

111TH CONGRESS  
1ST SESSION

# S. 455

To require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-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 132d Anniversary of the founding of the United States Army Command and General Staff College.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 23, 2009

Mr. ROBERTS (for himself and Mr. BROWNBACK) 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 require the Secretary of the Treasury to mint coins in recognition of 5 United States Army Five-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 132d 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,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Five-Star Generals  
3 Commemorative Coin Act”.

4 **SEC. 2. FINDINGS.**

5       Congress finds that—

6           (1) the United States Army Command and  
7 General Staff College at Fort Leavenworth, Kansas  
8 (in this Act referred to as the “CGSC”) has, in its  
9 many evolutionary forms, served this Nation consist-  
10 ently and well for 127 years, since its founding in  
11 1881;

12           (2) the CGSC has played a decisive role in the  
13 education and training of officers, particularly in  
14 their field grade years of service, in times of war and  
15 peace, since its establishment;

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

24           (4) the CGSC does not have a commemorative  
25 coin cast in celebrating its long and honorable his-  
26 tory, displaying its heritage, and serving as a re-

1       minder to the holder of such coins of the service to  
2       the Nation its graduates have provided in war and  
3       peace;

4           (5) the CGSC is the Nation's largest and oldest  
5       military staff college, and continues to educate offi-  
6       cers of all branches of the United States Armed  
7       Forces, select members of civilian government, and  
8       officers from many friendly and allied nations from  
9       around the globe;

10          (6) located squarely in the American heartland,  
11       the CGSC will continue to serve as a beacon of light  
12       to the proposition of intellectual curiosity and pro-  
13       fessional military excellence in the development of its  
14       students, and serve as a link to American citizenry  
15       grateful for the sacrifices, some in the fullest meas-  
16       ure of duty and devotion to the Nation, made by its  
17       graduates;

18          (7) the United States Army Command and  
19       General Staff College Foundation, Inc. (in this Act  
20       referred to as the "Foundation") is dedicated to pro-  
21       moting excellence in the faculty and students of the  
22       CGSC, and to seek new ways to educate and remind  
23       citizens of the capable and selfless service of United  
24       States military officers, and to imbue in them a  
25       sense of pride in those who bear the burden of mili-

1        tary leadership in the Nation’s wars and in times of  
2        peace;

3            (8) the Foundation is a nongovernmental, mem-  
4        ber-based, and publicly supported nonprofit organi-  
5        zation that is entirely dependent on funds from  
6        members, donations, and grants for its functions  
7        and supports exclusively the CGSC;

8            (9) the Foundation uses funding to provide the  
9        Margin of Excellence to the programs and activities  
10       of the CGSC in support of the educational needs of  
11       the general officer corps of the Armed Forces, and  
12       the faculty and staff attendant thereto;

13           (10) in 2006, the Secretary of the Army accept-  
14       ed the first Foundation gift in support of the CGSC;

15           (11) the Foundation is actively engaged in the  
16       initial stages of its first capital campaign to support  
17       the CGSC;

18           (12) the 5 Five-Star Generals who attended or  
19       taught at the CGSC at Fort Leavenworth are Doug-  
20       las MacArthur, George C. Marshall, Henry “Hap”  
21       Arnold, Dwight D. Eisenhower, and Omar N. Brad-  
22       ley;

23           (13) Douglas MacArthur, General of the  
24       Army—

1 (A) was a distinguished soldier, scholar,  
2 and strategist who gave 61 years of service to  
3 his country;

4 (B) commanded the 42d Division in World  
5 War I, and later served as the Chief of the  
6 Army General Staff;

7 (C) prior to retirement, was the Military  
8 Advisor to the Commonwealth of the Phil-  
9ippines;

10 (D) in 1941, was recalled to active duty as  
11 Commanding General, United States Army, Far  
12 East;

13 (E) was awarded the Medal of Honor for  
14 his heroic defense of the Philippines;

15 (F) after being ordered to depart the Phil-  
16ippines by the President, inspired the world  
17 with his statement, "I shall return";

18 (G) led forces under his command to de-  
19feat those of the Empire of Japan;

