

MYCHAL JUDGE POLICE AND FIRE CHAPLAINS PUBLIC  
SAFETY OFFICERS' BENEFIT ACT OF 2002

APRIL 9, 2002.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

Mr. SENSENBRENNER, from the Committee on the Judiciary,  
submitted the following

R E P O R T

[To accompany H.R. 3297]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 3297) 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, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

CONTENTS

	Page
The Amendment .....	1
Purpose and Summary .....	2
Background and Need for the Legislation .....	2
Hearings .....	3
Committee Consideration .....	3
Vote of the Committee .....	3
Committee Oversight Findings .....	3
Performance Goals and Objectives .....	3
New Budget Authority and Tax Expenditures .....	4
Congressional Budget Office Cost Estimate .....	4
Constitutional Authority Statement .....	5
Section-by-Section Analysis and Discussion .....	5
Changes in Existing Law Made by the Bill, as Reported .....	6
Markup Transcript .....	7

The amendment is as follows:  
Strike all after the enacting clause and insert the following:

**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 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.

**PURPOSE AND SUMMARY**

The purpose of H.R. 3297 is to restructure the Public Safety Officers Benefits program administered by the Bureau of Justice Assistance by specifically including chaplains as a position covered within law enforcement and firefighting units as well as broadening those who may receive such benefits in the event of a death in the line of duty by including as a potential beneficiary the named persons who are listed on the most recently executed life insurance policy. Currently, the definition is such that it is not clear whether chaplains who are employed by police and fire departments and who die in the line of duty are allowed Public Safety Officer Benefits and, when benefits are paid, beneficiaries are limited to spouses, children, and parents.

**BACKGROUND AND NEED FOR THE LEGISLATION**

On September 11, 2001, Father Mychal F. Judge, chaplain with the New York City Fire Department, was struck in the head by debris at the World Trade Center, as he was ministering to victims of the horrific event. He died as a result and was survived only by his two sisters.

Under 42 U.S.C. § 3796, the Bureau of Justice Assistance (BJA) is allowed to determine whether or not a public officer has died as a direct or proximate cause of a personal injury sustained in the line of duty, and if such criteria is met the Bureau is directed to pay a monetary benefit of \$250,000 to such officers surviving family members. Although the BJA decided Father Judge was eligible for payment of death benefits, none were paid to his life insurance beneficiaries as they did not meet the qualifications of 42 U.S.C. § 3796(a). Father Judge had never married, never had children, and had outlived his parents, thus no individual qualified as a beneficiary under existing law. However, Father Judge was survived by his two sisters, both of whom were ineligible under current law to receive the death benefit.

Currently, 42 U.S.C. § 3796b defines the term “public safety officers” for the purpose of determining who is eligible for the Public Safety Officers Benefit. Those eligible are limited in scope to law enforcement officers, firefighters, members of rescue teams or ambulance crews, an employee of FEMA under certain conditions, and members of State, local, or tribal emergency management or civil defense agencies who are performing official duties in cooperation with FEMA . Although the language of existing law could be interpreted to include chaplains, H.R. 3297 would resolve any existing ambiguity. The bill specifically names the chaplain as a recognized subdivision of public servant who may benefit from the Public Safety Officers Benefits as long as they are associated with either a police or fire department and are responding to a fire, rescue, or police emergency.

Additionally, H.R. 3297 would expand the list of who would be allowed to receive such a benefit in the event of a death which occurred in the line of duty. Current law restricts such beneficiaries to the spouse, child, or parent of the decedent. H.R. 3297 would expand this list, which would still give priority to spouses and children, but in the event that neither survived the officer, would allow the monetary benefit to be paid to the individual designated by such officer as beneficiary under that officer’s most recently executed life insurance policy. In the event that there was no such individual named or that an individual so named did not survive the officer, the benefit would then be paid to the parents of the officer.

#### HEARINGS

No hearings were held on H.R. 3297.

#### COMMITTEE CONSIDERATION

On March 7, 2002, the Committee met in open session and ordered favorably reported the bill H.R. 3297 with amendment by voice vote, a quorum being present.

#### VOTE OF THE COMMITTEE

An amendment was offered by Mr. Nadler (for himself and Mr. Sensenbrenner) to insert language on page 3, lines 2 through 5, by striking “person” in both places such term appears and inserting “individual”. The amendment was agreed to by voice vote.

#### COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

#### PERFORMANCE GOALS AND OBJECTIVES

H.R. 3297 does not authorize funding. Therefore, clause 3(c) of rule XIII of the Rules of the House of Representatives is inapplicable.

## NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 3297, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, March 28, 2002.*

Hon. F. JAMES SENSENBRENNER, Jr., *Chairman,*  
*Committee on the Judiciary,*  
*House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3297, the Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226-2860.

