

proceed to the consideration of Calendar No. 350, S. 410.

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

The legislative clerk read as follows:

A bill (S. 410) to amend the Violence Against Women Act of 2000 by expanding legal assistance for victims of violence grant program to include assistance for victims of dating violence.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Madam President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The bill (S. 410) was read the third time and passed, as follows:

S. 410

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

**SECTION 1. LEGAL ASSISTANCE FOR VICTIMS OF VIOLENCE.**

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg-6) is amended—

(1) in subsection (a), by inserting “dating violence,” after “domestic violence,”;

(2) in subsection (b)—

(A) by inserting before paragraph (1) the following:

“(1) **DATING VIOLENCE.**—The term ‘dating violence’ means violence committed by a person—

“(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

“(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

“(i) the length of the relationship;

“(ii) the type of relationship; and

“(iii) the frequency of interaction between the persons involved in the relationship.”;

(B) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4) respectively; and

(C) in paragraph (3), as redesignated by subparagraph (B) of this paragraph, by inserting “dating violence,” after “domestic violence,”;

(3) in subsection (c)—

(A) in paragraph (1), by inserting—

(i) “, dating violence,” after “domestic violence,”; and

(ii) “dating violence,” after “domestic violence,”;

(B) in paragraph (2), by inserting “dating violence,” after “domestic violence,”; and

(C) in paragraph (3), by inserting “dating violence,” after “domestic violence,”;

(4) in subsection (d)—

(A) in paragraph (1), by inserting “, dating violence,” after “domestic violence,”;

(B) in paragraph (2), by inserting “, dating violence,” after “domestic violence,”;

(C) in paragraph (3), by inserting “, dating violence,” after “domestic violence,”; and

(D) in paragraph (4), by inserting “dating violence,” after “domestic violence,”;

(5) in subsection (e), by inserting “dating violence,” after “domestic violence,”; and

(6) in subsection (f)(2)(A), by inserting “dating violence,” after “domestic violence,”.

**AMENDING THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968**

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 364, S. 2431.

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

The legislative clerk read as follows:

A bill (S. 2431) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that chaplains killed in the line of duty receive public safety officer death benefits.

There being no objection, the Senate proceeded to consider the bill which was reported by the Committee on the Judiciary, with an amendment, as follows:

[Omit the part in black brackets and insert the part printed in italic:]

S. 2431

*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 “Mychal Judge Police and Fire Chaplains Public Safety Officers’ Benefit Act of 2002”.

**SEC. 2. BENEFITS FOR CHAPLAINS.**

(a) **IN GENERAL.**—Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b) is amended—

(1) by redesignating paragraphs (2) through (7) as (3) through (8), respectively;

(2) by inserting after paragraph (1) the following:

“(2) ‘chaplain’ [means] *includes* any individual serving as an officially recognized or designated member of a legally organized volunteer fire department or legally organized police department, or an officially recognized or designated public employee of a legally organized fire or police department who was responding to a fire, rescue, or police emergency;”;

(3) in subparagraph (A) of paragraph (8), as redesignated by paragraph (1), by inserting after “firefighter,” the following: “as a chaplain.”;

(b) **ELIGIBLE BENEFICIARIES.**—Section 1201(a) of such Act (42 U.S.C. 3796(a)) is amended—

(1) in paragraph (3), by striking “or” at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

“(4) if there is no surviving spouse or surviving child, to the individual designated by such officer as beneficiary under such officer’s most recently executed life insurance policy, provided that such individual survived such officer; or”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on September 11, 2001, and shall apply to injuries or deaths that occur in the line of duty on or after such date.

Mr. LEAHY. Madam President, I am pleased that the Senate is taking up expeditiously the Mychal Judge Police and Fire Chaplains Public Safety Officers’ Benefit Act of 2002. I thank Senators CAMPBELL, SCHUMER, CLINTON, and BIDEN for cosponsoring our bipartisan measure. I also commend Representatives MANZULLO and NADLER for their leadership on the House version of this bill, H.R. 3297.

