

106TH CONGRESS  
1ST SESSION

# S. 39

---

## AN ACT

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,*

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

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

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 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.

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

4 The President may award, and present in the name  
 5 of Congress, a Medal of Valor of appropriate design, with  
 6 ribbons and appurtenances, to a public safety officer who  
 7 is cited by the Attorney General, upon the recommenda-  
 8 tion of the Medal of Valor Review Board, for extraordinary  
 9 valor above and beyond the call of duty. The Public Safety  
 10 Medal of Valor is the highest national award for valor by  
 11 a public safety officer.

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

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

19 (b) MEMBERSHIP.—

20 (1) MEMBERS.—The members of the Board  
 21 shall be individuals with knowledge or expertise,

1       whether by experience or training, in the field of  
2       public safety, of which—

3               (A) two shall be appointed by the Majority  
4       Leader of the Senate;

5               (B) two shall be appointed by the Minority  
6       Leader of the Senate;

7               (C) two shall be appointed by the Speaker  
8       of the House of Representatives;

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

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

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

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

22              (4) OPERATION OF THE BOARD.—

23                      (A) MEETINGS.—The Board shall meet at  
24                      the call of the Chairman, who shall be elected  
25                      by the Board, and shall meet not less than

1 twice each year. The initial meeting of the  
2 Board shall be conducted not later than 90  
3 days after the appointment of the last member  
4 of the Board.

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

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

24 (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 BOARD MEMBERS.—

24           (1) NON-GOVERNMENT.—Except as provided in  
25      paragraph (2), each member of the Board shall be

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

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

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

19       **SEC. 5. NATIONAL MEDAL OFFICE.**

20       There is established within the Department of Justice  
21       a national medal office. The office shall generally support  
22       the Board and shall, with the concurrence of the Board,  
23       establish criteria and procedures for the submission of rec-  
24       ommendations of nominees for the Medal of Valor.

1 **SEC. 6. DEFINITIONS.**

2 For purposes of this Act—

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

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

15 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

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

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

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

22 **SEC. 9. CONSULTATION REQUIREMENT.**

23 The Attorney General shall consult with the Institute  
24 of Heraldry within the Department of Defense regarding  
25 the design and artistry of the Medal of Valor. The Attor-  
26 ney General shall also consider suggestions received by the

- 1 Department of Justice regarding the design of the medal,
- 2 including those made by persons not employed by the De-
- 3 partment.

Passed the Senate May 14 (legislative day, May 18),  
1999.

Attest:

*Secretary.*



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