

George W. Bush Presidential Library

Collection: Executive Clerk, Office of The

Series: Saunders, G. Timothy (Tim) – Bill Files

Folder Title: 05/30/2001 [H.R. 802]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Staffing Memo	[Staffing memorandum re: H. R. 802] - To: Harriet E. Miers, Staff Secretary - From: Helgi Walker, Counsel's Office	1	05/24/2001	P5;
002	Staffing Memo	[Staffing memorandum re: H. R. 802] - To: Harriet E. Miers, Staff Secretary - From: Joseph W. Hagin	1	05/24/2001	P5;
003	Email	[Email re: Medal of Valor H. R. 802] - To: John W. Gardner - From: Helgi Walker, Counsel's Office	1	05/29/2001	P5;

COLLECTION TITLE:

Executive Clerk, Office Of The

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

05/30/2001 [H. R. 802]

FRC ID:

778

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

APPROVED
MAY 30 2001

THE DIRECTOR

May 24, 2001

01 MAY 24 PM 5:37
01 MAY 24 PM 5:07

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

Purpose

(1) Authorizes the President to award a Medal of Valor to public safety officers who display extraordinary valor; and (2) establishes a Medal of Valor Review Board to recommend award recipients to the Attorney General.

Agency Recommendations

Office of Management and Budget

Approval

Department of Justice

Approval

Department of Defense

Approval (Informally)

Department of the Interior

Defers to Justice (Informally)

Office of Government Ethics

Defers to Justice (Informally)

Department of the Treasury

No comment (Informally)

Federal Emergency Management Agency

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Discussion

H.R. 802 would authorize the President to award, and present in the name of Congress, a Medal of Valor to public safety officers cited by the Attorney General, upon the recommendation of a Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. The Public Safety Medal of Valor could be awarded after September 1, 2001, and would be "the highest national award for valor by a public safety officer." Public safety officers would include persons serving a public agency, with or without compensation, as firefighters, law enforcement officers, or emergency services officers. Law enforcement officers could include persons who serve as corrections or court officers or as civil defense officers.

H.R. 802 would establish a Medal of Valor Review Board (the Board) that would be composed of 11 members who would each serve 4-year terms. The members of the Board would be required to be individuals with knowledge and expertise, either by experience or training, in the field of public safety. Members would be appointed as follows: (1) two each by the majority and minority leaders of the Senate; (2) two each by the Speaker and the minority leader of the House of Representatives; and (3) three by the President, including one each with experience in firefighting, law enforcement, and emergency services.

H.R. 802 would require the Board to meet at least twice each year. The initial meeting of the Board would have to be convened not later than 90 days after the appointment of the last member of the Board. Thereafter, the Board would be required to meet at the call of the Chairman of the Board, who would be elected by the members of the Board.

Not more than once each year, the Board would be required to present to the Attorney General the name or names of those it recommends as Medal of Valor recipients. The enrolled bill would not require the Board to select any recipients, but it could not select more than five annually. The Attorney General could in extraordinary cases increase the number of recipients in a given year. The bill would authorize the Board to conduct hearings and collect information from Federal agencies to evaluate the applications of prospective recipients. Witnesses requested to appear before the Board could be paid, from funds appropriated to the Board, the same fees as are paid to witnesses at U.S. Courts. The Board would be required to consult with the Institute of Heraldry within the Department of Defense regarding the design and artistry of the Medal of Valor. The Board could also consider suggestions received by the Department of Justice regarding the design of the medal, including suggestions made by persons who are not Department employees.

H.R. 802 would establish within the Department of Justice a National Medal of Valor Office to provide staff support to the Board in order 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. The enrolled bill would require the Board to select candidates as recipients of the Medal of Valor from among applications received by the National Medal of Valor Office.

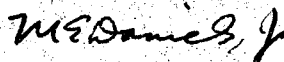
H.R. 802 would authorize appropriations of such sums as may be necessary to the Attorney General to carry out the provisions of the bill. The bill would require each member of the Board to be compensated at a per diem rate equivalent to the annual rate of basic pay for level IV of the Executive Schedule (\$125,700) for each day he or she is performing the duties of the Board. Members of the Board who are officers or employees of the United States, a State, or a local government could not receive any compensation in addition to that received for those services.

H.R. 802 would repeal a provision in the Federal Fire Prevention and Control Act of 1974 which authorizes the President to present a "President's Award for Outstanding Public Safety Service." According to the House committee report on H.R. 802, the intent of the repeal is to "replace that earlier attempt by Congress to create a national medal for law enforcement." (The Federal Emergency Management Agency advises informally that no Presidential awards have been issued under this current authority.)

Conclusion and Recommendations

Justice recommends approval of the enrolled bill. In its views letter, Justice states that the enrolled bill "would provide appropriate and well-deserved recognition to public safety officers who demonstrate 'extraordinary valor above and beyond the call of duty.'" The Department, however, advises that "the creation by statute of a new office within the Justice Department for the purposes set forth in H.R. 802, however laudable, is unnecessary," and that providing the Attorney General discretion to assign responsibilities within an existing office or offices would have been preferable. Justice also advises that the Department's FY 2002 budget "does not include funding for this activity." This Office believes the initial costs are likely to be minimal and can be met within existing and proposed Justice resources. The need for any additional funding can be addressed during formulation of the FY 2003 budget.

