

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2495

To establish a congressional commemorative medal for organ and tissue donors and their families.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 3 (legislative day, SEPTEMBER 12), 1994

Mr. MURKOWSKI (for himself, Mr. BOND, Mr. CHAFEE, Mr. COCHRAN, Mr. COVERDELL, Mr. CRAIG, Mr. D'AMATO, Mr. DECONCINI, Mr. DORGAN, Mr. DURENBURGER, Mr. FEINGOLD, Mr. GORTON, Mr. INOUE, Mr. HATCH, Mr. HELMS, Mr. JEFFORDS, Mr. KOHL, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LUGAR, Mr. MACK, Mr. MCCAIN, Ms. MOSLEY-BRAUN, Mr. ROBB, Mr. ROCKEFELLER, Mr. SHELBY, Mr. SIMON, Mr. SPECTER, Mr. STEVENS, Mr. THURMOND, and Mr. WOFFORD) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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## A BILL

To establish a congressional commemorative medal for organ and tissue donors and their families.

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 “Gift of Life Congres-  
5        sional Medal Act of 1994”.

1 **SEC. 2. CONGRESSIONAL MEDAL.**

2 The Secretary of the Treasury shall design and strike  
3 a bronze medal with suitable emblems, devices, and in-  
4 scriptions, to be determined by the Secretary of the Treas-  
5 ury, to commemorate organ and tissue donors and their  
6 families.

7 **SEC. 3. ELIGIBILITY REQUIREMENTS.**

8 (a) IN GENERAL.—Any organ donor, tissue donor, or  
9 the family of any organ or tissue donor, shall be eligible  
10 for a medal described in section 2.

11 (b) DOCUMENTATION.—The Secretary of Health and  
12 Human Services shall—

13 (1) establish an application procedure requiring  
14 an individual, their family, or an organ or tissue  
15 procurement agency acting on behalf of an individ-  
16 ual or their family, to submit to the Secretary docu-  
17 mentation supporting the eligibility of that individ-  
18 ual or their family for receipt of a medal described  
19 in section 2; and

20 (2) determine, through the documentation pro-  
21 vided, and, if necessary, independent investigation,  
22 whether the individual or family is eligible to receive  
23 a medal described in section 2.

24 **SEC. 4. PRESENTATION.**

25 (a) DELIVERY TO THE SECRETARY OF HEALTH AND  
26 HUMAN SERVICES.—The Secretary of the Treasury shall

1 deliver medals struck pursuant to this Act to the Secretary  
2 of Health and Human Services.

3 (b) DELIVERY TO ELIGIBLE RECIPIENTS.—The Sec-  
4 retary of Health and Human Services shall arrange for  
5 the presentation, through a qualified organ procurement  
6 organization, as described in section 371(b)(1) of the Pub-  
7 lic Health Service Act (42 U.S.C. 273(b)(1)), of medals  
8 struck pursuant to this Act to individuals or families that,  
9 in accordance with section 3, the Secretary has determined  
10 are eligible to receive medals under this Act.

11 (c) LIMITATION.—

12 (1) IN GENERAL.—Except as provided in para-  
13 graph (2), only 1 medal may be presented to a fam-  
14 ily under subsection (b).

15 (2) EXCEPTION.—In the case of a family in  
16 which more than 1 member is an organ or tissue  
17 donor, the Secretary of Health and Human Services  
18 may present 1 medal to each such organ or tissue  
19 donor.

20 **SEC. 5. DUPLICATE MEDALS.**

21 (a) IN GENERAL.—The Secretary of the Treasury  
22 may strike and sell duplicates of the medal described in  
23 section 2 to any recipient of a medal under section 4(b),  
24 under such regulations as the Secretary of the Treasury  
25 may issue.

1 (b) LIMITATION.—The sale price of a duplicate medal  
2 shall be sufficient to cover the cost of such duplicates.

3 **SEC. 6. NATIONAL MEDALS.**

4 The medals struck pursuant to this Act are national  
5 medals for purposes of section 5111 of title 31, United  
6 States Code.

7 **SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULA-**  
8 **TIONS.**

9 (a) IN GENERAL.—Except as provided in subsection  
10 (b), no provision of law governing procurement or public  
11 contracts shall be applicable to the procurement of goods  
12 or services necessary for carrying out the provisions of this  
13 Act.

14 (b) EQUAL EMPLOYMENT OPPORTUNITY.—Sub-  
15 section (a) shall not relieve any person entering into a con-  
16 tract under the authority of this Act from complying with  
17 any law relating to equal employment opportunity.

18 **SEC. 8. SOLICITATION OF DONATIONS.**

19 (a) IN GENERAL.—The Secretary of the Treasury  
20 may enter into an agreement with the Organ Procurement  
21 and Transplantation Network established under section  
22 372 of the Public Health Service Act (42 U.S.C. 274) to  
23 solicit donated funds to offset expenditures relating to the  
24 issuance of medals authorized under this Act.

25 (b) PAYMENT OF FUNDS.—

1           (1) IN GENERAL.—Except as provided in para-  
2 graph (2), all funds received by the Organ Procure-  
3 ment and Transplantation Network under subsection  
4 (a) shall be promptly paid by the Organ Procure-  
5 ment and Transplantation Network to the Secretary  
6 of the Treasury.

7           (2) LIMITATION.—Not more than 5 percent of  
8 any funds received under subsection (a) shall be  
9 used to pay administrative costs incurred by the  
10 Organ Procurement and Transplantation Network  
11 as a result of an agreement established under this  
12 section.

13           (c) NUMISMATIC PUBLIC ENTERPRISE FUND.—Not-  
14 withstanding any other provision of law—

15           (1) all amounts received by the Secretary of the  
16 Treasury under subsection (b)(1) shall be deposited  
17 in the Numismatic Public Enterprise Fund, as de-  
18 scribed in section 5134 of title 31, United States  
19 Code; and

20           (2) the Secretary of the Treasury shall charge  
21 such fund with all expenditures relating to the issu-  
22 ance of medals authorized under this Act.

23           (d) NO NET COST TO THE GOVERNMENT.—The Sec-  
24 retary of the Treasury shall take all actions necessary to

1 ensure that the issuance of medals authorized under sec-  
2 tion 2 results in no net cost to the Government.

3 **SEC. 9. ORGAN AND TISSUE DEFINED.**

4 For purposes of this Act—

5 (1) the term “organ” means the human kidney,  
6 liver, heart, lung, pancreas, and any other human  
7 organ (other than corneas and eyes) specified by  
8 regulation of the Secretary of Health and Human  
9 Services; and

10 (2) the term “tissue” means human tissues, in-  
11 cluding corneas, eyes, bone marrow, tendons, veins,  
12 skin, and heart-valves.

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