

106TH CONGRESS
2D SESSION

H. R. 4259

AN ACT

To require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, and for other purposes.

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To require the Secretary of the Treasury to mint coins in commemoration of the National Museum of the American Indian of the Smithsonian Institution, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Museum of
3 the American Indian Commemorative Coin Act of 2000”,
4 or the “American Buffalo Coin Commemorative Coin Act
5 of 2000”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Smithsonian Institution was established
9 in 1846, with funds bequeathed to the United States
10 by James Smithson for the “increase and diffusion
11 of knowledge”.

12 (2) Once established, the Smithsonian Institu-
13 tion became an important part of the process of de-
14 veloping the United States national identity, an on-
15 going role which continues today.

16 (3) The Smithsonian Institution, which is now
17 the world’s largest museum complex, including 16
18 museums, 4 research centers, and the National Zoo,
19 is visited by millions of Americans and people from
20 all over the world each year.

21 (4) The National Museum of the American In-
22 dian of the Smithsonian Institution (hereafter re-
23 ferred to in this section as the “NMAI”) was estab-
24 lished by an Act of Congress in 1989, in Public Law
25 101–185.

1 (5) The purpose of the NMAI, as established by
2 Congress, is to—

3 (A) advance the study of Native Ameri-
4 cans, including the study of language, lit-
5 erature, history, art, anthropology, and life;

6 (B) collect, preserve, and exhibit Native
7 American objects of artistic, historical, literary,
8 anthropological, and scientific interest; and

9 (C) provide for Native American research
10 and study programs.

11 (6) The NMAI works in cooperation with Na-
12 tive Americans and oversees a collection that spans
13 more than 10,000 years of American history.

14 (7) It is fitting that the NMAI will be located
15 in a place of honor near the United States Capitol,
16 and on the National Mall.

17 (8) Thousands of Americans, including many
18 American Indians, came from all over the Nation to
19 witness the ground-breaking ceremony for the NMAI
20 on September 28, 1999.

21 (9) The NMAI is scheduled to open in the sum-
22 mer of 2002.

23 (10) The original 5-cent buffalo nickel, as de-
24 signed by James Earle Fraser and minted from
25 1913 through 1938, which portrays a profile rep-

1 resentation of a Native American on the obverse side
2 and a representation of an American buffalo on the
3 reverse side, is a distinctive and appropriate model
4 for a coin to commemorate the NMAI.

5 (11) The surcharge proceeds from the sale of a
6 commemorative coin, which would have no net cost
7 to the taxpayers, would raise valuable funding for
8 the opening of the NMAI and help to supplement
9 the endowment and educational outreach funds of
10 the NMAI.

11 **SEC. 3. COIN SPECIFICATIONS.**

12 (a) \$1 SILVER COINS.—In commemoration of the
13 opening of the Museum of the American Indian of the
14 Smithsonian Institution, the Secretary of the Treasury
15 (hereafter in this Act referred to as the “Secretary”) shall
16 mint and issue not more than 500,000 \$1 coins, each of
17 which shall—

18 (1) weigh 26.73 grams;

19 (2) have a diameter of 1.500 inches; and

20 (3) contain 90 percent silver and 10 percent
21 copper.

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

1 **SEC. 4. SOURCES OF BULLION.**

2 The Secretary may obtain silver for minting coins
3 under this Act from any available source, including stock-
4 piles established under the Strategic and Critical Mate-
5 rials Stock Piling Act.

6 **SEC. 5. DESIGN OF COINS.**

7 (a) DESIGN REQUIREMENTS.—

8 (1) IN GENERAL.—The design of the \$1 coins
9 minted under this Act shall be based on the original
10 5-cent buffalo nickel designed by James Earle Fra-
11 ser and minted from 1913 through 1938. Each coin
12 shall have on the obverse side a profile representa-
13 tion of a Native American, and on the reverse side,
14 a representation of an American buffalo (also known
15 as a bison).