We join Justice in recommending approval of H.R. 802 which passed the House by a vote of 414-0 and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

May 18, 2001

The Honorable Mitchell Daniels, Jr.
Director
Office of Management and Budget
Washington, DC 20503

Dear Mr. Daniels:

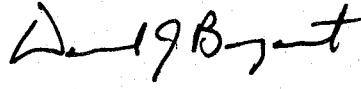
This responds to your request for the views of the Department of Justice on enrolled bill H.R. 802, the "Public Safety Officer Medal of Valor Act of 2001." We support this important legislation, which would provide appropriate and well-deserved recognition to public safety officers who demonstrate "extraordinary valor above and beyond the call of duty." We have two concerns about the measure that we would like to bring to your attention. Neither concern merits disapproval of the enrolled bill, however. We therefore recommend that the President approve it.

First, section 7 would establish within this Department a "national medal office." The office would provide staff assistance to the Medal of Valor Review Board (established by section 3 of the bill) and would "establish criteria and procedures for the submission of recommendations of nominees for the Medal of Valor." The creation by statute of a new office within the Justice Department for the purposes set forth in H.R. 802, however laudable, is unnecessary. We would have preferred, instead, that the enrolled bill provide the Attorney General with discretion to assign the responsibilities that would otherwise be vested in the new national medal office to such existing office or offices within the Department as he deems appropriate.

Second, although section 6 of the enrolled bill authorizes appropriations of "such sums as may be necessary" to implement the legislation, the Department's budget for FY 2002 does not include funding for this activity. We look forward to working with you to secure adequate funding to implement this legislation.

Thank you for your attention to this matter. If we may be of additional assistance, we trust that you will not hesitate to call upon us.

Sincerely,

A handwritten signature in black ink, appearing to read "D. J. Bryant". The signature is fluid and cursive, with a large initial "D" and a stylized "J" and "B".

Daniel J. Bryant
Assistant Attorney General

THE ENROLLED BILL IS HERE



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'01 MAY 24 PM 5:34

May 24, 2001

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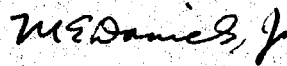
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Mitchell E. Daniels, Jr.
Director

Enclosures

Memo to the Record

Date: 06/13/2016

Collection: Executive Clerk, Office of the Saunders, G. Timothy (Tim)

Series: Bill Files

Folder Title: 05/30/2001 [H.R. 802]

RE: Public Safety Officer Medal of Valor Act of 2001

A copy of the report entitled "Public Safety Officer Medal of Valor Act of 2001" is included at this location in this folder. It was not scanned. It can be viewed at <https://www.congress.gov/congressional-report/107th-congress/house-report/15/1?q=%7B%22search%22%3A%5B%22public+safety+officer+medal+valor+act+2001%22%5D%7D&resultIndex=1> If this link is broken, please contact the George W. Bush Presidential Library archives.

Bills Received at the White House

**OMB ENROLLED
BILL MEMO
IS HERE**

Date received and
notification to OMB: **5/18/2001**

Last day for action: **5/30/2001**

Official Title

An Act to authorize the Public Safety Officer Medal of
Valor, and for other purposes.

487354

H.R.802

'01 MAY 18 PM3:51

One Hundred Seventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

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 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 of the initial group of members 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

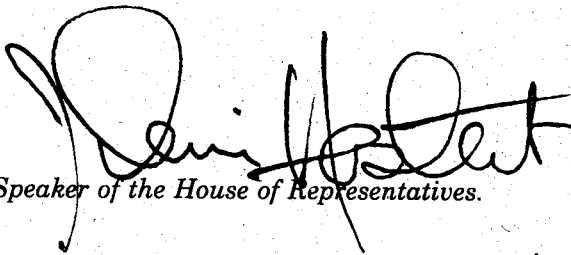
(B) by striking “(2)”.

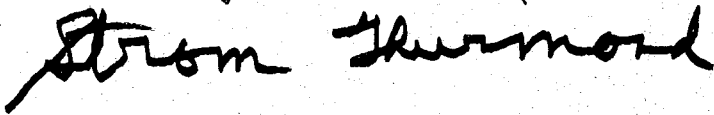
SEC. 9. CONSULTATION REQUIREMENT.

The Board shall consult with the Institute of Heraldry within the Department of Defense regarding the design and artistry of

H. R. 802—4

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.


Speaker of the House of Representatives.



~~Vice President of the United States and~~
President of the Senate. *pro Tempore*

Withdrawal Marker

The George W. Bush Library

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For a complete list of items withdrawn from this folder, see the
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Saunders, G. Timothy (Tim) - Bill Files

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OFFICE OF MANAGEMENT AND BUDGET
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MEMORANDUM FOR THE PRESIDENT

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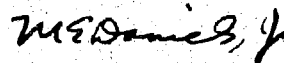
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Conclusion and Recommendations

Justice recommends approval of the enrolled bill. In its views letter, Justice states that the enrolled bill "would provide appropriate and well-deserved recognition to public safety officers who demonstrate 'extraordinary valor above and beyond the call of duty.'" The Department, however, advises that "the creation by statute of a new office within the Justice Department for the purposes set forth in H.R. 802, however laudable, is unnecessary," and that providing the Attorney General discretion to assign responsibilities within an existing office or offices would have been preferable. Justice also advises that the Department's FY 2002 budget "does not include funding for this activity." This Office believes the initial costs are likely to be minimal and can be met within existing and proposed Justice resources. The need for any additional funding can be addressed during formulation of the FY 2003 budget.

