efficient. That is what this bill would do.

Specifically, the bill would expand the program's restrictive definition of disability so that permanently disabled first responders are able to perform work for therapeutic purposes, work that involves simple tasks, or work that provides special accommodations and still receive PSOB benefits.

The bill would provide for retroactive disability benefits to public safety officers who responded to the September 11, 2001, terrorist attacks, allowing those first responders who became permanently disabled as a result of their work at Ground Zero to reapply for disability benefits under the bill's expanded disability definition.

I am not from New York. I represent Texas. But I was at the edge of the creation of the Homeland Security Committee, which was generated around the tragic terrorist acts of 9/11, and interacted with those individuals who, time after time, went onto the smoldering grounds of Ground Zero to recover the remains of all who had fallen on that day.

They never stopped, Mr. Speaker, month after month, day after day. We honored those persons in the 20th commemoration of 9/11. I will speak about that as we continue this debate. There was no more moving, powerful, tragic, or devastating a moment in America's life, among others.

This bill would address lengthy delays in processing benefit claims by permitting the DOJ to use subpoena power to expedite claims so that impacted officers and families aren't left

waiting for their owed relief during the most difficult of times.

For cases pending longer than 365 days, the bill would index the award amount to the date of the final determination, rather than the date of death or injury, so that families aren't financially penalized for any delays.

The bill would extend benefits to certain public safety officers not currently covered, including Good Samaritan officers who act outside of their jurisdiction in an emergency situation, trainee officers, and fire police who handle traffic and crime scene management.

The bill would close a loophole in the program where children born after the death or disability of a public safety officer are not able to receive education benefits and mandate that the DOJ provide backpay of educational benefits to children previously left out.

Finally, this bill also includes an extension of Safeguarding America's First Responders Act concerning the provision of benefits for officers who contract COVID-19 in the line of duty.

I thank the gentleman from New Jersey, my dear friend, Representative BILL PASCRELL, for his leadership of the House companion to this bill and his longstanding service as champion of the Congressional Fire Services Caucus, which I am delighted to have been a part of, and I urge all of my colleagues to support this bill today.

Mr. Speaker, I support S. 1511, the “Protecting America's First Responders Act of 2021,” which will make important improvements to the Department of Justice's Public Safety Officers' Benefits program.

Every day, public safety officers put their lives on the line for the greater good of those whom they have taken an oath to serve and protect.

Unfortunately, some of these brave men and women make the ultimate sacrifice and die while in the line of duty.

The Public Safety Officers' Benefit Program, which is administered by the Justice Department's Bureau of Justice Assistance, was established in 1976 to provide certain benefits to the families of these officers as well as to officers who are disabled as a result of their service.

A death benefit is provided to eligible survivors of public safety officers whose deaths are sustained in or due to actions in the line of duty.

An education benefit is provided to spouses and children of public safety officers killed or disabled while on duty.

And, the Program provides disability benefits to officers catastrophically injured in the line-of-duty.

This Program provides critical support to these officers and their families, and it is important that Congress continually oversee its implementation and periodically update it to make it more effective and more efficient. That is what this bill would do.

Specifically, the bill would expand the Program's restrictive definition of disability so that permanently disabled first responders are able to perform work for therapeutic purposes, work that involves simple tasks, or work that provides special accommodations and still receive PSOB benefits.

The bill would provide for retroactive disability benefits to public safety officers who responded to the September 11, 2001 terrorist attacks, allowing those first responders who became permanently disabled as a result of their work at Ground Zero to re-apply for disability benefits under the bill's expanded disability definition.

The bill would address lengthy delays in processing benefit claims by permitting DOJ to use subpoena power to expedite claims, so that impacted officers and families aren't left waiting for their owed relief during the most difficult of times.

For cases pending longer than 365 days, the bill would index the award amount to the date of final determination, rather than the date of death or injury, so families aren't financially penalized for any delays.

The bill would extend benefits to certain public safety officers not currently covered, including Good Samaritan officers who act outside of their jurisdiction in an emergency situation, trainee officers, and fire-police who handle traffic and crime scene management.

And the bill would close a loophole in the Program where children born after the death or disability of a public safety officer are not able to receive education benefits, and mandate that DOJ provide back pay of educational benefits to children previously left out.

