AMENDMENT TO
RULES COMMITTEE PRINT 116–57
OFFERED BY MR. HECK OF WASHINGTON

At the end of subtitle I of title V, add the following:

SEC. 5. ESTABLISHMENT OF WOUNDED KNEE MEDAL OF HONOR REVIEW BOARD.

(a) Establishment.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall establish an advisory board to be known as the “Wounded Knee Medal of Honor Review Board” (in this section referred to as the “Board”).

(b) Duties and Powers.—The duties and powers of the Board are the following:

(1) To review the military service records of each individual awarded the Medal of Honor for acts at Wounded Knee Creek, Lakota Pine Ridge Indian Reservation, South Dakota, on December 29, 1890.

(2) To review any other records in the custody of the Secretary of Defense related to the awarding of a Medal of Honor described in paragraph (1).

(3) To determine, by a vote of not fewer than two members, whether any individual described in paragraph (1) received such award for a reason
other than service described in section 7271, 8291, 9271 of title 10, United States Code.

(c) Access to Government Records.—The Secretary of Defense shall provide the Board with records described in subsection (b).

(d) Consultation.—In carrying out its duties, the Board shall seek to consult with groups of indigenous individuals, Tribal officials, and historians of the United States and the Armed Forces.

(e) Membership.—The Secretary of Defense shall appoint as members of the Board seven retired general or flag officers who volunteer to serve without compensation.

(f) Report of the Board.—Not later than one year after the establishment of the Board under subsection (a), the Board shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and House of Representatives a report containing the findings and recommendations of the Board, including the name, if any, of an individual described in subsection (b)(3).

(g) Termination.—The Board shall terminate upon submittal of the report under subsection (f).

(h) Action of the Secretary.—Not later than 30 days after receiving the report under subsection (f), the
Secretary of Defense shall order the Secretary of the military department concerned to remove from the Army, Navy, Air Force, and Coast Guard Medal of Honor Roll maintained under section 1134a of title 10, United States Code, the name of each individual described in subsection (b)(3).

(i) RETURN OF MEDAL NOT REQUIRED.—No person may be required to return to the Federal Government a Medal of Honor under this section.

(j) NO DENIAL OF BENEFITS.—This section shall not be construed to deny any individual any benefit from the Federal Government.