Sincerely,

DAN L. CRIPPEN, *Director.*

Enclosure

cc: Honorable John Conyers, Jr.  
Ranking Member

*H.R. 3297—Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2001.*

CBO estimates that enacting H.R. 3297 would increase direct spending by about \$2 million in fiscal year 2002 and by less than \$500,000 in each year thereafter. Because the bill would affect direct spending, pay-as-you-go procedures would apply. H.R. 3297 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

For incidents occurring on or after September 11, 2001, H.R. 3297 would make chaplains of fire and police departments eligible for the benefits available to public safety officers who have died or who have been permanently disabled as a result of injuries sustained in the line of duty. Under current law, the families of public safety officers who have died as a result of such injuries are eligible for a payment of \$250,000. Officers who have been permanently disabled are eligible for the same payment; however, this payment is subject to the availability of appropriations. Based on information from the Department of Justice, CBO estimates that this provision of H.R. 3297 would cost less than \$500,000 annually because it is extremely rare for a police or fire chaplain to be killed in the

line of duty. There was one fire department chaplain killed in the September 11th attacks in New York: Father Mychal Judge.

In addition, for incidents occurring on or after September 11, 2001, H.R. 3297 would expand the list of eligible recipients for the \$250,000 death benefit. The bill would allow for payments to individuals that are named on a deceased officer's life insurance policy other than spouses, children, and parents, who currently are eligible to receive the \$250,000 payment.

Of the approximately 450 public safety officers killed in the September 11th attacks, there are 10 individuals known to have died without spouses, children, or parents, so the \$250,000 death benefit will not be paid under current law. Based on information from the Department of Justice and from associations representing police officers and firefighters, CBO expects that a majority of the 10 deceased individuals had life insurance policies, thus the beneficiaries of those policies would be eligible for a \$250,000 payment under H.R. 3297. We estimate that enacting H.R. 3297 would increase direct spending by about \$2 million in fiscal year 2002.

For fiscal year 2003 and subsequent years, CBO estimates that H.R. 3297 would cost less than \$500,000 annually for death benefits paid to life insurance beneficiaries. The events of September 11, 2001, resulted in an unusually high number of public safety officer deaths that affect Federal payments in fiscal year 2002; in most years, payments to survivors of public safety officers have numbered about 200. It is very unusual for an officer to die in the line of duty with no spouse, children, or parents, according to associations for police officers and firefighters. Aside from the 10 cases resulting from the attacks of September 11, 2001, there have been no such cases reported in recent years.

The CBO staff contact for this estimate is Mark Grabowicz, who can be reached at 226-2860. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in Article I, section 8, clause 18 of the Constitution.

#### SECTION-BY-SECTION ANALYSIS AND DISCUSSION

##### SECTION 1. SHORT TITLE

This act may be cited as the "Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002."

##### SECTION 2. BENEFITS FOR CHAPLAINS

Subsection (a) amends section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796(b)) to make chaplains eligible for the Public Safety Officers Benefit. It also defines the term "chaplain" as 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.

Subsection (b) amends section 1201(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796(a)) to expand eligible beneficiaries to include individuals named on life insurance policies.

Subsection (c) makes H.R. 3297 retroactive, stating that “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.”

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

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

\* \* \* \* \*

**TITLE I—JUSTICE SYSTEM IMPROVEMENT**

\* \* \* \* \*

**PART L—PUBLIC SAFETY OFFICERS’ DEATH BENEFITS**

**Subpart 1—Death Benefits**

PAYMENTS

SEC. 1201. (a) In any case in which the Bureau of Justice Assistance (hereinafter in this part referred to as the “Bureau”) determines, under regulations issued pursuant to this part, that a public safety officer has died as the direct and proximate result of a personal injury sustained in the line of duty, the Bureau shall pay a benefit of \$250,000, adjusted in accordance with subsection (h), as follows:

(1) \* \* \*

\* \* \* \* \*

(3) if there is no surviving spouse, to the child or children of such officer in equal shares; **[or]**

*(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*

**[(4)]** (5) if none of the above, to the parent or parents of such officer in equal shares.

\* \* \* \* \*

DEFINITIONS

SEC. 1204. As used in this part—

(1) \* \* \*

(2) “chaplain” means 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;

[(2)] (3) “child” means any natural, illegitimate, adopted, or posthumous child or stepchild of a deceased public safety officer who, at the time of the public safety officer’s death, is—

(i) \* \* \*

\* \* \* \* \*

[(3)] (4) “firefighter” includes an individual serving as an official recognized or designated member of a legally organized volunteer fire department and an officially recognized or designated public employee member of a rescue squad or ambulance crew;

[(4)] (5) “intoxication” means a disturbance of mental or physical faculties resulting from the introduction of alcohol into the body as evidence by—

(i) \* \* \*

\* \* \* \* \*

or resulting from drugs or other substances in the body;