Finally, this bill also includes an extension of the Safeguarding America's First Responders Act concerning the provision of benefits for officers who contract COVID-19 in the line of duty.

I thank the Gentleman from New Jersey, Representative BILL PASCRELL, for his leadership of the House companion to this bill, and I urge all my colleagues to support this bill today.

Mr. Speaker, I reserve the balance of my time.

Mr. BENTZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 1511, the Protecting America's First Responders Act of 2021. This bill is about taking care of our Federal, State, and local public safety officers who are working on the front lines every day to protect us. Our Nation's law enforcement officers need our support now more than ever.

Over the past year, we have seen violent crime rise in nearly every major urban area. During this spike in violence, we have seen city councils defund their police departments, taking vital resources away from the brave men and women who protect us day in and day out. On top of that, our law enforcement officers are dealing with all of the complications of the COVID-19 pandemic.

According to the Fraternal Order of Police, over 700 public safety officers have tragically lost their lives due to COVID-19. That number will inevitably continue to rise.

The Department of Justice's Public Safety Officers' Benefits Program provides assistance to officers and their families in the event that they lose their lives or are catastrophically injured in the line of duty. The PSOB Program reviews over a thousand claims submitted every year.

The program provides a one-time, lump-sum payment of \$370,000 for officers who lose their lives or are catastrophically injured in the line of duty. The payment amount is adjusted annually based on the Consumer Price Index. Each claimant's payment amount is determined by the date of the injury or death, but the claim may take years to adjudicate.

This bill corrects this inequity by requiring that payment amounts be determined by the date of adjudication for any claim that has been pending for over a year. This will help these law enforcement officers and their families account for increased cost of living and other expenses that are subject to inflation during these lengthy adjudication periods.

The PSOB Program also provides interim payments for death claims if the claimant is likely to receive an award under the program, but the interim payment amount has not increased since 1976. This bill will increase those interim payments for death claims from \$3,000 to \$6,000 and require annual adjustments based on the Consumer Price Index to ensure that Congress will not need to make further adjustments in the future.

The PSOB Program also provides educational benefits of \$1,200 a month to children of public safety officers who have been killed or disabled in the line of duty. Here, too, many of these claims for education benefits are not adjudicated in a timely fashion, and many children do not receive these benefits. This bill will provide backpay to the children of fallen and disabled public safety officers who qualify for benefits but failed to receive benefits due to a delay in processing these claims.

Finally, this bill will update the PSOB Program's definition of disability to ensure that law enforcement officers who are permanently unable to secure meaningful, gainful employment following a catastrophic injury in the line of duty remain eligible for benefits.

This is a critical and necessary piece of legislation, and I am proud to support a bill that takes care of the men and women of our law enforcement community.

Mr. Speaker, I urge my colleagues to join me in supporting this bill, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, it is my privilege to yield again to the distinguished gentleman from New Jersey, Mr. PASCRELL, who I have worked with, as have many others, as he has been on the front lines of helping first responders. He continues to do it, and I will continue to work with him.

Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Mr. Speaker, I thank the gentlewoman for yielding.

It is good to have something bipartisan on this floor, I will tell you that.

Mr. Speaker, during this devastating pandemic, our Nation's first responders

have stood heroically on the very front lines keeping communities across America safe. Our firefighters, police, and EMS go to work every day, and they risk their lives and the lives of their families.

In my own district, we lost Paterson police officer Frank Scorp and Passaic firefighter Israel Tolentino to COVID. These men made the ultimate sacrifice for their communities.

My heart bleeds for all of our fallen first responders and their families. Last year was the deadliest ever for our Nation's public safety officers. COVID has made it clear as day that more must be done to support these heroes.

As long-time co-chair of the Law Enforcement Caucus and the Fire Services Caucus, I have been proud to lead efforts to pass the bipartisan Protecting America's First Responders Act with Senator CHUCK GRASSLEY.

I want to thank Senator GRASSLEY for working together to get this bill across the finish line. He has been a good partner to shepherd this through the other Chamber.

Currently, the Public Safety Officers' Benefits Program only provides disability benefits to first responders who can never again perform any compensated work at all. This is so restrictive that officers practically need to be in a vegetative state to qualify.

