



September 2024

PUBLIC SAFETY OFFICERS' BENEFITS PROGRAM

Transparency, Claims Assistance, and Program Management Improvements Needed

GAO Highlights

Highlights of [GAO-24-105549](#), a report to congressional addressees

Why GAO Did This Study

The PSOB program supports public safety officers killed or disabled in the line of duty by providing them or their families death, disability, and education benefits. Statutory changes have expanded eligibility leading, in part, to a near doubling to about 900 claims annually between fiscal years 2020 and 2023. PSOB has cooperative agreements with two nonprofit organizations to assist with program outreach and claims assistance.

GAO was asked to review PSOB's program management and its efforts to raise program awareness and assist claimants. This report examines PSOB's: (1) implementation of recent statutory changes; (2) efforts to increase program awareness and assist claimants; and (3) adherence to leading practices. In response to a statutory provision, GAO also reviewed PSOB claim data for post-traumatic stress disorder and related suicide claims.

GAO reviewed statutory amendments to the program since 2017 and agency documentation. Additionally, GAO interviewed agency officials and representatives from PSOB's two cooperative partners and nine public safety organizations.

What GAO Recommends

GAO is making five recommendations for PSOB to improve the quality and timeliness of its public reports, evaluate current outreach and claims assistance efforts, implement a comprehensive performance management system, and fully document procedures. The agency concurred with the recommendations.

View [GAO-24-105549](#). For more information, contact Thomas Costa at (202) 512-4769 or costat@gao.gov.

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Transparency, Claims Assistance, and Program Management Improvements Needed

What GAO Found

Officials reported taking actions to implement four changes to the Public Safety Officers' Benefits (PSOB) program that were enacted from 2017 through 2022; but PSOB did not meet all public reporting requirements. PSOB officials reported implementing the changes by assessing claims to determine their applicability, providing staff training, and conducting public outreach. However, in reporting, PSOB consistently omitted the total number of claims pending for more than one year, although required. It also frequently did not meet mandated reporting timelines (see figure). PSOB officials said reports were late, in part, because they reassigned staff to prioritize claims determinations over timely reporting.

Percent of Reports Posted Later than Required by the Public Safety Officers' Benefits Improvement Act of 2017, October 2017-December 2023

	30–59 days late	60–89 days late	90–119 days late	120 or more days late
180-day reports	38%	23%	8%	31%
Weekly reports	On time	1–13 days late	14–27 days late	4 or more weeks late
	11%	66%	13%	10%

Percentage of reports

Source: GAO analysis of Public Safety Officers' Benefits (PSOB) data. | GAO-24-105549

Note: The Public Safety Officers' Benefits Improvement Act of 2017 required PSOB to publicly report specific measures not less than once per week and, separately, not less than once every 180 days.

Outreach by PSOB and its cooperative partners consists of presenting at conferences, conducting trainings to public safety agencies, and providing claims assistance. But several stakeholders told GAO that the program was not well known among public safety agencies and officers, with one stakeholder estimating that up to two-thirds of public safety agencies are unaware of PSOB or its benefits. Because PSOB does not target outreach to those disabled in the line of duty or measure awareness among potential applicants, it cannot assess the effectiveness of its outreach efforts. Further, PSOB's claims assistance efforts do not provide applicants enough information, such as about missing documentation, to track and complete their claims. Evaluating its claims assistance efforts would better position PSOB to assist applicants in compiling complete applications.

PSOB has not established a comprehensive performance management system with goals, quality data, and monitoring, nor has it fully documented procedures for effective performance management. For example, PSOB has not established long-term goals to determine what the program is trying to achieve. Also, the claims data PSOB collects may not be sufficiently reliable to evaluate PSOB's performance due to inconsistent data, among other things. Further, PSOB does not fully document its operational policies and procedures. Implementing a performance management system with goals, quality data, a monitoring process, and fully documented procedures will better position PSOB to manage its program and provide claims assistance to an increasing number of applicants.

Contents

Letter		1
	Background	4
	PSOB Conducted Training and Outreach on Recent Statutory Changes, but Did Not Comply with Some Public Reporting Requirements	6
	PSOB Does Not Evaluate Outreach or Claims Assistance, and Some PSOs Remain Unaware of Their Benefits or Claims Status	10
	Insufficient Performance Management, Including Data Quality, and Program Documentation Limit PSOB's Ability to Monitor Progress	15
	Conclusions	22
	Recommendations for Executive Action	23
	Agency Comments	24
Appendix I	Observations on Public Safety Officers' Benefits (PSOB) Program Data for Benefits Issued under the Public Safety Officer Support Act of 2022	26
Appendix II	Comments from the Department of Justice	28
Appendix III	GAO Contact and Staff Acknowledgments	32
Tables		
	Table 1: Summary of Amendments to the Public Safety Officers' Benefit (PSOB), since 2017	7
	Table 2: Selected Program Goals, Data, and Documentation Recommendations Issued to the Public Safety Officers' Benefits Program (PSOB) since 2009	15
Figures		
	Figure 1: Percent of Reports Posted Later than Required by the Public Safety Officers' Benefits Improvement Act of 2017, October 2017 through December 2023	9

Figure 2: Line of Duty Death and Disability Applications and Pending Claims Related to the Public Safety Officer Support Act of 2022, as of May 20, 2024

26

Abbreviations

BJA	Bureau of Justice Assistance
C.O.P.S.	Concerns of Police Survivors
DOJ	Department of Justice
EMT	emergency medical technician
LODD	line of duty death
NFFF	National Fallen Firefighters Foundation
OJP	Office of Justice Programs
PAFRA	Protecting America's First Responders Act of 2021
PSO	public safety officer
PSOB	Public Safety Officers' Benefits program
PSOBIA	Public Safety Officers' Benefits Improvement Act of 2017
PSOSA	Public Safety Officer Support Act of 2022
PTSD	post-traumatic stress disorder
SAFRA	Safeguarding America's First Responders Act of 2020

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September 27, 2024

Congressional Addressees

Public safety officers (PSO), including law enforcement, firefighters, and emergency medical technicians (EMT), are among the first to respond to potentially dangerous and life-threatening situations, putting themselves at risk of catastrophic injury or death. The Public Safety Officers' Benefits (PSOB) program supports survivors of public safety officers (PSO) killed in the line of duty and PSOs permanently and totally disabled in the line of duty by providing death, disability, and education benefits to eligible officers or their families. Since 2020, statutory amendments to the program have expanded eligibility for benefits including, under certain conditions, for COVID-19 and for suicide.¹ As a result, PSOB officials reported that the number of death and disability claims PSOs submitted nearly doubled from about 500 in fiscal year 2019 to about 900 in fiscal year 2023. The increase in the number of claims is a continuing and growing issue for PSOB, which, as we have previously reported, has had difficulty promptly processing claims, particularly disability claims.²

You asked us to review PSOB's management of the program and its efforts to raise program awareness and assist applicants. This report examines:

1. steps PSOB has taken to implement recent statutory changes to the program,
2. efforts PSOB has made to increase awareness and participation among eligible applicants and assist them in filing claims, and

¹See Safeguarding America's First Responders Act of 2020 (SAFRA), Pub. L. No. 116-157, 134 Stat. 704; Protecting America's First Responders Act of 2021 (PAFRA) Pub. L. No. 117-61, 135 Stat. 1474; and Public Safety Officer Support Act of 2022, (PSOSA), Pub. L. No. 117-172, 136 Stat. 2098.

²In 2009, we reported that, in fiscal years 2006 through 2008, PSOB took between 9 and 13 months to determine death claims and between 17 and 26 months to determine disability claims. In addition, officials from just over half of the 44 organizations interviewed for that report expressed concerns about what they perceived as long wait times. GAO, *Public Safety Officers' Benefits: Performance Measurement Would Strengthen Accountability and Enhance Awareness Among Potential Claimants*. [GAO-10-5](#) (Washington, D.C.: Oct 29, 2009).

