

111TH CONGRESS
2^D SESSION

S. 3572

To require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

IN THE SENATE OF THE UNITED STATES

JULY 13, 2010

Mrs. LINCOLN (for herself and Mr. PRYOR) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first law enforcement agency, the United States Marshals Service.

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 “United States Mar-
5 shals Service 225th Anniversary Commemorative Coin
6 Act”.

7 **SEC. 2. FINDINGS.**

8 The Congress finds that—

1 (1) the United States Marshals Service, the
2 first law enforcement agency in America, was estab-
3 lished under section 27 of the Act entitled “Chapter
4 XX.—An Act to Establish the Judicial Courts of the
5 United States” and enacted on September 24, 1789
6 (commonly referred to as the “Judiciary Act of Sep-
7 tember 24, 1789”), during the 1st Session of the 1st
8 Congress, and was signed into law by the 1st Presi-
9 dent of the United States, George Washington;

10 (2) George Washington had carefully considered
11 the appointments to the Judicial branch long before
12 the enactment of the Judiciary Act of September 24,
13 1789, and appointed the first 13 United States Mar-
14 shals on September 26, 1789, 2 days after signing
15 the Act into law;

16 (3) the United States Marshals Service has had
17 major significance in the history in the United
18 States and has directly contributed to the safety and
19 preservation of this Nation, by serving as an instru-
20 ment of civil authority used by all 3 branches of the
21 United States Government;

22 (4) one of the original 13 United States Mar-
23 shals, Robert Forsyth of Georgia, a 40-year-old vet-
24 eran of the Revolutionary War, was the first civilian
25 official of the United States Government, and the

1 first of many United States Marshals and deputies
2 to be killed in the line of duty when he was shot on
3 January 11, 1794, while trying to serve civil process;

4 (5) the United States Marshals Service Com-
5 memorative Coin will be the first commemorative
6 coin to honor the United States Marshals Service;

7 (6) in 2008, the United States Marshals Service
8 established a 225th Anniversary Committee to en-
9 sure a suitable national observance of the United
10 States Marshals Service 225th Anniversary, to take
11 place on or about September 24, 2014, to support
12 and facilitate marketing efforts for a commemorative
13 coin and related activities for the United States
14 Marshals Service 2014 observances;

15 (7) a commemorative coin will bring national
16 and international attention to the lasting legacy of
17 this Nation's oldest law enforcement agency;

18 (8) the United States should pay tribute to the
19 Nation's oldest law enforcement agency, the United
20 States Marshals Service, by minting and issuing
21 commemorative coins in accordance with this Act;
22 and

23 (9) the proceeds from a surcharge on the sale
24 of such commemorative coins will assist the financ-
25 ing of several national monuments, museums, and

1 charitable organizations, including the United States
2 Marshals Service National Museum, the National
3 Law Enforcement Museum and Memorial, and the
4 Center for Missing and Exploited Children.

5 **SEC. 3. COIN SPECIFICATIONS.**

6 (a) DENOMINATIONS.—In commemoration of the
7 225th anniversary of the establishment of the United
8 States Marshals Service, the Secretary of the Treasury
9 (hereafter in this Act referred to as the “Secretary”) shall
10 mint and issue the following coins:

11 (1) \$5 GOLD COINS.—Not more than 142,000
12 \$5 gold coins, which shall—

13 (A) weigh 33.931 grams;

14 (B) have a diameter of 32.7 millimeters;

15 and

16 (C) contain 1 troy ounce of fine gold.

17 (2) \$1 SILVER COINS.—Not more than 503,000
18 \$1 coins of each of the designs specified in section
19 4(a)(3)(B), which shall—

20 (A) weigh 26.73 grams;

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

22 (C) contain 90 percent silver and 10 per-
23 cent alloy.

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

4 (c) NUMISMATIC ITEMS.—For purposes of section
5 5134 of title 31, United States Code, all coins minted
6 under this Act shall be considered to be numismatic items.

7 (d) MINTAGE LEVEL COORDINATION.—Section
8 5112(m)(2)(A) of title 31, United States Code, shall not
9 apply to any mintage levels authorized under subsection
10 (a).