Our bill will guarantee that first responders and their families get their owed benefits without delay or red tape.

Our legislation will expand the disability definition so permanently injured first responders can still receive benefits and perform work that is for therapeutic purposes, involves simple tasks, and provides special accommodations.

Our legislation also provides retroactive disability benefits to injured 9/11 first responders.

The bill extends these critical officer safety benefits to groups unfairly left out of the program. This includes trainees, fire police officers, and Good Samaritan first responders who protect the public while off duty.

Importantly, our bill extends the statutory presumption that guarantees the families of first responders fallen to COVID-19 receive full public safety officer benefits.

I was glad to work alongside Chairman NADLER to pass this presumption into law last year. I thank him for his efforts to bring the Protecting America's First Responders Act to the floor today. It is especially important because our bill provides an extension of this critical provision.

Finally, I want to recognize the fire and police organizations who support our bill. Thank you to the Fraternal Order of Police, the Federal Law Enforcement Officers Association, the National Association of Police Organizations, the International Association of Fire Chiefs, and the National Volunteer Fire Council. I especially want to

recognize the International Association of Fire Fighters for their recent support.

Mr. Speaker, I include in the RECORD statements from each of these organizations.

STAKEHOLDER SUPPORT FOR PROTECTING AMERICA'S FIRST RESPONDERS ACT (S. 1511 / H.R. 2936)

Edward A. Kelly, General President of the International Association of Firefighters (IAFF): "On behalf of the 325,000 professional fire fighters and emergency medical personnel of the International Association of Fire Fighters, I respectfully request you vote in favor of S. 1511, the Protecting America's First Responders Act (PAFRA). This bipartisan legislation will help ensure the families of fire fighters and emergency medical personnel who are disabled or die in the line of duty receive the compensation and benefits they deserve.

The Public Safety Officer Benefit (PSOB) provides guaranteed death and disability benefits to emergency responders who die or are disabled in the line of duty. Unfortunately, current law places significant limits on program awards, leaving the families of deceased or injured public safety officers without deserved recompense. PAFRA corrects these oversights by ensuring disabled responders may qualify for necessary benefits, extending benefits to fire department cadets who are killed or injured in the course of their training, extending benefits to children of public safety officers who had not been born at the time of the officer's death or disability, and extending benefits for officers who die from COVID-19 for the duration of the public health emergency.

Fire fighters and emergency medical responders make significant sacrifices to serve their communities everyday, and should not need to worry about their families' financial security should they sustain lasting injuries or lose their life in the line of duty. PAFRA will help ensure responders' families are cared for in the face of catastrophe, and deserves your affirmative vote."

Ken Stuebing, Acting President and Chairman of the Board of the International Association of Fire Chiefs (IAFC): "I would like to thank Representative Pascrell for introducing the Protecting America's First Responders Act. This legislation would revise the Public Safety Officers' Benefits program to provide necessary assistance to more families of fallen public safety officers during their time of need. The IAFC looks forward to working with Congress to pass this important legislation."

Steven W. Hirsch, Chair of the National Volunteer Fire Council (NVFC): "PAFRA makes important improvements to the process by which public safety officers are able to access the Public Safety Officers' Benefits (PSOB) Disability Program. It also makes necessary changes to how PSOB claims are paid to the survivors of public safety officers who died of occupational illnesses related to work at Ground Zero after 9/11. Finally, I am very pleased that the PAFRA includes language clarifying that members of volunteer fire departments who perform scene security and traffic management duties at emergency scenes are public safety officers."

Patrick Yoes, National President of the Fraternal Order of Police (FOP): "The PSOB program is currently burdened with unreasonable definitions of the terms 'catastrophic injury' and 'gainful work' that prevent officers who are disabled in the line of duty from receiving the benefits to which they are entitled. This legislation addresses this issue by making the PSOB standards more consistent with similar Federal benefit

for programs which will improve the ability of our injured and disabled officers to have their claims processed more fairly and more quickly."

