

111TH CONGRESS
2^D SESSION

H. R. 1177

IN THE SENATE OF THE UNITED STATES

MAY 24, 2010

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

To require the Secretary of the Treasury to mint coins in recognition of five United States Army 5-Star Generals, George Marshall, Douglas MacArthur, Dwight Eisenhower, Henry “Hap” Arnold, and Omar Bradley, alumni of the United States Army Command and General Staff College, Fort Leavenworth, Kansas, to coincide with the celebration of the 132nd Anniversary of the founding of the United States Army Command and General Staff College.

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 “5-Star Generals Com-
5 memorative Coin Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The United States Army Command and
9 General Staff College, founded in 1881, has in its
10 many evolutionary forms, served this country con-
11 sistentlly and well for 127 years.

12 (2) The Command and General Staff College
13 has played a decisive role in the education and train-
14 ing of officers, particularly in their field grade years
15 of service, in times of war and peace, since its estab-
16 lishment.

17 (3) The Command and General Staff College
18 has had a salutatory effect on many fields of battle
19 by providing its officer student bodies the necessary
20 skills of battle management, leadership development,
21 and the most modern and effective command and
22 staff action procedures, all of which have been key
23 to this Nations’ success in its many conflicts which,
24 thereby, have preserved its freedoms and way of life.

1 (4) The Command and General Staff College,
2 the Nations’ oldest military staff college, does not
3 have a commemorative coin cast in celebrating its
4 long and honorable history, displaying its heritage,
5 and serving as a reminder to the holder of such
6 coins the service to the Nation its graduates have
7 provided in war and peace.

8 (5) The United States Army Command and
9 General Staff College is the Nation’s largest and
10 oldest military staff college, continuing to educate
11 officers from all United States branches of military
12 services, select members of our civil government, and
13 officers from many friendly and allied nations from
14 around the globe. Located in the middle of the
15 American heartland, will continue to serve as a bea-
16 con of light to the proposition of intellectual curi-
17 osity and professional military excellence in the de-
18 velopment of its students, and serve as a link to
19 American citizenry grateful for the sacrifices, some
20 in the fullest measure of duty and devotion to the
21 Nation, made by the graduates of its Command and
22 Staff College.

23 (6) The Command and General Staff College
24 Foundation, Inc. (in this Act referred to as the
25 “Foundation”) is dedicated to promoting excellence

1 in the faculty and students of the United States
2 Army Command and General Staff College. Seeking
3 new ways to educate and remind our citizens regard-
4 ing the capable and selfless service of our military
5 officers, and to imbue in them a sense of pride in
6 those who bear the burden of military leadership in
7 our Nation's wars and in times of peace.

8 (7) The Foundation is a nongovernmental,
9 member-based, and publicly supported nonprofit or-
10 ganization that is entirely dependent on funds from
11 members, donations, and grants for its functions
12 and supports exclusively the United States Army
13 Command and General Staff College.

14 (8) The Foundation uses funding to provide the
15 Margin of Excellence to the programs and activities
16 of the College in support of the educational needs of
17 the Nation's field grade officer corps, and the fac-
18 ulty and staff attendant thereto.

19 (9) In 2006, the Secretary of the Army accept-
20 ed the first Foundation gift to the College in support
21 of the Command and General Staff College.

22 (10) The Foundation is actively engaged in the
23 initial stages of its first capital campaign to support
24 the Command and General Staff College.

1 (11) The five 5-Star Generals who attended or
2 taught at the Command and General Staff College;
3 include Douglas MacArthur, George C. Marshall,
4 Henry “Hap” Arnold, Dwight D. Eisenhower, and
5 Omar N. Bradley.

6 (12) DOUGLAS MACARTHUR, GENERAL OF THE
7 ARMY.—

8 (A) General MacArthur was a distin-
9 guished soldier, scholar, and strategist who
10 gave 61 years of service to his country.

11 (B) He commanded the 42d Division in
12 World War I, and later served as the Chief of
13 the Army General Staff. Prior to retirement, he
14 was the Military Advisor to the Commonwealth
15 of the Philippines.

16 (C) In 1941, he was recalled to active duty
17 as Commanding General, United States Army
18 Far East.

19 (D) He was awarded the Medal of Honor
20 for his heroic defense of the Philippines.

21 (E) After being ordered to depart the Phil-
22 ippines by the President, he inspired the world
23 with his statement, “I shall return.”.

24 (F) Forces under his command defeated
25 those of the Empire of Japan.

1 (G) After accepting the Japanese sur-
2 render, he directed the highly successful recon-
3 struction of the Japanese nation, and served as
4 the first commander of United Nations Forces
5 during the Korean War.

6 (H) General MacArthur, son of General
7 Arthur MacArthur, spent time as a child at Ft.
8 Leavenworth and later in his career, he taught
9 as a Captain in the Field Engineering School,
10 and served as the adjutant, quartermaster, and
11 commanding officer of the 3d Engineer Bat-
12 talion (later reflagged as the 2d Engineer Bat-
13 talion).

