

and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

FEDERAL LAW ENFORCEMENT OFFICERS CONGRESSIONAL BADGE OF BRAVERY ACT OF 2008

Ms. ZOE LOFGREN of California. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4056) to establish an awards mechanism to honor Federal law enforcement officers injured in the line of duty, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4056

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Law Enforcement Officers Congressional Badge of Bravery Act of 2008".

SEC. 2. FINDINGS.

Congress finds as follows:

(1) According to the Department of Justice, in the past 7 years, an average of 150 Federal law enforcement officers per year sustained physical injuries while dealing with an assaultive subject.

(2) More than 70 Federal agencies employ Federal law enforcement officers but only 2 such agencies have an awards mechanism to recognize Federal law enforcement officers who are injured in the line of duty.

(3) In contrast to the lack of an awards mechanism for Federal law enforcement officers, the President awards the Purple Heart for military personnel wounded or killed during armed service, and most State and local police departments have commendations and medals for officers who are injured in the line of duty.

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

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

SEC. 3. AUTHORIZATION OF A BADGE.

The Attorney General may award, and a Member of Congress or the Attorney General may present, in the name of Congress a Congressional Badge of Bravery (in this Act referred to as the "Badge") to a Federal law enforcement officer who is cited by the Attorney General, upon the recommendation of the Congressional Badge of Bravery Board, for sustaining a physical injury on or after January 1, 2007, while in the line of duty.

SEC. 4. NOMINATIONS.

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

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

(2) The individual sustained a physical injury while in the line of duty.

(3) The individual faced personal risk when the injury described in paragraph (2) occurred.

(4) The injury described in paragraph (2) occurred during some form of conduct characterized as bravery by the agency head making the nomination.

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

(1) a written narrative, of not more than 2 pages, describing the circumstances under

which the nominee sustained a physical injury described in subsection (a) and how the circumstances meet the criteria described in such subsection;

(2) the full name of the nominee;

(3) the home mailing address of the nominee;

(4) the agency in which the nominee served on the date when such nominee sustained a physical injury described in subsection (a);

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

(6) the field office address of the nominee on the date when such nominee sustained a physical injury described in subsection (a); and

(7) the number of years of service in the Federal government by the nominee as of the date when such nominee sustained a physical injury described in subsection (a).

(c) SUBMISSION DEADLINE.—

(1) INJURIES SUSTAINED BEFORE AUGUST 15.—In the case of an individual who sustained a physical injury described in subsection (a) on or after January 1 of a year and before August 15 of such year, to nominate such individual under such subsection for a Badge, an agency head shall submit such nomination to the Congressional Badge of Bravery Board by February 15 of the following year.

(2) INJURIES SUSTAINED ON OR AFTER AUGUST 15.—In the case of an individual who sustained a physical injury described in subsection (a) on or after August 15 of a year, to nominate such individual under such subsection for a Badge, an agency head shall submit such nomination to the Congressional Badge of Bravery Board by February 15 of the second year following the date on which the individual sustained such physical injury.

SEC. 5. CONGRESSIONAL BADGE OF BRAVERY BOARD.

(a) ESTABLISHMENT.—There is established within the Department of Justice a Congressional Badge of Bravery Board (in this Act referred to as the "Board").

(b) DUTIES.—The duties of the Board are the following:

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

(2) Select an engraver to produce each Badge.

(3) Not later than July 15 of each year, from among the nominations timely submitted to the Congressional Badge of Bravery Board by February 15th of such year, endorse as recipients of the Badge such nominations who meet the criteria described in section 4(a) and submit to the Attorney General a list of such nominations so endorsed.

(4) After submission to the Attorney General of the list described in paragraph (3)—

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

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

(C) send a letter to each Member of Congress representing the congressional district where the endorsed recipient of each Badge resides to offer such Member an opportunity to present such Badge;

(D) provide for the presentation of each Badge in accordance with section 7; and

(E) provide for the posting of the name of each endorsed recipient of the Badge on the public Internet site of the Department of Justice in a manner that acknowledges the Federal service and bravery of each such recipient.

(5) Set an annual timetable for fulfilling the duties described in this subsection.

(c) MEMBERSHIP.—

(1) NUMBER AND APPOINTMENT.—The Board shall be composed of 7 members (in this Act referred to as the "Board members") appointed as follows:

(A) One member jointly appointed by the majority leader and minority leader of the Senate.

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

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

(D) Four members of the Federal Law Enforcement Officers Association appointed by the Executive Board of the Federal Law Enforcement Officers Association.