Larry Cosme, National President of the Federal Law Enforcement Officers Association (FLEOA): "FLEOA fought for years to have the Public Safety Officers' Benefits (PSOB) program created in order to support officers killed or injured in the line of duty. Congress meant for this important program to support officers and their families. Unfortunately far too many officers are unable to qualify for any type of disability benefit due to how the law was written, including heroic 9/11 responders who continue to face lingering health issues metastasizing years later after the attack. FLEOA appreciates the bipartisan and bicameral leadership of Representative Pascrell and Senator Grassley to ensure officers are able to access the PSOB program benefits they are entitled to and have earned, and look forward to working with their offices and other champions in Congress to advance this critical reform."

Bill Johnson, Executive Director of the National Association of Police Organizations (NAPO): "The goal of the Protecting America's First Responders Act is to help protect the ability of survivors, disabled officers and their families to get the death and disability benefits they so rightly deserve. This important legislation will ensure that officers who are disabled in the line of duty are not left behind by the Public Safety Officers' Benefits (PSOB) Program and that all children of our fallen or disabled heroes are able to benefit from the Public Safety Officers' Education Assistance Program. NAPO supports the efforts of Representative Pascrell and Senator Grassley to ensure that America's public safety officers, who put their lives on the line every day in service to our nation, get the benefits promised to them, and we thank him for his leadership on this issue."

Mr. PASCRELL. Mr. Speaker, the past 18 months have been difficult for our communities, difficult for all Americans. It has been especially unbearable for our men and women in uniform.

These brave individuals have protected us at our lowest moment. The least we can do is protect the benefits they have earned and stand with them.

Mr. BENTZ. Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. RUIZ), who is a committed emergency medicine physician and chair of the Hispanic Caucus and co-chair of the bipartisan COVID-19 Task Force.

Mr. RUIZ. Mr. Speaker, I rise today in support of S. 1511, the Protecting America's First Responders Act. This bill will go a long way in supporting the families of fallen officers and improving the Public Safety Officers' Benefits Program.

Improving the PSOB program has been a longstanding priority of mine. In fact, today's legislation includes a provision from my bill, the Heroes Leslie Zerebny and Gil Vega First Responders Survivors Support Act, which fixes the benefit determination date so that families don't lose out on thousands of dollars because of bureaucratic delays.

In addition to passing today's legislation, we must also increase the PSOB

death and disability benefit to get our law enforcement families the benefits they have earned and deserve.

I look forward to working with Chairman NADLER to build on today's success and passing my bill, the First Responders Survivors Support Act, to raise the PSOB benefit this Congress.

Mr. Speaker, I urge my colleagues to support the families of our Nation's law enforcement officers and vote "yes" on the Protecting America's First Responders Act.

Mr. BENTZ. Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY), another committed advocate for first responders and who has continued his work on that issue.

Mr. COURTNEY. Mr. Speaker, I rise in support of the Protecting America's First Responders Act. This is an important bill that includes a provision that I have worked on for the last three Congresses to extend the PSOB program to fire police officers.

A dozen States have officers designated by law as fire police, who provide critical support at the scenes of fires, explosions, and serious accidents. They secure the perimeter so that other first responders can do their work safely.

However, because there is no uniform national designation for fire police, the current PSOB program doesn't cover these officers, even if they are killed or seriously injured on the job, which sadly has occurred.

It is only right that they receive the same protection as other public safety officers. This bill eliminates this exclusion and ensures that fire police and their families get the same benefits others do who provide first responder work.

I want to acknowledge the Gales Ferry Fire Department and Ledyard, Connecticut, Fire Chief Anthony Saccone, who has tirelessly advocated for fire police over the last few years. Thanks to their advocacy and engagement and Mr. PASCRELL's great support, we will finally send this fix to the President's desk for signature.

Mr. Speaker, I urge passage of the bill.

□ 1345

Mr. BENTZ. Mr. Speaker, I have no further speakers and am prepared to close.

I urge my colleagues to support this bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself the balance of my time. You have seen the bipartisan and bicameral support of this legislation. I am grateful for that because I think this is an important statement in the midst of intense negotiations on Build Back Better and the INVEST Act, which will be an enormous gift to the American people, including our law enforcement, first responders, firefighters, and others. We now take a

moment to ensure that there are special benefits for public safety officers.

