

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 6943  
OFFERED BY M. \_\_\_\_\_**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Public Safety Officer  
3 Support Act of 2022”.

**4 SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Every day, public safety officers, including  
7 police officers, firefighters, emergency medical tech-  
8 nicians, and others, work to maintain the safety,  
9 health, and well-being of the communities they serve.

10 (2) This means public safety officers are rou-  
11 tinely called to respond to stressful and potentially  
12 traumatic situations, often putting their own lives in  
13 danger.

14 (3) This work not only puts public safety offi-  
15 cers at-risk for experiencing harm, serious injury,  
16 and cumulative and acute trauma, but also places  
17 them at up to 25.6 times higher risk for developing

1 post-traumatic stress disorder when compared to in-  
2 dividuals without such experiences.

3 (4) Psychological evidence indicates that law  
4 enforcement officers experience significant job-re-  
5 lated stressors and exposures that may confer in-  
6 creased risk for mental health morbidities (such as  
7 post-traumatic stress disorder and suicidal thoughts,  
8 ideation, intents, and behaviors) and hastened mor-  
9 tality.

10 (5) Public safety officers often do not have the  
11 resources or support they need, leaving them at  
12 higher risk for long-term mental health con-  
13 sequences.

14 (6) Whereas, although the Department of De-  
15 fense already considers servicemember suicides to be  
16 line-of-duty deaths and provides Federal support to  
17 eligible surviving families, the Federal Government  
18 does not recognize public safety officer suicides as  
19 deaths in the line of duty.

20 (7) In 2017, the Department of Justice ap-  
21 proved 481 claims under the Public Safety Officers'  
22 Benefits Program under subpart 1 of part L of title  
23 I of the Omnibus Crime Control and Safe Streets  
24 Act of 1968 (34 U.S.C. 10281 et seq.), but not one

1 of them for the more than 240 public safety officers  
2 who died by suicide that year.

3 (8) Public safety officers who have died or are  
4 disabled as a result of suicide or post-traumatic  
5 stress disorder do not qualify for the Public Safety  
6 Officers' Benefits Program, despite the fact that  
7 public safety officers are more likely to die by sui-  
8 cide than from any other line-of-duty cause of death.

9 **SEC. 3. PUBLIC SAFETY OFFICER DEATH BENEFITS FOR**  
10 **POST-TRAUMATIC STRESS DISORDER AND**  
11 **ACUTE STRESS DISORDER.**

12 (a) IN GENERAL.—Section 1201 of title I of the Om-  
13 nibus Crime Control and Safe Streets Act of 1968 (34  
14 U.S.C. 10281) is amended by adding at the end the fol-  
15 lowing:

16 “(o) POST-TRAUMATIC STRESS DISORDER AND  
17 ACUTE STRESS DISORDER.—

18 “(1) DEFINITIONS.—In this section:

19 “(A) MASS CASUALTY EVENT.—The term  
20 ‘mass casualty event’ means an incident result-  
21 ing in casualties to not fewer than 3 victims, in-  
22 cluding—

23 “(i) an incident that exceeds the nor-  
24 mal resources for emergency response

1 available in the jurisdiction where the inci-  
2 dent takes place; and

3 “(ii) an incident that results in a sud-  
4 den temporal surge of injured individuals  
5 necessitating emergency services.

6 “(B) MASS FATALITY EVENT.—The term  
7 ‘mass fatality event’ means an incident result-  
8 ing in the fatalities of not fewer than 3 individ-  
9 uals at 1 or more locations close to one another  
10 with a common cause.

11 “(C) MASS SHOOTING.—The term ‘mass  
12 shooting’ means a multiple homicide incident in  
13 which not fewer than 3 victims are killed—

14 “(i) with a firearm;

15 “(ii) within 1 event; and

16 “(iii) in 1 or more locations in close  
17 proximity.

18 “(D) EXPOSED.—The term ‘exposed’ in-  
19 cludes—

20 “(i) directly experiencing or wit-  
21 nessing an event; or

22 “(ii) being subjected, in an intense  
23 way, to aversive consequences of the event  
24 (including a public safety officer collecting  
25 human remains).

1           “(E) TRAUMATIC EVENT.—The term ‘trau-  
2           matic event’ means, in the case of a public safe-  
3           ty officer exposed to an event, an event that  
4           is—

5                   “(i) a homicide, suicide, or the violent  
6                   or gruesome death of another individual  
7                   (including such a death resulting from a  
8                   mass casualty event, mass fatality event,  
9                   or mass shooting);

10                   “(ii) a harrowing circumstance posing  
11                   an extraordinary and significant danger or  
12                   threat to the life of or of serious bodily  
13                   harm to any individual (including such a  
14                   circumstance as a mass casualty event,  
15                   mass fatality event, or mass shooting); or

16                   “(iii) an act of criminal sexual vio-  
17                   lence committed against any individual.