(2) LIMITATIONS.—

(A) APPLICABLE TO MEMBERS OF THE FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION.—No more than 5 Board members may be members of the Federal Law Enforcement Officers Association.

(B) APPLICABLE TO NOMINATING OFFICIALS.—In the case of a Board member who is an agency head, if such member nominates an individual under section 4(a), such member may not participate in any evaluation or recommendation process of the Board with respect to such individual.

(3) QUALIFICATIONS.—Board members shall be individuals with knowledge or expertise, whether by experience or training, in the field of Federal law enforcement.

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

(d) OPERATIONS.—

(1) CHAIRPERSON.—The Chairperson of the Board shall be a Board member elected by a majority of the Board.

(2) MEETINGS.—The Board shall conduct its first meeting not later than 90 days after the appointment of a majority of Board members. Thereafter, the Board shall meet at the call of the Chairperson, or in the case of a vacancy of the position of Chairperson, at the call of the Attorney General.

(3) VOTING AND RULES.—A majority of Board members shall constitute a quorum to conduct business, but the Board may establish a lesser quorum for conducting hearings scheduled by the Board. The Board may establish by majority vote any other rules for the conduct of the business of the Board, if such rules are not inconsistent with this Act or other applicable law.

(4) STAFF.—The Board may appoint and fix the pay of additional qualified personnel as the Board considers appropriate to assist it in carrying out its duties under subsection (b).

(e) POWERS.—

(1) HEARINGS.—

(A) IN GENERAL.—The Board may hold hearings, sit and act at times and places, take testimony, and receive evidence as the Board considers appropriate to carry out the duties of the Board under this Act. The Board may administer oaths or affirmations to witnesses appearing before it.

(B) WITNESS EXPENSES.—Witnesses requested to appear before the Board may be paid the same fees as are paid to witnesses under section 1821 of title 28, United States Code. The per diem and mileage allowances for witnesses shall be paid from funds appropriated to the Board.

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

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

(B) upon request of the Board, the head of that department or agency shall furnish the information to the Board.

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

(f) COMPENSATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), Board members shall serve without pay.

(2) TRAVEL EXPENSES.—Each Board member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

SEC. 6. PRESENTATION OF BADGES.

(a) PRESENTATION BY MEMBER OF CONGRESS.—A Member of Congress may present a Badge to any Badge recipient who resides in such Member's congressional district. If both a Senator and Representative choose to present a Badge, such Senator and Representative shall make a joint presentation.

(b) PRESENTATION BY ATTORNEY GENERAL.—If no Member of Congress chooses to present the Badge as described in subsection (a), the Attorney General, or a designee of the Attorney General, shall present such Badge.

(c) PRESENTATION ARRANGEMENTS.—The office of the Member of Congress presenting each Badge may make arrangements for the presentation of such Badge, and if a Senator and Representative choose to participate jointly as described in subsection (a), the Senator and Representative shall make joint arrangements. The Board shall facilitate any such presentation arrangements as requested by the congressional office presenting the Badge and shall make arrangements in cases not undertaken by Members of Congress.

(d) LIMITATION.—A Badge may not be awarded under this section during the 60-day period before the date of a Congressional election.

SEC. 7. DEFINITIONS.

For purposes of this Act:

(a) FEDERAL LAW ENFORCEMENT OFFICER.—The term "Federal law enforcement officer" means a Federal employee—

(1) who has statutory authority to make arrests;

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

(3) whose duties are primarily—

(A) the investigation, apprehension, or detention of individuals suspected or convicted of a Federal criminal offense; or

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

(b) AGENCY HEAD.—The term "agency head" means the head of any executive, legislative, or judicial branch government entity that employs Federal law enforcement officers.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. Madam Speaker, I yield myself such time as I may consume.

It is my pleasure to rise in strong support of H.R. 4056, the Federal Law Enforcement Officers Congressional Badge of Bravery Act of 2008.

This measure establishes a formal process by which Congress will be able to recognize acts of bravery by men and women in Federal law enforcement who become injured in the course of their duties.

Each year, approximately 150 Federal law enforcement officers are injured in the line of duty. Although more than 70 Federal agencies employ law enforcement officers, only two of these agencies have an awards mechanism to recognize officers who are injured in the line of duty.

This bill addresses a long overdue need to establish a process for congressional recognition of the dangers these officers face for our safety. It would authorize a Member of Congress or the Attorney General to present in the name of Congress a Congressional Badge of Bravery to an officer who is cited by the Attorney General based on the recommendation of a board established by this measure.

