

Calendar No. 78

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, Mr. WYDEN, Mr. HOEVEN, Mr. OSSOFF, Mrs. CAPITO, Ms. CANTWELL, Mr. GALLEGO, Mr. MORENO, Mr. KENNEDY, Mr. MERKLEY, Mr. KIM, Ms. ROSEN, Mrs. MOODY, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

MAY 20, 2025

Reported by Mr. GRASSLEY, without amendment

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,*

1 **SECTION 1. SHORT TITLE.**

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

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

5 (a) CANCER-RELATED DEATHS AND DISABIL-
6 ITIES.—

7 (1) IN GENERAL.—Section 1201 of title I of the
8 Omnibus Crime Control and Safe Streets Act of
9 1968 (34 U.S.C. 10281) is amended by adding at
10 the end the following:

11 “(p) EXPOSURE-RELATED CANCERS.—

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

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

15 “(i) classified by the International
16 Agency for Research on Cancer under
17 Group 1 or Group 2A; and

18 “(ii) reasonably linked to an exposure-
19 related cancer.

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

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

26 “(i) bladder cancer;

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

1 “(xxii) any form of cancer added to
 2 this definition pursuant to an update in ac-
 3 cordance with paragraph (3).

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

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

14 “(i) the exposure occurred while the
 15 public safety officer was engaged in line of
 16 duty action or activity;

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

22 “(iii) the public safety officer was di-
 23 agnosed with the exposure-related cancer
 24 not more than 15 years after the public

1 safety officer's last date of active service as
2 a public safety officer; and

3 “(iv) the exposure-related cancer di-
4 rectly and proximately results in the death
5 or permanent and total disability of the
6 public safety officer.

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

14 “(3) ADDITIONAL EXPOSURE-RELATED CAN-
15 CERS.—

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

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

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

23 “(I) by rule; or

“(II) by publication in the Federal Register or on the public website of the Bureau.

“(B) BASIS FOR UPDATES.—

“(i) IN GENERAL.—The Director shall 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

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

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

5 “(i) IN GENERAL.—Any person may
6 petition the Director to add a form of can-
7 cer to the definition of ‘exposure-related
8 cancer’ under paragraph (1).

9 “(ii) CONTENT OF PETITION.—A peti-
10 tion under clause (i) shall provide informa-
11 tion to show that there is sufficient com-
12 petent medical evidence of significant risk
13 to public safety officers of developing the
14 cancer from engagement in their public
15 safety activities.

16 “(iii) TIMELY AND SUBSTANTIVE DE-
17 CISIONS.—

18 “(I) REFERRAL.—Not later than
19 180 days after receipt of a petition
20 satisfying clause (ii), the Director
21 shall refer the petition to appropriate
22 medical experts for review, analysis
23 (including risk assessment and sci-
24 entific study), and recommendation.

1 “(II) CONSIDERATION.—The Di-
 2 rector shall consider each rec-
 3 ommendation under subclause (I) and
 4 promptly take appropriate action in
 5 connection with the recommendation
 6 pursuant to subparagraph (B).

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

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

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

24 (B) section 1201(b) of title I of the Omni-
 25 bus Crime Control and Safe Streets Act of

1 1968 (34 U.S.C. 10281(b)) that is filed on or
2 after January 1, 2020, and predicated upon a
3 disability that is the direct and proximate result
4 of an exposure-related cancer.

5 (3) TIME FOR FILING CLAIM.—Notwithstanding
6 any other provision of law, an individual who desires
7 to file a claim that is predicated upon the amend-
8 ment made by paragraph (1) shall not be precluded
9 from filing such a claim within 3 years of the date
10 of enactment of this Act.

11 (b) CONFIDENTIALITY OF INFORMATION.—

12 (1) IN GENERAL.—Section 812(a) of title I of
13 the Omnibus Crime Control and Safe Streets Act of
14 1968 (34 U.S.C. 10231(a)) is amended—

15 (A) in the first sentence, by striking “fur-
16 nished under this title by any person and iden-
17 tifiable to any specific private person” and in-
18 serting “furnished under any law to any compo-
19 nent of the Office of Justice Programs, or fur-
20 nished otherwise under this title, by any entity
21 or person, including any information identifi-
22 able to any specific private person,”; and

23 (B) in the second sentence, by striking
24 “person furnishing such information” and in-

1 serting “entity or person furnishing such infor-
2 mation or to whom such information pertains”.

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

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

7 (B) apply to any matter pending, before
8 the Department of Justice or otherwise, as of
9 the date of enactment of this Act.

10 (c) TECHNICAL AMENDMENTS.—

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

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

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

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

20 (2) APPLICABILITY.—The amendments made
21 by paragraph (1) shall apply to any matter pending
22 before the Department of Justice as of the date of
23 enactment of this Act.

1 **SEC. 3. TECHNICAL AMENDMENTS.**

2 (a) IN GENERAL.—Section 3 of the Safeguarding
3 America’s First Responders Act of 2020 (34 U.S.C.
4 10281 note) is amended by adding at the end the fol-
5 lowing:

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

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

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

13 (b) APPLICABILITY.—

14 (1) IN GENERAL.—The amendment made by
15 subsection (a) shall apply to any claim under section
16 3 of the Safeguarding America’s First Responders
17 Act of 2020 (34 U.S.C. 10281 note)—

18 (A) that is predicated upon the death of a
19 public safety officer on or after January 1,
20 2020; or

21 (B) that is—

22 (i) predicated upon the disability of a
23 public safety officer; and

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

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

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

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