

110TH CONGRESS
1ST SESSION

H. R. 3211

To establish an awards mechanism to honor Federal law enforcement officers
injured in the line of duty.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2007

Mr. ELLSWORTH introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To establish an awards mechanism to honor Federal law
enforcement officers injured in the line 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 “Federal Law Enforce-
5 ment Congressional Badge of Bravery Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress finds as follows:

8 (1) According to the Department of Justice, in
9 the past 7 years, an average of 150 Federal law en-

1 enforcement officers per year sustained physical inju-
2 ries while dealing with an assaultive subject.

3 (2) More than 70 Federal agencies employ Fed-
4 eral law enforcement officers but only 2 such agen-
5 cies have an awards mechanism to recognize Federal
6 law enforcement officers who are injured in the line
7 of duty.

8 (3) In contrast to the lack of an awards mecha-
9 nism for Federal law enforcement officers, the Presi-
10 dent awards the Purple Heart for military personnel
11 wounded or killed during armed service, and most
12 State and local police departments have commenda-
13 tions and medals for officers who are injured in the
14 line of duty.

15 (4) Formal congressional recognition does not
16 exist to honor Federal law enforcement officers who
17 are injured in the line of duty.

18 (5) It is appropriate for Congress to recognize
19 and honor the brave men and women in Federal law
20 enforcement who are injured while putting them-
21 selves at personal risk in the line of duty.

22 **SEC. 3. AUTHORIZATION OF A BADGE.**

23 The Attorney General may award, and a Member of
24 Congress or the Attorney General may present, in the
25 name of Congress a Congressional Badge of Bravery (in

1 this Act referred to as the “Badge”) to a Federal law en-
2 forcement officer who is cited by the Attorney General,
3 upon the recommendation of the Congressional Badge of
4 Bravery Board, for sustaining a physical injury while in
5 the line of duty.

6 **SEC. 4. NOMINATIONS.**

7 (a) IN GENERAL.—An agency head may nominate for
8 a Badge an individual who meets the following criteria:

9 (1) The individual is a Federal law enforcement
10 officer working within the agency of the agency head
11 making the nomination.

12 (2) The individual sustained a physical injury
13 while engaged in his or her lawful duties.

14 (3) The individual put himself or herself at per-
15 sonal risk when the injury described in paragraph
16 (2) occurred.

17 (4) The injury described in paragraph (2) oc-
18 curred during some form of conduct characterized as
19 bravery by the agency head making the nomination.

20 (b) CONTENTS.—A nomination under subsection (a)
21 shall include—

22 (1) a written narrative, of not more than 2
23 pages, describing the circumstances under which the
24 nominee sustained a physical injury described in

1 subsection (a) and how the circumstances meet the
2 criteria described in such subsection;

3 (2) the full name of the nominee;

4 (3) the home mailing address of the nominee;

5 (4) the agency in which the nominee served on
6 the date when such nominee sustained a physical in-
7 jury described in subsection (a);

8 (5) the occupational title and grade or rank of
9 the nominee;

10 (6) the field office address of the nominee on
11 the date when such nominee sustained a physical in-
12 jury described in subsection (a); and

13 (7) the number of years of Government service
14 by the nominee as of the date when such nominee
15 sustained a physical injury described in subsection
16 (a).

17 (c) SUBMISSION DEADLINE.—An agency head shall
18 submit each nomination under subsection (a) to the Con-
19 gressional Badge of Bravery Office by February 15 of the
20 year following the date on which the nominee sustained
21 a physical injury described in subsection (a).

22 **SEC. 5. CONGRESSIONAL BADGE OF BRAVERY BOARD.**

23 (a) ESTABLISHMENT.—There is established within
24 the Department of Justice a Congressional Badge of Brav-
25 ery Board (in this Act referred to as the “Board”).

1 (b) DUTIES.—The Board shall do the following:

2 (1) Design the Badge with appropriate ribbons
3 and appurtenances.

