

115TH CONGRESS
2D SESSION

H. R. 5060

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to make reforms to the benefits for Public Service Officers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2018

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

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to make reforms to the benefits for Public Service Officers, 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 “Heroes Lesley Zerebny
5 and Gilbert Vega First Responders Survivors Support Act
6 of 2018”.

7 **SEC. 2. AMOUNT OF BENEFIT INCREASED.**

8 Section 1201(a) of the Omnibus Crime Control and
9 Safe Streets Act of 1968 (34 U.S.C. 10281(a)) is amend-

1 ed in the matter preceding paragraph (1) by striking
2 “\$250,000” and inserting “\$500,000”.

3 **SEC. 3. DATE OF DETERMINATION OF AMOUNT OF BEN-**
4 **EFIT.**

5 (a) **DISABILITY BENEFIT.**—Section 1201(b) of the
6 Omnibus Crime Control and Safe Streets Act of 1968 (34
7 U.S.C. 10281(b)) is amended by striking “with respect to
8 the date on which the catastrophic injury occurred” and
9 inserting the following: “with respect to the date that a
10 determination is made to make such payment”.

11 (b) **DEATH BENEFIT.**—Section 1201(i) of the Omni-
12 bus Crime Control and Safe Streets Act of 1968 (34
13 U.S.C. 10281(i)) is amended by striking “as of the date
14 of death of such officer” and inserting the following: “as
15 of the date that a determination is made to make such
16 payment subsequent to an application”.

17 **SEC. 4. AMOUNT OF EDUCATIONAL ASSISTANCE.**

18 Section 1212(a)(2) of the Omnibus Crime Control
19 and Safe Streets Act of 1968 (34 U.S.C. 10302(a)(2)) is
20 amended by striking “shall be computed on the basis set
21 forth in section 3532 of title 38, United States Code” and
22 inserting the following: “shall be computed on the basis
23 set forth in section 1219”.

1 **SEC. 5. COMPUTATION OF EDUCATIONAL ASSISTANCE AL-**
2 **LOWANCE.**

3 Subpart 2 of part L of title I of the Omnibus Crime
4 Control and Safe Streets Act of 1968 (34 U.S.C. 10301
5 et seq.) is amended by adding at the end the following:

6 **“SEC. 1219. COMPUTATION OF EDUCATIONAL ASSISTANCE**
7 **ALLOWANCE.**

8 “(a) IN GENERAL.—

9 “(1) MONTHLY RATES.—The financial assist-
10 ance on behalf of an eligible person who is pursuing
11 a program of education consisting of institutional
12 courses shall be paid at the monthly rate of \$2,000
13 for full-time, \$1,600 for three-quarter-time, or
14 \$1,160 for half-time pursuit.

15 “(2) LESS THAN HALF-TIME BASIS.—The fi-
16 nancial assistance on behalf of an eligible person
17 pursuing a program of education on less than a half-
18 time basis shall be paid at the rate of the lesser of—

19 “(A) the established charges for tuition
20 and fees that the educational institution in-
21 volved requires similarly circumstanced non-
22 eligible persons enrolled in the same program to
23 pay; or

24 “(B) \$788 per month for a full-time
25 course.

1 “(b) TRAINING.—The financial assistance to be paid
2 on behalf of an eligible person who is pursuing a full-time
3 program of education which consists of institutional
4 courses and alternate phases of training in a business or
5 industrial establishment with the training in the business
6 or industrial establishment being strictly supplemental to
7 the institutional portion, shall be computed at the rate of
8 \$2,000 per month.

9 “(c) FARM COOPERATIVE.—

10 “(1) IN GENERAL.—An eligible person who is
11 enrolled in an educational institution for a ‘farm co-
12 operative’ program consisting of institutional agri-
13 cultural courses prescheduled to fall within 44 weeks
14 of any period of 12 consecutive months and who
15 pursues such program on—

16 “(A) a full-time basis (a minimum of 10
17 clock hours per week or 440 clock hours in such
18 year prescheduled to provide not less than 80
19 clock hours in any three-month period);

20 “(B) a three-quarter-time basis (a min-
21 imum of seven clock hours per week); or

22 “(C) a half-time basis (a minimum of five
23 clock hours per week),

24 shall be eligible to receive financial assistance at the
25 appropriate rate provided in paragraph (2) of this

1 subsection, if such eligible person is concurrently en-
2 gaged in agricultural employment which is relevant
3 to such institutional agricultural courses as deter-
4 mined under standards prescribed by the Attorney
5 General. In computing the foregoing clock hour re-
6 quirements there shall be included the time involved
7 in field trips and individual and group instruction
8 sponsored and conducted by the educational institu-
9 tion through a duly authorized instructor of such in-
10 stitution in which the person is enrolled.