We join Justice in recommending approval of H.R. 802 which passed the House by a vote of 414-0 and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF
Subject: 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT <i>W/C</i>	☒	☐	IRASTORZA	☐	☐
CARD <i>ok</i>	☒	☐	JOHNSON <i>W/C</i>	☒	☐
HUGHES	☒	☐	LA MONTAGNE <i>ok</i>	☒	☐
ROVE	☒	☐	LINDSEY <i>W/C</i>	☒	☐
BOLTEN <i>ok</i>	☒	☐	MIERS	☐	☐
HAGIN <i>comment</i>	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐	_____	☐	☐
CALIO <i>ok</i>	☒	☐	_____	☐	☐
FLEISCHER	☐	☒	_____	☐	☐
GONZALES <i>comment</i>	☒	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please send your comments directly to the Staff Secretary, x62702, no later than 11:30 a.m., Friday, May 25, 2001. Thank you.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 24, 2001

01 MAY 24 PM 5:34

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

Purpose

(1) Authorizes the President to award a Medal of Valor to public safety officers who display extraordinary valor; and (2) establishes a Medal of Valor Review Board to recommend award recipients to the Attorney General.

Agency Recommendations

Office of Management and Budget

Approval

Department of Justice

Approval

Department of Defense

Approval (Informally)

Department of the Interior

Defers to Justice (Informally)

Office of Government Ethics

Defers to Justice (Informally)

Department of the Treasury

No comment (Informally)

Federal Emergency Management Agency

No comment (Informally)

Office of Personnel Management

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Discussion

H.R. 802 would authorize the President to award, and present in the name of Congress, a Medal of Valor to public safety officers cited by the Attorney General, upon the recommendation of a Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. The Public Safety Medal of Valor could be awarded after September 1, 2001, and would be "the highest national award for valor by a public safety officer." Public safety officers would include persons serving a public agency, with or without compensation, as firefighters, law enforcement officers, or emergency services officers. Law enforcement officers could include persons who serve as corrections or court officers or as civil defense officers.

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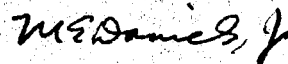
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Enclosures



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May 24, 2001

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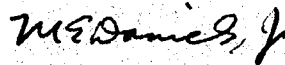
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Mitchell E. Daniels, Jr.
Director

Enclosures

One Hundred Seventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

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 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 of the initial group of members 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

H. R. 802—4

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.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF

Subject: 2001

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VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
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RESPONSE:

Harriet E. Miers
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 Ext. 62702



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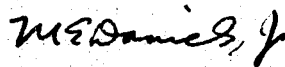
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Mitchell E. Daniels, Jr.
Director

Enclosures

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3665
 CONNECTION TEL 66212
 CONNECTION ID
 ST. TIME 05/24 23:00
 USAGE T 01'49
 PGS. SENT 4
 RESULT OK

REVISED

Document No. _____

WHITE HOUSE STAFFING MEMORANDUMDate: 5/24/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF
 Subject: 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
CARD	☒	☐	JOHNSON	☒	☐
HUGHES	☒	☐	LA MONTAGNE	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MIERS	☐	☐
HAGIN	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐		☐	☐
CALIO	☒	☐		☐	☐
FLEISCHER	☐	☒		☐	☐
GONZALES	☒	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

Please send your comments directly to the Staff Secretary, x62702, no later than 11:30 a.m.,
 Friday, May 25, 2001. Thank you. _____

Please send your comments directly to the Staff Secretary, x62702, no later than 11:30 a.m., Friday, May 25, 2001. Thank you.

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3663
 CONNECTION TEL 56958
 CONNECTION ID
 ST. TIME 05/24 22:55
 USAGE T 01'46
 PGS. SENT 4
 RESULT OK

REVISED

Document No. _____

WHITE HOUSE STAFFING MEMORANDUMDate: 5/24/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF

Subject: 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
CARD	☒	☐	JOHNSON	☒	☐
HUGHES	☒	☐	LA MONTAGNE	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MIERS	☐	☐
HAGIN	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐	_____	☐	☐
CALIO	☒	☐	_____	☐	☐
FLEISCHER	☐	☒	_____	☐	☐
GONZALES	☒	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please send your comments directly to the Staff Secretary, x62702, no later than 11:30 a.m., Friday, May 25, 2001. Thank you. _____

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3660
 CONNECTION TEL 66212
 CONNECTION ID
 ST. TIME 05/24 22:33
 USAGE T 01'48
 PGS. SENT 4
 RESULT OK

Document No. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF
 Subject: 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
CARD	☒	☐	JOHNSON	☒	☐
HUGHES	☒	☐	LA MONTAGNE	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MIERS	☐	☐
HAGIN	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐		☐	☐
CALIO	☒	☐		☐	☐
FLEISCHER	☐	☒		☐	☐
GONZALES	☒	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

Please send your comments directly to Austin Smythe, x54844, no later than 11:30 p.m., Friday, May 25, 2001, and cc the Staff Secretary. Thank you.