4 (2) Select an engraver to produce each Badge.

5 (3) Recommend recipients of the Badge from
6 among those nominations timely submitted to the
7 Congressional Badge of Bravery Office.

8 (4) Annually present to the Attorney General
9 the names of Federal law enforcement officers who
10 the Board recommends as Badge recipients in ac-
11 cordance with the criteria described in section 4(a).

12 (5) After approval by the Attorney General—

13 (A) procure the Badges from the engraver
14 selected under paragraph (2);

15 (B) send a letter announcing the award of
16 each Badge to the agency head who nominated
17 the recipient of such Badge;

18 (C) send a letter to each Member of Con-
19 gress representing the congressional district
20 where the recipient of each Badge resides to
21 offer such Member an opportunity to present
22 such Badge; and

23 (D) make or facilitate arrangements for
24 presenting each Badge in accordance with sec-
25 tion 7.

1 (6) Set an annual timetable for fulfilling the
2 duties described in this subsection.

3 (c) MEMBERSHIP.—

4 (1) NUMBER AND APPOINTMENT.—The Board
5 shall be composed of 7 members (in this Act re-
6 ferred to as the “Board members”) appointed as fol-
7 lows:

8 (A) One member jointly appointed by the
9 majority leader and minority leader of the Sen-
10 ate.

11 (B) One member jointly appointed by the
12 Speaker and minority leader of the House of
13 Representatives.

14 (C) One member from the Department of
15 Justice appointed by the Attorney General.

16 (D) One member from the Department of
17 Homeland Security appointed by the Secretary
18 of Homeland Security.

19 (E) Three members of the Federal Law
20 Enforcement Officers Association appointed by
21 the Executive Board of the Federal Law En-
22 forcement Officers Association.

23 (2) LIMITATION.—No more than 5 Board mem-
24 bers may be members of the Federal Law Enforce-
25 ment Officers Association.

1 (3) QUALIFICATIONS.—Board members shall be
2 individuals with knowledge or expertise, whether by
3 experience or training, in the field of Federal law en-
4 forcement.

5 (4) TERMS AND VACANCIES.—Each Board
6 member shall be appointed for 2 years and may be
7 reappointed. A vacancy in the Board shall not affect
8 the powers of the Board and shall be filled in the
9 same manner as the original appointment.

10 (d) OPERATIONS.—

11 (1) CHAIRPERSON.—The Chairperson of the
12 Board shall be a Board member elected by a major-
13 ity of the Board.

14 (2) MEETINGS.—The Board shall conduct its
15 first meeting not later than 90 days after the ap-
16 pointment of a majority of Board members. There-
17 after, the Board shall meet at the call of the Chair-
18 person, or in the case of a vacancy of the position
19 of Chairperson, at the call of the Attorney General.

20 (3) VOTING AND RULES.—A majority of Board
21 members shall constitute a quorum to conduct busi-
22 ness, but the Board may establish a lesser quorum
23 for conducting hearings scheduled by the Board. The
24 Board may establish by majority vote any other
25 rules for the conduct of the business of the Board,

1 if such rules are not inconsistent with this Act or
2 other applicable law.

3 (e) POWERS.—

4 (1) HEARINGS.—

5 (A) IN GENERAL.—The Board may hold
6 hearings, sit and act at times and places, take
7 testimony, and receive evidence as the Board
8 considers appropriate to carry out the duties of
9 the Board under this Act. The Board may ad-
10 minister oaths or affirmations to witnesses ap-
11 pearing before it.

12 (B) WITNESS EXPENSES.—Witnesses re-
13 quested to appear before the Board may be
14 paid the same fees as are paid to witnesses
15 under section 1821 of title 28, United States
16 Code. The per diem and mileage allowances for
17 witnesses shall be paid from funds appropriated
18 to the Board.

