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107TH CONGRESS, 1st Session } HOUSE OF REPRESENTATIVES { REPORT 107–15

PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 2001

MARCH 12, 2001.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SENSENBRENNER, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany H.R. 802]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 802) to authorize the Public Safety Officer Medal of Valor, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

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PURPOSE AND SUMMARY

H.R. 802, the "Public Safety Officer Medal of Valor Act of 2001," establishes a national medal, to be given by the President in the name of the United States Congress, to public safety officers who display extraordinary valor above and beyond the call of duty. The Public Safety Medal of Valor will be the highest national award for valor by a public safety officer. The Attorney General will select the recipients of the medal each year and may select not more than

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five recipients in any year. The legislation creates a Medal of Valor Review Board, composed of members appointed by Congress and the President, to make recommendations to the Attorney General as to persons deserving of the medal. The Board will be staffed by a new office within the Department of Justice known as the National Medal of Valor Office.

BACKGROUND AND NEED FOR THE LEGISLATION

There are many national medals given out by the Federal Government to both military personnel and civilians for acts of heroism and bravery. The first medals were awarded during the Revolutionary War when Congress voted to award gold medals to outstanding military leaders.[1]

The Presidential Medal of Freedom is, perhaps, the most well-known civilian medal.[2] Of course, medals are most often given by the military to its members. Several awards for valor are authorized, with specific conditions placed on the awarding of the medal. Protocol regarding these awards is strictly observed, and military personnel are careful to wear medals properly and in order. The most famous of these is the Medal of Honor, established during the Civil War, and which is "given in the name of the Congress of the United States." For this reason it is generally referred to, erroneously, as the Congressional Medal of Honor. Also well-known are the Navy Cross and the Distinguished Service Cross. Other famous decorations include the Silver Star, the Bronze Star Medal, and the Purple Heart.

To be considered to receive the Medal of Honor, a person must have demonstrated "conspicuous gallantry and intrepidity at the risk of life, above and beyond the call of duty, in action involving actual conflict with an opposing armed force." The Medal of Honor is unique in many respects: it is the only military medal always presented by the President; it is the only military medal worn around the neck; and receipt qualifies the honoree for a special lifetime pension. To be considered for the Distinguished Service Cross, a person must demonstrate "extraordinary heroism in connection with military operations against an opposing armed force." The Silver Star, awarded for "gallantry in action against an opposing armed force," stands as the United States' third highest award for combat valor.[3]

As well known as these medals are, and while they have long been awarded to members of the military, the Federal Government does not award a medal of such significance to public safety officers who commit comparable acts of heroism and bravery. Many individual Federal agencies do award medals to their law enforcement officers who demonstrate heroism. For example, the Federal Bureau of Investigation awards a medal of valor for "exceptional acts of heroism or voluntary risk of personal safety and life, and the act must have occurred in the direct line of duty or within the scope of FBI employment and in the face of criminal adversaries." The agency also gives the Shield of Bravery, the Medal of Meritorious Achievement, and the FBI Star to its employees for acts of heroism

[1] Frank C. Foster and Lawrence H. Borts, U.S. Military Medals 1939 to Present 5 (1994)
[2] See generally, Evans Kerrigan, American Medals and Decorations (1990).
[3] Foster, at 16–19; Kerrigan at 9–18.

and meritorious achievement. At all levels of State and local government, extraordinary acts of heroism by public safety officers also are rewarded with public recognition and praise.

Many other countries recognize their public safety officers with a national medal. Great Britain presents the "Queen's Fire Service Medal" and the "Queen's Police Medal" for public safety officers who commit acts of extraordinary heroism. Canada awards the "Police Exemplary Service Medal" and the "Royal Canadian Mounted Police Long Service Medal." The "Australian Police Medal" is awarded for distinguished service, and India gives the "Police Exemplary Service Medal." Many other countries, including France, Italy, Belgium and Korea, award public safety officers who commit acts of extraordinary heroism and valor with a national medal.

Yet, there is no American national medal for valor by non-military personnel. In the 105th Congress, legislation was introduced by Rep. Bill McCollum (R–FL) to establish such a medal. That bill (H.R. 4090) was passed by the House by voice vote but did not become law. In the 106th Congress, similar legislation (H.R. 46) was also introduced by Rep. McCollum and passed by the House by a recorded vote of 412–2. While that bill also passed the Senate, it was significantly amended in that body by the adoption of several non-germane amendments. The 106th Congress adjourned before the House act on those amendments to H.R. 46.

