

105TH CONGRESS  
2D SESSION

# H. R. 4090

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

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 1998

Mr. MCCOLLUM (for himself, Mr. SCHUMER, Mr. HYDE, Mr. CONYERS, Mr. BUYER, Mr. GEKAS, Mr. BARR of Georgia, Mr. HUTCHINSON, Mr. CHABOT, Mr. COBLE, Ms. JACKSON-LEE of Texas, Mr. MEEHAN, Mr. GRAHAM, Mr. WEXLER, and Mr. CUNNINGHAM) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Public Safety Officer  
5 Medal of Valor Act of 1998”.

6 **SEC. 2. AUTHORIZATION OF MEDAL.**

7 The President may award, and present in the name  
8 of Congress, a Medal of Valor of appropriate design, with

1 ribbons and appurtenances, to a public safety officer who  
2 is cited by the Attorney General, on the advice of the  
3 Medal of Valor Review Board, for extraordinary valor  
4 above and beyond the call of duty.

5 **SEC. 3. BOARD.**

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

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

11 (2) conduct its business in accordance with this  
12 Act.

13 (b) MEMBERSHIP.—

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

16 (A) 2 shall be appointed by the Speaker of  
17 the House of Representatives.

18 (B) 2 shall be appointed by the minority  
19 leader of the House of Representatives.

20 (C) 2 shall be appointed by the Majority  
21 Leader of the Senate.

22 (D) 2 shall be appointed by the Minority  
23 Leader of the Senate.

24 (E) 3 shall be appointed by the President,  
25 one of whom shall have substantial experience

1 in firefighting, one of whom shall have substan-  
2 tial experience in law enforcement, and one of  
3 whom shall have substantial experience in emer-  
4 gency services.

5 (2) PERSONS ELIGIBLE.—The members of the  
6 Board shall be individuals who have knowledge or  
7 expertise, whether by experience or training, in the  
8 field of public safety.

9 (3) TERM.—The term of a Board member is 4  
10 years.

11 (4) VACANCIES.—Any vacancy in the member-  
12 ship of the Board shall not affect the powers of the  
13 Board and shall be filled in the same manner as the  
14 original appointment.

15 (5) OPERATION OF THE BOARD.—

16 (A) MEETINGS.—The Board shall meet at  
17 the call of the Chairman and not less than  
18 twice each year. The initial meeting of the  
19 Board shall be conducted not later than 30  
20 days after the appointment of the last member  
21 of the Board.

22 (B) QUORUM; VOTING; RULES.—A major-  
23 ity of the members of the Board shall constitute  
24 a quorum to conduct business, but the Board  
25 may establish a lesser quorum for conducting

1           hearings scheduled by the Board. The Board  
2           may establish by majority vote any other rules  
3           for the conduct of the Board's business, if such  
4           rules are not inconsistent with this Act or other  
5           applicable law.

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

16           (d) HEARINGS.—

17           (1) IN GENERAL.—The Board may hold such  
18 hearings, sit and act at such times and places, ad-  
19 minister such oaths, take such testimony, and re-  
20 ceive such evidence as the Board considers advisable  
21 to carry out its duties.

22           (2) WITNESS EXPENSES.—Witnesses requested  
23 to appear before the Board may be paid the same  
24 fees as are paid to witnesses under section 1821 of  
25 title 28, United States Code. The per diem and mile-

1       age allowances for witnesses shall be paid from  
2       funds appropriated to the Board.

3       (e) INFORMATION FROM FEDERAL AGENCIES.—The  
4       Board may secure directly from any Federal department  
5       or agency such information as the Board considers nec-  
6       essary to carry out its duties. Upon the request of the  
7       Board, the head of such department or agency may fur-  
8       nish such information to the Board.

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

13      **SEC. 4. BOARD PERSONNEL MATTERS.**

14      (a) COMPENSATION OF MEMBERS.—(1) Except as  
15      provided in paragraph (2), each member of the Board  
16      shall be compensated at a rate equal to the daily equiva-  
17      lent of the annual rate of basic pay prescribed for Level  
18      IV of the Executive Schedule under section 5315 of title  
19      5, United States Code, for each day (including travel time)  
20      during which such member is engaged in the performance  
21      of the duties of the Board.

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

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

8 **SEC. 5. DEFINITIONS.**

9 For the purposes of this Act:

10 (1) PUBLIC SAFETY OFFICER.—The Term  
11 “Public Safety Officer” has the same meaning given  
12 that term in section 1204 of the Omnibus Crime  
13 Control and Safe Streets Act of 1968.

14 (2) STATE.—The term “State” means each of  
15 the several States of the United States, the District  
16 of Columbia, the Commonwealth of Puerto Rico, the  
17 Virgin Islands, Guam, American Samoa, and the  
18 Commonwealth of the Northern Mariana Islands.

19 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated to the Attor-  
21 ney General such sums as may be necessary to carry out  
22 this Act.

23 **SEC. 7. OFFICE.**

24 There is established within the Department of Justice  
25 a national medal office. The office shall staff the Medal

1 of Valor Review Board and establish criteria and proce-  
2 dures for the submission of recommendations of nominees  
3 for the Medal of Valor.

4 **SEC. 8. CONFORMING REPEAL.**

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

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