

# Calendar No. 78

119TH CONGRESS  
1ST SESSION

# S. 237

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer benefits for exposure-related cancers, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2025

Ms. KLOBUCHAR (for herself, Mr. CRAMER, Mr. BANKS, Mr. BARRASSO, Mrs. BLACKBURN, Mr. BLUMENTHAL, Mr. COONS, Mr. CORNYN, Mr. CRUZ, Ms. DUCKWORTH, Mr. DURBIN, Mr. FETTERMAN, Mrs. FISCHER, Mr. GRAHAM, Ms. HIRONO, Mr. JUSTICE, Mr. KELLY, Mr. MARKEY, Mr. PADILLA, Mr. ROUNDS, Mr. SCHIFF, Mrs. SHAHEEN, Mr. SHEEHY, Ms. SMITH, Mr. WARNER, Ms. WARREN, Mr. WELCH, Mr. WHITEHOUSE, Mr. WYDEN, Mr. HOEVEN, Mr. OSSOFF, Mrs. CAPITO, Ms. CANTWELL, Mr. GALLEGRO, Mr. MORENO, Mr. KENNEDY, Mr. MERKLEY, Mr. KIM, Ms. ROSEN, Mrs. MOODY, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

MAY 20, 2025

Reported by Mr. GRASSLEY, without amendment

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## A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide public safety officer benefits for exposure-related cancers, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Honoring Our Fallen  
3 Heroes Act of 2025”.

4 **SEC. 2. HONORING OUR FALLEN HEROES.**

5 (a) **CANCER-RELATED DEATHS AND DISABIL-**  
6 **ITIES.—**

7 (1) **IN GENERAL.—**Section 1201 of title I of the  
8 Omnibus Crime Control and Safe Streets Act of  
9 1968 (34 U.S.C. 10281) is amended by adding at  
10 the end the following:

11 “(p) **EXPOSURE-RELATED CANCERS.—**

12 “(1) **DEFINITIONS.—**In this subsection:

13 “(A) **CARCINOGEN.—**The term ‘carcinogen’  
14 means an agent that is—

15 “(i) classified by the International  
16 Agency for Research on Cancer under  
17 Group 1 or Group 2A; and

18 “(ii) reasonably linked to an exposure-  
19 related cancer.

20 “(B) **DIRECTOR.—**The term ‘Director’  
21 means the Director of the Bureau.

22 “(C) **EXPOSURE-RELATED CANCER.—**As  
23 updated from time to time in accordance with  
24 paragraph (3), the term ‘exposure-related can-  
25 cer’ means—

26 “(i) bladder cancer;

- 1 “(ii) brain cancer;
- 2 “(iii) breast cancer;
- 3 “(iv) cervical cancer;
- 4 “(v) colon cancer;
- 5 “(vi) colorectal cancer;
- 6 “(vii) esophageal cancer;
- 7 “(viii) kidney cancer;
- 8 “(ix) leukemia;
- 9 “(x) lung cancer;
- 10 “(xi) malignant melanoma;
- 11 “(xii) mesothelioma;
- 12 “(xiii) multiple myeloma;
- 13 “(xiv) non-Hodgkins lymphoma;
- 14 “(xv) ovarian cancer;
- 15 “(xvi) prostate cancer;
- 16 “(xvii) skin cancer;
- 17 “(xviii) stomach cancer;
- 18 “(xix) testicular cancer;
- 19 “(xx) thyroid cancer;
- 20 “(xxi) any form of cancer that is con-
- 21 sidered a WTC-related health condition
- 22 under section 3312(a) of the Public Health
- 23 Service Act (42 U.S.C. 300mm–22(a));
- 24 and

1           “(xxii) any form of cancer added to  
2           this definition pursuant to an update in ac-  
3           cordance with paragraph (3).

