

AMENDMENT TO H.R. 8800

OFFERED BY MR. ISSA OF CALIFORNIA

At the end of subtitle J of title V, add the following new section:

SEC. 5__. REVIEW OF REQUESTS FOR DECORATIONS NOT TIMELY AWARDED TO MEMBERS OF CERTAIN ARMED FORCES SERVING ON ACTIVE DUTY BECAUSE RELEVANT RECORDS WERE CLASSIFIED OR OTHERWISE RESTRICTED.

(a) IN GENERAL.—Chapter 57 of title 10, United States Code, is amended by inserting after section 1130 the following new section:

§ 1130a. Consideration of proposals for certain decorations not previously submitted in timely fashion because relevant records were classified or otherwise restricted

(a) WAIVER OF TIME LIMITATIONS.—Notwithstanding section 1130 of this title, a decoration (including any device in lieu of a decoration), authorized by law or under the regulations of the Department of War or the military department concerned, may be awarded, without regard to any time limitation imposed by law or regulation for a recommendation for such award—

(1) to any person for service—

(A) while on active duty in the Army, Navy, Marine Corps, Air Force, or Space Force;

(B) during the period beginning on January 1, 1940; and

(C) the records of which were classified, withheld from the public record due to sensitivity, or redacted for national security purposes; and

(2) based on a request for consideration of such award received by the Secretary of a military department.

(b) REVIEW OF REQUESTS.—In carrying out this section, the Secretary of a military department—

(1) shall—

(A) begin a review of a request under subsection (a)(2) not later than 30 days after the Secretary receives such request; and

(B) complete such review not later than one year after the date of such receipt; and

(2) may use the process under subsections (b) and (c) of section 1130 of this title to carry out such review.

(c) RULES OF CONSTRUCTION.—

(1) The failure of the Secretary of a military department to complete the review of a request under subsection (a)(2) within the time limitations under subsection (b) shall not be construed to limit the authority to award a decoration under this section.

(2) In the case of a decoration the President may award, the recommendation of the Secretary of the military department concerned not to award such decoration shall not be construed to prohibit the President from awarding such decoration.

(d) REPORTS.—

(1)(A) Not later than 30 days after completing the review of a request under subsection (b), the Secretary of a military department shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding such review.

(B) In the case of a review of a request for a decoration the President may award, the Secretary of the military department concerned shall, subject to subparagraph (C), also submit such report to the President.

(C) In the case of a review of a request for a Medal of Honor, the Secretary of War shall submit the report under this paragraph.

(2) Such report shall include, with respect to the request reviewed, the following elements:

(A) A summary of the request.

(B) The findings of the review.

(C) The final action or recommendation of the submitting Secretary regarding such request.

(D) Any recommendation of the submitting Secretary to improve award procedures with respect to military intelligence personnel..