11 “(2) MONTHLY AMOUNTS.—The monthly finan-
12 cial assistance to be paid on behalf of an eligible
13 person pursuing a farm cooperative program under
14 this subpart shall be \$636 for full-time, \$477 for
15 three-quarter-time, or \$319 for half-time pursuit.

16 “(d) PROGRAMS IN REPUBLIC OF PHILIPPINES.—If
17 a program of education is pursued by an eligible person
18 at an institution located in the Republic of the Philippines,
19 the financial assistance computed for such person under
20 this section shall be paid at the rate of \$0.50 for each
21 dollar.

22 “(e) LICENSING OR CERTIFICATION.—

23 “(1) IN GENERAL.—Subject to paragraph (3),
24 the amount of financial assistance payable under
25 this subpart for a licensing or certification test de-

1 scribed in section 3501(a)(5) of title 38, United
2 States Code, is the lesser of \$2,000 or the fee
3 charged for the test.

4 “(2) NUMBER OF MONTHS.—The number of
5 months of entitlement charged in the case of any in-
6 dividual for such licensing or certification test is
7 equal to the number (including any fraction) deter-
8 mined by dividing the total amount paid to such in-
9 dividual for such test by the full-time monthly insti-
10 tutional rate of the financial assistance which, except
11 for paragraph (1), such individual would otherwise
12 be paid under this subpart.

13 “(3) LIMITATION.—In no event shall payment
14 of financial assistance under this subsection for such
15 a test exceed the amount of the individual’s available
16 entitlement under this subpart.

17 “(f) NATIONAL TESTS FOR ADMISSION.—

18 “(1) NATIONAL TEST FOR ADMISSION.—Subject
19 to paragraph (3), the amount of financial assistance
20 payable under this subpart for a national test for
21 admission or national test providing an opportunity
22 for course credit at institutions of higher learning
23 described in section 3501(a)(5) of title 38, United
24 States Code, is the amount of the fee charged for
25 the test.

1 “(2) NUMBER OF MONTHS.—The number of
2 months of entitlement charged in the case of any in-
3 dividual for a test described in paragraph (1) is
4 equal to the number (including any fraction) deter-
5 mined by dividing the total amount of financial as-
6 sistance paid such individual for such test by the
7 full-time monthly institutional rate of financial as-
8 sistance, except for paragraph (1), such individual
9 would otherwise be paid under this subpart.

10 “(3) LIMITATION.—In no event shall payment
11 of financial assistance under this subsection for a
12 test described in paragraph (1) exceed the amount
13 of the individual’s available entitlement under this
14 subpart.

15 “(g) DEFINITIONS.—Terms used in this section have
16 the meanings given such terms in section 3501 of title 38,
17 United States Code.

18 “(h) ADJUSTMENT FOR INFLATION.—Amounts
19 under this section shall be indexed annually to the college
20 tuition and fees component of the Consumer Price Index
21 for All Urban Consumers.”.

22 **SEC. 6. GAO STUDY.**

23 The Comptroller General of the United States shall
24 study and identify ways to improve access to and the proc-
25 essing of claims under the Public Safety Officers’ Benefit

1 program (34 U.S.C. §§ 10281–10308). In particular, the
2 Comptroller General shall examine:

3 (1) factors that may hinder access to the Public
4 Safety Officers' Education Assistance benefit, such
5 as lack of awareness, delays in the application pro-
6 cess, or the timely processing of deaths and disability
7 claims; and

8 (2) the extent to which eligibility is commu-
9 nicated to officers upon employment and to eligible
10 family members following the loss of a covered offi-
11 cer.

12 Within 3 years of the date of enactment of this Act, the
13 Comptroller General shall issue a report, along with any
14 recommendations, to the Senate Committee on the Judici-
15 ary; House Judiciary Committee; Senate Committee on
16 Health, Education, Labor, and Pensions; and House Com-
17 mittee on Education and the Workforce.

○