4           “(2) PERSONAL INJURY SUSTAINED IN THE  
5           LINE OF DUTY.—

6           “(A) IN GENERAL.—Subject to subpara-  
7           graph (B), as determined by the Bureau, the  
8           exposure of a public safety officer to a car-  
9           cinogen shall be presumed to constitute a per-  
10          sonal injury within the meaning of subsection  
11          (a) or (b) sustained in the line of duty by the  
12          officer and directly and proximately resulting in  
13          death or permanent and total disability, if—

14               “(i) the exposure occurred while the  
15               public safety officer was engaged in line of  
16               duty action or activity;

17               “(ii) the public safety officer began  
18               serving as a public safety officer not fewer  
19               than 5 years before the date of the diag-  
20               nosis of the public safety officer with an  
21               exposure-related cancer;

22               “(iii) the public safety officer was di-  
23               agnosed with the exposure-related cancer  
24               not more than 15 years after the public

1 safety officer's last date of active service as  
 2 a public safety officer; and

3 “(iv) the exposure-related cancer di-  
 4 rectly and proximately results in the death  
 5 or permanent and total disability of the  
 6 public safety officer.

7 “(B) EXCEPTION.—The presumption  
 8 under subparagraph (A) shall not apply if com-  
 9 petent medical evidence establishes that the ex-  
 10 posure of the public safety officer to the car-  
 11 cinogen was not a substantial contributing fac-  
 12 tor in the death or disability of the public safety  
 13 officer.

14 “(3) ADDITIONAL EXPOSURE-RELATED CAN-  
 15 CERS.—

16 “(A) IN GENERAL.—From time to time  
 17 but not less frequently than once every 3 years,  
 18 the Director shall—

19 “(i) review the definition of ‘exposure-  
 20 related cancer’ under paragraph (1); and

21 “(ii) if appropriate, update the defini-  
 22 tion, in accordance with this paragraph—

23 “(I) by rule; or

1                   “(II) by publication in the Fed-  
2                   eral Register or on the public website  
3                   of the Bureau.

4                   “(B) BASIS FOR UPDATES.—

5                   “(i) IN GENERAL.—The Director shall  
6                   make an update under subparagraph  
7                   (A)(ii) in any case in which the Director  
8                   finds such an update to be appropriate  
9                   based on competent medical evidence of  
10                  significant risk to public safety officers of  
11                  developing the form of exposure-related  
12                  cancer that is the subject of the update  
13                  from engagement in their public safety ac-  
14                  tivities.

15                  “(ii) EVIDENCE.—The competent  
16                  medical evidence described in clause (i)  
17                  may include recommendations, risk assess-  
18                  ments, and scientific studies by—

19                         “(I) the National Institute for  
20                         Occupational Safety and Health;

21                         “(II) the National Toxicology  
22                         Program;

23                         “(III) the National Academies of  
24                         Sciences, Engineering, and Medicine;  
25                         or

1                   “(IV) the International Agency  
2                   for Research on Cancer.

3                   “(C) PETITIONS TO ADD TO THE LIST OF  
4                   EXPOSURE-RELATED CANCERS.—

5                   “(i) IN GENERAL.—Any person may  
6                   petition the Director to add a form of can-  
7                   cer to the definition of ‘exposure-related  
8                   cancer’ under paragraph (1).

9                   “(ii) CONTENT OF PETITION.—A peti-  
10                  tion under clause (i) shall provide informa-  
11                  tion to show that there is sufficient com-  
12                  petent medical evidence of significant risk  
13                  to public safety officers of developing the  
14                  cancer from engagement in their public  
15                  safety activities.

16                  “(iii) TIMELY AND SUBSTANTIVE DE-  
17                  CISIONS.—

18                  “(I) REFERRAL.—Not later than  
19                  180 days after receipt of a petition  
20                  satisfying clause (ii), the Director  
21                  shall refer the petition to appropriate  
22                  medical experts for review, analysis  
23                  (including risk assessment and sci-  
24                  entific study), and recommendation.

1                   “(II) CONSIDERATION.—The Di-  
 2                   rector shall consider each rec-  
 3                   ommendation under subclause (I) and  
 4                   promptly take appropriate action in  
 5                   connection with the recommendation  
 6                   pursuant to subparagraph (B).

7                   “(iv) NOTIFICATION TO CONGRESS.—  
 8                   Not later than 30 days after taking any  
 9                   substantive action in connection with a rec-  
 10                  ommendation under clause (iii)(II), the Di-  
 11                  rector shall notify the Committee on the  
 12                  Judiciary of the Senate and the Committee  
 13                  on the Judiciary of the House of Rep-  
 14                  resentatives of the substantive action.”.