Named for Chaplain Mychal Judge, who was killed while responding with the New York City Fire Department to the September 11 terrorist attacks on the World Trade Center, this legislation recognizes the invaluable service of police and fire chaplains in crisis situations by allowing for their eligibility in the Public Safety Officers’ Benefit Program. Father Judge, while deemed eligible for public safety officer benefits, was survived by his two sisters who, under current law, are ineligible to receive payments through the PSOB Program. This is simply wrong and must be remedied.

Indeed, Father Judge is among ten public safety officers who were killed on September 11, but who are ineligible for federal death benefits because they died without spouses, children, or parents. This bill would retroactively correct this injustice by expanding the list of those who may receive public safety officer benefits to the beneficiaries named on the most recently executed life insurance policy of the deceased officer. This change would go into effect on September 11 of last year to make sure the families of Father Judge and the nine other fallen heroes receive their public safety officer benefits.

In addition, this bill would retroactively restructure the Public Safety Officers’ Benefit Program to specifically include chaplains as members of the law enforcement and fire units they serve, and would make these chaplains eligible for the one-time \$250,000 benefit available to public safety officer who have been permanently disabled as a result of injuries sustained in the line of duty, or to the survivors of officers who have died.

We have yet another unique opportunity to provide much-needed relief for the survivors of the brave public servants who selflessly risk and sacrifice their own lives everyday so that others might live or be comforted.

Finally, I applaud the National Association of Police Organization, the Fraternal Order of Police, and American Federation of State, County and Municipal Employees for their leadership and strong support for public safety officers and their families. I ask unanimous consent that their letters in support of the Mychal Judge Police and Fire Chaplains Public Safety Officers’ Benefit Act be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

GRAND LODGE,  
FRATERNAL ORDER OF POLICE,  
Washington, DC, May 1, 2002.

Hon. PATRICK J. LEAHY,  
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing on behalf of the membership of the Fraternal Order of Police to advise you of our strong support for S. 2431, the “Mychal Judge Police and Fire Chaplains Public Safety Officers’ Benefit Act of 2002.”

None of us in the public safety community will ever forget the tremendous courage exhibited by our police, fire, and rescue personnel as they responded to the devastating

terrorist attacks of 11 September. Nor will we forget the examples of heroism and self-sacrifice exemplified by Father Judge and the other dedicated public servants who lost their lives on that day.

The legislation you have introduced affords Congress the opportunity to further honor these American heroes by making two important enhancements to the Public Safety Officers' Benefits Program (PSOB). First, S. 2431 will specifically recognize police and fire chaplains who were killed or injured in the line of duty while responding to a fire, rescue, or police emergency among those who are eligible for PSOB benefits. In addition, the bill would expand the list of those allowed to receive such benefits in the event of an officer's death to include, in the event that there is no surviving spouse or child, the individual designated by the officer as a beneficiary under their most recently executed life insurance policy.

On behalf of the more than 300,000 members of the Fraternal Order of Police, thank you for your leadership on this issue and for your continuing commitment to America's Federal, State and local law enforcement officers. Please do not hesitate to contact me, or Executive Director Jim Pasco, if we can provide you with any additional information or assistance.

Sincerely,

STEVE YOUNG,  
National President.

NATIONAL ASSOCIATION OF POLICE  
ORGANIZATIONS, INC.,  
Washington, DC, May 1, 2002.

Hon. PATRICK J. LEAHY,  
Chairman, Senate Judiciary Committee, U.S.  
Senate, Russell Senate Office Building,  
Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the National Association of Police Organizations (NAPO), representing 220,000 rank-and-file police officers from across the United States, I would like to advise you of our wholehearted support for S. 2431, the "Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002." This bill will recognize the invaluable service of police and fire chaplains in crisis situations by allowing for their eligibility in the Public Safety Officers' Benefit program.

Created by congress in 1976, the PSOB program is administered by the Bureau of Justice Assistance of the U.S. Department of Justice and pays a one-time death benefit to the families of public safety officers who die in the line of duty.

S. 2431 is named after Franciscan Friar Mychal Judge who was the Chaplain of the New York City Fire Department. Father Judge was killed by the falling debris of the World Trade Center on September 11, 2001, while giving last rites to another firefighter who died in the terrorist attack.