H.R. 802, the "Public Safety Officer Medal of Valor Act of 2001," is an attempt to rectify the lack of a national medal of valor for public safety officers. The bill establishes a national medal, to be given by the President in the name of the United States Congress, to a public safety officer who has displayed extraordinary valor above and beyond the call of duty. Under the bill, the Attorney General is charged with selecting the recipients of the medal and is limited to selecting not more than five recipients in a given year. In extraordinary circumstances, however, the Attorney General may increase the number of medals to be awarded in a particular year.

The legislation creates a Medal of Valor Review Board composed of eleven members appointed by Congress and the President. The members of the Review Board, who shall serve 4 year terms, shall be persons with knowledge or experience in the field of public safety, including firefighter, law enforcement and emergency services expertise. Each year, the Board will be charged with reviewing applications and determining which names to present to the Attorney General for approval. They may conduct hearings and take testimony as necessary. The Board will be staffed by a new office within the Department of Justice, known as the National Medal of Valor Office. The Committee expects that this office shall consist of a few persons who will be available to review material, acquire background information and otherwise assist the Medal of Valor Review Board.

H.R. 802 requires the Attorney General to consult with the Institute of Heraldry within the Department of Defense regarding the appropriate design, shape, size, and color of the medal, as well as any other issues the Institute may raise. As the office charged with creation of nearly every medal or seal awarded or used by the Federal Government, including all military medals, the Institute of Heraldry is uniquely positioned to aid the Attorney General with

the creation of this medal. The Institute can help ensure that the Medal of Valor will not conflict with any previously created medal. The bill also requires the Attorney General to consider suggestions received by the Department of Justice regarding the design of the medal, including suggestions received by person not employed by the Department. The Attorney General is not obligated to make any changes based on such suggestions, however, nor is the Attorney General required to respond to any submitted proposals.

The Fraternal Order of Police, the National Association of Police Organizations, the National Troopers Coalition, the Law Enforcement Alliance of America, the International Brotherhood of Police Officers, and the Federal Law Enforcement Officers Association support passage of this legislation.

HEARINGS

No hearings were held on the bill, H.R. 802 in the 107th Congress. The Committee's Subcommittee on Crime held hearings on similar bills in the 106th and 105th Congresses.

COMMITTEE CONSIDERATION

On March 8, 2001, the Committee met in open session and ordered favorably reported the bill H.R. 802 without amendment by voice vote, a quorum being present.

VOTE OF THE COMMITTEE

No recorded votes were taken on the bill, H.R. 802.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

PERFORMANCE GOALS AND OBJECTIVES

The Committee sets as a performance goal that the President award at least one Public Safety Office Medal of Valor each year. The Committee sets as a performance objective for the National Medal of Valor Review Board that the Board meet at least once each year to review nominations for the medal. The Committee sets as a performance objective for the National Medal of Valor Office that all nominations received in a year be reviewed by staff, and investigated to the extent appropriate.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House Rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 802, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 9, 2001.

Hon. F. JAMES SENSENBRENNER, Jr., *Chairman,*
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 802, the Public Safety Officer Medal of Valor Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226–2860.

Sincerely,

DAN L. CRIPPEN, *Director.*

Enclosure.

H.R. 802—Public Safety Officer Medal of Valor Act of 2001.

H.R. 802 would authorize the award of a medal to public safety officers cited by the Attorney General for extraordinary valor above and beyond the call of duty. The bill would create a Medal of Valor Review Board composed of 11 members appointed by the Congress and the President. The board would be supported by a new office within the Department of Justice. It would be authorized to conduct hearings and collect information from federal agencies to evaluate the applications of prospective recipients and could recommend up to five candidates to the Attorney General each year.

Assuming appropriation of the necessary amounts, CBO estimates that implementing H.R. 802 would cost about $250,000 annually. CBO expects that the board would rely primarily on hearings and testimony provided by witnesses and would meet no more than 10 days each year. We expect that the new office at the Department of Justice would provide only administrative services. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 802 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no impact on the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Mark Grabowicz, who can be reached at 226–2860. This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in Article I, section 8, clause 3 of the Constitution.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 1. Short Title. This section states that this act may be cited as the "Public Safety Officer Medal of Valor Act of 2001."

