

104TH CONGRESS  
1ST SESSION

# H. R. 2614

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IN THE SENATE OF THE UNITED STATES

DECEMBER 6, 1995

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

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## AN ACT

To reform the commemorative coin programs of the United States Mint in order to protect the integrity of such programs and prevent losses of Government funds, to authorize the United States Mint to mint and issue platinum and gold bullion coins, and for other purposes.

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 “Commemorative Coin  
3 Authorization and Reform Act of 1995”.

4 **TITLE I—COMMEMORATIVE**  
5 **COIN PROGRAM REFORM**

6 **SEC. 101. RECOVERY OF MINT EXPENSES REQUIRED BE-**  
7 **FORE PAYMENT OF SURCHARGES TO ANY RE-**  
8 **CIPIENT ORGANIZATION.**

9 (a) CLARIFICATION OF LAW RELATING TO DEPOSIT  
10 OF SURCHARGES IN THE NUMISMATIC PUBLIC ENTER-  
11 PRISE FUND.—Section 5134(c)(2) of title 31, United  
12 States Code, is amended by inserting “, including amounts  
13 attributable to any surcharge imposed with respect to the  
14 sale of any numismatic item” before the period.

15 (b) CONDITIONS ON PAYMENT OF SURCHARGES TO  
16 RECIPIENT ORGANIZATIONS.—Section 5134 of title 31,  
17 United States Code, is amended by adding at the end the  
18 following new subsection:

19 “(f) CONDITIONS ON PAYMENT OF SURCHARGES TO  
20 RECIPIENT ORGANIZATIONS.—

21 “(1) PAYMENT OF SURCHARGES.—Notwith-  
22 standing any other provision of law, no amount de-  
23 rived from the proceeds of any surcharge imposed on  
24 the sale of any numismatic item shall be paid from  
25 the fund to any designated recipient organization  
26 unless—

1           “(A) all numismatic operation and pro-  
2           gram costs allocable to the program under  
3           which such numismatic item is produced and  
4           sold have been recovered; and

5           “(B) the designated recipient organization  
6           submits an audited financial statement which  
7           demonstrates to the satisfaction of the Sec-  
8           retary of the Treasury that, with respect to all  
9           projects or purposes for which the proceeds of  
10          such surcharge may be used, the organization  
11          has raised funds from private sources for such  
12          projects and purposes in an amount which is  
13          equal to or greater than the maximum amount  
14          the organization may receive from the proceeds  
15          of such surcharge.

16          “(2) ANNUAL AUDITS.—

17                 “(A) ANNUAL AUDITS OF RECIPIENTS RE-  
18                 QUIRED.—Each designated recipient organiza-  
19                 tion which receives any payment from the fund  
20                 of any amount derived from the proceeds of any  
21                 surcharge imposed on the sale of any numis-  
22                 matic item shall provide, as a condition for re-  
23                 ceiving any such amount, for an annual audit,  
24                 in accordance with generally accepted govern-  
25                 ment auditing standards by an independent

1 public accountant selected by the organization,  
2 of all such payments to the organization begin-  
3 ning in the first fiscal year of the organization  
4 in which any such amount is received and con-  
5 tinuing until all amounts received by such orga-  
6 nization from the fund with respect to such sur-  
7 charges are fully expended or placed in trust.

8 “(B) MINIMUM REQUIREMENTS FOR AN-  
9 NUAL AUDITS.—At a minimum, each audit of a  
10 designated recipient organization pursuant to  
11 subparagraph (A) shall report—

12 “(i) the amount of payments received  
13 by the designated recipient organization  
14 from the fund during the fiscal year of the  
15 organization for which the audit is con-  
16 ducted which are derived from the proceeds  
17 of any surcharge imposed on the sale of  
18 any numismatic item;

19 “(ii) the amount expended by the des-  
20 ignated recipient organization from the  
21 proceeds of such surcharges during the fis-  
22 cal year of the organization for which the  
23 audit is conducted; and

24 “(iii) whether all expenditures by the  
25 designated recipient organization during

1 the fiscal year of the organization for  
2 which the audit is conducted from the pro-  
3 ceeds of such surcharges were for author-  
4 ized purposes.