 *** TX REPORT ***

TRANSMISSION OK

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ST. TIME	05/24 22:30	
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PGS. SENT	4	
RESULT	OK	

Document No. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF
 Subject: 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
CARD	☒	☐	JOHNSON	☒	☐
HUGHES	☒	☐	LA MONTAGNE	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MIERS	☐	☐
HAGIN	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐		☐	☐
CALIO	☒	☐		☐	☐
FLEISCHER	☐	☒		☐	☐
GONZALES	☒	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3658
 CONNECTION TEL 56958
 CONNECTION ID
 ST. TIME 05/24 22:27
 USAGE T 01'49
 PGS. SENT 4
 RESULT OK

Document No.

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF
 Subject: 2001

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BOLTEN	☒	☐	MIERS	☐	☐
HAGIN	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐		☐	☐
CALIO	☒	☐		☐	☐
FLEISCHER	☐	☒		☐	☐
GONZALES	☒	☐		☐	☐
HAWKINS	☒	☐		☐	☐

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Date: 5/24/01

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ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF
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BOLTEN	☒	☐	MIERS	☐	☐
HAGIN	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐	_____	☐	☐
CALIO	☒	☐	_____	☐	☐
FLEISCHER	☐	☒	_____	☐	☐
GONZALES	☒	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please send your comments directly to the Staff Secretary, x62702, no later than 11:30 a.m., Friday, May 25, 2001. Thank you.

RESPONSE:

AKC

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 24, 2001

MAY 24 09:51:34

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

Purpose

(1) Authorizes the President to award a Medal of Valor to public safety officers who display extraordinary valor; and (2) establishes a Medal of Valor Review Board to recommend award recipients to the Attorney General.

Agency Recommendations

Office of Management and Budget

Approval

Department of Justice

Approval

Department of Defense

Approval (Informally)

Department of the Interior

Defers to Justice (Informally)

Office of Government Ethics

Defers to Justice (Informally)

Department of the Treasury

No comment (Informally)

Federal Emergency Management Agency

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Discussion

H.R. 802 would authorize the President to award, and present in the name of Congress, a Medal of Valor to public safety officers cited by the Attorney General, upon the recommendation of a Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. The Public Safety Medal of Valor could be awarded after September 1, 2001, and would be "the highest national award for valor by a public safety officer." Public safety officers would include persons serving a public agency, with or without compensation, as firefighters, law enforcement officers, or emergency services officers. Law enforcement officers could include persons who serve as corrections or court officers or as civil defense officers.

H.R. 802 would establish a Medal of Valor Review Board (the Board) that would be composed of 11 members who would each serve 4-year terms. The members of the Board would be required to be individuals with knowledge and expertise, either by experience or training, in the field of public safety. Members would be appointed as follows: (1) two each by the majority and minority leaders of the Senate; (2) two each by the Speaker and the minority leader of the House of Representatives; and (3) three by the President, including one each with experience in firefighting, law enforcement, and emergency services.

H.R. 802 would require the Board to meet at least twice each year. The initial meeting of the Board would have to be convened not later than 90 days after the appointment of the last member of the Board. Thereafter, the Board would be required to meet at the call of the Chairman of the Board, who would be elected by the members of the Board.

Not more than once each year, the Board would be required to present to the Attorney General the name or names of those it recommends as Medal of Valor recipients. The enrolled bill would not require the Board to select any recipients, but it could not select more than five annually. The Attorney General could in extraordinary cases increase the number of recipients in a given year. The bill would authorize the Board to conduct hearings and collect information from Federal agencies to evaluate the applications of prospective recipients. Witnesses requested to appear before the Board could be paid, from funds appropriated to the Board, the same fees as are paid to witnesses at U.S. Courts. The Board would be required to consult with the Institute of Heraldry within the Department of Defense regarding the design and artistry of the Medal of Valor. The Board could also consider suggestions received by the Department of Justice regarding the design of the medal, including suggestions made by persons who are not Department employees.

H.R. 802 would establish within the Department of Justice a National Medal of Valor Office to provide staff support to the Board in order 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. The enrolled bill would require the Board to select candidates as recipients of the Medal of Valor from among applications received by the National Medal of Valor Office.

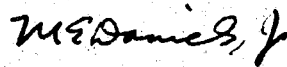
H.R. 802 would authorize appropriations of such sums as may be necessary to the Attorney General to carry out the provisions of the bill. The bill would require each member of the Board to be compensated at a per diem rate equivalent to the annual rate of basic pay for level IV of the Executive Schedule (\$125,700) for each day he or she is performing the duties of the Board. Members of the Board who are officers or employees of the United States, a State, or a local government could not receive any compensation in addition to that received for those services.

H.R. 802 would repeal a provision in the Federal Fire Prevention and Control Act of 1974 which authorizes the President to present a "President's Award for Outstanding Public Safety Service." According to the House committee report on H.R. 802, the intent of the repeal is to "replace that earlier attempt by Congress to create a national medal for law enforcement." (The Federal Emergency Management Agency advises informally that no Presidential awards have been issued under this current authority.)