16 (2) DESIGNATION AND INSCRIPTIONS.—On
17 each coin minted under this Act there shall be—

18 (A) a designation of the value of the coin;

19 (B) an inscription of the year “2001”; and

20 (C) inscriptions of the words “Liberty”,
21 “In God We Trust”, “United States of Amer-
22 ica”, and “E Pluribus Unum”.

23 (b) SELECTION.—The design for the coins minted
24 under this Act shall be—

25 (1) selected by the Secretary, after consultation
26 with the Commission of Fine Arts; and

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

3 **SEC. 6. ISSUANCE OF COINS.**

4 (a) **QUALITY OF COINS.**—Coins minted under this
5 Act shall be issued in uncirculated and proof qualities.

6 (b) **MINT FACILITY.**—

7 (1) **IN GENERAL.**—Only 1 facility of the United
8 States Mint may be used to strike any particular
9 quality of the coins minted under this Act.

10 (2) **SENSE OF THE CONGRESS.**—It is the sense
11 of the Congress that the United States Mint facility
12 in Denver, Colorado should strike the coins author-
13 ized by this Act, unless the Secretary determines
14 that such action would be technically or cost-prohibi-
15 tive.

16 (c) **COMMENCEMENT OF ISSUANCE.**—The Secretary
17 may issue coins minted under this Act beginning on Janu-
18 ary 1, 2001.

19 (d) **TERMINATION OF MINTING.**—No coins may be
20 minted under this Act after December 31, 2001.

21 **SEC. 7. SALE OF COINS.**

22 (a) **SALE PRICE.**—The coins issued under this Act
23 shall be sold by the Secretary at a price equal to the sum
24 of—

25 (1) the face value of the coins;

1 (2) the surcharge required by subsection (d)
2 with respect to such coins; and

3 (3) the cost of designing and issuing the coins
4 (including labor, materials, dies, use of machinery,
5 overhead expenses, marketing, and shipping).

6 (b) BULK SALES.—The Secretary shall make bulk
7 sales of the coins issued under this Act at a reasonable
8 discount.

9 (c) PREPAID ORDERS.—

10 (1) IN GENERAL.—The Secretary shall accept
11 prepaid orders for the coins minted under this Act
12 before the issuance of such coins.

13 (2) DISCOUNT.—Sale prices with respect to pre-
14 paid orders under paragraph (1) shall be at a rea-
15 sonable discount.

16 (d) SURCHARGES.—All sales of coins minted under
17 this Act shall include a surcharge of \$10 per coin.

18 **SEC. 8. DISTRIBUTION OF SURCHARGES.**

19 (a) IN GENERAL.—Subject to section 5134(f) of title
20 31, United States Code, the proceeds from the surcharges
21 received by the Secretary from the sale of coins issued
22 under this Act shall be paid promptly by the Secretary
23 to the National Museum of the American Indian of the
24 Smithsonian Institution for the purposes of—

1 (1) commemorating the opening of the National
2 Museum of the American Indian; and

3 (2) supplementing the endowment and edu-
4 cational outreach funds of the Museum of the Amer-
5 ican Indian.

6 (b) AUDITS.—The National Museum of the American
7 Indian shall be subject to the audit requirements of section
8 5134(f)(2) of title 31, United States Code, with regard
9 to the amounts received by the museum under subsection
10 (a).

11 **SEC. 9. FINANCIAL ASSURANCES.**

12 (a) NO NET COST TO THE GOVERNMENT.—The Sec-
13 retary shall take such actions as may be necessary to en-
14 sure that minting and issuing coins under this Act will
15 not result in any net cost to the United States Govern-
16 ment.

17 (b) PAYMENT FOR COINS.—A coin shall not be issued
18 under this Act unless the Secretary has received—

19 (1) full payment for the coin;

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

22 (3) a guarantee of full payment satisfactory to
23 the Secretary from a depository institution, the de-
24 posits of which are insured by the Federal Deposit

1 Insurance Corporation or the National Credit Union
2 Administration Board.

Passed the House of Representatives September 26,
2000.

Attest:

Clerk.