

116TH CONGRESS  
2D SESSION

# H. R. 7031

To extend public safety officer death benefits to public safety officers whose death is caused by COVID–19, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 27, 2020

Mr. JOYCE of Ohio (for himself, Ms. FUDGE, and Mr. GONZALEZ of Ohio) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To extend public safety officer death benefits to public safety officers whose death is caused by COVID–19, 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 “Safeguarding Amer-  
5 ica’s First Responders Act of 2020”.

6 **SEC. 2. SENSE OF CONGRESS; PURPOSE.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-  
8 gress that—

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

3           (2) to date, there is much still unknown about  
4 COVID–19, but it is known that COVID–19 and re-  
5 lated complications may be fatal;

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

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

12           (5) although the Public Safety Officers’ Bene-  
13 fits program currently covers deaths and permanent  
14 and total disabilities resulting from infectious dis-  
15 ease sustained by public safety officers in carrying  
16 out their duties, the determination of claims involv-  
17 ing personal injuries believed to have resulted from  
18 COVID–19 or its complications may be uniquely  
19 challenging or delayed given the lack of—

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

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

1 (b) PURPOSE.—The purpose of this Act is to estab-  
2 lish a carefully drawn framework wherein claims under the  
3 Public Safety Officers’ Benefits program, arising under  
4 the unique circumstances described in subsection (a), can  
5 be processed expeditiously and under fair and clear stand-  
6 ards.

7 **SEC. 3. PUBLIC SAFETY OFFICER BENEFITS.**

8 (a) DEATH BENEFITS.—As determined by the Bu-  
9 reau of Justice Assistance, unless competent medical evi-  
10 dence establishes that the death of a public safety officer  
11 (as defined in section 1204 of title I of the Omnibus Crime  
12 Control and Safe Streets Act of 1968 (34 U.S.C. 10284))  
13 was directly and proximately caused by something other  
14 than COVID–19, COVID–19 (or complications therefrom)  
15 suffered by the public safety officer shall be presumed to  
16 constitute a personal injury within the meaning of section  
17 1201(a) of title I of the Omnibus Crime Control and Safe  
18 Streets Act of 1968 (34 U.S.C. 10281(a)), sustained in  
19 the line of duty by the officer and directly and proximately  
20 resulting in death, if—

21 (1) the officer engaged in a line of duty action  
22 or activity between January 1, 2020, and December  
23 31, 2021;

24 (2) the officer was diagnosed with COVID–19  
25 (or evidence indicates that the officer had COVID–

1       19) during the 45-day period beginning on the last  
2       day of duty of the officer; and

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

6       (b) **DISABILITY BENEFITS.**—As determined by the  
7       Bureau of Justice Assistance, COVID–19 (or complica-  
8       tions therefrom) suffered by a public safety officer shall  
9       be presumed to constitute a personal injury within the  
10      meaning of section 1201(b) of title I of the Omnibus  
11      Crime Control and Safe Streets Act of 1968 (34 U.S.C.  
12      10281(b)), sustained in the line of duty by the officer, if—

13           (1) the officer engaged in a line of duty action  
14      or activity between January 1, 2020, and December  
15      31, 2021; and

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

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