

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, news came last week that the Fresh Kills landfill on Staten Island that has taken municipal waste from New York City is scheduled to be closed in a couple of weeks, a few months ahead of what was expected. Now that Fresh Kills will soon be closing, the problem of municipal waste being hauled interstate becomes all the more acute.

Virginians are certainly not fond of the trash trucks coming down I-95, bringing out-of-state garbage through their communities to dump sites in the State. Not only is the trash unwanted, but the added large-truck traffic has made many local rural roads unsafe.

State legislative efforts to stem this invasion of garbage into the Commonwealth have been frustrated by Federal courts labeling trash as "commerce," and thus subject to only Congress' regulation pursuant to the commerce clause of the Constitution.

This morning I am urging my colleagues in Congress to pass tough legislation that will empower States to limit the amount of trash being brought within their borders. The closing of Fresh Kills makes this legislation all the more urgent, since New York is apparently counting on exporting even more of their trash. Virginians do not want this garbage coming into their communities, and I ask Congress' help in getting action on this problem.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BASS). Pursuant to clause 8, rule XX, the Chair announces that he will postpone further proceedings on today's motion to suspend the rules if a recorded vote or the yeas and nays are ordered, or if the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later today.

PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 2001

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 802) to authorize the Public Safety Officer Medal of Valor, and for other purposes, as amended.

The Clerk read as follows:

H.R. 802

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 General,

upon the recommendation of the Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. The Public Safety Medal of Valor shall be the highest national award for valor by a public safety officer.

SEC. 3. MEDAL OF VALOR BOARD.

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

(b) MEMBERSHIP.—

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

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

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

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

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

(E) three shall be appointed by the President, including one with experience in firefighting, one with experience in law enforcement, and one with experience in emergency services.

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

(3) VACANCIES.—Any vacancy in the membership of the Board shall not affect the powers of the Board and shall be filled in the same manner as the original appointment.

(4) OPERATION OF THE BOARD.—

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

(B) MEETINGS.—The Board shall conduct its first meeting not later than 90 days after the appointment of the last member appointed to the Board. Thereafter, the Board shall meet at the call of the Chairman of the Board. The Board shall meet not less often than twice each year.

(C) VOTING AND RULES.—A majority of the 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 Board's business, if such rules are not inconsistent with this Act or other applicable law.

(c) DUTIES.—The Board shall select candidates as recipients of the Medal of Valor from among those applications received by the National Medal of Valor Office. Not more often than once each year, the Board shall present to the Attorney General the name or names of those it recommends as Medal of Valor recipients. In a given year, the Board shall not be required to select any recipients but may not select more than 5 recipients. The Attorney General may in extraordinary cases increase the number of recipients in a given year. The Board shall set an annual timetable for fulfilling its duties under this Act.

(d) HEARINGS.—

(1) IN GENERAL.—The Board may hold such hearings, sit and act at such times and places, administer such oaths, take such testimony, and receive such evidence as the Board considers advisable to carry out its duties.

(2) 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.

(e) INFORMATION FROM FEDERAL AGENCIES.—The Board may secure directly from any Federal department or agency such information as the Board considers necessary to carry out its duties. Upon the request of the Board, the head of such department or agency may furnish such information to the Board.

(f) 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.

SEC. 4. BOARD PERSONNEL MATTERS.

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

(2) 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.

(b) TRAVEL EXPENSES.—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.

SEC. 5. DEFINITIONS.

In this Act:

(1) PUBLIC SAFETY OFFICER.—The term "public safety officer" means a person serving a public agency, with or without compensation, as a firefighter, law enforcement officer, or emergency services officer, as determined by the Attorney General. For the purposes of this paragraph, the term "law enforcement officer" includes a person who is a corrections or court officer or a civil defense officer.

(2) STATE.—The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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

SEC. 7. NATIONAL MEDAL OF VALOR OFFICE.

There is established within the Department of Justice a National Medal of Valor Office. The Office shall provide staff support to the Board to establish criteria and procedures for the submission of recommendations of nominees for the Medal of Valor and for the final design of the Medal of Valor.

SEC. 8. CONFORMING REPEAL.

Section 15 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2214) is amended—

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

"(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 Director's Award For Distinguished Public Safety Service ("Director's Award").";

- (2) in subsection (b)—
 (A) by striking paragraph (1); and
 (B) by striking “(2)”;
 (3) by striking subsections (c) and (d) and redesignating subsections (e), (f), and (g) as subsections (c), (d), and (e), respectively; and
 (4) in subsection (c), as so redesignated—
 (A) by striking paragraph (1); and
 (B) by striking “(2)”.

SEC. 9. CONSULTATION REQUIREMENT.