Madam Speaker, the men and women in Federal law enforcement, like many hardworking public servants, must often work long and sometimes irregular hours. Unlike other public servants, however, Federal law enforcement officers undertake their responsibilities with full knowledge that they are at risk of severe injury, or worse.

This bill will now accord these brave men and women formal congressional recognition, an honor that is so very much deserved. I thank the gentleman from Indiana (Mr. ELLSWORTH) for his leadership on this important legislation. I encourage my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

Mr. CHABOT. Madam Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 4056, the Federal Law Enforcement Officers Congressional Badge of Bravery Act of 2008. The men and women of American's Federal law enforcement agencies risk their lives every day protecting our communities, apprehending criminals and bringing them to justice. They are charged with the challenge of disrupting terrorist plots, combating violent gang activity, and stemming the flow of illegal drugs into this country. And they rise to this challenge every single day.

□ 1230

Over 100,000 law enforcement officers are employed by Federal agencies, including not only the FBI, DEA and ATF, but also the Secret Service, Forest Service, Park Police, Postal Inspectors and Immigration and Customs Enforcement officers.

Unbeknownst to many of us, approximately 150 of our Federal officers are injured in the line of duty each year in this country. However, of the more than 70 Federal agencies that employ law enforcement officers, only two, the Drug Enforcement Administration and Bureau of Alcohol, Tobacco, Firearms and Explosives, actually recognize agents injured in the line of duty.

H.R. 4056 establishes the Congressional Badge of Bravery to honor Federal law enforcement officers injured in the line of duty, the first formal congressional award honoring injured law enforcement officers throughout the entire Federal Government.

The Congressional Badge of Bravery will be awarded to those Federal law enforcement officers who demonstrate bravery in performance of their duties, faced personal risk to their safety, and were injured in the line of duty.

H.R. 4056 establishes a seven-member Badge of Bravery Board within the Department of Justice. The Board is charged with designing the badge, selecting recipients and coordinating the presentation of the award.

Federal law enforcement officers perform an invaluable service in protecting our Nation from terrorist attacks, apprehending violent criminals, including sexual predators who prey on our children, and ensuring the safety of thousands of visitors to America's parks and forests each year. This badge of bravery is the least we can do to recognize the dedication and sacrifice of those injured in the line of duty.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Madam Speaker, it is an honor to yield to the author of this legislation, Mr. ELLSWORTH, who represents his district in Indiana with distinction, but also represented the district as their sheriff for many years, and it is therefore very appropriate that I yield to him 5 minutes.

Mr. ELLSWORTH. Madam Speaker, I'd like to thank Ms. ZOE LOFGREN and Mr. CHABOT from Ohio for their support and recommended support for this. And I rise with great pride today to support the Federal Law Enforcement Officers Congressional Badge of Bravery Act.

As we all know, our Federal law enforcement agencies, including the Capitol Police that keep us safe every day, are responsible for providing much of the safety and security that all Americans expect and enjoy. In big cities and in small towns across the country, Federal law enforcement officers work to keep our Nation safe from terrorists, criminals and anybody who seeks to do us harm. This legislation gives Congress an opportunity to honor their service.

As a career law enforcement officer, I know about the sacrifices that all law enforcement officers make in service to their communities and the Nation. I've seen genuine acts of bravery and heroism, and have also been witness to

some of the injuries that can come with the job.

While my experiences are specific to local law enforcement, Department of Justice statistics show that over the last 7 years, an average of 150 Federal law enforcement officers each year sustained physical injuries while dealing with combative subjects as a direct result of their duties.

Unlike military personnel who are awarded a Purple Heart when wounded or killed during armed service, and in many States and local police who receive commendations and medals for sustaining physical injuries, most Federal law enforcement officers do not receive any official recognition for similar sacrifices. In fact, while more than 70 Federal agencies employ Federal law enforcement, only two such agencies, the DEA and the ATF, have an award mechanism to recognize those officers who were injured in the line of duty. This is an oversight that we can correct today.

The bill before us would make great progress in honoring the law enforcement officers who help keep us safe. It would establish a Congressional Badge of Bravery that would be awarded to officers injured in the line of duty while conducting an act of bravery. It would also provide Members of Congress the opportunity to present the Congressional Badge of Bravery to the injured officers who are truly hometown heroes in all of our districts.

It should also be noted that the Federal Law Enforcement Officers Association, which represents more than 26,000 members, supports this legislation.

Again, I'd like to thank Chairman CONYERS and his staff for their support and hard work and the assistance on this bill.

I urge my colleagues to support this legislation.

Mr. CHABOT. Madam Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. I would just urge my colleagues to support this important legislation. It has bipartisan support.