As I indicated, I had the privilege of being in New York at Ground Zero for the 20th commemoration and to hear stories of family members where the pain is still deeply embedded, to see babies that are relatives of the deceased that they never got a chance to see.

It was an honor to see the children of those who perished speak. They were just babies when their loved ones lost their lives in the line of duty in a brave manner.

The visual that I had in getting to that area during the recovery, still going on months later, hearing the whistle blow, seeing the gurneys come in carried by firefighters and others, the remains placed gently on that gurney makes this even more potent and powerful and important to be able to help.

In addition, there are two deputies who were wounded in the same tragic incident as the death of Deputy Atkins, and they, too, need comfort and support, and potential benefits that are necessary for their continued survival. I think this legislation impacts any number of men and women around this Nation.

Having participated with Local 341 President Marty Lancton just this past weekend at the Fire Memorial in Houston, Texas, to note those firefighters who passed in this last year—some suffering from COVID-19, others that we are remembering who died in fires and other tragic incidents—this emphasizes more and more the importance of this legislation.

The Public Safety Officers' Benefits Program is an important program to address the terrible circumstances in which officers give their lives or are disabled due to their actions in the line of duty. Now we work to improve and strengthen this program in the ways we have discussed today.

I thank the gentleman from New Jersey (Mr. PASCRELLI) and all of the co-sponsors. I was glad to also have the commitment of our House Judiciary Committee as well as the work of Senator GRASSLEY.

This is a bipartisan bill that was adopted by the Senate by unanimous consent, and therefore I ask my colleagues to join me in supporting this legislation so the President can sign it into law.

Mr. Speaker, the Public Safety Officers' Benefits Program is an important program to address the terrible circumstances in which officers give their lives or are disabled due to their actions in the line of duty.

Now, we work to improve and strengthen this program in the ways we have discussed today.

This is bipartisan bill that was adopted by the Senate by unanimous consent.

I ask that my colleagues join me in supporting this legislation so that the President can sign it into law.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by

the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill, S. 1511, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. JACKSON LEE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

CONFIDENTIALITY OPPORTUNITIES FOR PEER SUPPORT COUNSELING ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 1502) to make Federal law enforcement officer peer support communications confidential, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Ms. JACKSON LEE) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 424, nays 3, not voting 4, as follows:

[Roll No. 337]

