

104TH CONGRESS  
1ST SESSION

# S. 885

To establish United States commemorative coin programs, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 6 (legislative day, JUNE 5), 1995

Mr. MOYNIHAN (for himself, Mr. SIMPSON, Mr. INOUE, Mr. THOMAS, Mr. GRAHAM, Mr. COCHRAN, Mr. AKAKA, Mr. CHAFEE, and Mr. ROBB) 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 United States commemorative coin programs,  
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 “United States Com-  
5 memorative Coin Act of 1995”.

6 **SEC. 2. DEFINITIONS.**

7 For purposes of this Act—

1           (1) the term “Fund” means the National Law  
2 Enforcement Officers Memorial Maintenance Fund  
3 established under section 201;

4           (2) the term “recipient organization” means an  
5 organization described in section 101 to which sur-  
6 charges received by the Secretary from the sale of  
7 coins issued under this Act are paid; and

8           (3) the term “Secretary” means the Secretary  
9 of the Treasury.

## 10           **TITLE I—COMMEMORATIVE** 11                           **COIN PROGRAMS**

### 12           **SEC. 101. COMMEMORATIVE COIN PROGRAMS.**

13           In accordance with the recommendations of the Citi-  
14 zens Commemorative Coin Advisory Committee, the Sec-  
15 retary shall mint and issue the following coins:

16           (1) BICENTENNIAL OF UNITED STATES.—On or  
17 before December 31, 1995, the Secretary shall mint  
18 not more than 25,000 \$10 gold coins with specifica-  
19 tions to be determined by the Secretary.

20           (2) UNITED NATIONS AND PRESIDENT TRU-  
21 MAN.—

22           (A) IN GENERAL.—To commemorate the  
23 50th anniversary of the founding of the United  
24 Nations and the role of President Harry S.  
25 Truman in the founding of the United Nations,

1 during a 1-year period beginning in 1996, the  
2 Secretary shall issue—

3 (i) not more than 75,000 \$5 coins,  
4 each of which shall—

5 (I) weigh 8.359 grams;

6 (II) have a diameter of 0.850  
7 inches; and

8 (III) contain 90 percent gold and  
9 10 percent alloy; and

10 (ii) not more than 350,000 \$1 coins,  
11 each of which shall—

12 (I) weigh 26.73 grams;

13 (II) have a diameter of 1.500  
14 inches; and

15 (III) contain 90 percent silver  
16 and 10 percent alloy.

17 (B) SURCHARGES.—All sales of the coins  
18 issued under this subsection shall include a sur-  
19 charge of \$35 per coin for each \$5 coin, and a  
20 surcharge of \$10 per coin for each \$1 coin.

21 (C) DISTRIBUTION OF SURCHARGES.—All  
22 surcharges received by the Secretary from the  
23 sale of coins issued under this subsection shall  
24 be promptly paid by the Secretary in accord-  
25 ance with the following:

1 (i) Fifty percent of the surcharges re-  
2 ceived shall be paid to the Harry S. Tru-  
3 man Library Foundation.

4 (ii) Fifty percent of the surcharges re-  
5 ceived shall be paid to the United Nations  
6 Association.

7 (3) SMITHSONIAN INSTITUTION.—

8 (A) IN GENERAL.—To commemorate the  
9 150th anniversary of the founding of the  
10 Smithsonian Institution, during a 1-year period  
11 beginning in August 1996, the Secretary shall  
12 issue—

13 (i) not more than 100,000 \$5 coins,  
14 each of which shall—

15 (I) weigh 8.359 grams;

16 (II) have a diameter of 0.850  
17 inches; and

18 (III) contain 90 percent gold and  
19 10 percent alloy; and

20 (ii) not more than 800,000 \$1 coins,  
21 each of which shall—

22 (I) weigh 26.73 grams;

23 (II) have a diameter of 1.500  
24 inches; and

1 (III) contain 90 percent silver  
2 and 10 percent alloy.

3 (B) SURCHARGES.—All sales of the coins  
4 issued under this subsection shall include a sur-  
5 charge of \$35 per coin for each \$5 coin, and a  
6 surcharge of \$10 per coin for each \$1 coin.

7 (C) DISTRIBUTION OF SURCHARGES.—All  
8 surcharges received by the Secretary from the  
9 sale of coins issued under this subsection shall  
10 be promptly paid by the Secretary to the Smith-  
11 sonian Institution to be used to support the Na-  
12 tional Numismatic Collection at the National  
13 Museum of American History.

14 (D) DESIGN.—The design of the coins is-  
15 sued under this subsection shall be emblematic  
16 of the scientific, educational, and cultural sig-  
17 nificance and importance of the Smithsonian  
18 Institution. Each coin issued under this sub-  
19 section shall include an inscription of the fol-  
20 lowing words from the original bequest of  
21 James Smithson: “for the increase and diffu-  
22 sion of knowledge”.