[(5)] (6) “law enforcement officer” means an individual involved in crime and juvenile delinquency control or reduction, or enforcement of the laws, including, but not limited to, police, corrections, probation, parole, and judicial officers;

[(6)] (7) “public agency” means the United States, any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, and any territory or possession of the United States, or any unit of local government, agency, or instrumentality of any of the foregoing; and

[(7)] (8) “public safety officer” means—

(A) an individual serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, as a firefighter, *as a chaplain*, or as a member of a rescue squad or ambulance crew;

\* \* \* \* \*

MARKUP TRANSCRIPT

**BUSINESS MEETING**  
**THURSDAY, MARCH 7, 2002**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE JUDICIARY,  
*Washington, DC.*

The Committee met, pursuant to notice, at 9:35 a.m., in Room 2141, Rayburn House Office Building, Hon. F. James Sensenbrenner, Jr. [Chairman of the Committee] presiding.

Chairman SENSENBRENNER. The Committee will be in order.  
[Intervening business.]

Pursuant to notice, I now call up the bill H.R. 3297, the “Mychal Judge Police and Fire Chaplains Public Safety Officers’ Benefit Act of 2001” for purposes of markup and move its favorable recommendation to the House. Without objection, the bill will be considered as read and open for amendment at any time.

[The bill, H.R. 3297, follows:]

I

107TH CONGRESS  
1ST SESSION

# H. R. 3297

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.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2001

Mr. MANZULLO (for himself and Mr. NADLER) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

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.

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 “Mychal Judge Police  
5 and Fire Chaplains Public Safety Officers’ Benefit Act of  
6 2001”.

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

2 (a) IN GENERAL.—Section 1204 of the Omnibus  
3 Crime Control and Safe Streets Act of 1968 (42 U.S.C.  
4 3796b) is amended—

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

7 (2) by inserting after paragraph (1) the fol-  
8 lowing:

9 “(2) ‘chaplain’ means any individual serving as  
10 an officially recognized or designated member of a  
11 legally organized volunteer fire department or legally  
12 organized police department, or an officially recog-  
13 nized or designated public employee of a legally or-  
14 ganized fire or police department who was respond-  
15 ing to a fire, rescue, or police emergency;” and

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

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

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

23 (2) by redesignating paragraph (4) as para-  
24 graph (5); and

25 (3) by inserting after paragraph (3) the fol-  
26 lowing new paragraph:

1           “(4) if there is no surviving spouse or surviving  
2           child, to the person designated by such officer as  
3           beneficiary under such officer’s most recently exe-  
4           cuted life insurance policy, provided that such per-  
5           son survived such officer; or”.

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

○

Chairman SENSENBRENNER. I ask unanimous consent that all Members, including the Chair, be allowed to insert opening statements in the record at this point in time, and recognize the gentleman from New York, Mr. Nadler, for an amendment.

[The prepared statement of Mr. Sensenbrenner follows:]

PREPARED STATEMENT OF THE HONORABLE F. JAMES SENSENBRENNER, JR., A  
REPRESENTATIVE IN CONGRESS FROM THE STATE OF WISCONSIN

Once again, this Committee has reason to visit the events of September 11. Through the tragedy of that day, we have heard countless stories, and have tried to do what we could as a Committee to remedy that which we may legislatively address. H.R. 3297 is one such remedy which stems from one such story.

Father Mychal F. Judge, a priest who years earlier had consoled the families of TWA Flight 800 after it exploded off of Long Island and who had gone on a recent peace mission to Northern Ireland, had been a chaplain with the New York City Fire Department since 1992. Acting in his capacity as chaplain, he was present at the World Trade Center after the attack commenced, ministering to the victims of that horrendous deed, when a rain of debris showered over him, resulting in his death.

H.R. 3297 is given a short name in recognition of Father Judge and his efforts, while addressing two concerns brought up under current law which his situation has brought to light. Under current law, the Bureau of Justice Assistance is directed to make payment of monetary benefits to survivors of public safety officers who are killed in the line of duty. This bill addresses any ambiguity which may exist in existing legal language, specifically naming chaplains who are in service as being covered by the same criteria as other public service officers. Additionally, this bill would allow for the beneficiary under that officer’s most recently executed life insurance policy to receive the monetary benefit administered by the Bureau of Justice Assistance in the case that the deceased had neither a spouse or a child left as a survivor.

I urge all Members to support H.R. 3297.

[The prepared statement of Mr. Nadler follows:]

PREPARED STATEMENT OF THE HONORABLE JERROLD NADLER, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF NEW YORK

The "Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2001"

Thank you for yielding time.

I ask unanimous consent to include in the record this letter from the National Association of Police Organizations in support of H.R. 3297. Thank you.

Mr. Chairman, I strongly support the Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act.