Section 2. Authorization of Medal. This section establishes the Medal of Valor. It provides that the President may award, and present in the name of the Congress of the United States, a medal of appropriate design, with ribbons and appurtenances, to a public safety officer who is cited by the Attorney General, on the advice of the Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. It also makes it clear that this medal is to be the highest national award for valor by a public safety officer.

Section 3. Medal of Valor Board. Subsection (a) establishes a permanent Medal of Valor Review Board composed of eleven members. Subsection (b) describes who shall be eligible for Board membership. The Board shall be composed of persons who have knowledge or expertise in the field of public safety, and members shall serve 4 year terms. Board members shall be appointed as follows: two by the Speaker of the House of Representatives; two by the Minority Leader of the House of Representatives; two by the Majority Leader of the Senate; two by the Minority Leader of the Senate; and three by the President of the United States. The President is required to appoint one person who has substantial experience in firefighting, one person who has substantial experience in law enforcement, and one person who has substantial experience in emergency services. The Committee intends that this limitation on the President's choices will ensure that all segments of public safety are represented by at least one member on the Review Board. The Board shall meet at the call of the Chairman, and not less than twice each year. The initial meeting of the Board shall be conducted not later than 90 days after the appointment of the last member of the initial group of members appointed to the Board.

Subsection (c) directs the Board to select candidates as recipients of the Medal of Valor from among those applications received by the National Medal Office. Once each year, the Board shall present the name or names of those persons it recommends to the Attorney General. In a given year, the Board is not required to select any names, but also is limited to selecting not more than five nominees. In extraordinary cases, the Attorney General may increase this number.

Subsection (d) permits the Board to hold hearings, sit and act at such times and places, administer such oaths, and take such testimony and evidence as it considers advisable to carry out its duties. Witnesses appearing before the Board are to be paid per diem and mileage allowances as provided in title 28 of the Untied States Code, from funds appropriated to the Board.

Subsections (e) and (f) permit the Board to request any information it deems necessary from any Federal department or agency. The Board is required to keep confidential information regarding an on-going investigation or which is otherwise required to be kept confidential by law. The Committee intends that this provision will allow potential recipients or other appropriate persons to testify before the Board without fear that sensitive law enforcement information will become available to the public.

Section 4. Board Personnel Matters. This section provides that each member of the Board shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed under section 5315 of title 5 of the United States Code for each day (including travel time) during which such member is engaged in the performance of the duties of the Board. However, all members of the Board who serve as officers or employees of the United States, a State, or a local government, shall serve without compensation in addition to that received for those services. The members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board.

Section 5. Definitions. Section 5 of the bill defines the terms "public safety officer" and "state" as used in the bill.

Section 6. Authorization of Appropriations. This section authorizes to be appropriated to the Attorney General such sums as may be necessary to carry out the act.

Section 7. National Medal of Valor Office. This section establishes within the Department of Justice a National Medal of Valor Office. The office is to provide staff support to the Medal of Valor Review Board and establish criteria and procedures for the submission of recommendations of nominees for the Medal of Valor. The Committee expects that only a small number of staff will be necessary to carry out the purposes of this act.

Section 8. Conforming Repeal. This section repeals section 15 of the Federal Fire Prevention and Control Act of 1974. The Committee intends this legislation to replace that earlier attempt by Congress to create a national medal for law enforcement, and thus, this section is necessary as a conforming change.

Section 9. Consultation Requirement. This section directs the Attorney General to consult with the Institute of Heraldry within the Department of Defense regarding the design and artistry of the Medal of Valor. The Attorney General is also permitted, but not required, to consider suggestions received by the Department of Justice from the public regarding the design of the medal.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 15 OF THE FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974

PUBLIC SAFETY AWARDS

SEC. 15. [(a) ESTABLISHMENT.—There are hereby established two classes of honorary awards for the recognition of outstanding and distinguished service by public safety officers—

[(1) the President's Award for Outstanding Public Safety Service ("President's Award"); and

[(2) the Director's Award For Distinguished Public Safety Service ("Director's Award").]

(a) ESTABLISHMENT.—There is hereby established an honorary award for the recognition of outstanding and distinguished service by public safety officers to be known as the Secretary's Award For Distinguished Public Safety Service ("Secretary's Award").

