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(Original Signature of Member)

119TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To provide compensation to law enforcement officers who defended the United States Capitol during the events that occurred at or near the United States Capitol on January 6, 2021, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. RASKIN introduced the following bill; which was referred to the Committee on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To provide compensation to law enforcement officers who defended the United States Capitol during the events that occurred at or near the United States Capitol on January 6, 2021, 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 “January 6th Law En-  
5 forcement Heroes Compensation Fund Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act, the following definitions apply:

1           (1) CLAIMANT.—The term “claimant” means  
2           an individual filing a claim for compensation under  
3           section 5(a)(1).

4           (2) COLLATERAL SOURCE.—The term “collat-  
5           eral source” means all collateral sources, including  
6           life insurance, pension funds, death benefit pro-  
7           grams, and payments by Federal, State, or local  
8           governments related to the events that occurred at  
9           or near the United States Capitol on January 6,  
10          2021.

11          (3) ECONOMIC LOSS.—The term “economic  
12          loss” means any pecuniary loss resulting from harm  
13          (including the loss of earnings or other benefits re-  
14          lated to employment, medical expense loss, replace-  
15          ment services loss, loss due to death, including sui-  
16          cide or any other death that is reasonably attrib-  
17          utable to the claimant’s service on January 6, 2021,  
18          burial costs, and loss of business or employment op-  
19          portunities) to the extent recovery for such loss is al-  
20          lowed under applicable State law.

21          (4) ELIGIBLE INDIVIDUAL.—The term “eligible  
22          individual” means an individual determined to be eli-  
23          gible for compensation under section 5(c).

24          (5) NONECONOMIC LOSSES.—The term “non-  
25          economic losses” means losses for physical, emo-

1        tional, and psychological pain, suffering, physical im-  
2        pairment, mental anguish, post traumatic stress dis-  
3        order, disfigurement, loss of enjoyment of life, loss  
4        of society and companionship, loss of consortium  
5        (other than loss of domestic service), hedonic dam-  
6        ages, injury to reputation, and all other nonpecu-  
7        niary losses of any kind or nature.

8            (6) SPECIAL MASTER.—The term “Special Mas-  
9        ter” means the Special Master appointed under sec-  
10        tion 4(a).

11 **SEC. 3. PURPOSE.**

12        It is the purpose of this Act to provide compensation  
13 to law enforcement officers who defended the United  
14 States Capitol during the events that occurred at or near  
15 the United States Capitol on January 6, 2021, and to  
16 compensate those officers who were injured, including  
17 mental or emotional injury, or who lost their lives as a  
18 result of such attack.

19 **SEC. 4. ADMINISTRATION.**

20        (a) IN GENERAL.—The Attorney General, acting  
21 through a Special Master appointed by the Attorney Gen-  
22 eral, shall—

23            (1) administer the compensation program es-  
24        tablished under this Act;

1           (2) promulgate all procedural and substantive  
2 rules for the administration of this Act; and

3           (3) employ and supervise hearing officers and  
4 other administrative personnel to perform the duties  
5 of the Special Master under this Act.

6           (b) AUTHORIZATION OF APPROPRIATIONS.—There  
7 are authorized to be appropriated such sums as may be  
8 necessary to pay the administrative and support costs for  
9 the Special Master in carrying out this Act.

10 **SEC. 5. DETERMINATION OF ELIGIBILITY FOR COMPENSA-**  
11 **TION.**

12           (a) FILING OF CLAIM.—

13           (1) IN GENERAL.—A claimant may file a claim  
14 for compensation under this Act with the Special  
15 Master. The claim shall be on the form developed  
16 under paragraph (2) and shall state the factual basis  
17 for eligibility for compensation and the amount of  
18 compensation sought.

19           (2) CLAIM FORM.—

20           (A) IN GENERAL.—The Special Master  
21 shall develop a claim form that claimants shall  
22 use when submitting claims under paragraph  
23 (1). The Special Master shall ensure that such  
24 form can be filed electronically, if determined to  
25 be practicable.

1 (B) CONTENTS.—The form developed  
2 under subparagraph (A) shall request—

3 (i) information from the claimant con-  
4 cerning their service as an active duty law  
5 enforcement officer in defense of the  
6 United States Capitol on January 6, 2021;

7 (ii) information from the claimant  
8 concerning the physical, emotional, and  
9 psychological harm that the claimant suf-  
10 fered, or in the case of a claim filed on be-  
11 half of a decedent, information confirming  
12 the decedent's death, as a result of the  
13 events that occurred at or near the United  
14 States Capitol on January 6, 2021, includ-  
15 ing suicide or any other death that is rea-  
16 sonably attributable to the claimant's serv-  
17 ice on January 6, 2021;

18 (iii) information from the claimant  
19 concerning any possible economic and non-  
20 economic losses that the claimant suffered  
21 as a result of such events; and

22 (iv) information regarding collateral  
23 sources of compensation the claimant has  
24 received or is entitled to receive as a result  
25 of such events.

1           (3) LIMITATION.—No claim may be filed under  
2 paragraph (1) after the date that is 3 years after  
3 the date on which regulations are promulgated  
4 under section 7.

5           (b) REVIEW AND DETERMINATION.—

6           (1) REVIEW.—The Special Master shall review  
7 a claim submitted under subsection (a) and deter-  
8 mine—

9           (A) whether the claimant is an eligible in-  
10 dividual under subsection (c);

11           (B) with respect to a claimant determined  
12 to be an eligible individual—

13           (i) the extent of the harm to the  
14 claimant, including any economic and non-  
15 economic losses; and

16           (ii) the amount of compensation to  
17 which the claimant is entitled based on the  
18 harm to the claimant, the facts of the  
19 claim, and the individual circumstances of  
20 the claimant.