I worked closely with Rep. Manzullo on this bill to extend the Public Safety Officers Benefit Program (PSOB) to chaplains, and I want to thank the Chairman for bringing this bill before the Committee for a markup so expeditiously.

Franciscan Friar Mychal Judge was a pastor at the Church of St. Francis of Assisi on West 31st Street in Manhattan. He was a well known New York City Fire Department Chaplain and he helped console the families of the victims of Trans World Airways Flight 800 that crashed off the coast of Long Island in 1996.

On September 11, 2001, when the first plane hit tower Tower 1 of the World Trade Center, Father Judge joined his fellow firefighters by rushing to the scene. New York City Mayor Rudy Guiliani later said he saw the Chaplain at the scene and asked him to pray for us. The Chaplain was there providing support and administering last rites to the suffering victims of the attacks.

Tragically, Father Judge was killed at the World Trade Center. Clearly, Father Judge provided heroic service to our nation and ought to be eligible for the PSOB program.

As you know, the PSOB provides financial and emotional assistance to the families of public safety officers killed in the line of duty and to officers who are permanently and totally disabled as the result of traumatic injuries sustained in the line of duty.

Father Judge is one of several chaplains who have died in the line of duty. This bill would acknowledge their service to our country by clarifying their eligibility in the PSOB program and by enabling their designated beneficiaries to access the benefits provided by the program.

I fully support this bill and I urge my colleagues to support it as well.

Mr. NADLER. Thank you, Mr. Chairman.

Before I offer the amendment, I ask unanimous consent to include in the record this letter in support of the bill from the National Association of Police Organizations.

Chairman SENSENBRENNER. Without objection.

[The information referred to follows:]



**NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.**

*Representing America's Finest*  
 750 First Street, N.E., Suite 920 • Washington, D.C. 20002-4241  
 (202) 842-4420 • (800) 322-NAPO • (202) 842-4396 FAX  
 www.napo.org - E-mail: [napo@erols.com](mailto:napo@erols.com)

**EXECUTIVE OFFICERS** March 5, 2002

**THOMAS J. SCOTTO**  
 President  
*Detectives' Endowment*  
*Association of New York City*

**THOMAS J. NEE**  
 Executive Vice President  
*Boston Police*  
*Petrolmen's Association*

**EDWARD W. GUZDEK**  
 Recording Secretary  
*Police Conference of New York*

**JIM THOMPSON**  
 Treasurer  
*Florida PBA*

**TED HUNT**  
 Sergeant-at-Arms  
*Los Angeles Police*  
*Protective League*

**SANDRA J. GRACE**  
 Executive Secretary  
*New Bedford (MA)*  
*Police Union*

The Honorable Jerrold Nadler  
 United States House of Representatives  
 2334 Rayburn House Office Building  
 Washington, D.C., 20515

Dear Representative Nadler:

On behalf of the National Association of Police Organizations (NAPO), representing over 220,000 rank-and-file police officers, I would like to advise you of our wholehearted support for H.R. 3297, the "Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2001." H.R. 3297 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.

H.R. 3297 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 joining with Representative Donald Manzullo (R-IL) and introducing this important piece of legislation. We commend you for your continued work on PSOB issues and your strong support of law enforcement.

Sincerely,

William J. Johnson  
 Executive Director

*The National Association of Police Organizations (NAPO) is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents more than 4,000 police unions and associations, 220,000 sworn law enforcement officers, 11,000 retired officers and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.*

Mr. NADLER. Thank you, Mr. Chairman. I have an amendment at the desk.

Chairman SENSENBRENNER. Without objection, the clerk will report the amendment. And without objection, the amendment is considered as read.

[The amendment follows:]

**AMENDMENT TO H.R. 3297**  
**OFFERED BY MR. NADLER**

Page 3, lines 2 through 5, strike “person” both places such term appears and insert “individual”.

Chairman SENSENBRENNER. The gentleman from New York is recognized for 5 minutes.

And without objection, the amendment is adopted. [Laughter.]

Mr. NADLER. Thank you, Mr. Chairman.

Chairman SENSENBRENNER. Are there further amendments? Hearing none, the question occurs on the motion to report the bill H.R. 3297 favorably as amended. The Chair notes the presence of a reporting quorum.

All in favor say aye.

Opposed, no.

The ayes appear to have it. The ayes have it. The motion to report favorably is adopted. Without objection, the bill will be reported favorably to the House in the form of a single amendment in the nature of a substitute, incorporating the amendment adopted today.

Without objection, the Chair is authorized to move to go to conference pursuant to House Rules. Without objection, the staff is directed to make any technical and conforming changes. And all Members will be given 2 days as provided by House Rules in which to submit additional dissenting, supplemental, or minority views.

And there being no further business to come before the Committee, the Committee stands adjourned.

[Whereupon, at 11:25 a.m., the Committee was adjourned.]