

103D CONGRESS
1ST SESSION

S. 359

To require the Secretary of the Treasury to mint coins in commemoration of the National Law Enforcement Officers Memorial, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16 (legislative day, JANUARY 5), 1993

Mr. DECONCINI introduced the following bill; which was read twice and referred to the Committee on Banking, Housing and Urban Affairs

A BILL

To require the Secretary of the Treasury to mint coins in commemoration of the National Law Enforcement Officers Memorial, and for other purposes.

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 “National Law Enforce-
5 ment Officers Memorial Coin Act”.

6 **SEC. 2. COIN SPECIFICATIONS.**

7 (a) FIVE DOLLAR GOLD COINS.—The Secretary of
8 the Treasury (hereafter referred to as the “Secretary”)
9 shall issue not more than 200,000 five dollar coins, which
10 shall—

- 1 (1) weigh 8.859 grams;
- 2 (2) have a diameter of 0.850 inches; and
- 3 (3) contain 90 percent gold and 10 percent
- 4 alloy.

5 (b) ONE DOLLAR SILVER COINS.—The Secretary
6 shall issue not more than 750,000 one dollar coins which
7 shall—

- 8 (1) weigh 26.73 grams;
- 9 (2) have a diameter of 1.500 inches; and
- 10 (3) contain 90 percent silver and 10 percent
- 11 copper.

12 (c) DESIGN.—The design of coins authorized to be
13 minted under this Act shall be emblematic of the National
14 Law Enforcement Officers Memorial, and shall be minted
15 from stockpiles established under the Strategic and Criti-
16 cal Minerals Stock Piling Act (50 U.S.C. 98 et seq.). On
17 each such coin there shall be a designation of the value
18 of the coin, an inscription of the year “1994”, and inscrip-
19 tions of the words “Liberty”, “In God We Trust”, “Unit-
20 ed States of America”, and “E Pluribus Unum”.

21 (d) LEGAL TENDER.—The coins issued under this
22 Act shall be legal tender as provided in section 5103 of
23 title 31, United States Code.

1 **SEC. 3. SELECTION OF DESIGN.**

2 The design for each coin authorized by this Act shall
3 be selected by the Secretary after consultation with the
4 National Law Enforcement Officers Memorial Fund, Inc.,
5 the Secretary of the Interior (or his or her designee), and
6 the Commission of Fine Arts.

7 **SEC. 4. SALE OF COINS.**

8 (a) SALE PRICE.—Notwithstanding any other provi-
9 sion of law, the coins issued under this Act shall be sold
10 by the Secretary at a price at least equal to the cost of
11 bullion, plus the cost of designing and issuing such coins
12 (including labor, materials, dies, use of machinery, over-
13 head expenses, marketing, and shipping).

14 (b) BULK SALES.—The Secretary shall make bulk
15 sales at a reasonable discount.

16 (c) PREPAID ORDERS.—The Secretary shall accept
17 prepaid orders for the coins prior to the issuance of such
18 coins. Sales under this subsection shall be at a reasonable
19 discount.

20 (d) SURCHARGE REQUIRED.—All sales shall include
21 a surcharge of \$35 per coin for the five dollar coins and
22 \$7 per coin for the one dollar coins.

23 **SEC. 5. ISSUANCE OF THE COINS.**

24 (a) PERIOD FOR ISSUANCE.—The coins authorized
25 under this Act shall be issued only through the end of cal-
26 endar year 1994.

1 (b) PROOF AND UNCIRCULATED COINS.—The coins
2 authorized under this Act shall be issued in uncirculated
3 and proof qualities, and not more than 1 facility of the
4 United States Mint may be used to strike any particular
5 combination of denomination and quality.

6 **SEC. 6. GENERAL WAIVER OF PROCUREMENT REGULA-**
7 **TIONS.**

8 No provision of law governing procurement or public
9 contracts shall be applicable to the procurement of goods
10 or services necessary for carrying out this Act. Nothing
11 in this section shall relieve any person entering into a con-
12 tract under the authority of this Act from complying with
13 any law relating to equal employment opportunity. No
14 firm shall be considered to be a Federal contractor for
15 purposes of 41 C.F.R. part 60 et seq. as a result of par-
16 ticipating as a United States Mint consignee.