NAPO thanks you for introducing this important piece of legislation and expeditiously bringing it before the Senate Judiciary Committee for full consideration. We commend you for your continued and strong support of law enforcement and look forward to working with you for the bill's passage.

Sincerely,

WILLIAM J. JOHNSON,  
Executive Director.

AFSCME,  
Washington, DC, May 2, 2002.

Hon. PATRICK LEAHY,  
Chairman, Committee on the Judiciary,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the 1.3 million members of the American Federation of State, County and Municipal Employees (AFSCME) and the corrections and law enforcement officers and emergency medical

technicians that we represent, I am writing to express our support for the Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002 (S. 2431).

Father Mychal Judge was a courageous and humane chaplain and public servant who deserves the honor you bestow on him posthumously by the introduction of this legislation which expressly includes chaplains as eligible members of the law enforcement and fire units for public safety death benefits purposes. We know firsthand about his bravery because Father Judge was an AFSCME member.

Not only does this legislation resolve any ambiguities regarding coverage of chaplains, but it would also expand the list of those who may receive benefits in the event of a public safety officer's death in the line of duty. Currently, if the officer does not have a surviving wife, children or parents, no benefit would be paid as was the case with Father Judge. Your legislation would allow this monetary benefit to be paid to the individual designated by such officer as a beneficiary under the officer's most recently executed life insurance policy and then to the parents of the officer. As you mentioned in your statement, approximately 450 public safety officers killed in the September 11th attacks died without spouses, children or parents so the \$250,000 death benefit will not be paid. Your legislation would correct this inequity.

AFSCME wholeheartedly endorses the Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefits Act of 2002. Thank you for recognizing the need for this legislative change in the benefits program.

Sincerely,

CHARLES M. LOVELESS,  
Director of Legislation.

Mr. REID. Madam President, I ask unanimous consent that the committee amendment be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, that any statements relating thereto be printed in the RECORD, all without any intervening action or debate.

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

The committee amendment was agreed to.

The bill (S. 2431), as amended, was read the third time and passed, as follows:

S. 2431

*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 "Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002".

**SEC. 2. BENEFITS FOR CHAPLAINS.**

(a) IN GENERAL.—Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b) is amended—

(1) by redesignating paragraphs (2) through (7) as (3) through (8), respectively;

(2) by inserting after paragraph (1) the following:

“(2) ‘chaplain’ includes any individual serving as an officially recognized or designated member of a legally organized volunteer fire department or legally organized police department, or an officially recognized or designated public employee of a legally organized fire or police department who was responding to a fire, rescue, or police emergency;” and

(3) in subparagraph (A) of paragraph (8), as redesignated by paragraph (1), by inserting

after “firefighter,” the following: “as a chaplain.”

(b) ELIGIBLE BENEFICIARIES.—Section 1201(a) of such Act (42 U.S.C. 3796(a)) is amended—

(1) in paragraph (3), by striking “or” at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

“(4) if there is no surviving spouse or surviving child, to the individual designated by such officer as beneficiary under such officer's most recently executed life insurance policy, provided that such individual survived such officer; or”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on September 11, 2001, and shall apply to injuries or deaths that occur in the line of duty on or after such date.

**CRIMINAL JUSTICE COORDINATING COUNCIL RESTRUCTURING ACT OF 2001**

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 362, H.R. 2305.

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

The legislative clerk read as follows:

A bill (H.R. 2305) to authorize certain Federal officials with responsibility for the administration of the criminal justice system of the District of Columbia to serve on and participate in the activities of the District of Columbia Criminal Justice Coordinating Council, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Madam President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD, without intervening action or debate.

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

The bill (H.R. 2305) was read the third time and passed.

**REPORT ON OPERATIONS OF THE STATE JUSTICE INSTITUTE**

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 290, H.R. 2048.

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

The legislative clerk read as follows:

A bill (H.R. 2048) to require a report on the operations of the State Justice Institute.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Madam President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 2048) was read the third time and passed.