(b) DESCRIPTION.—[(1) The President's Award shall be presented by the President of the United States to public safety officers for extraordinary valor in the line of duty or for outstanding contribution to public safety.]

[(2)] The Director's Award shall be presented by the Director or by the Attorney General to public safety officers for distinguished service in the field of public safety.

[(c) SELECTION.—The Director and the Attorney General shall advise and assist the President in the selection of individuals to whom the President's Award shall be tendered and in the course of performing such duties they shall seek and review nominations for such awards which are submitted to them by Federal, State, county, and local government officials. They shall annually transmit to the President the names of those individuals determined by them to merit the award, together with the reasons therefor. Recipients of the President's Award shall be selected by the President.

[(d) LIMITATION.—(1) There shall not be presented in any one calendar year in excess of twelve President's Awards.

[(2) There shall be no limitation on the number of Director's Awards presented.]

[(e)] *(c)* AWARD.—[(1) Each President's Award shall consist of—

[(A) a medal suitably inscribed, bearing such devices and emblems, and struck from such material as the Secretary of the Treasury, after consultation with the Director and the Attorney General deems appropriate. The Secretary of the Treasury shall cause the medal to be struck and furnished to the President; and

[(B) an appropriate citation.]

[(2)] Each Director's Award shall consist of an appropriate citation.

[(f)] *(d)* REGULATIONS.—The Director and the Attorney General are authorized and directed to issue jointly such regulations as may be necessary to carry out this section.

[(g)] *(e)* DEFINITIONS.—As used in this section, the term "public safety officer" means a person serving a public agency, with or without compensation, as—

(1) a firefighter;

(2) a law enforcement officer, including a corrections or court officer; or

(3) a civil defense officer.

BUSINESS MEETING

THURSDAY, MARCH 8, 2001

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The committee met, pursuant to notice, at 10 a.m., in Room 2141, Rayburn House Office Building, Hon. F. James Sensenbrenner (chairman of the committee) presiding.

Pursuant to notice, I now call up the bill H.R. 802, the Public Safety Officer Medal of Valor Act, for purposes of markup and move its favorable recommendation to the House.

[H.R. 802 follows:]

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107TH CONGRESS
1ST SESSION

H. R. 802

To authorize the Public Safety Officer Medal of Valor, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 2001

Mr. SMITH of Texas (for himself, Mr. SCOTT, Mr. HUTCHINSON, Mr. GREEN of Wisconsin, and Mr. KELLER) introduced the following bill; which was referred to the Committee on the Judiciary

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A BILL

To authorize the Public Safety Officer Medal of Valor, and for other purposes.

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 "Public Safety Officer Medal of Valor Act of 2001".

SEC. 2. AUTHORIZATION OF MEDAL.

After September 1, 2001, the President may award, and present in the name of Congress, a Medal of Valor of appropriate design, with ribbons and appurtenances, to a public safety officer who is cited by the Attorney Gen-

1 eral, upon the recommendation of the Medal of Valor Re-
2 view Board, for extraordinary valor above and beyond the
3 call of duty. The Public Safety Medal of Valor shall be
4 the highest national award for valor by a public safety offi-
5 cer.

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

7 (a) ESTABLISHMENT OF BOARD.—There is estab-
8 lished a Medal of Valor Review Board (hereinafter in this
9 Act referred to as the "Board"), which shall be composed
10 of 11 members appointed in accordance with subsection
11 (b) and shall conduct its business in accordance with this
12 Act.

13 (b) MEMBERSHIP.—

14 (1) MEMBERS.—The members of the Board
15 shall be individuals with knowledge or expertise,
16 whether by experience or training, in the field of
17 public safety, of which—

18 (A) two shall be appointed by the majority
19 leader of the Senate;

20 (B) two shall be appointed by the minority
21 leader of the Senate;

22 (C) two shall be appointed by the Speaker
23 of the House of Representatives;