YEAS—424

Adams	Burgess	Davis, Danny K.	Garcia (CA)	Letlow	Royal-Allard
Aderholt	Bustos	Dean	Garcia (IL)	Levin (CA)	Ruiz
Aguilar	Butterfield	DeFazio	Garcia (TX)	Levin (MI)	Ruppersberger
Allen	Calvert	DeGette	Gibbs	Lofgren	Rush
Allred	Cammack	DeLauro	Gimenez	Long	Rutherford
Amodei	Carbalaj	DelBene	Gohmert	Loudermilk	Ryan
Armstrong	Cárdenas	Delgado	Golden	Lowenthal	Salazar
Arrington	Carl	Demings	Gomez	Lucas	Sánchez
Auchincloss	Carson	DeSaulnier	Gonzales, Tony	Luetkemeyer	Barbanes
Axne	Carter (GA)	DesJarlais	Gonzalez (OH)	Luria	Scalise
Babin	Carter (LA)	Deutch	Gonzalez,	Lynch	Scanlon
Bacon	Carter (TX)	Diaz-Balart	Vicente	Mace	Schakowsky
Baird	Cartwright	Dingell	Good (VA)	Malinowski	Schiff
Balderson	Case	Doggett	Gooden (TX)	Malliotakis	Schneider
Banks	Casten	Donalds	Gosar	Maloney,	Schrader
Barr	Castor (FL)	Doyle, Michael	Gottheimer	Carolyn B.	Schrier
Barragán	Castro (TX)	F.	Granger	Maloney, Sean	Schweikert
Bass	Cawthorn	Duncan	Graves (LA)	Mann	Scott (VA)
Beatty	Chabot	Dunn	Graves (MO)	Manning	Scott, Austin
Bentz	Cheney	Ellzey	Green (TN)	Massie	Scott, David
Bera	Chu	Emmer	Green, Al (TX)	Mast	Sessions
Bergman	Cicilline	Escobar	Greene (GA)	Matsui	Sewell
Beyer	Clark (MA)	Eshoo	Griffith	McBath	Sherman
Bice (OK)	Clarke (NY)	Espallat	Grijalva	McCarthy	Sherrill
Biggs	Cleaver	Estes	Grothman	McCaul	Simpson
Bilirakis	Cline	Evans	Guest	McClain	Sires
Bishop (GA)	Cloud	Fallon	Guthrie	McClintock	Slotkin
Bishop (NC)	Clyburn	Feenstra	Hagedorn	McCullom	Smith (MO)
Blumenauer	Clyde	Ferguson	Harder (CA)	McBachin	Smith (NE)
Blunt Rochester	Cohen	Fischbach	Harris	McGovern	Smith (NJ)
Boebert	Cole	Fitzgerald	Harshbarger	McHenry	Smith (WA)
Bonamici	Comer	Fitzpatrick	Hartzler	McKinley	Smucker
Bost	Connolly	Fleischmann	Hayes	McNerney	Soto
Bourdeaux	Cooper	Fletcher	Hern	Meeks	Spanberger
Bowman	Correa	Fortenberry	Herrell	Meijer	Spartz
Boyle, Brendan F.	Costa	Foster	Herrera Beutler	Meuser	Speier
Brady	Courtney	Foxx	Hice (GA)	Mifune	Stansbury
Brooks	Craig	Frankel, Lois	Higgins (LA)	Miller (IL)	Stanton
Brown	Crawford	Franklin, C.	Higgins (NY)	Miller (WV)	Stauber
Brownley	Crenshaw	Scott	Hill	Miller-Meeks	Steel
Buchanan	Crist	Fulcher	Himes	Moolenaar	Stefanik
Buck	Cuellar	Gaetz	Hollingsworth	Mooney	Steil
Bucshon	Curtis	Gallagher	Horsford	Moore (AL)	Steube
Budd	Davids (KS)	Gallego	Houahan	Moore (UT)	Stevens
Burchett	Davidson	Garamendi	Hoyer	Moore (WI)	Stewart
		Garbarino	Hudson	Morelle	Strickland
			Huffman	Moulton	Suozzi
			Huizenga	Mrvan	Swalwell
			Issa	Mullin	Takano
			Jackson	Murphy (FL)	Taylor
			Jackson Lee	Murphy (NC)	Tenney
			Jacobs (CA)	Nadler	Thompson (CA)
			Jacobs (NY)	Napolitano	Thompson (MS)
			Jayapal	Neal	Thompson (PA)
			Jeffries	Neguse	Tiffany
			Johnson (GA)	Nehls	Timmons
			Johnson (LA)	Newhouse	Titus
			Johnson (OH)	Newman	Tonko
			Johnson (SD)	Norcross	Torres (CA)
			Johnson (TX)	Norman	Torres (NY)
			Jones	Nunes	Trahan
			Jordan	O'Halleran	Trone
			Joyce (OH)	Obernolte	Turner
			Joyce (PA)	Omar	Underwood
			Kahele	Owens	Upton
			Keller	Palazzo	Valadão
			Kelly (IL)	Katko	Van Drew
			Kelly (MS)	Kaptur	Van Duyne
			Kelly (PA)	Keating	Vargas
			Kidde	Panetta	Veasey
			Kildee	Kilmer	Vela
			Kilmer	Kim (CA)	Perlmutter
			Kim (NJ)	Peters	Perry
			Kind	Pfluger	Walberg
			Kirkpatrick	Phillips	Walorski
			Kruschman	Pingree	Wagner
			Kuster	Pocan	Weber (TX)
			Kustoff	Porter	Webster (FL)
			LaHood	Pressley	Wasserman
			LaMalfa	Price (NC)	Schultz
			LaTurner	Rice (NY)	Williams (GA)
			Lamb	Rice (SC)	Williams (TX)
			Lamborn	Rodgers (WA)	Wilson (FL)
			Langevin	Rogers (AL)	Wilson (SC)
			Reed	Rogers (KY)	Wittman
			Rosen	Ross	Womack
			Raskin	Ross	Yarmuth
			Reed	Rouzer	Young
			Reschenthaler	Roy	Zeldin