

119TH CONGRESS
1ST SESSION

S. 237

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer benefits for exposure-related cancers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2025

Ms. KLOBUCHAR (for herself, Mr. CRAMER, Mr. BANKS, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. COONS, Mr. CORNYN, Mr. CRUZ, Ms. DUCKWORTH, Mr. DURBIN, Mr. FETTERMAN, Mrs. FISCHER, Mr. GRAHAM, Ms. HIRONO, Mr. JUSTICE, Mr. KELLY, Mr. MARKEY, Mr. PADILLA, Mr. ROUNDS, Mr. SCHIFF, Mrs. SHAHEEN, Mr. SHEEHY, Ms. SMITH, Mr. WARNER, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer benefits for exposure-related cancers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Honoring Our Fallen
5 Heroes Act of 2025”.

1 **SEC. 2. HONORING OUR FALLEN HEROES.**

2 (a) CANCER-RELATED DEATHS AND DISABIL-
3 ITIES.—

4 (1) IN GENERAL.—Section 1201 of title I of the
5 Omnibus Crime Control and Safe Streets Act of
6 1968 (34 U.S.C. 10281) is amended by adding at
7 the end the following:

8 “(p) EXPOSURE-RELATED CANCERS.—

9 “(1) DEFINITIONS.—In this subsection:

10 “(A) CARCINOGEN.—The term ‘carcinogen’
11 means an agent that is—

12 “(i) classified by the International
13 Agency for Research on Cancer under
14 Group 1 or Group 2A; and

15 “(ii) reasonably linked to an exposure-
16 related cancer.

17 “(B) DIRECTOR.—The term ‘Director’
18 means the Director of the Bureau.

19 “(C) EXPOSURE-RELATED CANCER.—As
20 updated from time to time in accordance with
21 paragraph (3), the term ‘exposure-related can-
22 cer’ means—

23 “(i) bladder cancer;

24 “(ii) brain cancer;

25 “(iii) breast cancer;

26 “(iv) cervical cancer;

- 1 “(v) colon cancer;
- 2 “(vi) colorectal cancer;
- 3 “(vii) esophageal cancer;
- 4 “(viii) kidney cancer;
- 5 “(ix) leukemia;
- 6 “(x) lung cancer;
- 7 “(xi) malignant melanoma;
- 8 “(xii) mesothelioma;
- 9 “(xiii) multiple myeloma;
- 10 “(xiv) non-Hodgkins lymphoma;
- 11 “(xv) ovarian cancer;
- 12 “(xvi) prostate cancer;
- 13 “(xvii) skin cancer;
- 14 “(xviii) stomach cancer;
- 15 “(xix) testicular cancer;
- 16 “(xx) thyroid cancer;
- 17 “(xxi) any form of cancer that is con-
- 18 sidered a WTC-related health condition
- 19 under section 3312(a) of the Public Health
- 20 Service Act (42 U.S.C. 300mm–22(a));
- 21 and
- 22 “(xxii) any form of cancer added to
- 23 this definition pursuant to an update in ac-
- 24 cordance with paragraph (3).

1 “(2) PERSONAL INJURY SUSTAINED IN THE
2 LINE OF DUTY.—

3 “(A) IN GENERAL.—Subject to subpara-
4 graph (B), as determined by the Bureau, the
5 exposure of a public safety officer to a car-
6 cinogen shall be presumed to constitute a per-
7 sonal injury within the meaning of subsection
8 (a) or (b) sustained in the line of duty by the
9 officer and directly and proximately resulting in
10 death or permanent and total disability, if—

11 “(i) the exposure occurred while the
12 public safety officer was engaged in line of
13 duty action or activity;

14 “(ii) the public safety officer began
15 serving as a public safety officer not fewer
16 than 5 years before the date of the diag-
17 nosis of the public safety officer with an
18 exposure-related cancer;

19 “(iii) the public safety officer was di-
20 agnosed with the exposure-related cancer
21 not more than 15 years after the public
22 safety officer’s last date of active service as
23 a public safety officer; and

24 “(iv) the exposure-related cancer di-
25 rectly and proximately results in the death

1 or permanent and total disability of the
2 public safety officer.

3 “(B) EXCEPTION.—The presumption
4 under subparagraph (A) shall not apply if com-
5 petent medical evidence establishes that the ex-
6 posure of the public safety officer to the car-
7 cinogen was not a substantial contributing fac-
8 tor in the death or disability of the public safety
9 officer.

10 “(3) ADDITIONAL EXPOSURE-RELATED CAN-
11 CERS.—

12 “(A) IN GENERAL.—From time to time
13 but not less frequently than once every 3 years,
14 the Director shall—

15 “(i) review the definition of ‘exposure-
16 related cancer’ under paragraph (1); and

17 “(ii) if appropriate, update the defini-
18 tion, in accordance with this paragraph—

19 “(I) by rule; or

20 “(II) by publication in the Fed-
21 eral Register or on the public website
22 of the Bureau.

23 “(B) BASIS FOR UPDATES.—

24 “(i) IN GENERAL.—The Director shall
25 make an update under subparagraph

(A)(ii) in any case in which the Director finds such an update to be appropriate based on competent medical evidence of significant risk to public safety officers of developing the form of exposure-related cancer that is the subject of the update from engagement in their public safety activities.

“(ii) EVIDENCE.—The competent medical evidence described in clause (i) may include recommendations, risk assessments, and scientific studies by—

“(I) the National Institute for Occupational Safety and Health;

“(II) the National Toxicology Program;

“(III) the National Academies of Sciences, Engineering, and Medicine;

or

“(IV) the International Agency for Research on Cancer.

