

**Calendar No. 237**

103D CONGRESS  
1ST SESSION

**S. 483**

**A BILL**

To provide for the minting of coins in commemoration of Americans who have been prisoners of war, and for other purposes.

OCTOBER 20 (legislative day, OCTOBER 13), 1993  
Reported with amendments

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**IN THE SENATE OF THE UNITED STATES**

MARCH 2 (legislative day, JANUARY 5), 1993

Mr. SHELBY (for himself, Mr. MACK, Mr. McCAIN, Mr. ROBB, Mr. WARNER, Mr. JEFFORDS, Mr. GRAMM, Mr. DASCHLE, Mr. KEMPTHORNE, Mr. BROWN, Mr. COATS, Mr. HEFLIN, Mr. CRAIG, Mr. D'AMATO, Mr. DORGAN, Mr. EXON, Mr. THURMOND, Mr. KRUEGER, Mr. KERREY, Mr. BUMPERS, Mr. NUNN, Mr. BINGAMAN, Ms. MOSELEY-BRAUN, Mr. CONRAD, Mr. BRYAN, Mr. LEVIN, Mr. COVERDELL, Mr. KENNEDY, Mr. LUGAR, Mr. GRAHAM, Mr. DODD, Mrs. HUTCHISON, Mr. KOHL, Mr. DURENBERGER, Mr. AKAKA, Mr. DOLE, Mr. BOREN, Mr. PACKWOOD, Mr. KERRY, Mr. SIMON, Mr. SMITH, Mr. DANFORTH, Mr. COHEN, Mr. BYRD, Mr. CAMPBELL, Mr. SIMPSON, Mr. REID, Mr. LIEBERMAN, Mr. LOTT, Mr. INOUE, Mr. MURKOWSKI, Mr. DOMENICI, Mr. ROTH, and Mr. DECONCINI) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

OCTOBER 20 (legislative day, OCTOBER 13), 1993

Reported by Mr. RIEGLE, with amendments

[Omit the part struck through and insert the part printed in italic]

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**A BILL**

To provide for the minting of coins in commemoration of Americans who have been prisoners of war, 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 “Prisoner-of-War  
5 Commemorative Coin Act”.

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

7 (a) ISSUANCE.—The Secretary of the Treasury (*here-*  
8 *after in this Act* referred to ~~in this Act~~ as the “Secretary”)  
9 shall issue not more than 1,500,000 one dollar coins which  
10 shall weigh 26.73 grams, have a diameter of 1.500 inches,  
11 and shall contain 90 percent silver and 10 percent copper.

12 (b) DESIGN.—The design of such coins shall be em-  
13 blematic of the experience of Americans who have been  
14 prisoners of war. On each such coin there shall be a des-  
15 ignation of the value of the coin, an inscription of the year  
16 “1993”, and inscriptions of the words “Liberty”, “In God  
17 We Trust”, “United States of America”, and “E Pluribus  
18 Unum”.

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

22 **SEC. 3. ISSUANCE OF THE COINS.**

23 (a) COMMENCEMENT OF ISSUANCE.—The coins au-  
24 thorized and minted under this Act may be issued begin-  
25 ning January 15, 1994.

1 (b) TERMINATION OF AUTHORITY.—The coins au-  
2 thorized and minted under this Act may not be minted  
3 after December 31, 1994.

4 (c) PROOF AND UNCIRCULATED COINS.—The coins  
5 authorized and minted under this Act may be issued in  
6 uncirculated and proof qualities and shall be struck at no  
7 more than one facility of the United States Mint.

8 **SEC. 4. SOURCE OF BULLION.**

9 The Secretary shall obtain silver for the coins minted  
10 under this Act from stockpiles established under the Stra-  
11 tegic and Critical Minerals Stock Piling Act (50 U.S.C.  
12 98 et seq.).

13 **SEC. 5. SELECTION OF DESIGN.**

14 The design for the coins authorized by this Act shall  
15 be selected by the Secretary *after consultation with the*  
16 *Commission of Fine Arts. As required by section 5135 of*  
17 *title 31, United States Code, the design shall also be re-*  
18 *viewed by the Citizens Commemorative Coin Advisory Com-*  
19 *mittee.*

20 **SEC. 6. SALE OF COINS.**

21 (a) SALE PRICE.—The coins issued under this Act  
22 shall be sold by the Secretary at a price equal to the face  
23 value, plus the cost of designing and issuing such coins  
24 (including labor, materials, dies, use of machinery, and

1 overhead expenses) and the surcharge provided for in sub-  
2 section (d).