3. the extent to which the PSOB program has followed leading practices for effective program performance management.

To determine what steps PSOB has taken to implement recent statutory amendments to the program legislation, we reviewed amendments made since 2017, related PSOB documentation, and publicly available information about the program.³ To determine the extent to which PSOB met statutory reporting requirements, we analyzed PSOB-provided dates on which it had requested reports be posted to the internet. PSOB was not able to provide the dates that the reports were actually posted, as discussed later in the report. In addition, we periodically reviewed its website to determine if their reported dates matched online postings.

To determine what efforts PSOB has made to increase program awareness and participation and to assess its efforts to assist applicants, we interviewed PSOB officials, representatives from PSOB's cooperative partners—Concerns of Police Survivors (C.O.P.S.) and the National Fallen Firefighters Foundation (NFFF)—and representatives from nine other stakeholder organizations that support PSOs and public safety agencies. To select the other stakeholder organizations to interview, we contacted 135 public safety organizations and asked if they had helped public safety officers obtain PSOB benefits over the past three years. We interviewed a nongeneralizable sample of representatives from seven of the 10 organizations that responded that they had helped public safety officers obtain PSOB benefits in the past three years and interviewed representatives from two other organizations based on recommendations from organizations we interviewed.⁴ In addition, we reviewed the training and outreach documents that PSOB and its cooperative partners provided, and the cooperative agreements and related performance reports.

To determine the extent to which PSOB followed leading practices for effective program performance management, we interviewed and obtained written responses and documentation from program officials. We also assessed PSOB's efforts to manage program performance based on leading practices for performance management, including our *Evidence-*

³Our review of PSOB did not include an evaluation of how program staff applied statutory changes to eligibility determinations or claims processing.

⁴We did not interview three of the responding organizations that had helped PSOs obtain PSOB benefits in the past 3 years because one organization had helped one PSO obtain benefits, and the other two organizations did not respond to follow up emails and calls requesting an interview.

*Based Policymaking: Practices to Help Manage and Assess the Results of Federal Efforts and Standards for Internal Control in the Federal Government.*⁵

During our review, we assessed the quality of data provided by PSOB from their data system, including PSOB 2.0.⁶ To assess the reliability of the data, we conducted multiple interviews with PSOB officials, performed logic testing of data values, and reviewed data documentation. While analyzing the data we identified numerous discrepancies, including missing values and inconsistencies in the number of records. We were unable to confirm the values provided to us by PSOB against their previously published numbers or verify the presence of sufficient internal controls to ensure that the data are sufficiently reliable. As a result, we found that data from the PSOB 2.0 system are of undetermined reliability.⁷ Accordingly, we report a limited amount of summary information to provide a sense of the scope of the program and changes in caseload, but do not report trend data, which is more sensitive to issues with data reliability.

In addition, the Public Safety Officer Support Act of 2022 includes a provision for us to report on benefits issued to first responders with post-traumatic stress disorder (PTSD).⁸ We reviewed PSOB application, claim,

⁵See GAO, *Evidence-Based Policymaking: Practices to Help Manage and Assess the Results of Federal Efforts*, [GAO-23-105460](#) (Washington, D.C.: July 12, 2023). This report integrated OMB guidance and the Government Performance and Results Act Modernization Act of 2010, which we also separately reviewed, see GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: Sept. 2014).

⁶According to PSOB officials, the PSOB's data system consists of three linked systems: (1) the claims management system (PSOB 2.0), which acts as the PSOB's system of record for each claim; (2) a document system, where supporting documents such as incident and medical reports are stored; and (3) a report preparation system, where claims management data and the supporting documentation are prepared for PSOB's weekly and 180-day reports. Our assessment of the quality of PSOB data focused on PSOB's claims management and report preparation systems.

⁷When the audit team's review of the information collected, and any data testing, raises questions about the data's reliability that cannot be resolved, or when too little information is available to judge the reliability of the data, the audit team may conclude that the data are of undetermined reliability. For additional information about GAO's data reliability standards, see GAO, *Applied Research and Methods: Assessing Data Reliability*, [GAO-20-238G](#) (Washington, D.C.: Dec. 2019).

⁸Pub. L. No. 117-172, § 5, 136 Stat. 2098, 2101-02.

and determination data regarding PTSD and related suicide. See appendix I for the results of this analysis.⁹

We conducted this performance audit from November 2021 to September 2024 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

PSOB Program Administration and Funding

Established in 1976, the PSOB program provides death, disability, and education benefits to eligible PSOs or their families in the event of the officer's death or permanent and total disability in the line of duty. The Bureau of Justice Assistance (BJA) within the U.S. Department of Justice's (DOJ) Office of Justice Programs (OJP) administers and oversees PSOB.¹⁰ BJA and OJP's primary missions are to solicit and administer grants; PSOB is the only program directly administered by BJA that provides cash benefits.

The PSOB benefit for eligible deaths and disabilities occurring on or after October 1, 2023, is \$437,503. The one-time benefit is annually adjusted for cost-of-living changes. PSOB also provides higher-education assistance to the children and spouses of PSOs killed or permanently disabled in the line of duty, through the Public Safety Officers' Educational Assistance program. This report focuses on PSOB death and disability claims. Congress designated \$208.8 million for the PSOB program in fiscal year 2024, a 24 percent increase over the previous fiscal year's designation of \$167.8 million.

⁹On August 11, 2023, we briefed the relevant committees on the benefits issued under PSOSA. The information in the appendix has been updated to reflect activity through May 20, 2024.

¹⁰See 34 U.S.C. § 10281(a).

PSOB Claims Process

In general, applicants must file a claim within 3 years of the death or injury.¹¹ Applicants may request an extension to the filing deadline. PSOB death and disability applications consist of two parts: the first completed by the PSO, the PSO's surviving family, or their authorized representative and the second completed by the public safety agency where the PSO served.

During the application process, PSOB sends the applicant and public safety agency a list of required documentation.¹² When PSOB receives all basic documentation from PSOs and public safety agencies, it assigns the application a claim number and begins the determination process. Since October 2017, PSOB has used an automated claims management system, PSOB 2.0, that includes a web portal that enables applicants and public safety agencies to upload documents and complete applications for benefits online. PSOB 2.0 also stores applications and claims information.

PSOB benefits specialists review the claim and its supporting documentation and draft an initial determination for approval or denial. Some claims are reviewed by independent medical reviewers who assist in determining whether claims meet eligibility requirements. The draft determination is then reviewed by a senior benefits specialist, the PSOB director, and BJA's legal counsel before a final determination is rendered. A claim may go through any review step multiple times before PSOB makes a final determination.¹³

¹¹For death benefits, PSOB regulations require that the PSOB office receive the application no later than three years after the PSO's death or one year after a final determination of benefits payable by the employing public safety agency. For disability benefits, PSOB regulations require that the PSOB office receive the application no later than three years after the date of the disabling line of duty injury; one year after receiving a final approval or denial determination granting the maximum disability benefit (including workers compensation) payable by the public safety agency; or one year after the receipt of a certification from the employing public safety agency that it is not legally authorized to pay any benefits.

¹²For the purposes of this report, we refer to survivors of fallen officers, disabled officers, or their designees who make a request for a PSOB benefit as applicants.

¹³Applicants are notified of the determination and, if denied, the basis for denial and information about requesting a determination from a separate, independent hearing officer. Applicants whose claims are denied by the independent hearing officer can then request a determination by the BJA director. Applicants' final level of appeal is to the Court of Appeals for the Federal Circuit.

PSOB's Cooperative Agreements and Partners

PSOB maintains cooperative agreements with two nonprofit charitable organizations, C.O.P.S. and NFFF, to assist with program outreach and claims assistance.¹⁴ The agreements, with funding totaling \$3.6 million in fiscal year 2024, require C.O.P.S. and NFFF to:

- maintain a database of fallen officers and their survivors;
- organize memorial events for fallen officers;
- provide surviving families of fallen PSOs peer support, counseling services, and related resources; and
- train and deliver ongoing technical assistance to public safety agencies as they file PSOB applications.