“(C) PETITIONS TO ADD TO THE LIST OF EXPOSURE-RELATED CANCERS.—

“(i) IN GENERAL.—Any person may petition the Director to add a form of can-

cer to the definition of ‘exposure-related cancer’ under paragraph (1).

“(ii) CONTENT OF PETITION.—A petition under clause (i) shall provide information to show that there is sufficient competent medical evidence of significant risk to public safety officers of developing the cancer from engagement in their public safety activities.

“(iii) TIMELY AND SUBSTANTIVE DECISIONS.—

“(I) REFERRAL.—Not later than 180 days after receipt of a petition satisfying clause (ii), the Director shall refer the petition to appropriate medical experts for review, analysis (including risk assessment and scientific study), and recommendation.

“(II) CONSIDERATION.—The Director shall consider each recommendation under subclause (I) and promptly take appropriate action in connection with the recommendation pursuant to subparagraph (B).

1 “(iv) NOTIFICATION TO CONGRESS.—
 2 Not later than 30 days after taking any
 3 substantive action in connection with a rec-
 4 ommendation under clause (iii)(II), the Di-
 5 rector shall notify the Committee on the
 6 Judiciary of the Senate and the Committee
 7 on the Judiciary of the House of Rep-
 8 resentatives of the substantive action.”.

9 (2) APPLICABILITY.—The amendment made by
 10 paragraph (1) shall apply to any claim under—

11 (A) section 1201(a) of title I of the Omni-
 12 bus Crime Control and Safe Streets Act of
 13 1968 (34 U.S.C. 10281(a)) that is predicated
 14 upon the death of a public safety officer on or
 15 after January 1, 2020, that is the direct and
 16 proximate result of an exposure-related cancer;
 17 or

18 (B) section 1201(b) of title I of the Omni-
 19 bus Crime Control and Safe Streets Act of
 20 1968 (34 U.S.C. 10281(b)) that is filed on or
 21 after January 1, 2020, and predicated upon a
 22 disability that is the direct and proximate result
 23 of an exposure-related cancer.

24 (3) TIME FOR FILING CLAIM.—Notwithstanding
 25 any other provision of law, an individual who desires

1 to file a claim that is predicated upon the amend-
 2 ment made by paragraph (1) shall not be precluded
 3 from filing such a claim within 3 years of the date
 4 of enactment of this Act.

5 (b) CONFIDENTIALITY OF INFORMATION.—

6 (1) IN GENERAL.—Section 812(a) of title I of
 7 the Omnibus Crime Control and Safe Streets Act of
 8 1968 (34 U.S.C. 10231(a)) is amended—

9 (A) in the first sentence, by striking “fur-
 10 nished under this title by any person and iden-
 11 tifiable to any specific private person” and in-
 12 serting “furnished under any law to any compo-
 13 nent of the Office of Justice Programs, or fur-
 14 nished otherwise under this title, by any entity
 15 or person, including any information identifi-
 16 able to any specific private person,”; and

17 (B) in the second sentence, by striking
 18 “person furnishing such information” and in-
 19 serting “entity or person furnishing such infor-
 20 mation or to whom such information pertains”.

21 (2) EFFECTIVE DATE; APPLICABILITY.—The
 22 amendments made by paragraph (1) shall—

23 (A) shall take effect for all purposes as if
 24 enacted on December 27, 1979; and

1 (B) apply to any matter pending, before
 2 the Department of Justice or otherwise, as of
 3 the date of enactment of this Act.

4 (c) TECHNICAL AMENDMENTS.—

5 (1) IN GENERAL.—Section 1201(o)(2) of title I
 6 of the Omnibus Crime Control and Safe Streets Act
 7 of 1968 (34 U.S.C. 10281(o)(2)) is amended—

8 (A) in subparagraph (A), by inserting “or
 9 (b)” after “subsection (a)”;

10 (B) in subparagraph (B), by inserting “or
 11 (b)” after “subsection (a)”; and

12 (C) in subparagraph (C), by inserting “or
 13 (b)” after “subsection (a)”.

14 (2) APPLICABILITY.—The amendments made
 15 by paragraph (1) shall apply to any matter pending
 16 before the Department of Justice as of the date of
 17 enactment of this Act.

18 **SEC. 3. TECHNICAL AMENDMENTS.**

19 (a) IN GENERAL.—Section 3 of the Safeguarding
 20 America’s First Responders Act of 2020 (34 U.S.C.
 21 10281 note) is amended by adding at the end the fol-
 22 lowing:

23 “(d) DEFINITION.—In this section, the term ‘line of
 24 duty action’ includes any action—

1 “(1) in which a public safety officer engaged at
 2 the direction of the agency served by the public safe-
 3 ty officer; or

4 “(2) the public safety officer is authorized or
 5 obligated to perform.”.

6 (b) APPLICABILITY.—

7 (1) IN GENERAL.—The amendment made by
 8 subsection (a) shall apply to any claim under section
 9 3 of the Safeguarding America’s First Responders
 10 Act of 2020 (34 U.S.C. 10281 note)—

11 (A) that is predicated upon the death of a
 12 public safety officer on or after January 1,
 13 2020; or

14 (B) that is—

15 (i) predicated upon the disability of a
 16 public safety officer; and

17 (ii) filed on or after January 1, 2020.

18 (2) TIME FOR FILING CLAIM.—Notwithstanding
 19 any other provision of law, an individual who desires
 20 to file a claim that is predicated upon the amend-
 21 ment made by subsection (a) shall not be precluded
 22 from filing such a claim within 3 years of the date
 23 of enactment of this Act.

