



Legislative Bulletin April 16, 2012

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H.R. 3001 – Raoul Wallenberg Centennial Celebration Act (Meeks, D-NY)

Order of Business: The bill is scheduled to be considered on Monday, April 16, 2012, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 3001 would authorize the Speaker of the House of Representatives and the President Pro Tempore of the Senate to make appropriate arrangements for the award, on behalf of the Congress, of appropriate design to the next of kin or personal representative of Raoul Wallenberg, in recognition of his achievements and heroic actions during the Holocaust.

For the purposes of the award, the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary. The Secretary may strike and sell duplicates in bronze of the gold medals struck under this Act, at a price sufficient to cover the costs of the medals, including labor, materials, dyes, use of machinery, and overhead expenses. Lastly, amounts received from the sale of duplicate bronze shall be deposited in the United States Mint Public Enterprise Fund.

Background: According to the bill text, Congress finds that:

- “Under the direction of President Franklin D. Roosevelt, the War Refugee Board was established in January 1944 to aid civilians that fell victim to the Nazi and Axis powers in Europe. . .It was decided that Raoul Wallenberg, aged 31 at the time, would be most effective in protecting Jews and victims of the Nazis in Hungary under the War Refugee Board. He was recruited by Iver Olsen, an agent for the Office of Strategic Services and sent to Budapest, Hungary, under his official profession as a Swedish diplomat. He was instructed to use passports and other creative means to save as many lives as possible.”

- “Wallenberg created a new Swedish passport, the Schutzpass, which looked more imposing and official than the actual Swedish passport. He reportedly put up huge place cards of it throughout Budapest to make the Nazis familiar with it. He unilaterally announced that it granted the holder immunity from the death camps. The Schutzpasses alone are credited with saving 20,000 Jewish lives;
- “In one example of his heroism, Wallenberg was told of a Nazi plot to round up several thousand Jewish women and acted swiftly to save them. Former Wallenberg staffer, Agnes Adachi, recalls the time when she and other staff, spent the whole night making around 2,000 Schutzpasses before 6 a.m. They were all completed and personally delivered to the women in time to save their lives.;
- “Using the money the United States put into the War Refugee Board, Wallenberg was able to purchase about thirty buildings, which he used as hospitals, schools, soup kitchens, and safe houses for over 8,000 children whose parents have already been deported or killed;
- “Even as the war was coming to a close, Wallenberg remained vigilant and attentive to the people under his care. Adolf Eichmann, the SS colonel charged with the extermination of Jews in Eastern Europe, was determined to exterminate the 70,000 Jews kept as prisoners in a guarded ghetto in Budapest. As soon as Wallenberg heard of the plot, he sent Pal Szalay, an Arrow-Crossman senior official, who defected and turned to Wallenberg. Szalay was sent to speak to General Schmidhuber, who was ordered to spearhead the ghetto extermination in Budapest. Szalay informed Schmidhuber that, seeing as the war was coming to an end, if the planned massacre took place, Wallenberg would see to it personally that Schmidhuber would be prosecuted as a war criminal and hanged. The plans were ultimately abandoned and considered Wallenberg's last big victory.
- “His actions and character make him an excellent contender for a Congressional Gold Medal in time for the centennial of his birth, to celebrate his achievements and humanitarian accomplishments.”

Background: The Congressional Gold Medal of Honor, the nation’s highest and most distinguished civilian award was first awarded in 1776, to General George Washington, and since then, to over one hundred individuals. It was originally awarded to military leaders for achievement in battle, but became a civilian medal after the institution of the Medal of Honor. The Gold Medal is presented both for singular acts of exceptional service and for lifetime achievement.

Committee Action: H.R. 3001 was introduced on November 21, 2011 by Rep. Gregory Meeks, and was referred to the House Financial Committee.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: Though no CBO estimate is available, the Congressional Budget Office has previously estimated that it costs \$30,000 to design a Gold medal. Although according to the Treasury Department, this figure was based on lower gold prices of between \$6,000 and \$6,500 per medal. According to the Treasury, each Congressional Gold Medal contains 14.5 troy ounces or 16 regular ounces of gold. As of December 12, 2011, gold was trading at \$1,668.20 an ounce. Since the cost of price of gold has increased since that figure was produced, the cost of these medals would be higher. The bills often authorize funds to be spent from the U.S. Mint’s Public Enterprise Fund to pay for the cost of medals, with sales of most duplicate bronze medal authorized to “offset” the cost of the gold medal. While sales of most duplicate medals are not strong enough to offset the cost of the gold, medals for individuals such as George Washington, Pope John Paul II, and Ronald Reagan have offset their medal cost (Something like this may also be example of a medal that will end up offsetting its costs).

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?: No.

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. Meek’s statement of constitutional authority, “Congress has the power to enact this legislation pursuant to the following: article I, Section 8.”

