



Legislative Bulletin.....March 21, 2012

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Concurring in Senate Amendment to H.R. 886 - United States Marshals Service 225th Anniversary Commemorative Coin Act

Concurring in Senate Amendment to H.R. 886 - United States Marshals Service 225th Anniversary Commemorative Coin Act (Womack, R-AR)

Order of Business: The bill is scheduled to be considered on Wednesday, March 21, 2012, under a motion to suspend the rules and pass the legislation.

Senate Amendment: The Senate amendment requires that Treasury Secretary to take such actions as may be necessary to ensure that--

- minting and issuing coins under this Act will not result in any net cost to the United States Government;
- no funds, including applicable surcharges, shall be disbursed to any recipient that is designated until the total cost of designing and issuing all of the coins authorized by this Act (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping) is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

Summary: H.R. 886 requires the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service. H.R.886 would authorize the U.S. Mint to produce a \$5 gold coin, a \$1 silver coin, and a half-dollar clad coin in calendar year 2015 to recognize 225th anniversary of the establishment of the Nation's first Federal law enforcement agency. The following entails a detailed summary of the bill.

Coin Specifications

- The legislation would require the Secretary of the Treasury to mint and issue the following coins:

- Not more than 100,000 \$5 coins, which will:
 - weigh 8.359 grams;
 - have diameter of 0.850 inches; and
 - contain 90 percent gold and 10 percent alloy.
- Not more than 500,000 \$1 coins, which will:
 - weigh 26.73 grams;
 - have a diameter of 1.500 inches; and
 - contain 90 percent silver and 10 percent copper.
- Not more than 750,000 half-dollar coins which will:
 - weigh 11.34 grams;
 - have a diameter of 1.205 inches; and
 - be minted to the specifications for half-dollar coins contained in section 5112(b) of title 31, United States Code.
- The coins minted under this bill must be legal tender, as provided in section 5103 of title 31, United States Code.
- For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

Design of the Coins

- The legislation would require the design of the coins minted under this bill to be emblematic of the 225 years of exemplary and unparalleled achievements of the United States Marshals Service. The bill would require that each minted coin have a designation of the value of the coin, an inscription of the year “2015”, the years 1789 and 2014, and inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.
- The legislation requires the images for the designs of coins issued under this Act shall be selected on the basis of the realism and historical accuracy of the images and on the extent to which the images are reminiscent of the dramatic and beautiful artwork on coins of the so-called ‘Golden Age of Coinage’ in the United States, at the beginning of the 20th Century, with the participation of such noted sculptors and medallic artists as James Earle Fraser, Augustus Saint-Gaudens, Victor David Brenner, Adolph A. Weinman, Charles E. Barber, and George T. Morgan.
- The bill requires design for the coins to be selected by the Secretary after consultation with the Director of the United States Marshals Service and the Commission of Fine Arts; and reviewed by the Citizens Coin Advisory Committee.

Issuance of Coins

- The legislation requires coins minted under this Act shall be issued in proof quality and uncirculated quality. The legislation also requires that only one facility of the United States Mint may be used to strike any particular combination of denomination and quality of the coins minted under this Act. The Secretary may issue coins, to the public, minted under this Act beginning on or after January 1, 2015, except for a limited number to be issued prior to such date to the Director of the United States Marshals Service and

employees of the Service for display and presentation during the 225th Anniversary celebration.

Sale of Coins

- The legislation requires the coins issued under this bill will be sold by the Secretary at a price equal to the sum of the face value of the coins, the surcharge with respect to such coins; and the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping). The Secretary is required to make bulk sales of the coins issued under this bill at a reasonable discount. The Secretary is also required to accept prepaid orders for the coins minted under this bill before the issuance of the coins, and the sale prices with respect to prepaid orders must be at a reasonable discount.

Surcharges

- H.R. 2527 requires that all sales of coins minted under this bill include a surcharge as follows:
 - A surcharge of \$35 per coin for the \$5 coin.
 - A surcharge of \$10 per coin for the \$1 coin.
 - A surcharge of \$3 per coin for the half-dollar coin.
- The legislation also requires that the first \$5,000,000 available for distribution under this section, to the U.S. Marshals Museum, Inc., also known as the United States Marshals Museum, for the preservation, maintenance, and display of artifacts and documents. Of amounts available for distribution after the payment:
 - Thirty-three and one-third percent shall be distributed to The National Center for Missing & Exploited Children.
 - Thirty-three and one-third percent shall be distributed to the National Law Enforcement Officers Memorial Fund, in support of the National Law Enforcement Museum and the National Law Enforcement Officers Memorial.
 - Thirty-three and one-third percent shall be distributed to the Federal Law Enforcement Officers Association Foundation.
- The legislation requires all organizations, associations, and funds shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received.
- Lastly, the legislation requires, notwithstanding the other surcharges, that no surcharge may be included with respect to this issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

Committee Action: H.R. 886 was introduced on March 3, 2011 by Rep. Steve Womack, and referred to the House Financial Services. On the April 4, 2011 the bill was referred to the Subcommittee on Domestic Monetary Policy and Technology. On December 15, 2011 the House passed the bill on motion to suspend the rules and pass the bill, as amended Agreed to by recorded vote (2/3 required): 412 - 1, 1 Present ([Roll no. 934](#)). On March 15, 2012 the Senate passed the legislation with an amendment by Unanimous Consent.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: No CBO estimate is available.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: H.R. 886 contains no intergovernmental or private-sector mandates as defined in UMRA and would not affect the budgets of state, local, or tribal governments.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: Though the bill contains no earmarks, and there's no accompanying committee report, the earmarks rule (House Rule XXI, Clause 9(a)) does not apply, by definition, to legislation considered under suspension of the rules.

Constitutional Authority: According Rep. Womack's statement of constitutional authority, "Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 5 states "The Congress shall have Power . . . To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures."

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