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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer death and disability benefits for certain public safety officers who contract COVID-19, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. NADLER (for himself, Mr. ROSE of New York, and Mr. PASCRELL) introduced the following bill; which was referred to the Committee on

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer death and disability benefits for certain public safety officers who contract 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 “Public Safety Officer
5 Pandemic Response Act of 2020”.

1 **SEC. 2. DEATH AND DISABILITY BENEFITS FOR PUBLIC**
2 **SAFETY OFFICERS IMPACTED BY COVID-19.**

3 Section 1201 of the Omnibus Crime Control and Safe
4 Streets Act of 1968 (34 U.S.C. 10281) is amended by
5 adding at the end the following new subsection:

6 “(o) For purposes of this part:

7 “(1) COVID-19 shall be presumed to constitute
8 a personal injury within the meaning of subsection
9 (a), sustained in the line of duty by a public safety
10 officer and directly and proximately resulting in
11 death, unless such officer was not on duty during
12 the 45-day period prior to being diagnosed with
13 COVID-19.

14 “(2) The Attorney General shall accept claims,
15 including supplemental claims, under this section
16 from an individual who—

17 “(A) was serving as a public safety officer
18 and was injured or disabled in the line of duty
19 as a result of the terrorist attacks on the
20 United States that occurred on September 11,
21 2001, or in the aftermath of such attacks devel-
22 oped a condition described in section 3312(a) of
23 the Public Health Service Act (42 U.S.C.
24 300mm–22(a)); and

25 “(B) was diagnosed with COVID-19 dur-
26 ing the period described in paragraph (3),

1 which, in combination with the injury or dis-
2 ability described in subparagraph (A), perma-
3 nently and totally disabled or directly and
4 proximately resulted in the death of the indi-
5 vidual.

6 In assessing a claim under this paragraph, the pre-
7 sumption of causation described in paragraph (1)
8 shall apply.

9 “(3) The presumption described in paragraph
10 (1) shall apply with respect to a diagnosis of
11 COVID-19 beginning on January 20, 2020, and
12 ending on the date that is one year after the emer-
13 gency period (as such term is defined in section
14 1135(g) of the Social Security Act (42 U.S.C.
15 1320b-5(g))) based on the COVID-19 public health
16 emergency ends.

17 “(p) In determining whether the personal injury re-
18 sulting from COVID-19 was a catastrophic injury, the At-
19 torney General’s inquiry shall be limited to whether the
20 individual is permanently prevented from performing any
21 gainful work as a public safety officer.”.