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H.R. 1815 – Lena Horne Recognition Act (Hastings, D-FL)

Order of Business: The bill is scheduled to be considered on Monday, April 16, 2012, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 1815 would authorize the Speaker of the House of Representatives and the President Pro Tempore of the Senate to make appropriate arrangements for the posthumous presentation, on behalf of the Congress, of a gold medal of appropriate design in commemoration of Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

For the purposes of the award, the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary. The Secretary may strike and sell duplicates in bronze of the gold medals struck under this

Act, at a price sufficient to cover the costs of the medals, including labor, materials, dyes, use of machinery, and overhead expenses. Lastly, amounts received from the sale of duplicate bronze shall be deposited in the United States Mint Public Enterprise Fund.

Background: According to the bill text, Congress finds that:

- “In 1940, Lena Horne became one of the first African-American women to perform with an all-White band when she toured with Charlie Barnet's jazz band as its featured singer.”
- “Lena Horne was discovered by a Metro-Goldwyn-Mayer (MGM) talent scout and became the first Black artist to sign a long-term contract with a major studio;
- “Despite her extraordinary beauty and talent, Lena Horne was often limited to minor acting roles because of her race. Scenes in which she did sing were cut out when they were sent to local distributors in the South and studio executives cast Ava Gardner as Julie in the film version of Show Boat instead of Lena Horne because they did not want it to star a Black actress. However, Lena Horne dazzled audiences and critics in a number of films, including Cabin in the Sky and Stormy Weather;
- “In 1957, Lena Horne recorded Lena Horne at the Waldorf-Astoria, which reached the Top 10 and became the best-selling album by a female singer in RCA Victor's history. Lena Horne rose to international stardom and toured the world, sharing the stage with such names as Count Basie, Tony Bennett, Billy Eckstein, Vic Damone, and Harry Belafonte and also starred in musical and television specials with such giants as Judy Garland, Bing Crosby, and Frank Sinatra ;
- “In 1963, she participated in the historic March on Washington for Jobs and Freedom, at which Dr. Martin Luther King, Jr. delivered his immortal 'I Have a Dream' speech;
- “Lena Horne also performed at rallies throughout the country for the National Council for Negro Women and worked with the National Association for the Advancement of Colored People (NAACP), of which she was a member since the age of 2, the National Council of Negro Women, the Delta Sigma Theta sorority, and the Urban League;
- “Lena Horne was an entertainer, activist, and mother who used her beauty, talent, and intelligence to fight racial discrimination and injustice and rise to international stardom. A symbol of elegance and grace, she entertained people of all walks of life for over 60 years and broke barriers for future generations.”

Background: The Congressional Gold Medal of Honor, the nation's highest and most distinguished civilian award, was first awarded in 1776, to General George Washington, and since then, to over one hundred individuals. It was originally awarded to military

leaders for achievement in battle, but became a civilian medal after the institution of the Medal of Honor. The Gold Medal is presented both for singular acts of exceptional service and for lifetime achievement.

Committee Action: H.R. 1815 was introduced on May 10, 2011 by Rep. Alcee Hastings, and was referred to the House Financial Committee.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: Though no CBO estimate is available, the Congressional Budget Office has previously estimated that it costs \$30,000 to design a Gold medal. Although according to the Treasury Department, this figure was based on lower gold prices of between \$6,000 and \$6,500 per medal. According to the Treasury, each Congressional Gold Medal contains 14.5 troy ounces or 16 regular ounces of gold. As of December 12, 2011, gold was trading at \$1,668.20 an ounce. Since the cost of price of gold has increased since that figure was produced, the cost of these medals would be higher. The bills often authorize funds to be spent from the U.S. Mint's Public Enterprise Fund to pay for the cost of medals, with sales of most duplicate bronze medal authorized to "offset" the cost of the gold medal. While sales of most duplicate medals are not strong enough to offset the cost of the gold, medals for individuals such as George Washington, Pope John Paul II, and Ronald Reagan have offset their medal cost (Something like this may also be example of a medal that will end up offsetting its costs).

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?: No.

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. Hastings's statement of constitutional authority, "Congress has the power to enact this legislation pursuant to the following: Clause 1 of Section 8 in Article 1 relating to the general welfare of the United States and Clause 3 of Section 8 in Article 1 relating to the power to regulate interstate commerce."

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H.R. 4040 – To provide for the award of a gold medal on behalf of Congress to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship in golf

(Baca, D-CA)

Order of Business: The bill is scheduled to be considered on Monday, April 16, 2012, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 4040 would authorize the Speaker of the House of Representatives and the President Pro Tempore of the Senate to make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal of appropriate design to Jack Nicklaus in recognition of his service to the Nation in promoting excellence and good sportsmanship

For the purposes of the award, the Secretary of the Treasury shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary. The Secretary may strike and sell duplicates in bronze of the gold medals struck under this Act, at a price sufficient to cover the costs of the medals, including labor, materials, dyes, use of machinery, and overhead expenses. Lastly, amounts received from the sale of duplicate bronze shall be deposited in the United States Mint Public Enterprise Fund.

