

Union Calendar No. 375

105TH CONGRESS
2^D SESSION

H. R. 4090

[Report No. 105-667]

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

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, Mr. CUNNINGHAM, and Mr. WELDON of Pennsylvania) introduced the following bill; which was referred to the Committee on the Judiciary

JULY 31, 1998

Additional sponsors: Mr. LOBIONDO, Mr. CANADY of Florida, Mr. ROYCE, and Mr. WELDON of Pennsylvania

JULY 31, 1998

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 19, 1998]

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*
9 *ribbons and appurtenances, to a public safety officer who*
10 *is cited by the Attorney General, on the advice of the Medal*
11 *of Valor Review Board, for extraordinary valor above and*
12 *beyond the call of duty.*

13 **SEC. 3. BOARD.**

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

17 *(1) be composed of 11 members appointed in ac-*
18 *cordance with subsection (b); and*

19 *(2) conduct its business in accordance with this*
20 *Act.*

21 *(b) MEMBERSHIP.—*

22 *(1) IN GENERAL.—The members of the Board*
23 *shall be appointed as follows:*

24 *(A) 2 shall be appointed by the Speaker of*
25 *the House of Representatives.*

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

3 (C) 2 shall be appointed by the Majority
4 Leader of the Senate.

5 (D) 2 shall be appointed by the Minority
6 Leader of the Senate.

7 (E) 3 shall be appointed by the President,
8 one of whom shall have substantial experience in
9 firefighting, one of whom shall have substantial
10 experience in law enforcement, and one of whom
11 shall have substantial experience in emergency
12 services.

13 (2) *PERSONS ELIGIBLE.*—The members of the
14 Board shall be individuals who have knowledge or ex-
15 pertise, whether by experience or training, in the field
16 of public safety.

17 (3) *TERM.*—The term of a Board member is 4
18 years.

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

23 (5) *OPERATION OF THE BOARD.*—

24 (A) *MEETINGS.*—The Board shall meet at
25 the call of the Chairman and not less than twice

1 *each year. The initial meeting of the Board shall*
2 *be conducted not later than 30 days after the ap-*
3 *pointment of the last member of the Board.*

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

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

21 *(d) HEARINGS.—*

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

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

3 (2) *WITNESS EXPENSES.*—*Witnesses requested to*
4 *appear before the Board may be paid the same fees*
5 *as are paid to witnesses under section 1821 of title*
6 *28, United States Code. The per diem and mileage al-*
7 *lowances for witnesses shall be paid from funds ap-*
8 *propriated 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 furnish*
14 *such information to the Board.*

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

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

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

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

3 (2) *All members of the Board who serve as officers or*
4 *employees of the United States, a State, or a local govern-*
5 *ment, shall serve without compensation in addition to that*
6 *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 agencies*
10 *under subchapter I of chapter 57 of title 5, United States*
11 *Code, while away from their homes or regular places of*
12 *business in the performance of service for the Board.*

13 **SEC. 5. DEFINITIONS.**

14 *For the purposes of this Act:*

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

19 (2) *STATE.*—*The term “State” means each of the*
20 *several States of the United States, the District of Co-*
21 *lumbia, the Commonwealth of Puerto Rico, the Virgin*
22 *Islands, Guam, American Samoa, and the Common-*
23 *wealth 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 of*
8 *Valor Review Board and establish criteria and procedures*
9 *for the submission of recommendations of nominees for the*
10 *Medal of Valor.*

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

12 *Section 15 of the Federal Fire Prevention and Control*
13 *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 Attorney*
18 *General shall also consider suggestions received by the De-*
19 *partment of Justice regarding the design of the medal, in-*
20 *cluding those made by persons not employed by the*
21 *Department.*

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