11 **SEC. 4. DESIGN OF COINS.**

12 (a) DESIGN REQUIREMENTS.—

13 (1) IN GENERAL.—The design of the coins
14 minted under this Act shall be emblematic of the
15 225 years of exemplary and unparalleled achieve-
16 ments of the United States Marshals Service.

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

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

20 (B) an inscription of the year “2014–
21 2015”; and

22 (C) inscriptions of the words “Liberty”,
23 “In God We Trust”, “United States of Amer-
24 ica”, and “E Pluribus Unum”, and such other

1 inscriptions as the Secretary may determine to
2 be appropriate for the designs of the coins.

3 (3) COIN IMAGES.—

4 (A) \$5 GOLD COINS.—

5 (i) OBVERSE.—The obverse of the \$5
6 coins issued under this Act shall bear an
7 image of the Marshals Services Star (also
8 referred to as “America’s Star”).

9 (ii) REVERSE.—The reverse of the \$5
10 coins issued under this Act shall bear a de-
11 sign emblematic of the sacrifice and service
12 of the men and women of the United
13 States Marshals Service who lost their lives
14 in the line of duty.

15 (iii) EDGE INCUSION.—It is the sense
16 of the Congress that, to the extent prac-
17 ticable, the edge of the \$5 coins issued
18 under this Act shall bear the motto of the
19 United States Marshals Service “Justice,
20 Integrity, Service”.

21 (iv) HIGH RELIEF.—The design and
22 inscriptions on the obverse and reverse of
23 the \$5 coins issued under this Act shall be
24 in high relief.

25 (B) \$1 SILVER COINS.—

1 (i) OBVERSE.—The obverse of the \$1
2 coins issued under this Act shall bear an
3 image of the Marshals Services Star (also
4 referred to as “America’s Star”).

5 (ii) EDGE INCUSION.—It is the sense
6 of the Congress that, to the extent prac-
7 ticable, the edge of each \$1 coin shall bear
8 the motto of the United States Marshals
9 Service “Justice, Integrity, Service”.

10 (4) REALISTIC AND HISTORICALLY ACCURATE
11 DEPICTIONS.—The images for the designs of coins
12 issued under this Act shall be selected on the basis
13 of the realism and historical accuracy of the images
14 and on the extent to which the images are reminis-
15 cent of the dramatic and beautiful artwork on coins
16 of the so-called “Golden Age of Coinage” in the
17 United States, at the beginning of the Twentieth
18 Century, with the participation of such noted sculp-
19 tors and medallie artists as James Earle Fraser, Au-
20 gustus Saint-Gaudens, Victor David Brenner, Ad-
21 olph A. Weinman, Charles E. Barber, and George T.
22 Morgan.

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

1 (1) selected by the Secretary, after consultation
2 with the Director of the United States Marshals
3 Service, the Historian of the United States Marshals
4 Service, and the Commission of Fine Arts; and

5 (2) reviewed by—

6 (A) the Citizens Coin Advisory Committee;
7 and

8 (B) the United States Marshals Service
9 225th Anniversary Committee, a panel to be
10 formed consisting of administrative and oper-
11 ational members of the United States Marshals
12 Service, past or present.

13 **SEC. 5. ISSUANCE OF COINS.**

14 (a) **QUALITY OF COINS.**—Coins minted under this
15 Act shall be issued in proof quality and uncirculated qual-
16 ity.

17 (b) **MINT FACILITY.**—Only 1 facility of the United
18 States Mint may be used to strike any particular combina-
19 tion of denomination and quality of the coins minted under
20 this Act.

21 (c) **COMMENCEMENT OF ISSUANCE.**—The Secretary
22 may issue coins to the public minted under this Act begin-
23 ning on September 24, 2014, the 225th anniversary date
24 of the United States Marshals Service, except for a limited
25 number to be issued prior to such date to the Director

1 of the United States Marshals Service and employees of
2 the Service for display and presentation during the 225th
3 Anniversary celebration. Coins issued under this Act shall
4 be treated as a coin program for calendar year 2015 for
5 purposes of section 5112(m)(1) of title 31, United States
6 Code.