21           (2) NEGLIGENCE.—With respect to a claimant,  
22 the Special Master shall not consider negligence or  
23 any other theory of liability.

24           (3) DETERMINATION.—Not later than 120 days  
25 after that date on which a claim is filed under sub-

1 section (a), the Special Master shall complete a re-  
2 view, make a determination, and provide written no-  
3 tice to the claimant, with respect to the matters that  
4 were the subject of the claim under review. Such a  
5 determination shall be final and not subject to judi-  
6 cial review.

7 (4) RIGHTS OF CLAIMANT.—A claimant in a re-  
8 view under paragraph (1) shall have—

9 (A) the right to be represented by an at-  
10 torney;

11 (B) the right to present evidence, including  
12 the presentation of witnesses and documents;  
13 and

14 (C) any other due process rights deter-  
15 mined appropriate by the Special Master.

16 (5) NO PUNITIVE DAMAGES.—The Special Mas-  
17 ter may not include amounts for punitive damages  
18 in any compensation paid under a claim under this  
19 Act.

20 (6) COLLATERAL COMPENSATION.—The Special  
21 Master shall reduce the amount of compensation de-  
22 termined under paragraph (1)(B)(ii) by the amount  
23 of the collateral source compensation the claimant  
24 has received or is entitled to receive as a result of

1 the events that occurred at or near the United  
2 States Capitol on January 6, 2021.

3 (c) ELIGIBILITY.—

4 (1) IN GENERAL.—A claimant shall be deter-  
5 mined to be an eligible individual for purposes of  
6 this subsection if the Special Master determines that  
7 such claimant—

8 (A) is an individual described in paragraph  
9 (2); and

10 (B) meets the requirements of paragraph  
11 (3).

12 (2) INDIVIDUALS.—A claimant is an individual  
13 described in this paragraph if the claimant is—

14 (A) an individual who—

15 (i) served as an active duty law en-  
16 forcement officer in defense of the United  
17 States Capitol on January 6, 2021; and

18 (ii) suffered economic loss, non-  
19 economic loss, or death as a result of the  
20 attack on the United States Capitol, in-  
21 cluding suicide or other death that is rea-  
22 sonably attributable to the claimant's serv-  
23 ice on January 6, 2021; or

24 (B) in the case of a decedent who is an in-  
25 dividual described in subparagraph (A), the per-



1           sonal representative of the decedent who files a  
2           claim on behalf of the decedent.

3           (3) REQUIREMENTS.—Not more than one claim  
4           may be submitted under this Act by an individual or  
5           on behalf of a deceased individual.

6   **SEC. 6. PAYMENTS TO ELIGIBLE INDIVIDUALS FOR DEATH**  
7                           **OR INJURY.**

8           (a) IN GENERAL.—Not later than 180 days after the  
9           date on which a determination is made by the Special Mas-  
10          ter regarding the amount of compensation due a claimant  
11          under this Act under section 5(b), the Special Master shall  
12          authorize payment to such claimant of the amount deter-  
13          mined with respect to the claimant.

14          (b) MINIMUM PAYMENT AMOUNTS FOR DEATH.—In  
15          the case of any claim payable under this Act for death,  
16          including suicide or any other death that is reasonably at-  
17          tributable to the claimant's service on January 6, 2021,  
18          such payment shall be not less than \$4,975,000.

19   **SEC. 7. ADDITIONAL PAYMENTS TO CLAIMANTS.**

20          (a) IN GENERAL.—Not later than 180 days after the  
21          expiration of the claim period under section 5(a)(3), the  
22          Special Master shall make a payment, in addition to any  
23          payment under section 6, to each claimant who served as  
24          an active duty law enforcement officer in defense of the  
25          United States Capitol on January 6, 2021, whether or not

1 such claimant suffered any economic or noneconomic loss  
2 as a result of such service, in an amount that is equal  
3 to—

4 (1)(A) \$4,975,000, plus  
5 (B) the amount calculated under subsection (b),  
6 divided by  
7 (2) the total number of such claimants.

8 (b) CALCULATION OF PAYMENTS MADE BY UNITED  
9 STATES.—Not later than 90 days after the expiration of  
10 the claim period under section 5(a)(3), the Attorney Gen-  
11 eral shall calculate the sum of each payment in resolution  
12 of a civil action or administrative claim paid by the United  
13 States pursuant to a settlement agreement during the pe-  
14 riod beginning January 20, 2025 and ending on the date  
15 of the expiration of the claim period under section 5(a)(3),  
16 if that civil action or administrative claim is brought by  
17 a person who was convicted of an offense related to events  
18 that occurred at or near the United States Capitol on Jan-  
19 uary 6, 2021, and arose from such an offense (including  
20 any action or claim related to the investigation, prosecu-  
21 tion, or conviction for such an offense).

22 **SEC. 8. PAYMENT AUTHORITY.**

23 This Act constitutes budget authority in advance of  
24 appropriations Acts and represents the obligation of the

1 Federal Government to provide for the payment of  
2 amounts for compensation under this Act.

3 **SEC. 9. REGULATIONS.**

4 Not later than 90 days after the date of enactment  
5 of this Act, the Attorney General, in consultation with the  
6 Special Master, shall promulgate regulations to carry out  
7 this Act, including regulations with respect to—

8 (1) forms to be used in submitting claims under  
9 this Act;

10 (2) the information to be included in such  
11 forms;

12 (3) procedures for hearing and the presentation  
13 of evidence;

14 (4) procedures to assist an individual in filing  
15 and pursuing claims under this Act; and

16 (5) other matters determined appropriate by  
17 the Attorney General.

18 **SEC. 10. RIGHT OF SUBROGATION.**

19 The United States shall have the right of subrogation  
20 with respect to any claim paid by the United States under  
21 this Act.