PSOB Conducted Training and Outreach on Recent Statutory Changes, but Did Not Comply with Some Public Reporting Requirements

PSOB Officials Conducted Staff Training and Public Outreach to Help Implement Statutory Changes Made Since 2017

PSOB took steps to implement four statutes, passed from 2017 through 2022, that amended the PSOB program legislation (see table 1).

¹⁴A cooperative agreement is distinguished from a grant in that it provides for substantial involvement between the awarding agency and the cooperative partner in carrying out activities under the agreement. According to OJP, entities that enter into cooperative agreements with OJP have responsibility for the day-to-day conduct of the funded project. OJP, however, has responsibility for the oversight and, if necessary, redirection of the project.

Table 1: Summary of Amendments to the Public Safety Officers' Benefit (PSOB), since 2017

Statute	Enactment date	Summary of selected provisions
Public Safety Officers' Benefits Improvement Act of 2017 (PSOBIA), Pub. L. No. 115-36, 131 Stat. 849.	06/02/2017	Required public reporting of specific program performance data on a weekly and 180-day basis.
		Specified how the agency was to consider certain evidence and findings provided by state, local, or federal agencies regarding eligibility for benefits.
		Specified that if information necessary to adjudicate a claim was not readily available to an applicant, the agency may not abandon the claim before using investigative tools available to it to obtain necessary information from third parties, including subpoenas.
Safeguarding America's First Responders Act of 2020 (SAFRA), Pub. L. No. 116-157, 134 Stat. 704.	08/14/2020	Expanded eligibility for death and permanent and total disability benefits to include COVID-19 if the officer engaged in a line of duty action or activity between Jan. 1, 2020 and Dec. 30, 2021.
Protecting America's First Responders Act of 2021 (PAFRA), Pub. L. No. 117-61, 135 Stat. 1474.	11/18/2021	Continued SAFRA's eligibility for death and permanent and total disability benefits to include COVID-19 if the officer engaged in a line of duty action or activity between Jan. 1, 2022 and Dec. 31, 2023 (or the end of the public health emergency, whichever was earlier). ^a
		Modified the benefit payment for claims pending longer than 365 days to the amount that would be payable had the incident occurred on the date of the agency's final claim determination.
		Expanded eligibility to include death or disability occurring while taking action in an emergency situation outside of their jurisdiction, including while off-duty, or for candidate officers engaged in training activities.
		Amended disability eligibility to include individuals functionally incapable of performing work as a result of the qualifying injury, with some exceptions, and established presumptions of functional incapability for injuries resulting in blindness, paraplegia, or quadriplegia.
		Amended certain definitions, including "public safety officer," "child," firefighter," and "public agency," to clarify eligibility.
Public Safety Officer Support Act of 2022, (PSOSA), Pub. L. No. 117-172, 136 Stat. 2098.	08/16/2022	Clarified actions the agency may take when a claim cannot be adjudicated due to a lack of information or documentation from a third party.
		Established a presumption, under certain circumstances, that action taken by a public safety officer intended to bring about their death, if they were exposed to traumatic events while on duty, is a personal injury that could support the award of benefits.
		Eliminated the prohibition on payment for certain injuries and deaths of public safety officers that were self-inflicted or involved voluntary intoxication

Source: GAO review of PSOBIA, SAFRA, PAFRA, PSOSA. | GAO-24-105549

^aThe Secretary of Health and Human Services terminated the federal public health emergency for COVID-19 on May 11, 2023.

PSOB officials reported implementing the amendments in three ways: assessing claims to determine if amendments were applicable to them; providing training to staff; and conducting public outreach, primarily to stakeholder organizations.

Determining applicability of amendments. PSOB officials reported reviewing claims on a case-by-case basis to determine if amendment provisions were relevant. For example, they said they assessed each claim to determine if PAFRA or SAFRA, which added COVID-19 to the list of covered conditions for the duration of the public health emergency, among other things, were applicable.

Staff training. PSOB officials reported training staff to apply amendment provisions in determining claims. From 2017 through 2023, according to PSOB documents, PSOB held nine internal trainings on the amendments. The trainings were targeted to legal staff and staff reviewing and determining claims. PSOB officials also reported periodic calls between PSOB leadership and staff to discuss PAFRA, SAFRA, and PSOSA.

Public outreach. PSOB officials reported providing two trainings to stakeholder organizations covering PSOBIA, PAFRA, and PSOSA prior to its enactment. Officials also reported that they conducted nearly 50 “office hours” about PSOSA, which was enacted in August 2022, for stakeholder organizations, including cooperative partners, and survivors starting in January 2023. In addition, DOJ posted press releases on its website regarding support for the passage of PSOSA and the coverage of COVID-19. PSOB also published Frequently Asked Questions about PSOSA on its website for potential applicants in February 2023.

PSOB’s Statutory Reporting Has Not Been Complete or Timely

PSOB reported all but one data element required by PSOBIA on its website, and often posted the reports after the date required by the law.¹⁵ PSOBIA has 23 separate reporting provisions: five regarding pending claims in the weekly reports, and 18 additional provisions for the 180-day reports regarding claims status and agency determinations. However, PSOB consistently did not publish required information on the total number of claims pending for over 1 year in its weekly report. PSOBIA also requires PSOB to report a list of each pending claim and the date it was submitted.¹⁶ Officials told us that they viewed the list as meeting the requirement to post the total number of claims pending for over 1 year. PSOBIA does not specify how the reports should be formatted. The reports are published in tables in a format that cannot easily be sorted or

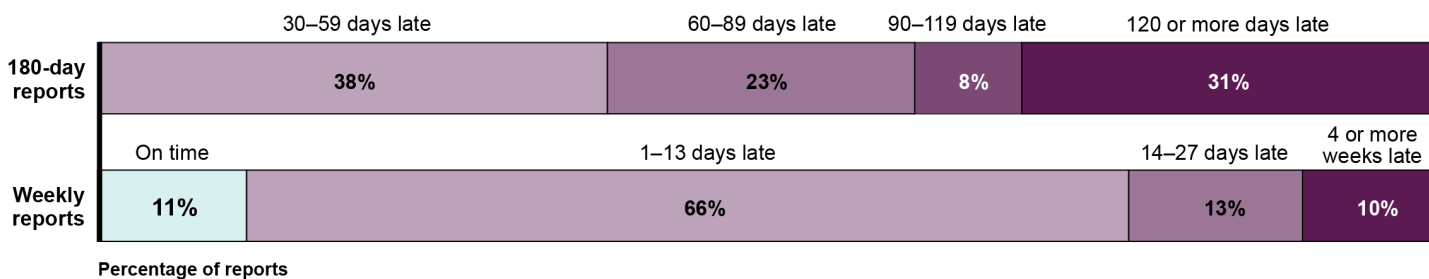
¹⁵PSOB’s reports are posted on its website on the PSOB data archive at <https://bja.ojp.gov/program/psob/psob-data/psob-data-archive>.

¹⁶Pub.L. No.115-36, § 2(3), 131 Stat. 849, 849-50 (codified as amended at 34 U.S.C. § 10285(e)(1)(C)(i) “The information made available under this paragraph shall include—(i) for each pending claim--(I) the date on which the claim was submitted to the Bureau....”

summed requiring a line-by-line check to determine how many claims have been pending for over 1 year. Our review of PSOB’s publicly posted weekly report from August 2, 2024, found that more than 800 claims had been pending for over 1 year and more than 200 of those claims had been pending for over 3 years.¹⁷

In addition, PSOB consistently failed to meet PSOBIA’s weekly and biannually reporting timeframes. PSOB officials told us that they posted all 13 of the 180-day reports and 89 percent of the 324 weekly reports, from the enactment of PSOBIA in June 2017 through December 2023, after the date required by the law.¹⁸ PSOB officials provided us with the dates that they requested OJP’s information technology department post the reports. Based on those dates, on average, the 180-day reports were 85 days late and the weekly reports were 11 days late (see fig. 1).