The Board shall consult with the Institute of Heraldry within the Department of Defense regarding the design and artistry of the Medal of Valor. The Board may also consider suggestions received by the Department of Justice regarding the design of the medal, including those made by persons not employed by the Department.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 802.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

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

Mr. Speaker, H.R. 802, the Public Safety Officer Medal of Valor Act of 2001, was introduced by the gentleman from Texas (Mr. SMITH), chairman of the Subcommittee on Crime, together with the gentleman from Virginia (Mr. SCOTT), the ranking minority member of the Subcommittee on Crime.

This bill establishes a National Medal of Valor 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.

The bill is substantially similar to H.R. 802, introduced in the 106th and 105th Congresses. In the 106th Congress, the Committee on the Judiciary reported H.R. 46 by voice vote, and the bill passed the House by a recorded vote of 412 to 2. In the 105th Congress, the committee reported H.R. 4090 by voice vote, and the House passed the bill by voice vote as well. Unfortunately, neither bill became law. H.R. 802 presently before us was ordered favorably reported by voice vote out of the Committee on the Judiciary on March 8.

Mr. Speaker, many countries award a national medal to public safety officers for heroism in the line of duty. Unfortunately, the United States does not. This bill would rectify that shortcoming. I believe it fitting and proper that our Nation honor those public safety officers who demonstrate the

highest forms of heroism and valor in the course of their duties. I urge all of my colleagues to support this bill.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise to join my colleagues in support of H.R. 802. I am a cosponsor of the bill, along with many other members of the Committee on the Judiciary. This bill would establish a public safety officer Medal of Valor to be awarded periodically to selected public safety officers for “extraordinary valor above and beyond the call of duty.”

It provides for the Department of Justice to solicit, to review, and to screen nominations from the law enforcement community for the award. Final decisions on the award would be made by the board, to be appointed by the President and bipartisan congressional leadership.

The Public Safety Medal of Honor will be the highest national award for valor by a public safety officer. This bill will not only allow members of the public safety community to recognize extraordinary heroism within the profession, but will establish a mechanism giving that heroism the public recognition it deserves.

I urge Members to vote for the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I thank the chairman of the Committee on the Judiciary for yielding me time.

Mr. Speaker, many countries recognize their public safety officers with a national medal. In the United States, many State and local governments recognize extraordinary act of heroism by their public safety officers. At the Federal level, however, there is no national medal that may be awarded to public safety officers, regardless of which level of government employs them.

Mr. Speaker, this bill will establish a medal to be given by the President to a 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, and no more than five medals may be awarded in any given year.

Mr. Speaker, 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. I urge my colleagues to support it as well.

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

Mr. Speaker, this is an excellent award. The public safety officers to be considered will be fire fighters, law en-

forcement officers, and emergency service officers as determined by the Attorney General. This award is an extremely important award. I urge Members to support the legislation.

Mr. BACA. Mr. Speaker, I rise in support of H.R. 802, the Public Safety Officer Medal of Valor Act. It is appropriate that the President award a medal to a law enforcement officer who has performed with bravery beyond the call of duty.

Our public safety officers put their lives on the line each and every day, performing acts of selfless heroism.

For this reason I was proud to sponsor legislation last year, which I am reintroducing this year, to provide low-cost housing to public safety workers in our communities.

The families of police officers live in fear of a knock at the door, the cap carried silently in hand, as they are informed that an officer has paid a lasting price, made the ultimate sacrifice.

Our men and women of law enforcement know of this very real possibility, and yet they strive to be the very best at protecting the public. As a husband, father, and grandfather, I am thankful that our law enforcement officers are there to keep our streets safe.

I am grateful that if a home burns, our firefighters will selflessly speed to the scene, rescuing the injured, the trapped, the elderly, the infirm.

Our emergency personnel, who administer CPR, drive ambulances, and handle our medical emergencies are also to be saluted for all of their sacrifices.

This bill is a fitting salute to members of law enforcement, and it deserves our strong support.

Mr. HOYER. Mr. Speaker, I rise today in strong support of H.R. 802. This important piece of legislation will authorize our President to award the Medal of Valor to an outstanding public safety officer who has demonstrated valor above and beyond the call of duty. The Medal of Valor, which would be awarded to an outstanding firefighter, law enforcement official or emergency service provider, will shed a positive spotlight on professionals who risk their lives so that we can have a civil and safe society. Their achievements also are a reminder of the many ways in which public safety professionals are making our communities safer and better places to live every day.

Mr. Speaker, each day the brave men and women in the areas of public safety serve every neighborhood, city, and state without looking for any recognition or awards. Although serving the public can be a thankless existence at times, I believe the time is long overdue to recognize and celebrate the achievements of our public safety officers. As the Co-Chair of the Congressional Fire Services Caucus and an active member of the Law Enforcement Caucus, I have the privilege of working with these modern-day heroes and heroines on issues that will ultimately assist them in making each and everyone of our communities a better place to live.

Mr. Speaker, I urge all of my colleagues to send a strong message to our public safety officers by supporting this legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H.R. 802, Public

Safety Officer Medal of Valor. I am pleased that this legislation has moved through the Congress on an expedited process. I have strongly supported similar legislation in the past and I am proud to do so again.