19 (2) INFORMATION FROM FEDERAL AGENCIES.—
20 Subject to sections 552, 552a, and 552b of title 5,
21 United States Code—

22 (A) the Board may secure directly from
23 any Federal department or agency information
24 necessary to enable it to carry out this Act; and

1 (B) upon request of the Board, the head of
2 that department or agency shall furnish the in-
3 formation to the Board.

4 (3) INFORMATION TO BE KEPT CONFIDEN-
5 TIAL.—The Board shall not disclose any information
6 which may compromise an ongoing law enforcement
7 investigation or is otherwise required by law to be
8 kept confidential.

9 (f) COMPENSATION.—

10 (1) IN GENERAL.—Except as provided in para-
11 graph (2), each Board member shall be compensated
12 at a rate equal to the daily equivalent of the annual
13 rate of basic pay prescribed for level IV of the Exec-
14 utive Schedule under section 5315 of title 5, United
15 States Code, for each day (including travel time)
16 during which such Board member is engaged in the
17 performance of the duties of the Board.

18 (2) PROHIBITION OF COMPENSATION FOR GOV-
19 ERNMENT EMPLOYEES.—Board members who serve
20 as officers or employees of Federal, a State, or a
21 local government may not receive additional pay, al-
22 lowances, or benefits by reason of their service on
23 the Board.

24 (3) TRAVEL EXPENSES.—Each Board member
25 shall receive travel expenses, including per diem in

1 lieu of subsistence, in accordance with applicable
2 provisions under subchapter I of chapter 57 of title
3 5, United States Code.

4 **SEC. 6. CONGRESSIONAL BADGE OF BRAVERY OFFICE.**

5 There is established within the Department of Justice
6 a Congressional Badge of Bravery Office (in this Act re-
7 ferred to as the “Office”). The Office shall—

8 (1) receive nominations from agency heads on
9 behalf of the Board and deliver such nominations to
10 the Board at Board meetings described in section
11 5(d)(2); and

12 (2) provide staff support to the Board to carry
13 out the duties described in section 5(b).

14 **SEC. 7. PRESENTATION OF BADGES.**

15 (a) PRESENTATION BY MEMBER OF CONGRESS.—A
16 Member of Congress may present a Badge to any Badge
17 recipient who resides in such Member’s congressional dis-
18 trict. If both a Senator and Representative choose to
19 present a Badge, such Senator and Representative shall
20 make a joint presentation.

21 (b) PRESENTATION BY ATTORNEY GENERAL.—If no
22 Member of Congress chooses to present the Badge as de-
23 scribed in subsection (a), the Attorney General, or a des-
24 ignee of the Attorney General, shall present such Badge.

1 (c) PRESENTATION ARRANGEMENTS.—The office of
2 the Member of Congress presenting each Badge may make
3 arrangements for the presentation of such Badge, and if
4 a Senator and Representative choose to participate jointly
5 as described in subsection (a), the Members shall make
6 joint arrangements. The Board shall facilitate any such
7 presentation arrangements as requested by the congres-
8 sional office presenting the Badge and shall make arrange-
9 ments in cases not undertaken by Members of Congress.

10 **SEC. 8. DEFINITIONS.**

11 For purposes of this Act:

12 (a) FEDERAL LAW ENFORCEMENT OFFICER.—The
13 term “Federal law enforcement officer” means a Federal
14 employee—

15 (1) who has statutory authority to make ar-
16 rests;

17 (2) who is authorized by his or her agency to
18 carry firearms; and

19 (3) whose duties are primarily—

20 (A) the investigation, apprehension, or de-
21 tention of individuals suspected or convicted of
22 a Federal criminal offense; or

23 (B) the protection of Federal officials
24 against threats to personal safety.

1 (b) AGENCY HEAD.—The term “agency head” means
2 the head of any executive, legislative, or judicial branch
3 Government entity that employs Federal law enforcement
4 officers.

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