Figure 1: Percent of Reports Posted Later than Required by the Public Safety Officers’ Benefits Improvement Act of 2017, October 2017 through December 2023



Source: GAO analysis of Public Safety Officers’ Benefits (PSOB) data. | GAO-24-105549

The Public Safety Officers’ Benefits Improvement Act of 2017 required PSOB publicly report specific measures not less than once per week and, separately, not less than once every 180 days.

PSOB officials told us that the reports were posted late, in part, because of the length of time it takes PSOB to prepare them. Officials said that the data they generate from the PSOB 2.0 system requires manual data cleaning and formatting that takes, on average, 16 hours for each weekly report and 56 hours for each 180-day report.¹⁹ PSOB officials reported

¹⁷We concluded that the PSOB 2.0 claims management data are of undetermined reliability. We report limited data from PSOB’s system and have rounded amounts to reflect the uncertainty in the data.

¹⁸PSOB officials could not provide the date they requested that DOJ post the first 16 weekly reports, covering the period from June 30 to October 13, 2017. Our analysis excluded those reports.

¹⁹We more fully discuss PSOB’s data quality, reliability, and management later in this report.

that they submit the weekly and 180-day reports to quality control processes prior to publication, which adds an estimated 30 minutes for weekly reports and 5 hours for 180-day reports. Officials also noted that as the number and complexity of claims has increased over the past few years, they reassigned staff and prioritized claim determination over timely reporting.²⁰

The law requires that specific information, including total cases pending for over a year, be reported within certain timeframes. Without steps to improve the current reporting process, PSOB will continue to not meet its statutory reporting requirements, and the agency may not have the information it needs to oversee its claims workload and length of time it takes to make determinations.

PSOB Does Not Evaluate Outreach or Claims Assistance, and Some PSOs Remain Unaware of Their Benefits or Claims Status

PSOB Does Not Evaluate the Effectiveness of its Outreach Efforts

PSOB provides program outreach through conferences and trainings, and its cooperative partners provide training and ongoing technical assistance, but these efforts may miss some potentially eligible beneficiaries. PSOB and its cooperative partners engage in several outreach activities to increase public safety agencies' awareness of the PSOB program, such as presenting at public safety conferences, conducting trainings to public safety organizations, and contacting public safety agencies and PSOs' surviving families upon a line of duty death (LODD).

However, six of the 11 stakeholder organizations we interviewed told us that the PSOB program was not well-known among public safety

²⁰In addition, we found that some required reports were posted later than the dates provided to us by PSOB or were not posted at all. We found that 32 weekly reports and one 180-day report were missing. PSOB officials posted the missing reports after we brought them to their attention.

agencies. Further, some of these organizations said that public safety agencies that are smaller, more rural, or had not had a recent LODD were least likely to be aware of the program. An official from NFFF estimated that as many as two-thirds of public safety agencies were either not fully aware of the PSOB program or its benefits. Additionally, an official from C.O.P.S. estimated that about one-half of public safety organizations they present to at conferences have never heard of PSOB, and that over 80 percent do not know how to file a claim.

Further, PSOB and its cooperative partners do not provide outreach to inform public safety agencies and PSOs about PSOB's disability benefits. PSOB has presented slide shows to public safety organizations that include some information on the PSOB disability benefit. Officials noted that information about PSOB benefits, including disability benefits, could be found on the PSOB website, through other government agencies, and through public safety organizations. A PSOB official said that the agency does not reach out to PSOs injured in the line of duty because it is difficult to obtain information about line of duty injuries. Specifically, PSOB officials told us that while several organizations track PSOs killed in the line of duty, no organization tracks officers disabled in the line of duty to the extent required to be eligible for PSOB benefits.²¹

Further, while C.O.P.S. and NFFF receive funding through the cooperative agreements to provide PSOB program outreach to public safety agencies, representatives from both cooperative partners said their organizational missions are limited to providing services, including claims assistance, to public safety agencies that have had a LODD and surviving families of fallen officers. Their missions do not include assistance related to officers disabled in the line of duty. According to C.O.P.S. and NFFF representatives, they will assist some disabled PSOs who contact them for help with a PSOB claim, but generally refer disabled PSOs to organizations that focus on assisting disabled PSOs. Unlike C.O.P.S. and NFFF, the organizations assisting disabled PSOs do not receive funding from PSOB. A PSOB official said that PSOB has no specific expectations for its cooperative partners regarding claims assistance, including

²¹Similarly, the Dale Long Public Safety Officers' Benefits Improvement Act of 2012 amended the program legislation to extend eligibility to members of rescue squads and ambulance crews, among others. However, NFFF representatives told us that it does not target EMTs for program outreach, while noting that EMTs are often co-located with fire departments and may receive NFFF's PSOB program outreach material through their place of work.

assistance for the more complex claims submitted by disabled applicants.²²

Neither BJA nor PSOB have a standard procedure for evaluating program awareness among potential beneficiaries. Instead, PSOB officials rely on proxy indicators that do not accurately measure program awareness, such as program growth. For example, one BJA official stated that PSOB's outreach efforts were effective because the number of benefit applications had been increasing over time. However, this official also attributed the increase in applications to statutory changes that expanded program eligibility, as well as other causes. For example, PSOB officials reported receiving over 1,000 claims related to COVID-19 since it was statutorily added as an eligible condition in 2020. A PSOB official told us that PSOB measures program awareness by the number of email condolence messages it sends. Because PSOB and its cooperative partners only send such condolences upon a LODD, such a metric would not measure program awareness among PSOs disabled in the line of duty or among public safety agencies that have not had a LODD. Additionally, PSOB has not evaluated what impact sending email condolence messages has on PSOs' and public safety agencies' levels of program awareness.

Lack of awareness about PSOB benefits and filing restrictions could lead to fewer PSOs successfully filing PSOB claims. PSOB program regulations generally require that PSOs or their survivors apply for benefits within 3 years of the incident leading to the PSO's death or injury or from the approval or denial of certain public benefits based on the date of the PSO's injury. Although PSOB can extend the filing deadline under certain circumstances, according to officials, lack of program awareness is not a valid reason, so some PSOs or their survivors who are unaware of the program may miss the window to file a claim. Disabled applicants may have greater difficulty meeting the filing deadline because obtaining the documentation to demonstrate their disability may take more time and lead to more complex benefits applications. Our analysis shows that while disability applications made up about one-fifth of all applications in fiscal

²²To be eligible for PSOB disability benefits, a PSO must be "permanently and totally disabled as the direct and proximate result of a personal injury sustained in the line of duty." 34 U.S.C. § 10281(b). PSOB officials said that disability claims can be more complex and generally require more medical information and review to determine that the injury is permanent and total and, therefore, may take longer to determine. A stakeholder organization focused on assisting disabled PSOs also noted that some injuries may also be progressive, such that they lead to a permanent and total disability years after the line of duty injury.

years 2022 and 2023, disabled applicants filed about three-quarters of the requests for extensions of the filing deadline during this period.

Standards for Internal Control in the Federal Government states that agencies should establish a baseline against which to evaluate improvements in its operating effectiveness.²³ Because PSOB does not evaluate PSOs' and public safety agencies' baseline awareness of the PSOB program, it does not know how effective its outreach and claims assistance efforts are at informing PSOs about their eligibility and helping them file claims. Without evaluating the effectiveness of its outreach efforts, PSOB has no way to gauge how many PSOs remain unaware of the PSOB program and its benefits and therefore may miss the opportunity to file a claim and receive benefits.

PSOB's Claims Assistance Does Not Provide Applicants Sufficient Information to Track and Complete Their Claims

Applicants may face challenges in getting useful information and assistance from PSOB to understand the status of their claim. Officials from PSOB, the cooperative partners, and other stakeholders told us that applicants can face challenges understanding their claim's status in PSOB's claims management system, PSOB 2.0. Representatives from stakeholder organizations, including cooperative partners, told us that the information in PSOB 2.0 is too nondescript for applicants and organizations assisting them to track a claims' progress. For example, stakeholders told us that while the system informs applicants of the stage the claim is in, such as whether it is in process or under review, it does not give details about the various stages, such as how long a claim generally spends in each stage. It also does not alert the applicant when the claim moves to a new stage.