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

5 (c) PREPAID ORDERS.—The Secretary shall accept  
6 prepaid orders for the coins issued under this Act prior  
7 to the issuance of such coins. Sales under this subsection  
8 shall be at a reasonable discount to reflect the benefit of  
9 prepayment.

10 (d) SURCHARGES.—All sales of coins issued under  
11 this Act shall include a surcharge of \$5 per coin.

12 **SEC. 7. USE OF SURCHARGES.**

13 An amount equal to the surcharges received by the  
14 Secretary from the sale of coins issued under this Act shall  
15 be made available or paid by the Secretary in the order  
16 that follows:

17 (1) AMOUNTS TO BE MADE AVAILABLE FOR  
18 CONSTRUCTION OF MUSEUM.—The Secretary of the  
19 Treasury shall make available to the Secretary of  
20 the Interior the first \$3,000,000 for the construction  
21 of the Andersonville Prisoner-of-War Museum in An-  
22 dersonville, Georgia.

23 (2) AMOUNTS TO BE PAID TO ENDOWMENT  
24 FUND.—After payment of the amount required by  
25 paragraph (1), the Secretary of the Treasury shall

1 pay 50 percent of the remaining surcharges to the  
2 endowment fund created under section 8.

3 (3) AMOUNTS TO BE PAID TO MAINTAIN NA-  
4 TIONAL CEMETERIES.—After payment of the  
5 amount required by paragraph (1), the Secretary  
6 shall pay 50 percent of the remaining surcharges to  
7 the Secretary of Veterans Affairs for purposes of  
8 maintaining national cemeteries pursuant to chapter  
9 24 of title 38, United States Code.

10 **SEC. 8. ENDOWMENT FUND.**

11 (a) ESTABLISHMENT.—There is established in the  
12 Department of the Interior an endowment fund (~~herein~~  
13 ~~after~~ *hereafter* in this Act referred to as the “fund”) to  
14 be administered by the Secretary of the Interior and to  
15 consist of the amounts deposited under subsection (b).

16 (b) DEPOSIT INTO FUND.—

17 (1) DEPOSIT FROM SURCHARGES.—There shall  
18 be deposited into the fund such amounts that are  
19 paid by the Secretary under section 7(2).

20 (2) INVESTMENT.—The Secretary shall have  
21 the authority to invest the portion of the fund that  
22 is not, in the determination of the Secretary, re-  
23 quired to meet the current needs of the fund, in obli-  
24 gations of the United States or in obligations guar-  
25 anteed as to the principal and interest by the United

1 States. In making such investments, the Secretary  
2 shall select obligations having maturities suitable to  
3 the needs of the fund.

4 (c) EXPENDITURES.—The Secretary of the Interior  
5 may use the amounts deposited in the fund under this Act  
6 to pay for the maintenance of the Andersonville Prisoner-  
7 of-War Museum in Andersonville, Georgia.

8 **SEC. 9. COINAGE PROFIT FUND.**

9 (a) DEPOSITS.—All amounts received from the sale  
10 of coins issued under this Act shall be deposited in the  
11 coinage profit fund.

12 (b) PAYMENTS.—The Secretary shall pay the  
13 amounts authorized under this Act from the coinage profit  
14 fund.

15 (c) EXPENDITURES.—The Secretary shall charge the  
16 coinage profit fund with all expenditures under this Act.

17 **SEC. 9. NUMISMATIC PUBLIC ENTERPRISE FUND.**

18 *The coins issued under this Act are subject to the pro-*  
19 *visions of section 5134 of title 31, United States Code, relat-*  
20 *ing to the Numismatic Public Enterprise Fund.*

21 **SEC. 10. FINANCIAL ASSURANCES.**

22 (a) NO NET COST TO THE GOVERNMENT.—The Sec-  
23 retary shall take such actions as may be necessary to en-  
24 sure that the minting and issuance of the coins referred

1 to in section 2 shall not result in any net cost to the Fed-  
2 eral Government.

3 (b) PAYMENT FOR COINS.—No coin shall be issued  
4 under this Act unless the Secretary has received—

5 (1) full payment thereof;

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

8 (3) a guarantee of full payment satisfactory to  
9 the Secretary from a depository institution whose  
10 deposits are insured by the Federal Government.

11 **SEC. 11. GENERAL WAIVER OF PROCUREMENT REGULA-**  
12 **TIONS.**

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

18 (b) EQUAL EMPLOYMENT OPPORTUNITY.—Sub-  
19 section (a) shall not apply with respect to any law relating  
20 to equal employment opportunity.