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To provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001.

IN THE SENATE OF THE UNITED STATES

JULY 19, 2005

Mr. SCHUMER (for himself, Mrs. CLINTON, Mr. SPECTER, Mr. SANTORUM, Mr. BAUCUS, Mr. BAYH, Mr. BIDEN, Mrs. BOXER, Mr. CORZINE, Mr. DAYTON, Mr. DODD, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HARKIN, Mr. INOUE, Mr. KENNEDY, Mr. KOHL, Mr. JOHNSON, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LIEBERMAN, Mrs. MURRAY, and Mr. PRYOR) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide for a medal of appropriate design to be awarded by the President to the next of kin or other representative of those individuals killed as a result of the terrorist attacks of September 11, 2001.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fallen Heroes of 9/
5 11 Act”.

1 **SEC. 2. CONGRESSIONAL FINDINGS.**

2 Congress finds that—

3 (1) since September 11, 2001, the United
4 States has been engaged in a war different from any
5 other in the history of our Nation;

6 (2) in the eyes of the terrorists, we are all the
7 enemy, and the term “innocent civilian” has no
8 meaning for such terrorists;

9 (3) the deaths by airplane at the World Trade
10 Center, at the Pentagon, and in rural Pennsylvania
11 represent an escalation of direct terrorist attacks on
12 civilians;

13 (4) the officers, emergency workers, and other
14 employees of State and local government agencies,
15 including the Port Authority of New York and New
16 Jersey, and of the United States Government and
17 others, who responded to the attacks on the World
18 Trade Center in New York City and perished as a
19 result of the tragic events of September 11, 2001
20 (including those who are missing and presumed
21 dead), took heroic and noble action on that day;

22 (5) the officers, emergency rescue workers, and
23 employees of local and United States Government
24 agencies, who responded to the attack on the Pen-
25 tagon in Washington, D.C., took heroic and noble

1 action to evacuate the premises and prevent further
2 casualties of Pentagon employees;

3 (6) the passengers and crew of United Airlines
4 Flight 93, recognizing the potential danger that the
5 aircraft that they were aboard posed to large num-
6 bers of innocent Americans, American institutions,
7 and the symbols of American democracy, took heroic
8 and noble action to ensure that the aircraft could
9 not be used as a weapon; and

10 (7) given the unprecedented nature of the at-
11 tacks against the United States of America and the
12 need to properly demonstrate the support of the
13 country for the victims of terrorism, it is fitting that
14 their sacrifice be recognized with the award of an
15 appropriate medal.

16 **SEC. 3. FALLEN HEROES OF 9/11 CONGRESSIONAL MEDALS.**

17 (a) PRESENTATION AUTHORIZED.—The President is
18 authorized, on behalf of Congress, to award to the per-
19 sonal representative or next of kin of each individual re-
20 ferred to in subsection (c), a medal of appropriate design,
21 such medal to be known as the “Fallen Heroes of 9/11
22 Congressional Medal”, in recognition of the sacrifice made
23 by each such individual, and to honor their deaths on and
24 following September 11, 2001.

25 (b) DESIGN AND STRIKING.—

1 (1) IN GENERAL.—For purposes of the presen-
2 tations referred to in subsection (a), the Secretary of
3 the Treasury (in this Act referred to as the “Sec-
4 retary”) shall strike 3 medals, of such content and
5 with such suitable emblems, devices, and inscriptions
6 as the Secretary determines to be appropriate to be
7 representative of and in honor of, respectively—

8 (A) victims of the attack at the World
9 Trade Center, including civilians, public safety
10 officers, emergency workers, and hijack victims;

11 (B) victims aboard United Airlines Flight
12 93 that crashed in Pennsylvania; and

13 (C) victims at the Pentagon, including the
14 hijack victims.

15 (2) CONSULTATION.—Before making a final de-
16 termination with respect to the design of the medal
17 under this subsection, the Secretary shall consult
18 with the Secretary of Defense and such other parties
19 as the Secretary may determine to be appropriate.

20 (c) ELIGIBILITY TO RECEIVE MEDAL.—

21 (1) IN GENERAL.—Any individual who died on
22 or after September 11, 2001, as a direct result of
23 the act of terrorism within the United States on that
24 date, shall be eligible for a medal authorized by sub-
25 section (a).

1 (2) DETERMINATION.—Eligibility under para-
2 graph (1) shall be determined by the Secretary, in
3 consultation with such other officers of the United
4 States Government and State and local officials as
5 the Secretary determines to be appropriate.

6 **SEC. 4. DUPLICATE MEDALS.**

7 (a) RECIPIENTS OF DUPLICATE MEDALS.—The Sec-
8 retary shall strike duplicates of the medals struck pursu-
9 ant to section 3 for presentation to each precinct house,
10 firehouse, emergency response station, or other duty sta-
11 tion or place of employment to which each person referred
12 to in subsection (b) was assigned on September 11, 2001,
13 for permanent display in each such place in a manner be-
14 fitting the memory of such person.

15 (b) PUBLIC SAFETY, EMERGENCY, AND OTHER
16 WORKERS.—Persons referred to in this subsection are of-
17 ficers, emergency workers, and other employees of State
18 and local government agencies, including the Port Author-
19 ity of New York and New Jersey, and of the United States
20 Government and others, who responded to the attacks on
21 the World Trade Center in New York City on September
22 11, 2001, and perished as a direct result of that act of
23 terrorism (including those who are missing and presumed
24 dead).

1 **SEC. 5. ESTABLISHMENT OF LISTS OF RECIPIENTS.**

2 (a) INITIAL LISTS.—Before the end of the 120-day
3 period beginning on the date of enactment of this Act, the
4 Secretary shall establish—

5 (1) a list of the names of individuals eligible to
6 receive a medal under section 3(c)(1), during the pe-
7 riod beginning on September 11, 2001, and ending
8 on the date of enactment of this Act; and

9 (2) a list of the eligible recipients of a duplicate
10 medal under section 4.

11 (b) SUBSEQUENT ELIGIBILITY.—If any individual be-
12 comes eligible for a medal under section 3(c)(1), or any
13 other recipient becomes eligible for a duplicate medal
14 under section 4, the Secretary shall promptly add the
15 name of that individual or recipient to the appropriate list
16 established pursuant to subsection (a).

17 **SEC. 6. SALES OF DUPLICATE MEDALS TO THE PUBLIC TO**
18 **DEFRAY COSTS.**

19 Under such regulations as the Secretary may pre-
20 scribe, the Secretary may strike and sell duplicates of the
21 medals struck under this Act, at a price sufficient to cover
22 the costs thereof, including labor, materials, dies, use of
23 machinery, and overhead expenses.

1 **SEC. 7. NATIONAL MEDALS.**

2 The medals struck pursuant to this Act are national
3 medals for purposes of chapter 51 of title 31, United
4 States Code.

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