In addition, while PSOB officials told us that missing documentation is the main reason that applications cannot be elevated to claims and determinations are delayed, stakeholder organizations told us that PSOB 2.0 does not proactively provide applicants information about missing documentation. For example, while PSOB 2.0 generates an initial list of required documentation applicants must submit while applying, stakeholders told us that the system does not alert applicants if documents necessary for PSOB to process the claim are missing. PSOB officials also reported they do not have a formal method for gathering feedback directly from applicants and, therefore, are not able to fully

²³[GAO-14-704G](#).

assess the extent of barriers and challenges applicants may face when filing and tracking their claims.

According to representatives from PSOB, the cooperative partners, and stakeholder organizations, public safety agencies can be reluctant to provide supporting documentation, especially for PSOs disabled in the line of duty, due to concerns the public safety agency may have about its potential liability concerning the underlying incident. PSOB has subpoena authority it can use at the discretion of the PSOB director to obtain the documentation it is missing from entities such as public safety agencies. According to PSOB officials, PSOB used its subpoena authority 12 times from 2021 through 2023.

Because PSOB does not have a process to gather feedback from applicants and public safety agencies on the online claims management system, it is unaware whether the information it provides could be more useful in helping applicants track their claims or if applicants need assistance to get required documentation. *Standards for Internal Control in the Federal Government* states that agencies should establish reporting lines so that external parties can help the entity achieve its objectives.²⁴ Without the ability to see a detailed claims status, including any missing documentation, applicants can face challenges in compiling a complete application for PSOB to process.

²⁴[GAO-14-704G](#).

Insufficient Performance Management, Including Data Quality, and Program Documentation Limit PSOB's Ability to Monitor Progress

Prior Reports Identified Weaknesses in PSOB Performance Management and Data Quality

Since 2009, GAO, DOJ's OIG, and an internal DOJ program review have identified deficiencies in PSOB's program management activities, including its program goals and data quality (see table 2).

Table 2: Selected Program Goals, Data, and Documentation Recommendations Issued to the Public Safety Officers' Benefits Program (PSOB) since 2009

Report	Recommendation Area		
	Establish PSOB's Program Goals	Ensure PSOB's Data Quality	Document PSOB's Policies and Procedures
GAO-10-5 (2009) ^a	☑	☑	
GAO-19-521R (2019) ^b		☑	
Department of Justice, Office of Inspector General (2015) ^c	☑	☑	
Department of Justice, Office of Justice Programs, Internal Review of the PSOB (2015) ^d	☑	☑	☑

Source: GAO analysis of prior reports on the PSOB program. | GAO-24-105549

^aGAO, *Public Safety Officers' Benefits Program: Performance Measurement Would Strengthen Accountability and Enhance Awareness Among Potential Claimants*, [GAO-10-5](#) (Washington, D.C.: Oct. 29, 2009).

^bGAO, *Public Safety Officers' Benefits Program: Improvements Needed to Strengthen Reporting on 9/11-Related Claims*, [GAO-19-521R](#) (Washington, D.C.: July 25, 2019).

^cU.S. Department of Justice, Office of the Inspector General, *Audit of the Office of Justice Programs' Processing of Public Safety Officers' Benefit Programs Claims* (Washington, D.C.: July 2015).

^dThe Office of Justice Programs contracted an internal review of the PSOB that was completed on October 20, 2015. The review analyzed PSOB's processes to identify areas for improvement related to internal operations, payment processes, and customer service.

Three of the four reports cited in table 2 recommended that PSOB establish goals and measures to assess the program's performance, such as developing performance targets for completion of major activities within the claims process, or establishing goals and measures related to the program's key activities, including claims processing, outreach, and application assistance. All four reports recommended BJA or PSOB take steps to improve its data management and quality. For example, in 2009, we recommended that BJA collect and use reliable data to monitor and publicly report on how well key program activities were being performed.

While BJA concurred and implemented all our and OIG's recommendations, PSOB officials stated they did not concur with or implement all of the recommendations from OJP's internal review and that they were not required to do so. Officials also said that some of the recommendations they implemented were later discontinued.

Lack of Established Goals, Program Monitoring, and Data Quality Limit Program Accountability and Potential Improvement

While BJA implemented all our and OIG's past recommendations to improve its program management, we assessed current PSOB activities using our guide on evidence-based policy making and found that issues related to PSOB's program management persist. In 2023, we published a guide to help federal agencies effectively manage and assess the results of their efforts by focusing on the importance of planning for results, assessing and building evidence, and using evidence.²⁵ As part of those principal topic areas, the guidance identified key practices agencies can use to implement an effective performance management system, including establishing goals, program monitoring, and ensuring data quality.

- **Establishing Goals.** To plan for and monitor results, agencies should establish goals to identify the results they seek to achieve. Goals guide the agencies activities, and allow decision-makers, staff, and stakeholders to assess performance by comparing planned and actual results.²⁶
- **Program Monitoring.** Agencies should collect and use evidence to monitor program activities, assess results, and inform decisions to ensure progress. Program monitoring can provide agencies with a

²⁵GAO, *Evidence-Based Policymaking: Practices to Help Manage and Assess the Results of Federal Efforts*. [GAO-23-105460](#) (Washington, D.C.: July 12, 2023).

²⁶Establishing goals is discussed further under the section "Plan for Results." [GAO-23-105460](#).

better understanding of the environment in which it operates and identify potential issues.²⁷

- **Ensuring Data Quality.** Building and assessing quality evidence, including data, can help decision-makers assess, understand, and identify opportunities to improve the results of federal efforts. Agencies should ensure that the data they collect is of sufficient coverage and quality to make informed decisions.²⁸

Establishing Goals

PSOB and DOJ officials said they have not established long-term goals for the program. Instead, PSOB officials said they consider their statutory obligation of determining benefit claims as their sole purpose and have not established specific long-term strategic goals related to making determinations, program management, or other aspects of the program.²⁹ Furthermore, since PSOB has not been included in agency strategic plans since fiscal year 2013, OJP and BJA also have not established long-term strategic goals for PSOB. BJA officials said they were in the process of developing their next strategic plan but did not have a timeframe for publication and were unsure if the strategic plan would include PSOB.

PSOB and its supervising agencies also have not established short-term performance goals to measure program performance. PSOB officials said they created an aspirational goal, in collaboration with the BJA director, to make claim determinations within 365 days. However, officials told us they have not documented their aspirational goal or established performance goals to evaluate the extent to which they are meeting this measure, such as a specific percentage of claims that should be determined within 365 days.³⁰

²⁷Program monitoring is discussed further under the section “Use Evidence.” [GAO-23-105460](#).

²⁸Ensuring data quality is discussed further under the section “Build and Assess Evidence.” [GAO-23-105460](#).

²⁹PSOB officials said that PSOB is responsible for adjudicating claims according to the PSOB law and its implementing regulations, based on factual and legal sufficiency found in the evidence provided by applicants and agencies.

³⁰According to data provided by PSOB, the agency determined about 71 percent of death and disability claims within 365 days, between fiscal year 2018 and fiscal year 2023. We concluded that the PSOB 2.0 claims management data are of undetermined reliability. We report limited data from PSOB’s system and have rounded amounts to reflect the uncertainty in the data.

Our guide on evidence-based policymaking states that federal decision-makers, staff, and stakeholders need to identify desired long-term outcomes, including strategic goals and objectives, and short-term performance goals against which actual performance can be measured.³¹ Both long-term and short-term goals are necessary to evaluate overall program performance. Without established goals, PSOB cannot determine how well it is meeting its mission of providing services to the families of PSOs killed in the line of duty and to PSOs disabled in the line of duty.