Conclusion and Recommendations

Justice recommends approval of the enrolled bill. In its views letter, Justice states that the enrolled bill "would provide appropriate and well-deserved recognition to public safety officers who demonstrate 'extraordinary valor above and beyond the call of duty.'" The Department, however, advises that "the creation by statute of a new office within the Justice Department for the purposes set forth in H.R. 802, however laudable, is unnecessary," and that providing the Attorney General discretion to assign responsibilities within an existing office or offices would have been preferable. Justice also advises that the Department's FY 2002 budget "does not include funding for this activity." This Office believes the initial costs are likely to be minimal and can be met within existing and proposed Justice resources. The need for any additional funding can be addressed during formulation of the FY 2003 budget.

We join Justice in recommending approval of H.R. 802 which passed the House by a vote of 414-0 and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

01 MAY 25 PM 1:09

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF
 Subject: 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
CARD	☒	☐	JOHNSON	☒	☐
HUGHES	☒	☐	LA MONTAGNE	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MIERS	☐	☐
HAGIN	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐		☐	☐
CALIO	☒	☐		☐	☐
FLEISCHER	☐	☒		☐	☐
GONZALES	☒	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

Please send your comments directly to the Staff Secretary, x62702, no later than 11:30 a.m., Friday, May 25, 2001. Thank you.

64

RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 24, 2001

01 MAY 24 PM 5:34

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

Purpose

(1) Authorizes the President to award a Medal of Valor to public safety officers who display extraordinary valor; and (2) establishes a Medal of Valor Review Board to recommend award recipients to the Attorney General.

Agency Recommendations

Office of Management and Budget

Approval

Department of Justice

Approval

Department of Defense

Approval (Informally)

Department of the Interior

Defers to Justice (Informally)

Office of Government Ethics

Defers to Justice (Informally)

Department of the Treasury

No comment (Informally)

Federal Emergency Management Agency

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Discussion

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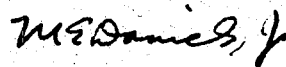
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We join Justice in recommending approval of H.R. 802 which passed the House by a vote of 414-0 and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures



OFFICE OF THE VICE PRESIDENT
WASHINGTON

'01 MAY 25 PM 1:08

May 25, 2001

MEMORANDUM FOR HARRIET MIERS
STAFF SECRETARY

FROM: NEIL PATEL
STAFF SECRETARY TO THE VICE PRESIDENT

A handwritten signature in black ink, appearing to be "NP" or "Neil Patel", written over the printed name.

SUBJECT: Enrolled Bill HR 802 – Public Safety Officer Medal of
Valor Act of 2001

The Office of the Vice President has reviewed the above-referenced draft and has no comments.

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

01 MAY 25 PM 1:07

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF

Subject: 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
CARD	☒	☐	JOHNSON	☒	☐
HUGHES	☒	☐	LA MONTAGNE	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MIERS	☐	☐
HAGIN	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐	_____	☐	☐
CALIO	☒	☐	_____	☐	☐
FLEISCHER	☐	☒	_____	☐	☐
GONZALES	☒	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 24, 2001

MAY 24 4:34

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

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Department of Justice

Approval

Department of Defense

Approval (Informally)

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Defers to Justice (Informally)

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Defers to Justice (Informally)

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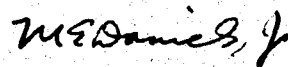
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Justice recommends approval of the enrolled bill. In its views letter, Justice states that the enrolled bill "would provide appropriate and well-deserved recognition to public safety officers who demonstrate 'extraordinary valor above and beyond the call of duty.'" The Department, however, advises that "the creation by statute of a new office within the Justice Department for the purposes set forth in H.R. 802, however laudable, is unnecessary," and that providing the Attorney General discretion to assign responsibilities within an existing office or offices would have been preferable. Justice also advises that the Department's FY 2002 budget "does not include funding for this activity." This Office believes the initial costs are likely to be minimal and can be met within existing and proposed Justice resources. The need for any additional funding can be addressed during formulation of the FY 2003 budget.

We join Justice in recommending approval of H.R. 802 which passed the House by a vote of 414-0 and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01

ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF

Subject: 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
CARD	☒	☐	JOHNSON	☒	☐
HUGHES	☒	☐	LA MONTAGNE	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MIERS	☐	☐
HAGIN	☐	☒	RICE	☐	☐
DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐		☐	☐
CALIO	☒	☐		☐	☐
FLEISCHER	☐	☒		☐	☐
GONZALES	☒	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

Please send your comments directly to the Staff Secretary, x62702, no later than 11:30 a.m., Friday, May 25, 2001. Thank you.

NC

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

May 24, 2001

MAY 24 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

Purpose

(1) Authorizes the President to award a Medal of Valor to public safety officers who display extraordinary valor; and (2) establishes a Medal of Valor Review Board to recommend award recipients to the Attorney General.

Agency Recommendations

Office of Management and Budget

Approval

Department of Justice

Approval

Department of Defense

Approval (Informally)

Department of the Interior

Defers to Justice (Informally)

Office of Government Ethics

Defers to Justice (Informally)

Department of the Treasury

No comment (Informally)

Federal Emergency Management Agency

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Discussion

H.R. 802 would authorize the President to award, and present in the name of Congress, a Medal of Valor to public safety officers cited by the Attorney General, upon the recommendation of a Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. The Public Safety Medal of Valor could be awarded after September 1, 2001, and would be "the highest national award for valor by a public safety officer." Public safety officers would include persons serving a public agency, with or without compensation, as firefighters, law enforcement officers, or emergency services officers. Law enforcement officers could include persons who serve as corrections or court officers or as civil defense officers.