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

1 (E) three shall be appointed by the Presi-
2 dent, including one with experience in fire-
3 fighting, one with experience in law enforce-
4 ment, and one with experience in emergency
5 services.
6 (2) TERM.—The term of a Board member shall
7 be 4 years.
8 (3) VACANCIES.—Any vacancy in the member-
9 ship of the Board shall not affect the powers of the
10 Board and shall be filled in the same manner as the
11 original appointment.
12 (4) OPERATION OF THE BOARD.—
13 (A) CHAIRMAN.—The Chairman of the
14 Board shall be elected by the members of the
15 Board from among the members of the Board.
16 (B) MEETINGS.—The Board shall conduct
17 its first meeting not later than 90 days after
18 the appointment of the last member appointed
19 of the initial group of members appointed to the
20 Board. Thereafter, the Board shall meet at the
21 call of the Chairman of the Board. The Board
22 shall meet not less often than twice each year.
23 (C) VOTING AND RULES.—A majority of
24 the members shall constitute a quorum to con-
25 duct business, but the Board may establish a

1 lesser quorum for conducting hearings sched-
2 uled by the Board. The Board may establish by
3 majority vote any other rules for the conduct of
4 the Board's business, if such rules are not in-
5 consistent with this Act or other applicable law.
6 (c) DUTIES.—The Board shall select candidates as
7 recipients of the Medal of Valor from among those applica-
8 tions received by the National Medal Office. Not more
9 often than once each year, the Board shall present to the
10 Attorney General the name or names of those it rec-
11 ommends as Medal of Valor recipients. In a given year,
12 the Board shall not be required to select any recipients
13 but may not select more than 5 recipients. The Attorney
14 General may in extraordinary cases increase the number
15 of recipients in a given year. The Board shall set an an-
16 nual timetable for fulfilling its duties under this Act.
17 (d) HEARINGS.—
18 (1) IN GENERAL.—The Board may hold such
19 hearings, sit and act at such times and places, ad-
20 minister such oaths, take such testimony, and re-
21 ceive such evidence as the Board considers advisable
22 to carry out its duties.
23 (2) WITNESS EXPENSES.—Witnesses requested
24 to appear before the Board may be paid the same
25 fees as are paid to witnesses under section 1821 of

1 title 28, United States Code. The per diem and mile-
2 age allowances for witnesses shall be paid from
3 funds appropriated to the Board.

4 (e) INFORMATION FROM FEDERAL AGENCIES.—The
5 Board may secure directly from any Federal department
6 or agency such information as the Board considers nec-
7 essary to carry out its duties. Upon the request of the
8 Board, the head of such department or agency may fur-
9 nish such information to the Board.

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

14 **SEC. 4. BOARD PERSONNEL MATTERS.**

15 (a) COMPENSATION OF MEMBERS.—(1) Except as
16 provided in paragraph (2), each member of the Board
17 shall be compensated at a rate equal to the daily equiva-
18 lent of the annual rate of basic pay prescribed for level
19 IV of the Executive Schedule under section 5315 of title
20 5, United States Code, for each day (including travel time)
21 during which such member is engaged in the performance
22 of the duties of the Board.

23 (2) All members of the Board who serve as officers
24 or employees of the United States, a State, or a local gov-

1 ernment, shall serve without compensation in addition to
2 that received for those services.
3 (b) TRAVEL EXPENSES.—The members of the Board
4 shall be allowed travel expenses, including per diem in lieu
5 of subsistence, at rates authorized for employees of agen-
6 cies under subchapter I of chapter 57 of title 5, United
7 States Code, while away from their homes or regular
8 places of business in the performance of service for the
9 Board.

10 **SEC. 5. DEFINITIONS.**

11 In this Act:
12 (1) PUBLIC SAFETY OFFICER.—The term "pub-
13 lic safety officer" means a person serving a public
14 agency, with or without compensation, as a fire-
15 fighter, law enforcement officer, or emergency serv-
16 ices officer, as determined by the Attorney General.
17 For the purposes of this paragraph, the term "law
18 enforcement officer" includes a person who is a cor-
19 rections or court officer or a civil defense officer.
20 (2) STATE.—The term "State" means each of
21 the several States of the United States, the District
22 of Columbia, the Commonwealth of Puerto Rico, the
23 Virgin Islands, Guam, American Samoa, and the
24 Commonwealth of the Northern Mariana Islands.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Attor-
3 ney General such sums as may be necessary to carry out
4 this Act.

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

6 There is established within the Department of Justice
7 a national medal of valor office. The office shall provide
8 staff support to the Board to establish criteria and proce-
9 dures for the submission of recommendations of nominees
10 for the Medal of Valor and for the final design of the
11 Medal of Valor.

