

105TH CONGRESS
2^D SESSION

H. R. 4090

AN ACT

To provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty.

105TH CONGRESS
2^D SESSION

H. R. 4090

AN ACT

To provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty.

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 “Public Safety Officer
3 Medal of Valor Act of 1998”.

4 **SEC. 2. AUTHORIZATION OF MEDAL.**

5 The President may award, and present in the name
6 of Congress, a Medal of Valor of appropriate design, with
7 ribbons and appurtenances, to a public safety officer who
8 is cited by the Attorney General, on the advice of the
9 Medal of Valor Review Board, for extraordinary valor
10 above and beyond the call of duty.

11 **SEC. 3. BOARD.**

12 (a) BOARD.—There is established a permanent Medal
13 of Valor Review Board (hereinafter in this Act referred
14 to as the “Board”). The Board shall—

15 (1) be composed of 11 members appointed in
16 accordance with subsection (b); and

17 (2) conduct its business in accordance with this
18 Act.

19 (b) MEMBERSHIP.—

20 (1) IN GENERAL.—The members of the Board
21 shall be appointed as follows:

22 (A) Two shall be appointed by the Speaker
23 of the House of Representatives.

24 (B) Two shall be appointed by the minority
25 leader of the House of Representatives.

1 (C) Two shall be appointed by the Majority
2 Leader of the Senate.

3 (D) Two shall be appointed by the Minor-
4 ity Leader of the Senate.

5 (E) Three shall be appointed by the Presi-
6 dent, one of whom shall have substantial experi-
7 ence in firefighting, one of whom shall have
8 substantial experience in law enforcement, and
9 one of whom shall have substantial experience
10 in emergency services.

11 (2) PERSONS ELIGIBLE.—The members of the
12 Board shall be individuals who have knowledge or
13 expertise, whether by experience or training, in the
14 field of public safety.

15 (3) TERM.—The term of a Board member is 4
16 years.

17 (4) VACANCIES.—Any vacancy in the member-
18 ship of the Board shall not affect the powers of the
19 Board and shall be filled in the same manner as the
20 original appointment.

21 (5) OPERATION OF THE BOARD.—

22 (A) MEETINGS.—The Board shall meet at
23 the call of the Chairman and not less than
24 twice each year. The initial meeting of the
25 Board shall be conducted not later than 30

1 days after the appointment of the last member
2 of the Board.

3 (B) QUORUM; VOTING; RULES.—A major-
4 ity of the members of the Board shall constitute
5 a quorum to conduct business, but the Board
6 may establish a lesser quorum for conducting
7 hearings scheduled by the Board. The Board
8 may establish by majority vote any other rules
9 for the conduct of the Board’s business, if such
10 rules are not inconsistent with this Act or other
11 applicable law.

12 (c) DUTIES.—The Board shall select candidates as
13 recipients of the Medal of Valor from among those applica-
14 tions received by the National Medal Office. Not more
15 often than once each year, the Board shall present to the
16 Attorney General the name or names of those it rec-
17 ommends as Medal of Valor recipients. In a given year,
18 the Board is not required to choose any names, but is lim-
19 ited to a maximum number of 6 recipients. The Board
20 shall set an annual timetable for fulfilling its duties under
21 this Act.

22 (d) HEARINGS.—

23 (1) IN GENERAL.—The Board may hold such
24 hearings, sit and act at such times and places, ad-
25 minister such oaths, take such testimony, and re-

1 ceive such evidence as the Board considers advisable
2 to carry out its duties.

3 (2) WITNESS EXPENSES.—Witnesses requested
4 to appear before the Board may be paid the same
5 fees as are paid to witnesses under section 1821 of
6 title 28, United States Code. The per diem and mile-
7 age allowances for witnesses shall be paid from
8 funds appropriated to the Board.

9 (e) INFORMATION FROM FEDERAL AGENCIES.—The
10 Board may secure directly from any Federal department
11 or agency such information as the Board considers nec-
12 essary to carry out its duties. Upon the request of the
13 Board, the head of such department or agency may fur-
14 nish such information to the Board.

15 (f) INFORMATION TO BE KEPT CONFIDENTIAL.—
16 The Board shall not disclose any information which may
17 compromise an ongoing law enforcement investigation or
18 is otherwise required by law to be kept confidential.

19 **SEC. 4. BOARD PERSONNEL MATTERS.**

20 (a) COMPENSATION OF MEMBERS.—(1) Except as
21 provided in paragraph (2), each member of the Board
22 shall be compensated at a rate equal to the daily equiva-
23 lent of the annual rate of basic pay prescribed for level
24 IV of the Executive Schedule under section 5315 of title
25 5, United States Code, for each day (including travel time)

1 during which such member is engaged in the performance
2 of the duties of the Board.

3 (2) All members of the Board who serve as officers
4 or employees of the United States, a State, or a local gov-
5 ernment, shall serve without compensation in addition to
6 that received for those services.

7 (b) TRAVEL EXPENSES.—The members of the Board
8 shall be allowed travel expenses, including per diem in lieu
9 of subsistence, at rates authorized for employees of agen-
10 cies under subchapter I of chapter 57 of title 5, United
11 States Code, while away from their homes or regular
12 places of business in the performance of service for the
13 Board.

14 **SEC. 5. DEFINITIONS.**

15 For the purposes of this Act:

16 (1) PUBLIC SAFETY OFFICER.—The term
17 “Public Safety Officer” has the same meaning given
18 that term in section 1204 of the Omnibus Crime
19 Control and Safe Streets Act of 1968.

20 (2) STATE.—The term “State” means each of
21 the several States of the United States, the District
22 of Columbia, the Commonwealth of Puerto Rico, the
23 Virgin Islands, Guam, American Samoa, and the
24 Commonwealth of the Northern Mariana Islands.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Attor-
3 ney General such sums as may be necessary to carry out
4 this Act.

5 **SEC. 7. OFFICE.**

6 There is established within the Department of Justice
7 a national medal office. The office shall staff the Medal
8 of Valor Review Board and establish criteria and proce-
9 dures for the submission of recommendations of nominees
10 for the Medal of Valor.

11 **SEC. 8. CONFORMING REPEAL.**

12 Section 15 of the Federal Fire Prevention and Con-
13 trol Act of 1974 is repealed.

14 **SEC. 9. CONSULTATION REQUIREMENT.**

15 The Attorney General shall consult with the Institute
16 of Heraldry within the Department of Defense regarding
17 the design and artistry of the Medal of Valor. The Attor-
18 ney General shall also consider suggestions received by the
19 Department of Justice regarding the design of the medal,

1 including those made by persons not employed by the
2 Department.

Passed the House of Representatives September 9,
1998.

Attest:

Clerk.