14 (13) GEORGE C. MARSHALL, GENERAL OF THE
15 ARMY.—

16 (A) General George C. Marshall entered
17 the Army from the Virginia Military Institute
18 in 1902.

19 (B) During a long career of public service,
20 he distinguished himself as a leader, tactician,
21 strategist, statesman, and, truly, as the “Orga-
22 nizer of Victory”.

23 (C) In World War I, he was regarded as
24 one of the most talented staff officers in the
25 United States Army.

1 (D) After that war, and throughout the
2 many long and challenging duties of the
3 interwar years, he was appointed United States
4 Army Chief of the General Staff in 1939.

5 (E) During World War II, he achieved rec-
6 ognition as one of America's greatest military
7 leaders.

8 (F) As chief strategist of that global war,
9 he materially assisted in directing the Allied
10 Powers to victory.

11 (G) In 1947 he was appointed Secretary of
12 State for the United States and his outstanding
13 career as a statesman proved equal to his bril-
14 liant military career.

15 (H) He was awarded the Nobel Peace
16 Prize for his conception and implementation of
17 the European Recovery Program, and, subse-
18 quently, he served as the Secretary of Defense
19 for 1 year.

20 (I) General Marshall's service at Ft. Leav-
21 enworth included graduation from the United
22 States Army School of the Line in 1907, the
23 United States Army Staff College in 1908, fol-
24 lowed by instructor duty at Ft. Leavenworth
25 from in 1909 and 1910.

1 (14) HENRY H. ARNOLD, GENERAL OF THE
2 ARMY.—

3 (A) General “Hap” Arnold is the only offi-
4 cer in the history of our country to earn the
5 ranks of General of the Army and General of
6 the Air Force.

7 (B) General Arnold, a graduate of West
8 Point in 1907, received his pilot training in
9 1911 from the Wright brothers in Dayton,
10 Ohio.

11 (C) He became one of our Nation’s strong-
12 est advocates for air power, and personally held
13 numerous records and trophies for flying
14 achievements, to include the first delivery of
15 United States mail by air.

16 (D) Accomplishments in and from the air
17 in the World Wars, particularly in World War
18 II, were heavily influenced by his genius.

19 (E) As a result of General Arnold’s con-
20 tributions, massed air power gave a third di-
21 mension to battles of World War II, swept the
22 skies of the enemy, and denied him mobility on
23 the ground.

24 (F) One of General Arnold’s citations
25 reads in part: “From conception to execution,

1 General Arnold's leadership guided the mightiest
2 air force in history".

3 (G) General Arnold's service at Ft. Leavenworth
4 was as a student at the Command and
5 General Staff College, 1928–1929.

6 (15) DWIGHT D. EISENHOWER, GENERAL OF
7 THE ARMY.—

8 (A) General Dwight D. Eisenhower, in
9 1915, began a career of distinguished public
10 service reaching the highest positions of military
11 and civil leadership in the United States.

12 (B) During World War II, as Commander
13 in Chief, Allied Expeditionary Force, he led the
14 invasion of North Africa and defeated the German
15 force on that continent.

16 (C) In 1944, as Supreme Allied Commander,
17 Allied Expeditionary Force, he was instructed:
18 "You will enter the continent of Europe, and, in
19 conjunction with other United Nations, undertake
20 operations aimed at the heart of Germany and the
21 destruction of her armed forces".

22 (D) In accomplishing this mission, he commanded
23 the largest combination of land, sea
24 and air forces in history.

1 (E) Following World War II, he was in-
2 strumental in the development of the North At-
3 lantic Treaty Organization.

4 (F) After his brilliant military career he
5 was elected 34th President of the United
6 States.

7 (G) His service at Ft. Leavenworth was
8 1917–1918 as a tactical instructor officer for a
9 course for lieutenants and in 1925–1926 as a
10 student at the Command and General Staff
11 College from which he was the honor graduate
12 of his class.

13 (16) OMAR N. BRADLEY, GENERAL OF THE
14 ARMY.—

15 (A) Throughout his distinguished military
16 career, General Omar N. Bradley was recog-
17 nized as an exceptional leader, tactician, and
18 educator.

19 (B) As Commandant of the Infantry
20 School, he developed the officer candidate pro-
21 gram through which more than 45,000 combat
22 leaders of World War II were commissioned.

23 (C) During the war, he successfully com-
24 manded a division, corps, army, and army
25 group. While commanding II Corps, he was in-

1 instrumental in defeating German forces in North
2 Africa and Sicily.

3 (D) His successful career as a field com-
4 mander reached a peak when, as commander of
5 the 12th Army Group, he greatly assisted in the
6 liberation of Europe.

7 (E) This group contained the largest num-
8 ber of American to ever serve under one com-
9 mander. He became the Army Chief of Staff in
10 1948 and the first Chairman of the Joint
11 Chiefs of Staff in 1949.

12 (F) General Bradley's service at Ft. Leav-
13 enworth was as a student at the Command and
14 General Staff College, 1928–1929.