Program Monitoring

PSOB and its supervising agencies do not systematically use evidence regarding program performance to identify program weaknesses and inform management decision-making processes. PSOB officials stated that they primarily use the evidence they collect to resolve issues with individual claims, rather than to systematically understand the program's performance across all claims or groups of claims. For example, PSOB officials told us that they use the evidence they collect to identify claims that have been pending for a long period. However, they do not use it to analyze other claims information, including timeliness for different types of claims, such as death or disability claims, or to track the average amount of time claims spend at each stage of the determination process, which would help them set goals for the program.

Officials from BJA and OJP said they conduct program oversight by holding internal meetings with PSOB and reviewing PSOB's public reports. Officials said they review the reports to gain insight on the program's claim inventory, processing times, and other related issues, including ways to accelerate determinations in the future. However, neither PSOB nor its supervising agencies' officials could provide us with written procedures regarding such program management activities. PSOB officials also said that they do not regularly submit performance reports to OJP or BJA because they are not required.

As noted earlier in our report, PSOB has not evaluated the extent to which applicants and public safety agencies are aware of the PSOB program and does not evaluate the effectiveness of its program outreach. PSOB officials said the increases in the number of applications show that the program's outreach efforts are making people aware of the program. However, growth in applications could also be due to the expansion in program eligibility among those who were already aware of the

³¹[GAO-23-105460](#).

program.³² PSOB officials also reported they do not have a formal method for gathering feedback directly from applicants or public safety agencies on their experiences filing claims and, therefore, are not aware of barriers and challenges they may face.

Federal organizations need reliable evidence, such as data, to identify performance problems, determine corrective actions, identify lessons learned, and adopt new approaches.³³ Evidence can also assist federal decisionmakers to assess progress toward achieving the program's goals, understand the results achieved, and inform decisions such as strategies toward achieving better outcomes or reallocating resources.³⁴ Without a process to evaluate such evidence, PSOB and the supervising agencies may not be able to monitor results and implement changes to existing strategies to achieve better results or reallocate resources to help the program address challenges affecting PSOs or their families in filing claims.

Ensuring Data Quality

While PSOB collects data on the claims it handles, we examined data quality and the documentation officials provided and found the data to be of undetermined reliability and that the data may not be usable for performance management purposes.³⁵ We identified several weaknesses in the data and its management. For example:

- PSOB officials reported using social security numbers as unique identifiers for claims data, but officials also said that certain claims, including education and appeals do not require social security numbers. Our analysis of the data provided by PSOB found about one-third of PSOB's records were missing social security numbers. Missing identifiers can limit PSOB's ability to accurately analyze PSOB 2.0 data for performance purposes.

³²From fiscal year 2020 through fiscal year 2023, PSOB reported receiving more than 1,200 death and disability applications related to the COVID-19 pandemic.

³³[GAO-23-105460](#).

³⁴[GAO-23-105460](#).

³⁵While analyzing the data we identified numerous discrepancies, including missing values and inconsistencies in the number of records. We were unable to confirm the values provided to us by PSOB officials against their previously published numbers or verify the presence of sufficient internal controls to ensure that the data are sufficiently reliable. As a result, we found that data from the PSOB 2.0 system are of undetermined reliability and may not be usable to monitor program performance.

-
- We found inconsistencies in how data were entered into PSOB's report preparation system. For example, some entries had text in date fields and other numeric fields, such as dates of when PSOB made claim determinations. PSOB's claims management system may also contains fields that allow for text in date and other numeric fields, such as the PSO's social security number.³⁶ Controlling data-entry through limitations, such as the requirement to enter numerals only, reduces the risk of inaccuracy.
 - PSOB officials said they have a process to verify the accuracy of the data used to construct the required public reports; however, the process is not documented. As noted earlier, PSOB officials said the process for preparing the reports was time-consuming because verifying the data in its report preparation system entails manual quality checks using support from other documentation, such as medical and incident reports. Officials added the process had been known to miss errors.
 - PSOB officials said they did not record errors made in the public reports to identify how and how often the errors occurred, or document steps to ensure similar errors could be prevented in the future. Officials told us that when data errors were discovered in public reports, they sometimes corrected the error for future reports but did not reissue past reports or issue errata statements.
 - PSOB officials said when errors are identified in the claims management data, corrections are not always made, which can result in inaccurate or incomplete information being used in performance reporting.

Effective program performance management plans use relevant data considered to be reasonably free from error, timely, and complete.³⁷ Practices that ensure data quality, are necessary to measure performance and inform decision-making.³⁸ Data management processes that ensure accurate and complete data would enable PSOB, its supervising agencies, and other stakeholders, such as PSOB's cooperative partners and Congress, to assess whether the program is

³⁶PSOB officials said any application information entered by applicants and public safety agencies are directly entered into PSOB's claims management system via PSOB's web portal. PSOB officials added the information is not changed in the claims management system even when errors are found, although they update the information in the report preparation system and within the final claim determination.

³⁷[GAO-14-704G](#).

³⁸[GAO-23-105460](#).

meeting performance goals. Further, OJP and BJA rely on the information in the required public reports to conduct oversight. Without accurate and complete information, supervising agency officials are not able to effectively monitor and evaluate PSOB's program activities which could help with establishing the program's goals.

Lack of Documented Policies and Procedures Weakens PSOB's Performance Management Efforts

PSOB has not documented its policies and procedures to ensure consistency in claims processing and administrative procedures.

Claims Processing. Although PSOB officials stated the 2.0 system includes prompts to assist claim examiners in entering data, PSOB has not developed a claims processing manual, which would better ensure consistency across staff in determining claims. For example, PSOB does not have a documented process for expediting claims or for proceeding when applicants or public safety agencies are not responsive.³⁹ Also, PSOB has not documented their aspirational goal of making claim determinations within 365 days, as noted above. In a 2015 OIG report, PSOB reported drafting a claims manual, however, one official we spoke with stated that while the manual had not been completed, there are plans to complete it by the end of 2024, more than 9 years after the OIG report.⁴⁰

Administrative Procedures. Several of PSOB's administrative procedures were also not fully documented, such as the steps to ensure consistent and correct data are readily available for use in managing program activities, including gaining insight on claims processing times. Further, PSOB has not documented comprehensive procedures for preparing, verifying, and publishing the statutorily required weekly and 180-day reports on claims determinations. PSOB has also not documented the methods it uses to evaluate the effectiveness of its outreach efforts.

³⁹PSOB officials stated the PSOB 2.0 tracks applications and claims, allowing the program to prepare mandated reports; recognize trends, such as types of deaths of public safety officers; identify older claims to escalate based on issues of fact or law; and address the lack of responses to requests for pending documentation.

⁴⁰U.S. Department of Justice, Office of the Inspector General, *Audit of the Office of Justice Programs' Processing of Public Safety Officers' Benefit Programs Claims.*, Washington, D.C., July 2015. In addition, a 2019 letter to the Attorney General, Congress asked why the agency had not produced a claims manual to assist adjudicators in making consistent determinations when reviewing benefit claims.

Standards for Internal Control in the Federal Government requires government entities to document the policies and procedures used to ensure quality and consistent program operations for determining program effectiveness.⁴¹ Without fully documented procedures PSOB cannot be sure that claims are being processed consistently and in a timely manner and that the program continues to operate effectively.

Conclusions

PSOB's cash benefits help mitigate financial burdens facing survivors of PSOs killed in the line of duty and for PSOs disabled in the line of duty. However, this program has a history of program management weaknesses and continues to experience management challenges. For example, the law requires PSOB to regularly and publicly report information on claims status. However, PSOB posts the reports late and without all of the statutorily required data elements, hampering increased program transparency. Program transparency is essential for the department, Congress, and the public to better understand PSOB's capabilities and performance.