23 (4) FRANKLIN DELANO ROOSEVELT.—

24 (A) IN GENERAL.—To commemorate the  
25 public opening of the Franklin Delano Roo-

1 sevelt Memorial in Washington, D.C., which will  
2 honor President Roosevelt's leadership and leg-  
3 acy, during a 1-year period beginning in 1997,  
4 the Secretary shall issue not more than 100,000  
5 \$5 coins, each of which shall—

6 (i) weigh 8.359 grams;

7 (ii) have a diameter of 0.850 inches;

8 and

9 (iii) contain 90 percent gold and 10  
10 percent alloy.

11 (B) SURCHARGES.—All sales of the coins  
12 issued under this subsection shall include a sur-  
13 charge of \$35 per coin.

14 (C) DISTRIBUTION OF SURCHARGES.—All  
15 surcharges received by the Secretary from the  
16 sale of coins issued under this subsection shall  
17 be promptly paid by the Secretary to the  
18 Franklin Delano Roosevelt Memorial Commis-  
19 sion.

20 (5) YELLOWSTONE NATIONAL PARK.—

21 (A) IN GENERAL.—To commemorate the  
22 125th anniversary of the establishment of Yel-  
23 lowstone National Park as the first national  
24 park in the United States, and the birth of the  
25 national park idea, during a 1-year period be-

1           ginning in 1997, the Secretary shall issue not  
2           more than 500,000 \$1 coins, each of which  
3           shall—

4                   (i) weigh 26.73 grams;

5                   (ii) have a diameter of 1.500 inches;

6           and

7                   (iii) contain 90 percent silver and 10  
8           percent alloy.

9           (B) SURCHARGES.—All sales of the coins  
10          issued under this subsection shall include a sur-  
11          charge of \$10 per coin.

12          (C) DISTRIBUTION OF SURCHARGES.—All  
13          surcharges received by the Secretary from the  
14          sale of coins issued under this subsection shall  
15          be promptly paid by the Secretary in accord-  
16          ance with the following:

17                   (i) Fifty percent of the surcharges re-  
18                  ceived shall be paid to the National Park  
19                  Foundation to be used for the support of  
20                  national parks.

21                   (ii) Fifty percent of the surcharges re-  
22                  ceived shall be paid to Yellowstone Na-  
23                  tional Park.

24          (6) NATIONAL LAW ENFORCEMENT OFFICERS  
25          MEMORIAL.—

1 (A) IN GENERAL.—To recognize the sac-  
2 rifice of law enforcement officers and their fam-  
3 ilies in preserving public safety, during a 1-year  
4 period beginning in 1997, the Secretary shall  
5 issue not more than 500,000 \$1 coins, each of  
6 which shall—

7 (i) weigh 26.73 grams;

8 (ii) have a diameter of 1.500 inches;

9 and

10 (iii) contain 90 percent silver and 10  
11 percent alloy.

12 (B) SURCHARGES.—All sales of the coins  
13 issued under this subsection shall include a sur-  
14 charge of \$10 per coin.

15 (C) DISTRIBUTION OF SURCHARGES.—  
16 After receiving surcharges from the sale of the  
17 coins issued under this subsection, the Sec-  
18 retary shall transfer to the Secretary of the In-  
19 terior an amount equal to the surcharges re-  
20 ceived from the sale of the coins issued under  
21 this subsection, which amount shall be depos-  
22 ited in the Fund established under section 201.

23 (D) AVAILABILITY.—The coins issued  
24 under this subsection shall be available for issu-  
25 ance not later than May 1997.



1 **SEC. 102. DESIGN.**

2 (a) SELECTION.—The design for each coin issued  
3 under this Act shall be—

4 (1) selected by the Secretary after consultation  
5 with the appropriate recipient organization or orga-  
6 nizations and the Commission of Fine Arts; and

7 (2) reviewed by the Citizens Commemorative  
8 Coin Advisory Committee.

9 (b) DESIGNATION AND INSCRIPTIONS.—On each coin  
10 issued under this Act there shall be—

11 (1) a designation of the value of the coin;

12 (2) an inscription of the year; and

13 (3) inscriptions of the words “Liberty”, “In  
14 God We Trust”, “United States of America”, and  
15 “E Pluribus Unum”.

16 **SEC. 103. LEGAL TENDER.**

17 The coins issued under this Act shall be legal tender,  
18 as provided in section 5103 of title 31, United States  
19 Code.

20 **SEC. 104. SOURCES OF BULLION.**

21 (a) GOLD.—The Secretary shall obtain gold for mint-  
22 ing coins under this Act pursuant to the authority of the  
23 Secretary under other provisions of law.

24 (b) SILVER.—The Secretary shall obtain silver for  
25 minting coins under this Act from sources the Secretary  
26 determines to be appropriate, including stockpiles estab-

1 lished under the Strategic and Critical Materials Stock  
2 Piling Act.

