

107TH CONGRESS
1ST SESSION

H. R. 802

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2001

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To authorize the Public Safety Officer Medal of Valor, 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.**

2 This Act may be cited as the “Public Safety Officer
3 Medal of Valor Act of 2001”.

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

5 After September 1, 2001, the President may award,
6 and present in the name of Congress, a Medal of Valor
7 of appropriate design, with ribbons and appurtenances, to
8 a public safety officer who is cited by the Attorney Gen-
9 eral, upon the recommendation of the Medal of Valor Re-
10 view Board, for extraordinary valor above and beyond the
11 call of duty. The Public Safety Medal of Valor shall be
12 the highest national award for valor by a public safety offi-
13 cer.

14 **SEC. 3. MEDAL OF VALOR BOARD.**

15 (a) ESTABLISHMENT OF BOARD.—There is estab-
16 lished a Medal of Valor Review Board (hereinafter in this
17 Act referred to as the “Board”), which shall be composed
18 of 11 members appointed in accordance with subsection
19 (b) and shall conduct its business in accordance with this
20 Act.

21 (b) MEMBERSHIP.—

22 (1) MEMBERS.—The members of the Board
23 shall be individuals with knowledge or expertise,
24 whether by experience or training, in the field of
25 public safety, of which—

1 (A) two shall be appointed by the majority
2 leader of the Senate;

3 (B) two shall be appointed by the minority
4 leader of the Senate;

5 (C) two shall be appointed by the Speaker
6 of the House of Representatives;

7 (D) two shall be appointed by the minority
8 leader of the House of Representatives; and

9 (E) three shall be appointed by the Presi-
10 dent, including one with experience in fire-
11 fighting, one with experience in law enforce-
12 ment, and one with experience in emergency
13 services.

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

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

20 (4) OPERATION OF THE BOARD.—

21 (A) CHAIRMAN.—The Chairman of the
22 Board shall be elected by the members of the
23 Board from among the members of the Board.

24 (B) MEETINGS.—The Board shall conduct
25 its first meeting not later than 90 days after

1 the appointment of the last member appointed
2 of the initial group of members appointed to the
3 Board. Thereafter, the Board shall meet at the
4 call of the Chairman of the Board. The Board
5 shall meet not less often than twice each year.

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

14 (c) DUTIES.—The Board shall select candidates as
15 recipients of the Medal of Valor from among those applica-
16 tions received by the National Medal of Valor Office. Not
17 more often than once each year, the Board shall present
18 to the Attorney General the name or names of those it
19 recommends as Medal of Valor recipients. In a given year,
20 the Board shall not be required to select any recipients
21 but may not select more than 5 recipients. The Attorney
22 General may in extraordinary cases increase the number
23 of recipients in a given year. The Board shall set an an-
24 nual timetable for fulfilling its duties under this Act.

25 (d) HEARINGS.—

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

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

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

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

22 **SEC. 4. BOARD PERSONNEL MATTERS.**

23 (a) COMPENSATION OF MEMBERS.—(1) Except as
24 provided in paragraph (2), each member of the Board
25 shall be compensated at a rate equal to the daily equiva-

1 lent of the annual rate of basic pay prescribed for level
2 IV of the Executive Schedule under section 5315 of title
3 5, United States Code, for each day (including travel time)
4 during which such member is engaged in the performance
5 of the duties of the Board.

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

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

17 **SEC. 5. DEFINITIONS.**

18 In this Act:

19 (1) PUBLIC SAFETY OFFICER.—The term “pub-
20 lic safety officer” means a person serving a public
21 agency, with or without compensation, as a fire-
22 fighter, law enforcement officer, or emergency serv-
23 ices officer, as determined by the Attorney General.
24 For the purposes of this paragraph, the term “law

1 enforcement officer” includes a person who is a cor-
2 rections or court officer or a civil defense officer.

3 (2) STATE.—The term “State” means each of
4 the several States of the United States, the District
5 of Columbia, the Commonwealth of Puerto Rico, the
6 Virgin Islands, Guam, American Samoa, and the
7 Commonwealth of the Northern Mariana Islands.

8 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated to the Attor-
10 ney General such sums as may be necessary to carry out
11 this Act.

12 **SEC. 7. NATIONAL MEDAL OF VALOR OFFICE.**

13 There is established within the Department of Justice
14 a National Medal of Valor Office. The Office shall provide
15 staff support to the Board to establish criteria and proce-
16 dures for the submission of recommendations of nominees
17 for the Medal of Valor and for the final design of the
18 Medal of Valor.

19 **SEC. 8. CONFORMING REPEAL.**

20 Section 15 of the Federal Fire Prevention and Con-
21 trol Act of 1974 (15 U.S.C. 2214) is amended—

22 (1) by striking subsection (a) and inserting the
23 following new subsection (a):

24 “(a) ESTABLISHMENT.—There is hereby established
25 an honorary award for the recognition of outstanding and

1 distinguished service by public safety officers to be known
 2 as the Director’s Award For Distinguished Public Safety
 3 Service (‘Director’s Award’).”;

4 (2) in subsection (b)—

5 (A) by striking paragraph (1); and

6 (B) by striking “(2)”;

7 (3) by striking subsections (c) and (d) and re-
 8 designating subsections (e), (f), and (g) as sub-
 9 sections (c), (d), and (e), respectively; and

10 (4) in subsection (c), as so redesignated—

11 (A) by striking paragraph (1); and

12 (B) by striking “(2)”.

13 **SEC. 9. CONSULTATION REQUIREMENT.**

14 The Board shall consult with the Institute of Her-
 15 aldry within the Department of Defense regarding the de-
 16 sign and artistry of the Medal of Valor. The Board may
 17 also consider suggestions received by the Department of
 18 Justice regarding the design of the medal, including those
 19 made by persons not employed by the Department.

Passed the House of Representatives March 22,
 2001.

Attest:

JEFF TRANDAHL,

Clerk.