H.R. 802 would establish a Public Safety Officer Medal of Valor to be awarded periodically to a selected public safety officer "for extraordinary valor above and beyond the call of duty." The bill provides for the Department of Justice to solicit, review and screen nominations for the award. Final decisions on the award would be made by the board to be appointed by the President and both parties' congressional leadership.

This bill would also possibly honor many fallen heroes of the Houston Police Department who were killed in the line of duty while protecting society. Officer like Troy Alan Blando assigned to the auto theft division, who was killed on May 19, 1999 when he was attempting to arrest a suspect driving a stolen Lexus. The suspect fired a 40 caliber Glock, striking Officer Blando once in the chest. Officer Blando made it back to his vehicle and radioed for back-up, giving other units his location and a description of the suspect. Officers arrived on the scene within seconds and arrested the fleeing suspect. Officer Blando died in route to Ben Taub Hospital. Officer Blando was a 19 year veteran of the Houston Police Department.

Officer K.D. Kinkaid was killed on May 23, 1998 while he was off duty and driving in his truck with his wife. As they drove past an oncoming vehicle, an object struck the windshield of the truck. Officer Kinkaid turned around and followed the other vehicle. The other vehicle stopped and Officer Kinkaid exited his truck and approached the driver's side. Officer Kinkaid identified himself as a police officer and proceeded to question the suspects in the vehicle. One of the suspects shot Officer Kinkaid and they fled the scene in the vehicle. Officer Kinkaid died from the gunshot wound a few days later.

Officer C.H. Trinh died on April 6, 1997 while working at his parents' convenience store when a man walked in and attempted to rob him. Officer Trinh was shot in the head and died at the scene. The suspect who was later caught, confessed to the killing, telling police he had entered the store with a handgun and jumped the counter. He stated that after taking some of Officer Trinh's jewelry, Tong demanded his wallet. When he saw Officer Trinh's police badge he got scared and shot the officer.

Officer D.S. Erickson was killed on December 24, 1995 while she was working an extra job directing traffic outside a local church on Christmas Eve. She was struck by a passing vehicle. She was transported to the hospital but died during surgery.

Officer G.P. Gaddis was murdered on January 31, 1994 by one of two suspects he was transporting to jail for aggravated robbery. Both suspects had been searched and handcuffed behind their backs prior to being placed in the back seat of the patrol car. One of the suspects wiggled his hands, still cuffed, to his front, and retrieved a .380 hidden on his person. He then shot Officer Gaddis in the back of the head as he was driving down the road. The patrol car crashed into a house and the

suspect escaped from the wrecked car, but was arrested a short distance away from the scene.

These are some of the sorrowing stories of officers who have lost their lives in my home city of Houston. Presently, 95 police officers from the Houston Police Department have been killed in the line of duty.

H.R. 802 is an important initiative because there are many officers that act heroically everyday but never receive their due credit. They must be recognized for their invaluable service because they accomplish so much for communities throughout the nation. These are important issues of substantial concern. For this reason, H.R. 802 has garnered bipartisan support by my colleagues.

In the 106th Congress, a similar bill, H.R. 46, was marked up on March 24, 1999 in the Subcommittee on Crime of the Judiciary Committee. The bill was marked up by the Full Committee and was ordered to be reported by voice vote. The bill passed in the House and was later added into an omnibus Senate bill with several controversial provisions. While changes were made by the Senate to address objectionable parts of the bill so that it could be taken up in the House by unanimous consent, it was not brought before the House adjournment sine die. That was, obviously, unfortunate and can be rectified today.

I urge my colleagues to support the legislation.

Mr. SCOTT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 802, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENTS TO CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2002

Mr. Speaker, the Committee on Rules is planning to meet the week of March 26 to grant a rule which will limit the amendment process for floor consideration of the concurrent resolution on the budget for fiscal year 2002.

The Committee on the Budget ordered the budget resolution reported on March 21 and is expected to file its committee report late tomorrow.

Any Member wishing to offer an amendment should submit five copies and a brief explanation of the amendment to the Committee on Rules in room H-312 of the Capitol by 6 p.m. on Monday, March 26. The text of the concurrent resolution is available at the Committee on the Budget and on that committee's Web site.

As in past years, the Committee on Rules intends to give priority to amendments offered as complete substitutes.

Members should use the Office of Legislative Counsel and the Congressional Budget Office to ensure their substitute amendments are properly drafted and scored, and should check with the Office of the Parliamentarian to be certain that their substitute amendments comply with the rules of the House.

PROVIDING FOR CONSIDERATION OF H.R. 247, TORNADO SHELTERS ACT

Mr. DIAZ-BALART. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 93 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 93

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 247) to amend the Housing and Community Development Act of 1974 to authorize communities to use community development block grant funds for construction of tornado-safe shelters in manufactured home parks. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute printed in the Congressional Record and numbered 1 pursuant to clause 8 of rule XVIII. That amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except