12 **SEC. 8. CONFORMING REPEAL.**

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

15 (1) by striking subsection (a) and inserting the
16 following new subsection (a):

17 "(a) ESTABLISHMENT.—There is hereby established
18 an honorary award for the recognition of outstanding and
19 distinguished service by public safety officers to be known
20 as the Secretary's Award For Distinguished Public Safety
21 Service ('Secretary's Award').";

22 (2) in subsection (b)—

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

24 (B) by striking "(2)";

1 (3) by striking subsections (c) and (d) and re-
2 designating subsections (e), (f), and (g) as sub-
3 sections (c), (d), and (e), respectively; and
4 (4) in subsection (c), as so redesignated—
5 (A) by striking paragraph (1); and
6 (B) by striking "(2)".

7 **SEC. 9. CONSULTATION REQUIREMENT.**

8 The Board shall consult with the Institute of Her-
9 aldry within the Department of Defense regarding the de-
10 sign and artistry of the Medal of Valor. The Board may
11 also consider suggestions received by the Department of
12 Justice regarding the design of the medal, including those
13 made by persons not employed by the Department.

Chairman SENSENBRENNER. Without objection, the bill will be considered as read and open for amendment at any point.

I recognize myself for 5 minutes.

This bill was introduced by the gentleman from Texas, Mr. Smith, the chairman of the Subcommittee on Crime. It would establish a national medal of honor to be awarded each year by the President, in the name of Congress, to public safety officers who have displayed the highest degree of valor in the performance of their duties. Bills substantially similar to H.R. 802 were introduced in the 106th and 105th Congress.

In the last Congress, the committee reported H.R. 46 by voice vote, and the bill passed the House by a recorded vote of 412 to 2.

In the 105th, the committee reported H.R. 4090 by a voice vote, and the House passed it by a voice vote as well. Unfortunately, neither bill became law, and I yield to the gentleman from Texas to explain the bill.

Mr. SMITH. Mr. Chairman, I introduced H.R. 802, the Public Safety Officer Medal of Valor Act, together with the ranking member of the Crime Subcommittee, Mr. Scott.

The bill establishes, as you just said, a national medal of honor to be awarded each year to a very small number of public safety officers who displayed the highest degree of valor in the performance of their duties.

A bill substantially similar to H.R. 802 was introduced in both the 106th and 105th Congresses by Representative Bill McCollum, my predecessor as chairman of the Crime Subcommittee.

Mr. Chairman, as you pointed out, both of these bills passed overwhelmingly. Many countries recognize that public safety officers with a national—excuse me—recognize public safety officers in this way. In the United States, many State and local Governments recognize extraordinary acts of heroism by public safety officers with public recognition. At the Federal level, many agencies award their own medals to law enforcement officers who demonstrate heroism, but there is no national medal which may be awarded to public safety officers, regardless of which level of Government employs them.

H.R. 802 would remedy that shortcoming. This bill would establish a medal to be given by the President, in the name of the United States Congress, to the public safety officer who has displayed extraordinary valor above and beyond the call of duty. The Attorney General will select the recipients of the medal. No more than five medals may be awarded in any given year.

Mr. Chairman, I am pleased that the Fraternal Order of Police, the National Troopers Coalition, the International Brotherhood of Police Officers and the Federal Law Enforcement Officers Association, among others, support this legislation, and I urge my colleagues to support it as well.

Yield back.

Chairman SENSENBRENNER. I also yield back.

The gentleman from Michigan?

Mr. CONYERS. I don't seek time.

Chairman SENSENBRENNER. Does anybody else seek time? The gentleman from Virginia?

Mr. SCOTT. Mr. Chairman, as the ranking member of the Crime Subcommittee, I'd like to urge my colleagues to support the bill. I'm a co-sponsor, along with many others. And following the lead of the distinguished gentleman from California, all that needs to be said has already been said.

Chairman SENSENBRENNER. The gentleman's time has expired.

Are there any amendments?

Hearing none, the question occurs on the motion to report the bill H.R. 802 favorably.

All of those in favor say aye.

Opposed, no.

The ayes have it. The motion to report favorably is adopted.

Without objection, the chairman is authorized to move to go to conference, pursuant to House rules. Without objection, the staff is directed to make any technical and conforming changes, and all members will be given 2 days, as provided by House rules, in which to submit additional dissenting supplemental or minority views.

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