Background: According to the bill text, Congress finds that:

- “Jack Nicklaus amassed 118 victories in professional competition of national or international stature by the end of 2005, 73 of which came on the Professional Golf Association Tour, and 18 professional major-championship titles. He is the only player in golf history to have won each major championship at least three times and is the only player to complete a career ‘Grand Slam’ on the regular and senior tours;
- “Jack Nicklaus has been the recipient of countless athletic honors, including the Muhammad Ali Sports Legend Award and the first-ever ESPY Lifetime Achievement Award. He became the first golfer and only the third athlete to receive the Vince Lombardi Award of Excellence and is also a five-time winner of the PGA Player of the Year Award. He was also selected as Golfer of the Century by GOLF Magazine, Best Individual Male Athlete of the 20th Century and Sportsman of the Year by Sports Illustrated, and he was also inducted into the World Golf Hall of Fame;
- “Jack Nicklaus has received numerous honors outside the world of sports, including several architectural awards for his work in golf course designs, such as The Old Tom Morris Award which is the highest honor given by the Golf Course Superintendents Association of America, and both the Donald Ross Award given by the American Society of Golf Course Architects and the Don A. Rossi Award given by the Golf Course Builders Association of America;
- “Jack Nicklaus remains active in tournament golf, although he retired from competition in the major championships in 2005, when he played his final British

Open, his final Masters Tournament, and led the United States to a thrilling victory in the Presidents Cup.”

Background: The Congressional Gold Medal of Honor, the nation’s highest and most distinguished civilian award, was first awarded in 1776, to General George Washington, and since then, to over one hundred individuals. It was originally awarded to military leaders for achievement in battle, but became a civilian medal after the institution of the Medal of Honor. The Gold Medal is presented both for singular acts of exceptional service and for lifetime achievement.

Committee Action: H.R. 4040 was introduced on February 15, 2011 by Rep. Joe Baca, and was referred to the House Financial Committee.

Administration Position: No Statement of Administration Policy is available.

Cost to Taxpayers: Though no CBO estimate is available, the Congressional Budget Office has previously estimated that it costs \$30,000 to design a Gold medal. Although according to the Treasury Department, this figure was based on lower gold prices of between \$6,000 and \$6,500 per medal. According to the Treasury, each Congressional Gold Medal contains 14.5 troy ounces or 16 regular ounces of gold. As of December 12, 2011, gold was trading at \$1,668.20 an ounce. Since the cost of price of gold has increased since that figure was produced, the cost of these medals would be higher. The bills often authorize funds to be spent from the U.S. Mint’s Public Enterprise Fund to pay for the cost of medals, with sales of most duplicate bronze medal authorized to “offset” the cost of the gold medal. While sales of most duplicate medals are not strong enough to offset the cost of the gold, medals for individuals such as George Washington, Pope John Paul II, and Ronald Reagan have offset their medal cost (Something like this may also be example of a medal that will end up offsetting its costs).

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?: No.

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. Baca’s statement of constitutional authority, “Clause 18 of Section 8 of Article 1 of the Constitution--To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.”

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H.R. 2453 - Mark Twain Commemorative Coin Act (Luetkemeyer, R-MO)

Order of Business: The bill is scheduled to be considered on Monday, April 16, 2012, under a motion to suspend the rules and pass the legislation.

Summary: H.R. 2453 requires the Secretary of the Treasury to mint coins in commemoration of Mark Twain. H.R.2453 would authorize the U.S. Mint to produce a \$5 gold coin and a \$1 silver coin during the 1-year period beginning on January 1, 2016. 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 250,000 \$1 coins, which will:
 - weigh 26.73 grams;
 - have a diameter of 1.500 inches; and
 - contain 90 percent silver and 10 percent copper.
- 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 life and legacy of Mark Twain. The bill would require that each minted coin have a designation of the value of the coin, an inscription of the year “2016”, 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 by the Secretary after consultation with the Commission of Fine Arts and the Board of the Mark Twain House and Museum; and reviewed by the Citizens Coinage 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 quality of the coins minted under this Act. The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2016.

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. 2453 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.

The legislation also requires that all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary as follows:

- One-quarter of the surcharges, to the Mark Twain House & Museum in Hartford, Connecticut, to support the continued restoration of the Mark Twain house and grounds, and ensure continuing growth and innovation in museum programming to research, promote and educate on the legacy of Mark Twain.
 - One-quarter of the surcharges, to the Mark Twain Project at the Bancroft Library of the University of California, Berkeley, California, to support programs to study and promote Mark Twain's legacy.
 - One-quarter of the surcharges, to the Center for Mark Twain Studies at Elmira College, New York, to support programs to study and promote Mark Twain's legacy.
 - One-quarter of the surcharges, to the Mark Twain Boyhood Home and Museum in Hannibal, Missouri, to preserve historical sites related to Mark Twain and help support programs to study and promote his legacy.
- The legislation requires the Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of each of the organizations referred to in paragraphs (1), (2), (3), and (4) of subsection (b) of this Act, as may be related to the expenditures of amounts paid under such subsection..

- 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. 2453 was introduced on July 7, 2011 by Rep. Blaine Luetkemeyer, and referred to the House Financial Services. On the August 22, 2011 the bill was referred to the Subcommittee on Domestic Monetary Policy and Technology.

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. Luetkemeyer's statement of constitutional authority, "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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