H.R. 802 would establish a Medal of Valor Review Board (the Board) that would be composed of 11 members who would each serve 4-year terms. The members of the Board would be required to be individuals with knowledge and expertise, either by experience or training, in the field of public safety. Members would be appointed as follows: (1) two each by the majority and minority leaders of the Senate; (2) two each by the Speaker and the minority leader of the House of Representatives; and (3) three by the President, including one each with experience in firefighting, law enforcement, and emergency services.

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Not more than once each year, the Board would be required to present to the Attorney General the name or names of those it recommends as Medal of Valor recipients. The enrolled bill would not require the Board to select any recipients, but it could not select more than five annually. The Attorney General could in extraordinary cases increase the number of recipients in a given year. The bill would authorize the Board to conduct hearings and collect information from Federal agencies to evaluate the applications of prospective recipients. Witnesses requested to appear before the Board could be paid, from funds appropriated to the Board, the same fees as are paid to witnesses at U.S. Courts. The Board would be required to consult with the Institute of Heraldry within the Department of Defense regarding the design and artistry of the Medal of Valor. The Board could also consider suggestions received by the Department of Justice regarding the design of the medal, including suggestions made by persons who are not Department employees.

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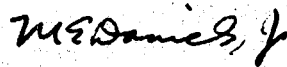
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Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30Subject: ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 2001

01 MAY 25 AM 11:42

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
CARD	☒	☐	JOHNSON	☒	☐
HUGHES	☒	☐	LA MONTAGNE	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	MIERS	☐	☐
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DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐	_____	☐	☐
CALIO	☒	☐	_____	☐	☐
FLEISCHER	☐	☒	_____	☐	☐
GONZALES	☒	☐	_____	☐	☐
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

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No comment - EAW

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 24, 2001

01 MAY 24 PM 5:30

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

Purpose

(1) Authorizes the President to award a Medal of Valor to public safety officers who display extraordinary valor; and (2) establishes a Medal of Valor Review Board to recommend award recipients to the Attorney General.

Agency Recommendations

Office of Management and Budget

Approval

Department of Justice

Approval

Department of Defense

Approval (Informally)

Department of the Interior

Defers to Justice (Informally)

Office of Government Ethics

Defers to Justice (Informally)

Department of the Treasury

No comment (Informally)

Federal Emergency Management Agency

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Discussion

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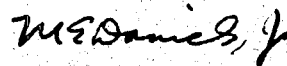
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Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF
 Subject: 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	IRASTORZA	☐	☐
CARD	☒	☐	JOHNSON	☒	☐
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CALIO	☒	☐		☐	☐
FLEISCHER	☐	☒		☐	☐
GONZALES	☒	☐		☐	☐
HAWKINS	☒	☐		☐	☐

REMARKS:

Please send your comments directly to the Staff Secretary, x62702, no later than 11:30 a.m., Friday, May 25, 2001. Thank you.

RESPONSE:

LEGISLATIVE AFFAIRS — OK (HOWARD)

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

May 24, 2001

MAY 24 1901

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

Purpose

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Approval

Department of Justice

Approval

Department of Defense

Approval (Informally)

Department of the Interior

Defers to Justice (Informally)

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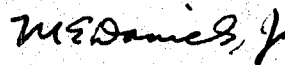
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Director

Enclosures

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 3698
 CONNECTION TEL 55730
 CONNECTION ID
 ST. TIME 05/28 10:13
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 RESULT OK

5/28/01

Sent to Austin Smythe
 per Harrel

05/25/01 FRI 09:15 FAX

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Document No.

WHITE HOUSE STAFFING MEMORANDUM

Date: 5/24/01 ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30 AM

ENROLLED BILL H.R. 802 - PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF

Subject: 2001

	ACTION	FYI		ACTION	FYI
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CARD	☒	☐	JOHNSON	☒	☐
HUGHES	☒	☐	LA MONTAGNE	☒	☐
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DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐		☐	☐
CALIO	☒	☐		☐	☐
FLEISCHER	☐	☒		☐	☐
GONZALES	☒	☐		☐	☐
HAWKINS	☒	☐		☐	☐

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cc: Miers
 Gardner

JG

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Date: 5/24/01

ACTION / CONCURRENCE / COMMENT DUE BY: 5/25/01 BY 11:30

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DANIELS	☒	☐	HUBBARD	☒	☐
BLAKEMAN	☐	☐	_____	☐	☐
CALIO	☒	☐	_____	☐	☐
FLEISCHER	☐	☒	_____	☐	☐
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 Assistant to the President
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 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

May 24, 2001

MAY 24 PM 5:34

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

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Approval

Department of Justice
Department of Defense
Department of the Interior
Office of Government Ethics
Department of the Treasury
Federal Emergency Management Agency
Office of Personnel Management

Approval
Approval (Informally)
Defers to Justice (Informally)
Defers to Justice (Informally)
No comment (Informally)
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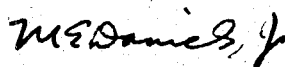
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Justice recommends approval of the enrolled bill. In its views letter, Justice states that the enrolled bill "would provide appropriate and well-deserved recognition to public safety officers who demonstrate 'extraordinary valor above and beyond the call of duty.'" The Department, however, advises that "the creation by statute of a new office within the Justice Department for the purposes set forth in H.R. 802, however laudable, is unnecessary," and that providing the Attorney General discretion to assign responsibilities within an existing office or offices would have been preferable. Justice also advises that the Department's FY 2002 budget "does not include funding for this activity." This Office believes the initial costs are likely to be minimal and can be met within existing and proposed Justice resources. The need for any additional funding can be addressed during formulation of the FY 2003 budget.