7 (d) TERMINATION OF MINTING AUTHORITY.—No
8 coins may be minted under this Act after December 31,
9 2015.

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

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

14 (1) the face value of the coins;

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

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

20 (b) PREPAID ORDERS.—

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

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

4 (3) UNITED STATES MARSHALS SERVICE EM-
5 PLOYEES.—To the extent possible, the Secretary
6 shall make arrangements to ensure that current,
7 former, and retired employees of the United States
8 Marshals Service, names to be verified by the Direc-
9 tor thereof, or the designee thereof, have an exclu-
10 sive defined period of time to place prepaid orders
11 under paragraph (1) at the same reasonable dis-
12 count referred to in paragraph (2).

13 (c) PRESENTATION.—In addition to the issuance of
14 coins under this Act in such other methods of presentation
15 as the Secretary determines appropriate, the Secretary
16 shall provide, as a sale option, a presentation case which
17 displays the \$5 gold and the \$1 silver coins. The presen-
18 tation case should bear a depiction of the current badge
19 of the United States Marshals Service.

20 **SEC. 7. SURCHARGES.**

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

23 (1) A surcharge of \$35 per coin for the \$5 gold
24 coin.

1 (2) A surcharge of \$10 per coin for the \$1 sil-
2 ver coin.

3 (b) DISTRIBUTION.—Subject to section 5134(f) of
4 title 31, United States Code, all surcharges received by
5 the Secretary from the sale of coins issued under this Act
6 shall be promptly distributed as follows:

7 (1) The first \$5,000,000 available for distribu-
8 tion under this section to the Director of the United
9 States Marshals Service National Museum located in
10 Fort Smith, Arkansas, for the preservation, mainte-
11 nance, and display of artifacts and documents of the
12 United States Marshals Service.

13 (2) Of amounts available for distribution after
14 the payment under paragraph (1)—

15 (A) \$1,000,000 to the National Center for
16 Missing and Exploited Children located in
17 Washington, DC;

18 (B) \$1,000,000 to the National Law En-
19 forcement Officers Memorial Fund located in
20 Washington, DC, in support of the National
21 Law Enforcement Museum and the National
22 Law Enforcement Officers Memorial;

23 (C) \$1,000,000 to the Federal Law En-
24 forcement Officers Association;

1 (D) \$500,000 to the William “Bill” Degan
2 Scholarship Fund, which provides scholarships
3 for spouses and children of law enforcement of-
4 ficers killed in the line of duty;

5 (E) \$500,000 to the Robert D. May Schol-
6 arship Fund, which provides scholarships for
7 spouses and children of law enforcement officer
8 killed in the line of duty;

9 (F) \$500,000 to the Community Oriented
10 Policing Service; and

11 (G) \$500,000 to the United States Mar-
12 shals Service Association, a charitable organiza-
13 tion under section 501(c)(3) of the Internal
14 Revenue Code of 1986, located in Miami, Flor-
15 ida.

16 (c) AUDITS.—All organizations, associations, and
17 funds under this Act shall be subject to the audit require-
18 ments of section 5134(f)(2) of title 31, United States
19 Code, with regard to the amounts received under sub-
20 section (b).

21 (d) LIMITATION.—Notwithstanding subsection (a),
22 no surcharge may be included with respect to the issuance
23 under this Act of any coin during a calendar year if, as
24 of the time of such issuance, the issuance of such coin
25 would result in the number of commemorative coin pro-

1 grams issued during such year to exceed the annual 2
2 commemorative coin program issuance limitation under
3 section 5112(m)(1) of title 31, United States Code (as in
4 effect on the date of enactment of this Act). The Secretary
5 may issue guidance to carry out this subsection.

6 **SEC. 8. BRONZE DUPLICATES.**

7 The Secretary may strike and sell bronze duplicates
8 of the \$5 gold coins authorized under this Act, at a price
9 that the Secretary determines to be appropriate.

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