Program outreach and assistance is vital to ensure that applicants are aware of the program and can file and track their claims. However, PSOB and its cooperative partners do not inform all eligible PSOs and public safety agencies, and particularly PSOs disabled in the line of duty, about the program and assist them in filing claims, which could result in some PSOs and their surviving families missing this valuable benefit. Further, PSOB has not evaluated awareness of the PSOB program among PSOs and public safety agencies and whether its program outreach activities are reaching all eligible groups.

Successful program performance management systems employ leading practices to provide decision-makers the ability to understand and address challenges programs face and ensure their programs are providing services to the American public. However, PSOB has not established necessary program management procedures. For example, it has not established program goals and measures, the first step in setting up an effective program performance management system. Without such goals and measures and ensuring proper data management, PSOB cannot effectively measure program performance. In the absence of an integrated program management approach that includes goals, monitoring plans, and quality data, PSOB and stakeholders may not be aware of potential issues affecting the program, including the reasons for

⁴¹[GAO-14-704G](#).

delays in claim processing, why eligible PSOs or surviving families may miss out on the benefit, and opportunities for program improvement. Finally, without documented procedures PSOB has no assurance that claims are being processed in a consistent and timely manner.

Recommendations for Executive Action

We are making the following five recommendations to DOJ:

The Attorney General should ensure that the Director of the Bureau of Justice Assistance improve processes so all statutory reporting requirements, such as including all required performance data and meeting statutory timeframes, are met. (Recommendation 1)

The Attorney General should ensure that the Director of the Bureau of Justice Assistance evaluate and take steps to improve the effectiveness of PSOB's outreach and claims assistance efforts. (Recommendation 2)

The Attorney General should ensure that the Director of the Bureau of Justice Assistance assess the claims status information available to applicants so that it is sufficient and actionable. (Recommendation 3)

The Attorney General should ensure that the Director of the Bureau of Justice Assistance document and implement a comprehensive program performance management process. As part of this plan, the agency should:

- Establish long-term strategic goals and short-term performance goals;
- establish an oversight strategy for monitoring program activities to identify problems, determine corrective actions, identify lessons learned, and adopt new approaches; and
- improve the collection and management of Public Safety Officers' Benefits program data to better ensure its accuracy, consistency, and completeness for assessing program performance. (Recommendation 4)

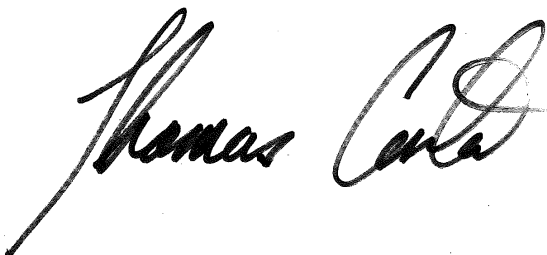
The Attorney General should direct the Director of the Bureau of Justice Assistance to document procedures for carrying out PSOB claims management and administrative procedures. (Recommendation 5)

Agency Comments

We provided a draft of this product to the DOJ for review and comment. DOJ agreed with the recommendations and outlined plans to implement them in written comments reprinted in appendix II. Regarding our first recommendation, the agency indicated it has already taken action to address part of the recommendation by including the total number of pending claims in the statutorily required weekly report.

We are sending copies of this report to the appropriate congressional committees, the Attorney General, and other interested parties. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

If you or your staff have any questions about this report, please contact me at (202) 512-7215 or costat@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made key contributions to this report are listed in appendix III.

A handwritten signature in black ink that reads "Thomas Costa". The signature is written in a cursive style with a long, sweeping underline for the first name.

Thomas Costa
Director, Education, Workforce, and Income Security Issues

List of Congressional Addressees

The Honorable Richard J. Durbin
Chair

The Honorable Lindsey Graham
Ranking Member
Committee on the Judiciary
United States Senate

The Honorable Jim Jordan
Chairman
The Honorable Jerrold Nadler
Ranking Member
Committee on the Judiciary
House of Representatives

The Honorable Charles Grassley
Ranking Member
Budget Committee
United States Senate

The Honorable Kirsten Gillibrand
United States Senate

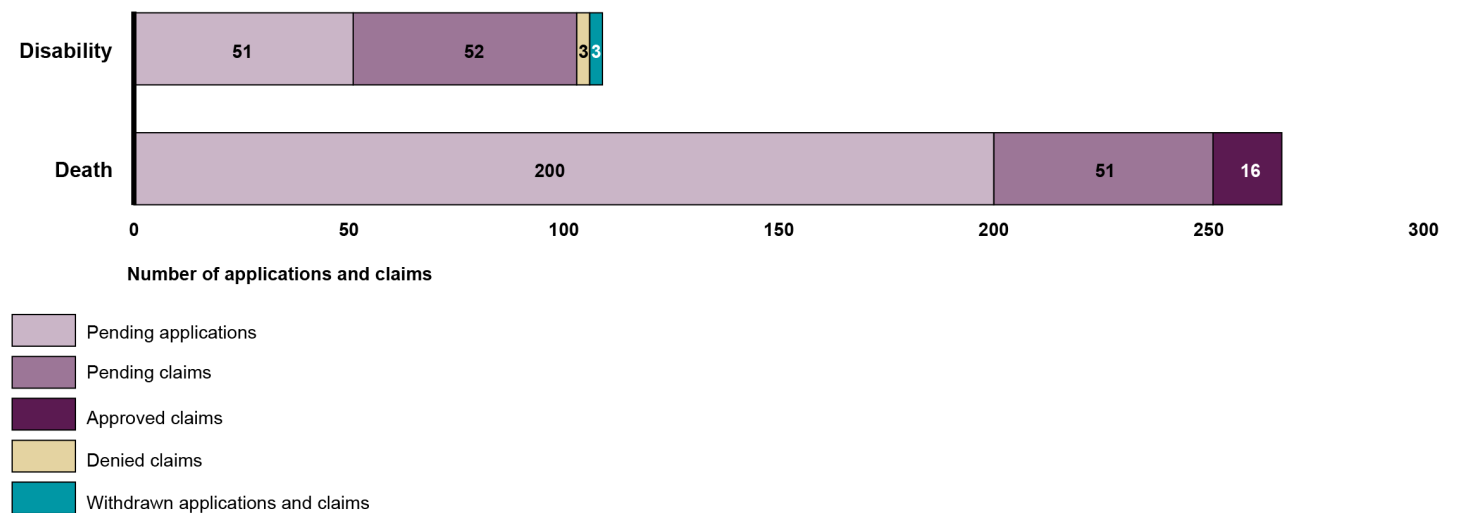
The Honorable Jon Tester
United States Senate

Appendix I: Observations on Public Safety Officers' Benefits (PSOB) Program Data for Benefits Issued under the Public Safety Officer Support Act of 2022

The Public Safety Officer Support Act of 2022 (PSOSA) allows for benefits under certain circumstances where, following exposure to certain traumatic events while on duty, a public safety officer dies by suicide or is totally and permanently disabled.¹ PSOSA includes a provision for GAO to report on the benefits issued under the amendment.²

As of May 20, 2024, PSOB reported that applicants filed 267 death and 109 disability applications and claims related to PSOSA (see fig. 2). They also reported approving 16 death claims for a total of nearly \$6 million and denying three disability claims because they determined that the applicant was not totally and permanently disabled. PSOB did not report any appealed claims. As noted in our report, we concluded that the data provided by PSOB are of undetermined reliability because PSOB could not provide detailed protocols to ensure its accuracy. Consequently, we could not independently verify the data PSOB provided.

Figure 2: Line of Duty Death and Disability Applications and Pending Claims Related to the Public Safety Officer Support Act of 2022, as of May 20, 2024



Source: GAO analysis of Public Safety Officers' Benefit (PSOB) reported Public Safety Officer Support Act of 2022 (PSOSA) benefits. | GAO-24-105549

¹Pub. L. No. 117-172, § 3, 136 Stat. 2098, 2099-101 (codified as amended at 34 U.S.C. § 10281(o)). PSOSA restricts benefits to actions that take place on or after January 1, 2019.