15                  (2) APPLICABILITY.—The amendment made by  
 16                  paragraph (1) shall apply to any claim under—

17                         (A) section 1201(a) of title I of the Omni-  
 18                         bus Crime Control and Safe Streets Act of  
 19                         1968 (34 U.S.C. 10281(a)) that is predicated  
 20                         upon the death of a public safety officer on or  
 21                         after January 1, 2020, that is the direct and  
 22                         proximate result of an exposure-related cancer;  
 23                         or

24                         (B) section 1201(b) of title I of the Omni-  
 25                         bus Crime Control and Safe Streets Act of

1           1968 (34 U.S.C. 10281(b)) that is filed on or  
2           after January 1, 2020, and predicated upon a  
3           disability that is the direct and proximate result  
4           of an exposure-related cancer.

5           (3) TIME FOR FILING CLAIM.—Notwithstanding  
6           any other provision of law, an individual who desires  
7           to file a claim that is predicated upon the amend-  
8           ment made by paragraph (1) shall not be precluded  
9           from filing such a claim within 3 years of the date  
10          of enactment of this Act.

11          (b) CONFIDENTIALITY OF INFORMATION.—

12           (1) IN GENERAL.—Section 812(a) of title I of  
13          the Omnibus Crime Control and Safe Streets Act of  
14          1968 (34 U.S.C. 10231(a)) is amended—

15           (A) in the first sentence, by striking “fur-  
16          nished under this title by any person and iden-  
17          tifiable to any specific private person” and in-  
18          serting “furnished under any law to any compo-  
19          nent of the Office of Justice Programs, or fur-  
20          nished otherwise under this title, by any entity  
21          or person, including any information identifi-  
22          able to any specific private person,”; and

23           (B) in the second sentence, by striking  
24          “person furnishing such information” and in-

1           serting “entity or person furnishing such infor-  
2           mation or to whom such information pertains”.

3           (2) EFFECTIVE DATE; APPLICABILITY.—The  
4           amendments made by paragraph (1) shall—

5                   (A) shall take effect for all purposes as if  
6                   enacted on December 27, 1979; and

7                   (B) apply to any matter pending, before  
8                   the Department of Justice or otherwise, as of  
9                   the date of enactment of this Act.

10          (c) TECHNICAL AMENDMENTS.—

11                   (1) IN GENERAL.—Section 1201(o)(2) of title I  
12                   of the Omnibus Crime Control and Safe Streets Act  
13                   of 1968 (34 U.S.C. 10281(o)(2)) is amended—

14                           (A) in subparagraph (A), by inserting “or  
15                           (b)” after “subsection (a)”;

16                           (B) in subparagraph (B), by inserting “or  
17                           (b)” after “subsection (a)”; and

18                           (C) in subparagraph (C), by inserting “or  
19                           (b)” after “subsection (a)”.

20                   (2) APPLICABILITY.—The amendments made  
21                   by paragraph (1) shall apply to any matter pending  
22                   before the Department of Justice as of the date of  
23                   enactment of this Act.

1 **SEC. 3. TECHNICAL AMENDMENTS.**

2 (a) IN GENERAL.—Section 3 of the Safeguarding  
3 America’s First Responders Act of 2020 (34 U.S.C.  
4 10281 note) is amended by adding at the end the fol-  
5 lowing:

6 “(d) DEFINITION.—In this section, the term ‘line of  
7 duty action’ includes any action—

8 “(1) in which a public safety officer engaged at  
9 the direction of the agency served by the public safe-  
10 ty officer; or

11 “(2) the public safety officer is authorized or  
12 obligated to perform.”.

13 (b) APPLICABILITY.—

14 (1) IN GENERAL.—The amendment made by  
15 subsection (a) shall apply to any claim under section  
16 3 of the Safeguarding America’s First Responders  
17 Act of 2020 (34 U.S.C. 10281 note)—

18 (A) that is predicated upon the death of a  
19 public safety officer on or after January 1,  
20 2020; or

21 (B) that is—

22 (i) predicated upon the disability of a  
23 public safety officer; and

24 (ii) filed on or after January 1, 2020.

25 (2) TIME FOR FILING CLAIM.—Notwithstanding  
26 any other provision of law, an individual who desires

1 to file a claim that is predicated upon the amend-  
2 ment made by subsection (a) shall not be precluded  
3 from filing such a claim within 3 years of the date  
4 of enactment of this Act.



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