20 (H) after accepting the Japanese sur-  
21render, directed the highly successful recon-  
22struction of the Japanese nation, and served as  
23the first commander of United Nations Forces  
24during the Korean War; and

1 (I) son of General Arthur MacArthur,  
2 spent time as a child at Fort Leavenworth and  
3 taught as a Captain in the Field Engineering  
4 School, and served as the adjutant, quarter-  
5 master, and commanding officer of the 3d En-  
6 gineer Battalion (later reflagged as the 2d En-  
7 gineer Battalion);

8 (14) George C. Marshall, General of the  
9 Army—

10 (A) entered the Army from the Virginia  
11 Military Institute in 1902;

12 (B) during a long career of public service,  
13 distinguished himself as a leader, tactician,  
14 strategist, statesman and, truly, as the “Orga-  
15 nizer of Victory”;

16 (C) in World War I, was regarded as 1 of  
17 the most talented staff officers in the United  
18 States Army;

19 (D) after World War I, and after many  
20 long and challenging duties during the interwar  
21 years, was appointed United States Army Chief  
22 of the General Staff in 1939;

23 (E) during World War II, achieved rec-  
24 ognition as one of America’s greatest military  
25 leaders;

1 (F) as chief strategist of World War II,  
2 materially assisted in directing the Allied Pow-  
3 ers to victory;

4 (G) in 1947, was appointed Secretary of  
5 State;

6 (H) had an outstanding career as a states-  
7 man, proving equal to his brilliant military ca-  
8 reer;

9 (I) was awarded the Nobel Peace Prize for  
10 his conception and implementation of the Euro-  
11 pean Recovery Program, and, subsequently,  
12 served as the Secretary of Defense for 1 year;  
13 and

14 (J) graduated from the United States  
15 Army School of the Line in 1907 and the  
16 United States Army Staff College in 1908, fol-  
17 lowed by instructor duty at Fort Leavenworth  
18 in 1909 and 1910;

19 (15) Henry H. “Hap” Arnold, General of the  
20 Army—

21 (A) is the only officer in the history of the  
22 United States to earn the ranks of General of  
23 the Army and General of the Air Force;

24 (B) a graduate of the United States Mili-  
25 tary Academy at West Point in 1907 and re-

1 received his pilot training in 1911 from the  
2 Wright brothers in Dayton, Ohio;

3 (C) became 1 of the Nation's strongest ad-  
4 vocates for air power, and personally held nu-  
5 merous records and trophies for flying achieve-  
6 ments, including the first delivery of United  
7 States mail by air, and many accomplishments  
8 in and from the air in the World Wars, particu-  
9 larly in World War II, were heavily influenced  
10 by his genius;

11 (D) as a result of his contributions, gave  
12 a third dimension to battles of World War II  
13 through massed air power, sweeping the skies  
14 of the enemy and denying to the enemy mobility  
15 on the ground;

16 (E) received a citation which reads in part:  
17 "from conception to execution, General Arnold's  
18 leadership guided the mightiest air force in his-  
19 tory"; and

20 (F) was at Fort Leavenworth as a student  
21 at the CGSC from 1928 through 1929;

22 (16) Dwight D. Eisenhower, General of the  
23 Army—

24 (A) in 1915, began a career of distin-  
25 guished public service, reaching the highest po-

1           sitions of military and civil leadership in the  
2           United States;

3           (B) during World War II, as Commander  
4           in Chief, Allied Expeditionary Force, led the in-  
5           vasion of North Africa and the defeat of the  
6           German forces on that continent;

7           (C) in 1944, as Supreme Allied Com-  
8           mander, Allied Expeditionary Force, was in-  
9           structed “You will enter the continent of Eu-  
10          rope, and, in conjunction with other United Na-  
11          tions, undertake operations aimed at the heart  
12          of Germany and the destruction of her armed  
13          forces”;

14          (D) in accomplishing that mission, com-  
15          manded the largest combination of land, sea,  
16          and air forces in history;

17          (E) following World War II, was instru-  
18          mental in the development of the North Atlan-  
19          tic Treaty Organization;

20          (F) after his brilliant military career, he  
21          was elected 34th president of the United States;

22          (G) served at Fort Leavenworth from 1917  
23          through 1918 as a tactical instructor officer for  
24          a course for lieutenants, and in 1925 through