17 **SEC. 7. DISTRIBUTION OF SURCHARGES.**

18 The total amount of surcharges received by the Sec-
19 retary from the sale of coins under this Act shall be
20 promptly paid by the Secretary to the Fund established
21 under section 11.

22 **SEC. 8. AUDITS.**

23 The Comptroller General shall have the right to ex-
24 amine such books, records, documents, and other data of
25 the National Park Service as may be related to the ex-

1 penditure of amounts paid under paragraph (2) of section
2 9.

3 **SEC. 9. COINAGE PROFIT FUND.**

4 Notwithstanding any other provision of law—

5 (1) all amounts received from the sale of coins
6 under this Act shall be deposited in the coinage prof-
7 it fund;

8 (2) the Secretary shall pay the amounts author-
9 ized under this Act from the coinage profit fund to
10 the Fund established under section 11 and to the
11 Department of the Treasury; and

12 (3) the Secretary shall charge the coinage profit
13 fund with all expenditures under this Act.

14 **SEC. 10. FINANCIAL ASSURANCES.**

15 (a) NO COST TO THE GOVERNMENT.—The Secretary
16 shall take such actions as may be necessary to ensure that
17 the minting and issuance of the coins under this Act shall
18 not result in any net cost to the Federal Government.

19 (b) PAYMENT.—No coin shall be issued under this
20 Act unless the Secretary has received—

21 (1) full payment therefor;

22 (2) security satisfactory to the Secretary to in-
23 demnify the United States for full payment; or

24 (3) a guarantee of full payment satisfactory to
25 the Secretary from a depository institution the de-

1 posits of which are insured by the Federal Deposit
2 Insurance Corporation or the National Credit Union
3 Administration.

4 **SEC. 11. NATIONAL LAW ENFORCEMENT OFFICERS MEMO-**
5 **RIAL MAINTENANCE FUND.**

6 (a) ESTABLISHMENT.—There is hereby established
7 the National Law Enforcement Officers Memorial Mainte-
8 nance Fund (hereafter referred to as the “Fund”), which
9 shall be a revolving fund, to be administered by the Sec-
10 retary of the Interior (or his or her designee). Monies for
11 the Fund shall be raised through surcharges authorized
12 under section 7. The Secretary of the Interior may accept
13 donations for the Fund. The Fund shall be maintained
14 in an interest bearing account within the Department of
15 the Treasury.

16 (b) PURPOSES.—The Fund shall be used—

17 (1) for maintenance and repair of the National
18 Law Enforcement Officers Memorial;

19 (2) to add to the Memorial the names of law
20 enforcement officers who have died in the line of
21 duty;

22 (3) for security of the Memorial site, to include
23 the posting of National Park Service rangers and
24 United States Park Police, as appropriate;

1 (4) at the discretion of the Secretary of the In-
2 terior and in consultation with the Secretary of the
3 Treasury and the Attorney General of the United
4 States, who shall establish an equitable procedure
5 between the Fund and such other organizations as
6 may be appropriate, to provide educational scholar-
7 ships to the immediate family members of law en-
8 forcement officers killed in the line of duty whose
9 names appear on the Memorial, the total amount of
10 such scholarships not to exceed 10 percent of the
11 Fund's annual income;

12 (5) for the dissemination of information regard-
13 ing the Memorial to the general public; and

14 (6) to administer the Fund, including contract-
15 ing for necessary services, in an amount not to ex-
16 ceed the lesser of—

17 (A) 10 percent of the Fund's annual in-
18 come; or

19 (B) \$200,000 in any 1-year period.

20 (c) BUDGET AND AUDIT TREATMENT.—The Fund
21 shall be subject to the budget and audit provisions of chap-
22 ter 91 of title 31, United States Code.

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