15 **SEC. 3. COIN SPECIFICATIONS.**

16 (a) DENOMINATIONS.—In recognition and celebration
17 of the 5-Star Generals attendance and graduation from
18 the Command and General Staff College, and notwith-
19 standing any other provision of law, the Secretary of the
20 Treasury (hereafter in this act referred to as the “Sec-
21 retary”) shall mint and issue the following coins:

22 (1) \$5 GOLD COINS.—Not more than 100,000
23 \$5 coins, which shall—

24 (A) weigh 8.359 grams;

25 (B) have diameter of 0.850 inches; and

1 (C) contain 90 percent gold and 10 percent
2 alloy.

3 (2) \$1 SILVER COINS.—Not more than 500,000
4 \$1 coins, which shall—

5 (A) weigh 26.73 grams;

6 (B) have a diameter of 1.500 inches; and

7 (C) contain 90 percent silver and 10 per-
8 cent copper.

9 (3) HALF DOLLAR CLAD COINS.—Not more
10 than 750,000 half dollar coins which shall—

11 (A) weigh 11.34 grams;

12 (B) have a diameter of 1.205 inches; and

13 (C) be minted to the specifications for half
14 dollar coins contained in section 5112(b) of title
15 31, United States Code.

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

19 (c) NUMISMATIC ITEMS.—For purposes of sections
20 5134 and 5136 of title 31, United States Code, all coins
21 minted under this Act shall be considered to be numis-
22 matic items.

23 **SEC. 4. DESIGN OF COINS.**

24 (a) DESIGN REQUIREMENTS.—

1 (1) IN GENERAL.—The design of the coins
2 minted under this Act shall include the portraits of
3 Generals George C. Marshall, Douglas MacArthur,
4 Dwight D. Eisenhower, Henry “Hap” Arnold and
5 Omar N. Bradley.

6 (2) DESIGNATIONS AND INSCRIPTIONS.—On
7 each coin minted under this Act there shall be—

8 (A) a designation of the face value of the
9 coin;

10 (B) an inscription of the year “2013”; and

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

14 (b) SELECTION.—The design for the coins minted
15 under this Act shall—

16 (1) be selected by the Secretary after consulta-
17 tion with the Command and General Staff College
18 Foundation, and the Commission of Fine Arts; and

19 (2) be reviewed by the Citizens Coinage Advi-
20 sory Committee.

21 **SEC. 5. ISSUANCE OF COINS.**

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

24 (b) MINT FACILITIES.—For each of the three coins
25 minted under this Act, at least one facility will be used

1 to strike proof quality coins, while at least one other facil-
2 ity will be used to strike the uncirculated quality coins.

3 (c) PERIOD FOR ISSUANCE.—The Secretary may
4 issue coins minted under this Act only during the 1-year
5 period beginning on January 1, 2013.

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

7 (a) SALE PRICE.—The coins issued under this Act
8 shall be sold by the Secretary at a price equal to the sum
9 of—

10 (1) the face value of the coins;

11 (2) the surcharge provided in section 7(a) with
12 respect to such coins; and

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

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

19 (c) PREPAID ORDERS.—

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

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

1 **SEC. 7. SURCHARGES.**

2 (a) IN GENERAL.—All sales of coins minted under
3 this Act shall include a surcharge as follows:

4 (1) A surcharge of \$35 per coin for the \$5 coin.

5 (2) A surcharge of \$10 per coin for the \$1 coin.

6 (3) A surcharge of \$5 per coin for the half dol-
7 lar coin.

8 (b) DISTRIBUTION.—Subject to section 5134(f) of
9 title 31, United States Code, all surcharges received by
10 the Secretary from the sale of coins issued under this Act
11 shall be promptly paid by the Secretary to the Command
12 and General Staff College Foundation to help finance its
13 support of the Command and General Staff College.

14 (c) AUDITS.—The Command and General Staff Col-
15 lege Foundation shall be subject to the audit requirements
16 of section 5134(f)(2) of title 31, United States Code, with
17 regard to the amounts received by the Foundation under
18 subsection (b).

19 (d) LIMITATION.—Notwithstanding subsection(a), no
20 surcharge may be included with respect to the issuance
21 under this Act of any coin during a calendar year if, as
22 of the time of such issuance, the issuance of such coin
23 would result in the number of commemorative coin pro-
24 grams issued during such year to exceed the annual com-
25 memorative coin program issuance limitation under sec-
26 tion 5112(m)(1) of title 31, United States Code (as in ef-

1 fect on the date of the enactment of this Act). The Sec-
2 retary of the Treasury may issue guidance to carry out
3 this subsection.

4 **SEC. 8. BUDGET COMPLIANCE.**

5 The budgetary effects of this Act, for the purpose of
6 complying with the Statutory Pay-As-You-Go Act of 2010,
7 shall be determined by reference to the latest statement
8 titled “Budgetary Effects of PAYGO Legislation” for this
9 Act, submitted for printing in the Congressional Record
10 by the Chairman of the Committee on the Budget of the
11 House of Representatives, provided that such statement
12 has been submitted prior to the vote on passage.

Passed the House of Representatives May 20, 2010.

Attest:

LORRAINE C. MILLER,

Clerk.