1           1926, was a student at the CGSC, from which  
2           he was the honor graduate of his class; and

3           (17) Omar N. Bradley, General of the Army—

4                 (A) throughout his distinguished military  
5           career, was recognized as an exceptional leader,  
6           tactician, and educator;

7                 (B) as Commandant of the Infantry  
8           School, developed the officer candidate pro-  
9           gram, through which more than 45,000 leaders  
10          of United States combat forces in World War II  
11          were commissioned;

12                (C) during World War II, successfully  
13          commanded a division, corps, Army, and Army  
14          Group;

15                (D) while commanding II Corps, was in-  
16          strumental in defeating German forces in North  
17          Africa and Sicily;

18                (E) reached a peak in his successful career  
19          as a field commander when, as commander of  
20          the 12th Army Group, which contained the  
21          largest number of Americans to ever serve  
22          under 1 commander, he greatly assisted in the  
23          liberation of Europe;

1 (F) became the Army Chief of Staff in  
2 1948 and the first Chairman of the Joint  
3 Chiefs of Staff in 1949; and

4 (G) was at Fort Leavenworth as a student  
5 at the CGSC, from 1928 through 1929.

6 **SEC. 3. COIN SPECIFICATIONS.**

7 (a) DENOMINATIONS.—In recognition and celebration  
8 of the Five-Star Generals' attendance and graduation  
9 from the CGSC, and notwithstanding any other provision  
10 of law, the Secretary of the Treasury (hereafter in this  
11 Act referred to as the "Secretary") shall mint and issue  
12 the following coins:

13 (1) \$5 GOLD COINS.—Not more than 100,000  
14 \$5 coins, which shall—

15 (A) weigh 8.359 grams;

16 (B) have a diameter of 0.850 inches; and

17 (C) contain 90 percent gold and 10 percent  
18 alloy.

19 (2) \$1 SILVER COINS.—Not more than 500,000  
20 \$1 coins, which shall—

21 (A) weigh 26.73 grams;

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

23 (C) contain 90 percent silver and 10 per-  
24 cent copper.

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

3                   (A) weigh 11.34 grams;

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

5                   (C) be minted to the specifications for half  
6           dollar coins contained in section 5112(b) of title  
7           31, United States Code.

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

11          (c) NUMISMATIC ITEMS.—For purposes of sections  
12          5134 and 5136 of title 31, United States Code, all coins  
13          minted under this Act shall be considered to be numis-  
14          matic items.

15   **SEC. 4. DESIGN OF COINS.**

16          (a) DESIGN REQUIREMENTS.—

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

22               (2) DESIGNATIONS AND INSCRIPTIONS.—On  
23               each coin minted under this Act, there shall be—

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

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

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

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

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

9 (2) be reviewed by the Citizens Coinage Advi-  
10 sory Committee.

11 **SEC. 5. ISSUANCE OF COINS.**

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

14 (b) MINT FACILITIES.—For each of the 3 coins mint-  
15 ed under this Act, at least 1 facility shall be used to strike  
16 proof quality coins, while at least 1 other facility shall be  
17 used to strike the uncirculated quality coins.

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

21 **SEC. 6. 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 provided in section 7(a) with  
2       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 **SEC. 7. SURCHARGES.**

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

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

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

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

23       (b) DISTRIBUTION.—Subject to section 5134(f) of  
24       title 31, United States Code, all surcharges received by  
25       the Secretary from the sale of coins issued under this Act

1 shall be promptly paid by the Secretary to the Command  
2 and General Staff College Foundation to help finance their  
3 support of the CGSC.

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

9 (d) LIMITATION.—Notwithstanding subsection (a),  
10 no surcharge may be included with respect to the issuance  
11 under this Act of any coin during a calendar year if, as  
12 of the time of such issuance, the issuance of such coin  
13 would result in the number of commemorative coin pro-  
14 grams issued during such year to exceed the annual 2  
15 commemorative coin program issuance limitation under  
16 section 5112(m)(1) of title 31, United States Code (as in  
17 effect on the date of enactment of this Act). The Secretary  
18 of the Treasury may issue guidance to carry out this sub-  
19 section.

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