We join Justice in recommending approval of H.R. 802 which passed the House by a vote of 414-0 and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Staffing Memo	[Staffing memorandum re: H. R. 802] - To: Harriet E. Miers, Staff Secretary - From: Joseph W. Hagin	1	05/24/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of The

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

05/30/2001 [H. R. 802]

FRC ID:

778

OA Num.:

729

NARA Num.:

1455

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

May 24, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 802 - Public Safety Officer Medal of Valor Act of 2001
Sponsors - Rep. Smith (R) Texas and 4 cosponsors

Last Day for Action

May 30, 2001 - Wednesday

Purpose

(1) Authorizes the President to award a Medal of Valor to public safety officers who display extraordinary valor; and (2) establishes a Medal of Valor Review Board to recommend award recipients to the Attorney General.

Agency Recommendations

Office of Management and Budget

Approval

Department of Justice

Approval

Department of Defense

Approval (Informally)

Department of the Interior

Defers to Justice (Informally)

Office of Government Ethics

Defers to Justice (Informally)

Department of the Treasury

No comment (Informally)

Federal Emergency Management Agency

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Discussion

H.R. 802 would authorize the President to award, and present in the name of Congress, a Medal of Valor to public safety officers cited by the Attorney General, upon the recommendation of a Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty. The Public Safety Medal of Valor could be awarded after September 1, 2001, and would be "the highest national award for valor by a public safety officer." Public safety officers would include persons serving a public agency, with or without compensation, as firefighters, law enforcement officers, or emergency services officers. Law enforcement officers could include persons who serve as corrections or court officers or as civil defense officers.

H.R. 802 would establish a Medal of Valor Review Board (the Board) that would be composed of 11 members who would each serve 4-year terms. The members of the Board would be required to be individuals with knowledge and expertise, either by experience or training, in the field of public safety. Members would be appointed as follows: (1) two each by the majority and minority leaders of the Senate; (2) two each by the Speaker and the minority leader of the House of Representatives; and (3) three by the President, including one each with experience in firefighting, law enforcement, and emergency services.

H.R. 802 would require the Board to meet at least twice each year. The initial meeting of the Board would have to be convened not later than 90 days after the appointment of the last member of the Board. Thereafter, the Board would be required to meet at the call of the Chairman of the Board, who would be elected by the members of the Board.

Not more than once each year, the Board would be required to present to the Attorney General the name or names of those it recommends as Medal of Valor recipients. The enrolled bill would not require the Board to select any recipients, but it could not select more than five annually. The Attorney General could in extraordinary cases increase the number of recipients in a given year. The bill would authorize the Board to conduct hearings and collect information from Federal agencies to evaluate the applications of prospective recipients. Witnesses requested to appear before the Board could be paid, from funds appropriated to the Board, the same fees as are paid to witnesses at U.S. Courts. The Board would be required to consult with the Institute of Heraldry within the Department of Defense regarding the design and artistry of the Medal of Valor. The Board could also consider suggestions received by the Department of Justice regarding the design of the medal, including suggestions made by persons who are not Department employees.

H.R. 802 would establish within the Department of Justice a National Medal of Valor Office to provide staff support to the Board in order 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. The enrolled bill would require the Board to select candidates as recipients of the Medal of Valor from among applications received by the National Medal of Valor Office.

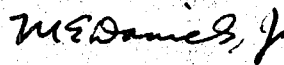
H.R. 802 would authorize appropriations of such sums as may be necessary to the Attorney General to carry out the provisions of the bill. The bill would require each member of the Board to be compensated at a per diem rate equivalent to the annual rate of basic pay for level IV of the Executive Schedule (\$125,700) for each day he or she is performing the duties of the Board. Members of the Board who are officers or employees of the United States, a State, or a local government could not receive any compensation in addition to that received for those services.

H.R. 802 would repeal a provision in the Federal Fire Prevention and Control Act of 1974 which authorizes the President to present a "President's Award for Outstanding Public Safety Service." According to the House committee report on H.R. 802, the intent of the repeal is to "replace that earlier attempt by Congress to create a national medal for law enforcement." (The Federal Emergency Management Agency advises informally that no Presidential awards have been issued under this current authority.)

Conclusion and Recommendations

Justice recommends approval of the enrolled bill. In its views letter, Justice states that the enrolled bill "would provide appropriate and well-deserved recognition to public safety officers who demonstrate 'extraordinary valor above and beyond the call of duty.'" The Department, however, advises that "the creation by statute of a new office within the Justice Department for the purposes set forth in H.R. 802, however laudable, is unnecessary," and that providing the Attorney General discretion to assign responsibilities within an existing office or offices would have been preferable. Justice also advises that the Department's FY 2002 budget "does not include funding for this activity." This Office believes the initial costs are likely to be minimal and can be met within existing and proposed Justice resources. The need for any additional funding can be addressed during formulation of the FY 2003 budget.