²On August 11, 2023, we briefed the relevant committees on the benefits issued under PSOSA. The information has been updated to reflect activity through May 20, 2024.

**Appendix I: Observations on Public Safety
Officers' Benefits (PSOB) Program Data for
Benefits Issued under the Public Safety Officer
Support Act of 2022**

PSOB identifies PSOSA death and disability claims and applications through manual document reviews because its data system, PSOB 2.0, cannot be used to reliably identify all PSOSA claims. Although applicants may identify PTSD or suicide as the cause of death or disability in their application submitted through PSOB, they are not required to do so. In addition, PSOB officials noted that applications that list the cause of disability as "PTSD," or a similar term, may also list other physical injuries associated with the applicant's disabling condition. Therefore, PSOB officials stated, they may not classify such claims as PSOSA-related.

Appendix II: Comments from the Department of Justice



U.S. Department of Justice

Office of Justice Programs

Office of the Assistant Attorney General

Washington, D.C. 20531

September 13, 2024

Mr. Thomas Costa
Director
Education, Workforce, and Income Security Issues
Government Accountability Office
441 G Street, NW
Washington, DC 20548
VIA Electronic Mail at Costat@gao.gov

Dear Mr. Costa:

Thank you for the opportunity to review and comment on the draft Government Accountability Office (GAO) report entitled, *Public Safety Officers' Benefits Program: Transparency, Claims Assistance, and Program Management Improvements Needed (GAO-24-105549)*.

The Public Safety Officers' Benefits (PSOB) Program is administered by the Bureau of Justice Assistance (BJA), an office within the Office of Justice Programs (OJP). Enacted in 1976, the PSOB Act provides that the Department of Justice shall pay a benefit to the survivors of public safety officers where it has determined that the public safety officer died or became totally and permanently disabled as the direct and proximate result of an injury sustained in the line of duty. The statute requires that the claimant establish that the individual was a "public safety officer" who sustained "an injury" in the "line of duty," and died or was totally and permanently disabled as the "direct and proximate result" of the injury, all within the meaning of the statute. While some claims are straightforward and clearly meet the statutory criteria, others present significant factual and evidentiary complexities that must be resolved before a determination can be made about entitlement to benefits.

The PSOB Act has been amended more than 20 times since its passage and in response to these amendments, the current PSOB Program recognizes additional types of public safety officers, injuries, and survivors unimagined 48 years ago. In its early years, handwritten index cards memorialized PSOB's claims processing efforts. Currently, all claims are filed online, and are electronically reviewed and determined. While prioritizing providing direct services to families and injured officers, the PSOB Program has also continually implemented business improvement processes to meet statutory and regulatory requirements, including revising factual and legal scoring of claims to identify issues early on and developing step-by-step case management work item instructions and commitment and obligation protocols.

The PSOB Program experienced unprecedented expansion when eligibility for death and permanent and total disability benefits were expanded to include COVID-19 if the officer engaged in a line of duty action or activity between January 1, 2020 and December 30, 2021, and January 1, 2022 and December 31, 2023. In Fiscal Year 2023, the PSOB Program received

Appendix II: Comments from the Department of Justice

828 death claims and 195 disability claims, the greatest number of death and disability claims in the program's history. In that same year, PSOB obligations included \$215,301,373 in death claims, \$12,325,456 in disability claims, and \$4,320,095 in education claims.

OJP appreciates GAO's careful review of the PSOB Program, which recognized some of its many accomplishments in recent years, while identifying ways to improve and increase effectiveness into the future.

The draft GAO report contains five Recommendations for Executive Action directed to the Department of Justice and OJP. For ease of review, the recommendations directed to OJP are restated below and followed by our response.

- 1. The Attorney General should ensure that the Director of the Bureau of Justice Assistance (BJA) improve processes so all statutory reporting requirements, such as including all required performance data and meeting all statutory timeframes, are met.**

The Office of Justice Programs accepts this recommendation and will improve processes so that all statutory reporting requirements are met. By April 2025, the PSOB Office will implement a process to ensure that all statutory reporting timeframes are met.

In its report, the GAO noted that the PSOB Office reported all required performance elements in PSOB's mandatory weekly reports, except "the total number [emphasis added] of its pending claims that were submitted to the Bureau more than 1 year before the date on which the information is made available." The PSOB Office has addressed this issue and began including this total on the mandatory weekly reports as of August 23, 2024. The reports are posted to <https://bja.ojp.gov/program/psob/psob-data/psob-data-archive/weekly-data-reports/2024-weekly-reports>.

- 2. The Attorney General should ensure that the Director of BJA evaluate and take steps to improve the effectiveness of PSOB's outreach and claims assistance efforts.**

The Office of Justice Programs accepts this recommendation and will ensure that steps are taken to improve the effectiveness of outreach and claims assistance efforts. The PSOB Program currently works closely with its OJP-funded partners, the Concerns of Police Survivors and the National Fallen Firefighters Foundation, as well as other PSOB national public safety stakeholders, to provide a range of assistance with filing PSOB claims. By April 2025, the PSOB Office will evaluate its existing efforts and identify additional efforts to coordinate and increase outreach and claims assistance to survivors of fallen officers and injured officers.

- 3. The Attorney General should ensure that the Director of BJA assess the claims status information available to applicants so that it is sufficient and actionable.**

Appendix II: Comments from the Department of Justice

The Office of Justice Programs accepts this recommendation and will assess the claims status information available to applicants and will ensure that steps are taken so that the information is sufficient and actionable. Further, by April 2025, the PSOB Office will collaborate with its national partners and stakeholders, including previous claimants, to identify ways to improve the clarity and completeness of claims status information available to claimants during the claims determination process.

4. The Attorney General should ensure that the Director of BJA document and implement a comprehensive program performance management process. As part of this plan, the agency should:

- **Establish long-term goals and short-term performance goals;**
- **Establish an oversight strategy for monitoring program activities to identify problems, determine corrective actions, identify lessons learned, and adopt new approaches; and**
- **Improve the collection and management of Public Safety Officers' Benefits program data to better ensure its accuracy, consistency, and completeness for assessing program performance.**

The Office of Justice Programs accepts this recommendation and will document and implement a comprehensive program performance management process for the PSOB Program. The PSOB Office estimates documenting its process by May 2025, which will include developing long-term and short-term goals, a monitoring strategy for program activities, and how it will ensure the accuracy, consistency, and completeness of program data used to assess program performance.

5. The Attorney General should direct the Director of BJA to document procedures for carrying out PSOB claims management and administrative procedures.

The Office of Justice Programs accepts this recommendation and will ensure that procedures are documented for carrying out PSOB claims management and administrative procedures. The PSOB Office's claims management and administrative procedures are currently under development and estimated to be completed by March 2025.

If you have any questions regarding this response, you or your staff may contact Jeffery A. Haley, Deputy Director, Office of Audit, Assessment, and Management, at (202) 598-0529.

Sincerely,



Brent J. Cohen
Acting Assistant Attorney General

**Appendix II: Comments from the Department
of Justice**

cc: Gretta Goodwin
Director
Homeland Security and Justice Team
Government Accountability Office

Maureen A. Henneberg
Deputy Assistant Attorney General
Office of Justice Programs

Karhlton F. Moore
Director
Bureau of Justice Assistance

Tammie Gregg
Principal Deputy Director
Bureau of Justice Assistance

Hope D. Janke
Deputy Director
Bureau of Justice Assistance
Public Safety Officers' Benefits Program

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Appendix III: GAO Contact and Staff Acknowledgments

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In addition to the contact named above, Kimberley Granger (Assistant Director), Margaret Weber (Analyst in Charge), David Forgosh, and Stephen Yoder made key contributions to this report. Also contributing to this report were Lee Hinga, Kelly Husted, Kirsten Lauber, Robert Letzler, Benjamin Licht, Mimi Nguyen, Aaron Olszewski, Joy Solmonson, Stacy Ann Spence, Jonathan Ticehurst, Timothy Young, and Peng Zhang.

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