

Calendar No. 95

106TH CONGRESS
1ST SESSION

S. 39

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

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

Mr. STEVENS (for himself, Mr. LOTT, Mr. DASCHLE, Mr. INOUE, Mr. CAMPBELL, Mr. REID, Mr. LUGAR, Mrs. MURRAY, Mr. MURKOWSKI, Ms. MIKULSKI, Mr. CLELAND, Mr. BURNS, Mrs. BOXER, Mr. WYDEN, Mr. LIEBERMAN, Mr. COCHRAN, Mr. DOMENICI, Mr. BRYAN, Mr. HAGEL, Mr. HELMS, Mr. GREGG, Mr. DURBIN, Mr. BIDEN, Mr. LEAHY, Mr. COVERDELL, Mr. ROTH, Mr. BINGAMAN, and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

APRIL 29, 1999

Reported by Mr. HATCH, without amendment

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be referred to as
3 the “Public Safety Medal of Valor Act”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Authorization of Medal of Valor.
- Sec. 3. Medal of Valor Review Board.
- Sec. 4. Board personnel matters.
- Sec. 5. National medal office.
- Sec. 6. Definitions.
- Sec. 7. Authorization of appropriations.
- Sec. 8. Conforming repeal.
- Sec. 9. Consultation requirement.

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

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, upon the recommenda-
11 tion of the Medal of Valor Review Board, for extraordinary
12 valor above and beyond the call of duty. The Public Safety
13 Medal of Valor is the highest national award for valor by
14 a public safety officer.

15 **SEC. 3. MEDAL OF VALOR REVIEW BOARD.**

16 (a) ESTABLISHMENT OF BOARD.—There is hereby
17 established a Medal of Valor Review Board (hereafter in
18 this Act referred to as the “Board”), which shall be com-
19 posed of 11 members appointed in accordance with sub-
20 section (b), and shall conduct its business in accordance
21 with this Act.

1 (b) MEMBERSHIP.—

2 (1) MEMBERS.—The members of the Board
3 shall be individuals with knowledge or expertise,
4 whether by experience or training, in the field of
5 public safety, of which—

6 (A) two shall be appointed by the Majority
7 Leader of the Senate;

8 (B) two shall be appointed by the Minority
9 Leader of the Senate;

10 (C) two shall be appointed by the Speaker
11 of the House of Representatives;

12 (D) two shall be appointed by the Minority
13 Leader of the House of Representatives; and

14 (E) three shall be appointed by the Presi-
15 dent, including one with experience in fire-
16 fighting, one with experience in law enforce-
17 ment, and one with experience in emergency
18 services.

19 (2) TERM.—The term of a Board member shall
20 be 4 years.

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

25 (4) OPERATION OF THE BOARD.—

1 (A) MEETINGS.—The Board shall meet at
2 the call of the Chairman, who shall be elected
3 by the Board, and shall meet not less than
4 twice each year. The initial meeting of the
5 Board shall be conducted not later than 90
6 days after the appointment of the last member
7 of the Board.

8 (B) VOTING AND RULES.—A majority of
9 the members shall constitute a quorum to con-
10 duct business, but the Board may establish a
11 lesser quorum for conducting hearings sched-
12 uled by the Board. The Board may establish by
13 majority vote any other rules for the conduct of
14 the Board’s business, if such rules are not in-
15 consistent with this Act or other applicable law.

16 (c) DUTIES.—The Board shall select candidates as
17 recipients of the Medal of Valor from among applications
18 received by the National Medal Office. Not more than once
19 each year, the Board shall present to the Attorney General
20 the name or names of persons it recommends as Medal
21 of Valor recipients. In a given year, the Board is not re-
22 quired to select any recipients, but is limited to a max-
23 imum number of 10 recipients. The Attorney General may
24 in extraordinary cases increase the number of recipients

1 in a given year. The Board shall set an annual timetable
2 for fulfilling its duties under this Act.

3 (d) HEARINGS.—

4 (1) IN GENERAL.—The Board may hold such
5 hearings, sit and act at such times and places, ad-
6 minister such oaths, take such testimony, and re-
7 ceive such evidence as the Board considers advisable
8 to carry out its duties.

9 (2) WITNESS EXPENSES.—Witnesses requested
10 to appear before the Board may be paid the same
11 fees as are paid to witnesses under section 1821 of
12 title 28, United States Code. The per diem and mile-
13 age allowances for witnesses shall be paid from
14 funds appropriated to the Board.

15 (e) INFORMATION FROM FEDERAL AGENCIES.—The
16 Board may secure directly from any Federal department
17 or agency such information as the Board considers nec-
18 essary to carry out its duties. Upon the request of the
19 Board, the head of such department or agency may fur-
20 nish such information to the Board.

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

1 **SEC. 4. BOARD PERSONNEL MATTERS.**

2 (a) COMPENSATION OF BOARD MEMBERS.—

3 (1) NON-GOVERNMENT.—Except as provided in
4 paragraph (2), each member of the Board shall be
5 compensated at a rate equal to the daily equivalent
6 of the annual rate of basic pay prescribed for level
7 IV of the Executive Schedule under section 5315 of
8 title 5, United States Code, for each day (including
9 travel time) during which such member is engaged
10 in the performance of the duties of the Board.

11 (2) GOVERNMENT.—All members of the Board
12 who serve as officers or employees of the United
13 States, a State, or local government, shall serve
14 without compensation in addition to that received for
15 those services.

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

23 **SEC. 5. NATIONAL MEDAL OFFICE.**

24 There is established within the Department of Justice
25 a national medal office. The office shall generally support
26 the Board and shall, with the concurrence of the Board,

1 establish criteria and procedures for the submission of rec-
2 ommendations of nominees for the Medal of Valor.

3 **SEC. 6. DEFINITIONS.**

4 For purposes of this Act—

5 (1) the term “public safety officer” means a
6 person serving a public agency, with or without com-
7 pensation, as a firefighter, law enforcement officer
8 (including a corrections or court officer or a civil de-
9 fense officer), or emergency services officer, as de-
10 fined by the Attorney General in implementing this
11 Act; and

12 (2) the term “State” means each of the several
13 States of the United States, the District of Colum-
14 bia, the Commonwealth of Puerto Rico, the Virgin
15 Islands, Guam, American Samoa, and the Common-
16 wealth of the Northern Mariana Islands.

17 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

21 **SEC. 8. CONFORMING REPEAL.**

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

1 **SEC. 9. CONSULTATION REQUIREMENT.**

2 The Attorney General shall consult with the Institute
3 of Heraldry within the Department of Defense regarding
4 the design and artistry of the Medal of Valor. The Attor-
5 ney General shall also consider suggestions received by the
6 Department of Justice regarding the design of the medal,
7 including those made by persons not employed by the De-
8 partment.

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