We join Justice in recommending approval of H.R. 802 which passed the House by a vote of 414-0 and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

One Hundred Seventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

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 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;

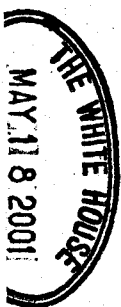
(C) two shall be appointed by the Speaker of the House of Representatives;

(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.

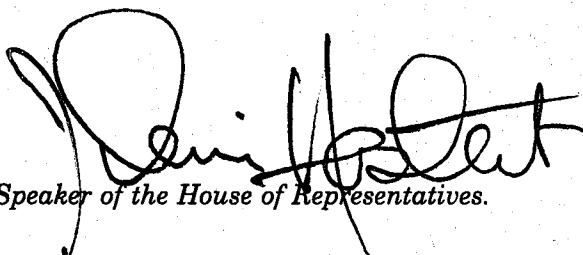
(2) TERM.—The term of a Board member shall be 4 years.

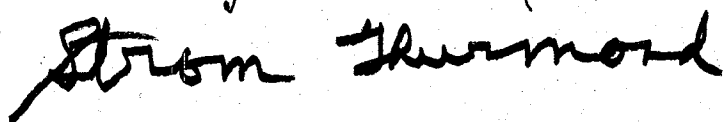
(3) VACANCIES.—Any vacancy in the membership of the Board shall not affect the powers of the Board and shall be filled in the same manner as the original appointment.



H. R. 802—4

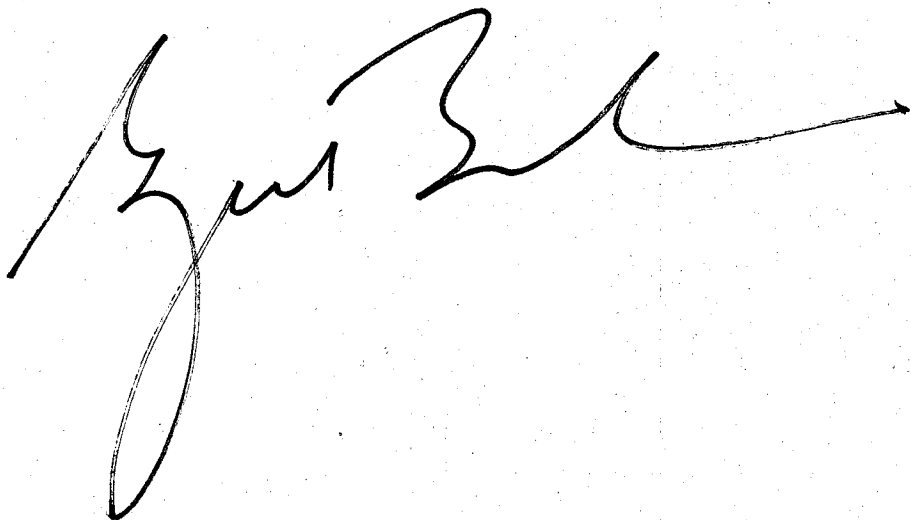
the Medal of Valor. The Board may also consider suggestions received by the Department of Justice regarding the design of the medal, including those made by persons not employed by the Department.


Speaker of the House of Representatives.



~~Vice President of the United States and~~
President of the Senate. *pro Tempore*

APPROVED
MAY 30 2001



OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE:

*Public Safety Officer Medal of Valor /
Act of 2001* *LDA 5/30*

TYPE DOCUMENT:

PROCLAMATION

LETTER(S)

EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER:

RECEIVED: (Advance: / / 01 Time: a.m./p.m.)
In final: / / 01 Time: a.m./p.m.

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: / / 01 Time: a.m./p.m.)
In final: / / 01 Time: a.m./p.m.

TO HARRIET MIERS' OFFICE:

(For staffing: / / 01 Time: a.m./p.m.)
In final: / / 01 Time: a.m./p.m.

*INFO, INCLUDING STENCIL AND DISC, TO PRESS OFFICE:

Date: / / 01 Time: a.m./p.m.
POSTED: / / 01 Time: a.m./p.m.

NOTIFICATIONS:

(Person/time)

NSC (#), when appropriate -- Desk Officer;
W.H. Situation Room -- x6-9425.

Ginger Gregory, x6-2230, Legislative Affairs
(for messages to the Congress)

(Person/time)

(Other)

(Person/time)

(Other)

OTHER INFORMATION:

No Signing Statement per John Gardner

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 31, 2001

STATEMENT BY THE PRESS SECRETARY

The President has signed into law H.R. 802, on May 30, 2001, which authorizes the President to award a Medal of Valor to public safety officers and establishes a Medal of Valor Review Board to recommend award recipients to the Attorney General.

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Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Email	[Email re: Medal of Valor H. R. 802] - To: John W. Gardner - From: Helgi Walker, Counsel's Office	1	05/29/2001	P5:

**This marker identifies the original location of the withdrawn item listed above.
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For Immediate Release

May 30, 2001

~~Today,~~ ^{has} the President signed into law H.R. 802, ~~this Act~~ ^{which} authorizes the President to award a Medal of Valor to public safety officers and establishes a Medal of Valor Review Board to recommend award recipients to the Attorney General.

1