Mr. SHULER. Madam Speaker, I rise today in support of H.R. 4056, establishing a Federal Law Enforcement Officers Congressional Badge of Bravery. This resolution will ensure that due public honor and recognition is given to those Federal law enforcement officers who are wounded in the line of duty while protecting our Nation and communities.

Federal law enforcement officers are employed by a multitude of agencies, yet only two of those agencies have distinct awards mechanisms to recognize officers wounded in the line of duty. Adopting this resolution will allow the Attorney General and Members of Congress the opportunity to honor Federal law enforcement officers from their districts and commend their actions, which resulted in being wounded, with a Badge. This honor will bolster recognition for those Federal officers, as well as raising awareness and pride of their work in the communities they serve and protect.

Madam Speaker, I commend Congressman ELLSWORTH on his leadership in bringing this

legislation to the floor. I urge my colleagues today to vote for this important resolution that will give due honor and respect to those Federal law enforcement officers wounded in the line of duty by recognizing them with a Congressional Badge of Bravery.

Ms. ZOE LOFGREN of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Ms. ZOE LOFGREN) that the House suspend the rules and pass the bill, H.R. 4056, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SUPPORTING THE MISSION AND GOALS OF NATIONAL CRIME VICTIMS' RIGHTS WEEK

Ms. ZOE LOFGREN of California. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1053) supporting the mission and goals of National Crime Victims' Rights week in order to increase public awareness of the rights, needs, and concerns of victims and survivors of crime in the United States.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1053

Whereas 23,000,000 Americans are victims of crime each year, and of those, 5,200,000 are victims of violent crime;

Whereas a just society acknowledges crime's impact on individuals, families, and communities by ensuring that rights, resources, and services are available to help rebuild lives;

Whereas victims' rights are a critical component of the promise of "justice for all," the foundation for our system of justice in America;

Whereas although our Nation has steadily expanded rights, protections, and services for victims of crime, too many victims are still not able to realize the hope and promise of these gains;

Whereas we must do better to ensure services are available for underserved segments of our population, including crime victims with disabilities, victims with mental illness, victims who are teenagers, victims who are elderly, victims in rural areas, and victims in communities of color;

Whereas observing victims' rights and treating victims with dignity and respect serves the public interest by engaging victims in the justice system, inspiring respect for public authorities, and promoting confidence in public safety;

Whereas America recognizes that we make our homes, neighborhoods, and communities safer and stronger by serving victims of crime and ensuring justice for all;

Whereas our Nation must strive to protect, expand, and observe crime victims' rights so that there truly is justice for victims and justice for all; and

Whereas National Crime Victims' Rights Week, April 13, 2008 through April 19, 2008, provides an opportunity for us to strive to reach the goal of justice for all by ensuring that all victims are afforded their legal

rights and provided with assistance as they face the financial, physical, and psychological impact of crime: Now, therefore, be it

Resolved, That the United States House of Representatives—

(1) supports the mission and goals of the 2008 National Crime Victims' Rights Week in order to increase public awareness of the impact of crime on victims and survivors of crime, and of the rights and needs of such victims and survivors; and

(2) directs the Clerk of the House of Representatives to transmit an enrolled copy of this resolution to the Office for Victims of Crime in the Department of Justice.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Ms. ZOE LOFGREN) and the gentleman from Ohio (Mr. CHABOT) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. ZOE LOFGREN of California. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. ZOE LOFGREN of California. I yield myself such time as I may consume.

Madam Speaker, the National Center for Victims of Crime reports that approximately 23 million Americans are victimized by crime each year. Of these, more than 5 million are victims of violent crime.

Victims of crime can suffer from a broad range of adverse effects, ranging from the physical to the psychological. Some experience financial distress resulting from a disruption in employment.

Unfortunately, some of the most vulnerable of our society are also among those who are most commonly the victims of crime. People of color suffer disproportionately from violent crime. The poor and uneducated are often the target of financial schemes. And, sadly, children are victimized more than any other group.

A just society demands that we always bear in mind the suffering that crime victims endure and work to reduce the incidence of the crime that causes that suffering.

This bill will increase public awareness about the effects of crime on its victims and their families as well as our communities.

As part of today's debate, I would also like to point out that the Office for Victims of Crime offers a full array of assistance help for crime victims. By supporting this office and its programs on an ongoing basis we can help ensure that victims are afforded their legal rights and the necessary assistance to overcome the effects of being victimized by crime.

I encourage my colleagues to support H. Res. 1053.

I reserve the balance of my time.