18           “(2) PERSONAL INJURY SUSTAINED IN LINE OF  
19           DUTY.—As determined by the Bureau—

20                   “(A) post-traumatic stress disorder, acute  
21                   stress disorder, or trauma and stress related  
22                   disorders suffered by a public safety officer and  
23                   diagnosed by a licensed medical or mental  
24                   health professional, shall be presumed to con-  
25                   stitute a personal injury within the meaning of

1 subsection (a), sustained in the line of duty by  
2 the officer, if the officer was exposed, while on  
3 duty, to one or more traumatic events and such  
4 exposure was a substantial factor in the dis-  
5 order;

6 “(B) post-traumatic stress disorder, acute  
7 stress disorder, or trauma and stress related  
8 disorders, suffered by a public safety officer  
9 who has contacted or attempted to contact the  
10 employee assistance program of the agency or  
11 entity that the officer serves, a licensed medical  
12 or mental health professional, suicide preven-  
13 tion services, or another mental health assist-  
14 ance service in order to receive help, treatment,  
15 or diagnosis for post-traumatic stress disorder  
16 or acute stress disorder, shall be presumed to  
17 constitute a personal injury within the meaning  
18 of subsection (a), sustained in the line of duty  
19 by the officer, if the officer, was exposed, while  
20 on duty, to one or more traumatic events and  
21 such exposure was a substantial factor in the  
22 disorder; and

23 “(C) post-traumatic stress disorder, acute  
24 stress disorder, or trauma and stress related  
25 disorders, suffered by a public safety officer

1           who was exposed, while on duty, to one or more  
2           traumatic events shall be presumed to con-  
3           stitute a personal injury within the meaning of  
4           subsection (a), sustained in the line of duty by  
5           the officer if such exposure was a substantial  
6           factor in the disorder.

7           “(3) PRESUMPTION OF DEATH OR TOTAL DIS-  
8           ABILITY.—A public safety officer shall be presumed  
9           to have died or become permanently and totally dis-  
10          abled (within the meaning of subsection (a) or (b))  
11          as the direct and proximate result of a personal in-  
12          jury sustained in the line of duty, if (as determined  
13          by the Bureau) the officer either—

14                 “(A) took an action, which action was in-  
15                 tended to bring about the officer’s death and di-  
16                 rectly and proximately resulted in such officer’s  
17                 death or permanent and total disability and ex-  
18                 posure to one or more traumatic events was a  
19                 substantial factor in the action taken by the of-  
20                 ficer; or

21                 “(B) took an action within 45 days of the  
22                 end of exposure to a traumatic event, which ac-  
23                 tion was intended to bring about the officer’s  
24                 death and directly and proximately resulted in  
25                 such officer’s death or permanent and total dis-

1 ability, if such action was not inconsistent with  
2 a psychiatric disorder.

3 “(4) APPLICABILITY OF LIMITATIONS ON BENE-  
4 FITS.—

5 “(A) INTENTIONAL ACTIONS.—Section  
6 1202(a)(1) shall not apply to any claim for a  
7 benefit under this part that is payable in ac-  
8 cordance with this subsection.

9 “(B) SUBSTANCE USE.—Section  
10 1202(a)(2) shall not preclude the payment of a  
11 benefit under this part if the benefit is other-  
12 wise payable in accordance with this sub-  
13 section.”.

14 (b) RETROACTIVE APPLICABILITY.—

15 (1) IN GENERAL.—Except as provided in para-  
16 graph (2), the amendments made by this section  
17 shall—

18 (A) take effect on the date of enactment of  
19 this Act; and

20 (B) apply to any matter pending, before  
21 the Bureau of Justice Assistance or otherwise,  
22 on the date of enactment of this Act, or filed  
23 (consistent with pre-existing effective dates) or  
24 accruing after that date.



1           (2) EXCEPTIONS.—The amendments made by  
2 this section shall apply to any action taken by a  
3 public safety officer described in paragraph (3) of  
4 section 1201(o) of title I of the Omnibus Crime Con-  
5 trol and Safe Streets Act of 1968 (as added by this  
6 Act) that occurred on or after January 1, 2019.

7 **SEC. 4. TECHNICAL FIXES.**

8           (a) SUBPOENA POWER; EMPLOYMENT OF HEARING  
9 OFFICERS; AUTHORITY TO HOLD HEARINGS.—Section  
10 806 of title I of the Omnibus Crime Control and Safe  
11 Streets Act of 1968 is amended by—

12           (1) striking “by the Attorney General”;

13           (2) inserting “Assistant” before “Attorney” ev-  
14 erywhere it appears;

15           (3) striking “Code)” and inserting “Code (with-  
16 out regard to the days limitation prescribed therein),  
17 but shall, in no event, be understood to be (or to  
18 have the authority of) officers of the United  
19 States)”;

20           (4) striking “necessary to carry out” and in-  
21 serting “necessary or convenient to assist them in  
22 carrying out”;

23           (5) striking “or any” and inserting “, or (sub-  
24 ject to such limitations as the appointing authority

1 may, in its sole discretion, impose from time to time)  
2 any”;

3 (6) inserting a comma after “thereby”;

4 (7) striking “duties under this title” and insert-  
5 ing “duties under any law administered by or under  
6 the Office”;

7 (8) striking “such hearing examiners” the sec-  
8 ond place it appears; and

9 (9) striking “examinations and” and inserting  
10 “examinations, and”.

11 (b) DEFINITIONS.—Section 1204 of title I of the Om-  
12 nibus Crime Control and Safe Streets Act of 1968 is  
13 amended—

14 (1) in paragraph (11), by striking “; and” and  
15 inserting “;”;

16 (2) in paragraph (12)(B), by striking “basis.”  
17 and inserting “basis;”; and

18 (3) in paragraph (14), by redesignating the sec-  
19 ond subparagraph (F) as subparagraph (G).

20 **SEC. 5. GAO REPORT.**

21 Not later than 1 year after the date of enactment  
22 of this Act, the Comptroller General of the United States  
23 shall submit to Congress a report that details benefits  
24 issued pursuant to subsection (o) of section 1201 of title  
25 I of the Omnibus Crime Control and Safe Streets Act of

1 1968 (34 U.S.C. 10281), as added by section 3, and in-  
2 cludes any recommendations to improve that subsection.