3 **SEC. 105. SALE PRICE.**

4 Each coin issued under this Act shall be sold by the  
5 Secretary at a price equal to the sum of—

6 (1) the face value of the coin;

7 (2) the surcharge provided in section 101 with  
8 respect to the coin;

9 (3) the cost of designing and issuing the coin  
10 (including labor, materials, dies, use of machinery,  
11 overhead expenses, marketing, and shipping); and

12 (4) the estimated profit determined under sec-  
13 tion 106(b) with respect to the coin.

14 **SEC. 106. DETERMINATION OF COSTS AND PROFIT.**

15 (a) DETERMINATION OF COSTS.—With respect to the  
16 coins issued under this Act, the Secretary shall, on an on-  
17 going basis, determine—

18 (1) the costs incurred in carrying out each coin  
19 program authorized under this Act; and

20 (2) the allocation of overhead costs among all  
21 coin programs authorized under this Act.

22 (b) DETERMINATION OF PROFIT.—Prior to the sale  
23 of each coin issued under this Act, the Secretary shall cal-  
24 culate the estimated profit to be included in the sale price  
25 of the coin under section 105(4).

1 **SEC. 107. GENERAL WAIVER OF PROCUREMENT REGULA-**  
2 **TIONS.**

3 Section 5112(j) of title 31, United States Code, shall  
4 apply to the procurement of goods or services necessary  
5 to carrying out the programs and operations of the United  
6 States Mint under this Act.

7 **SEC. 108. PROHIBITION ON JUDICIAL REVIEW.**

8 Each determination made by the Secretary in imple-  
9 menting a commemorative coin program under this Act  
10 shall be made in the sole discretion of the Secretary and  
11 shall not be subject to judicial review.

12 **SEC. 109. AUDITS.**

13 The Comptroller General of the United States shall  
14 have the right to examine such books, records, documents,  
15 and other data of each recipient organization as may be  
16 related to the expenditures of amounts paid under section  
17 101.

18 **SEC. 110. FINANCIAL ASSURANCES.**

19 It is the sense of the Congress that each coin program  
20 authorized under this Act should be self-sustaining and  
21 should be administered so as not to result in any net cost  
22 to the Numismatic Public Enterprise Fund.

1 **TITLE II—NATIONAL LAW EN-**  
2 **FORCEMENT OFFICERS ME-**  
3 **MORIAL MAINTENANCE FUND**

4 **SEC. 201. NATIONAL LAW ENFORCEMENT OFFICERS MEMO-**  
5 **RIAL MAINTENANCE FUND.**

6 (a) ESTABLISHMENT.—

7 (1) IN GENERAL.—There is established the Na-  
8 tional Law Enforcement Officers Memorial Mainte-  
9 nance Fund, which shall be a revolving fund admin-  
10 istered by the Secretary of the Interior (or the des-  
11 ignee of the Secretary of the Interior).

12 (2) FUNDING.—Amounts in the Fund shall in-  
13 clude—

14 (A) amounts deposited in the Fund under  
15 section 101(6); and

16 (B) any donations received under para-  
17 graph (3).

18 (3) DONATIONS.—The Secretary of the Interior  
19 may accept donations to the Fund.

20 (4) INTEREST-BEARING ACCOUNT.—The Fund  
21 shall be maintained in an interest-bearing account  
22 within the Treasury of the United States.

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

1           (1) for the maintenance and repair of the Na-  
2           tional Law Enforcement Officers Memorial in Wash-  
3           ington, D.C.;

4           (2) to periodically add the names of law en-  
5           forcement officers who have died in the line of duty  
6           to the National Law Enforcement Officers Memo-  
7           rial;

8           (3) for the security of the National Law En-  
9           forcement Officers Memorial site, including the post-  
10          ing of National Park Service rangers and United  
11          States Park Police, as appropriate;

12          (4) at the discretion of the Secretary of the In-  
13          terior and in consultation with the Secretary and the  
14          Attorney General of the United States, who shall es-  
15          tablish an equitable procedure between the Fund  
16          and such other organizations as may be appropriate,  
17          to provide educational scholarships to the immediate  
18          family members of law enforcement officers killed in  
19          the line of duty whose names appear on the National  
20          Law Enforcement Officers Memorial, the total an-  
21          nual amount of such scholarships not to exceed 10  
22          percent of the annual income of the Fund;

23          (5) for the dissemination of information regard-  
24          ing the National Law Enforcement Officers Memo-  
25          rial to the general public;

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

4                   (A) 10 percent of the annual income of the  
5           Fund; or

6                   (B) \$200,000 during any 1-year period;  
7           and

8           (7) at the discretion of the Secretary of the In-  
9           terior, in consultation with the Fund, for appro-  
10          priate purposes in the event of an emergency affect-  
11          ing the operation of the National Law Enforcement  
12          Officers Memorial, except that, during any 1-year  
13          period, not more than \$200,000 of the principal of  
14          the Fund may be used to carry out this paragraph.

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

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