5 “(C) RESPONSIBILITY OF ORGANIZATION  
6 TO ACCOUNT FOR EXPENDITURES OF SUR-  
7 CHARGES.—Each designated recipient organiza-  
8 tion which receives any payment from the fund  
9 of any amount derived from the proceeds of any  
10 surcharge imposed on the sale of any numis-  
11 matic item shall take appropriate steps, as a  
12 condition for receiving any such payment, to en-  
13 sure that the receipt of the payment and the ex-  
14 penditure of the proceeds of such surcharge by  
15 the organization in each fiscal year of the orga-  
16 nization can be accounted for separately from  
17 all other revenues and expenditures of the orga-  
18 nization.

19 “(D) SUBMISSION OF AUDIT REPORT.—  
20 Not later than 90 days after the end of any fis-  
21 cal year of a designated recipient organization  
22 for which an audit is required under subpara-  
23 graph (A), the organization shall—

24 “(i) submit a copy of the report to the  
25 Secretary of the Treasury; and

1                   “(ii) make a copy of the report avail-  
2                   able to the public.

3                   “(E) USE OF SURCHARGES FOR AUDITS.—  
4                   Any designated recipient organization which re-  
5                   ceives any payment from the fund of any  
6                   amount derived from the proceeds of any sur-  
7                   charge imposed on the sale of any numismatic  
8                   item may use the amount received to pay the  
9                   cost of an audit required under subparagraph  
10                  (A).

11                  “(F) WAIVER OF PARAGRAPH.—The Sec-  
12                  retary of the Treasury may waive the applica-  
13                  tion of any subparagraph of this paragraph to  
14                  any designated recipient organization for any  
15                  fiscal year after taking into account the amount  
16                  of surcharges which such organization received  
17                  or expended during such year.

18                  “(G) NONAPPLICABILITY TO FEDERAL EN-  
19                  TITIES.—This paragraph shall not apply to any  
20                  Federal agency or department or any independ-  
21                  ent establishment in the executive branch which  
22                  receives any payment from the fund of any  
23                  amount derived from the proceeds of any sur-  
24                  charge imposed on the sale of any numismatic  
25                  item.

1           “(H) AVAILABILITY OF BOOKS AND  
2           RECORDS.—An organization which receives any  
3           payment from the fund of any amount derived  
4           from the proceeds of any surcharge imposed on  
5           the sale of any numismatic item shall provide,  
6           as a condition for receiving any such payment,  
7           to the Inspector General of the Department of  
8           the Treasury or the Comptroller General of the  
9           United States, upon the request of such Inspec-  
10          tor General or the Comptroller General, all  
11          books, records, and workpapers belonging to or  
12          used by the organization, or by any independent  
13          public accountant who audited the organization  
14          in accordance with subparagraph (A), which  
15          may relate to the receipt or expenditure of any  
16          such amount by the organization.

17          “(3) USE OF AGENTS OR ATTORNEYS TO IN-  
18          FLUENCE COMMEMORATIVE COIN LEGISLATION.—No  
19          portion of any payment from the fund to any des-  
20          ignated recipient organization of any amount derived  
21          from the proceeds of any surcharge imposed on the  
22          sale of any numismatic item may be used, directly  
23          or indirectly, by the organization to compensate any  
24          agent or attorney for services rendered to support or

1 influence in any way legislative action of the Con-  
2 gress relating to such numismatic item.

3 “(4) DESIGNATED RECIPIENT ORGANIZATION  
4 DEFINED.—For purposes of this subsection, the  
5 term ‘designated recipient organization’ means any  
6 organization designated, under any provision of law,  
7 as the recipient of any surcharge imposed on the  
8 sale of any numismatic item.”.

9 (c) SCOPE OF APPLICATION.—The amendments  
10 made by this section shall apply with respect to the pro-  
11 ceeds of any surcharge imposed on the sale of any numis-  
12 matic item which are deposited in the Numismatic Public  
13 Enterprise Fund after the date of the enactment of this  
14 Act.

15 (d) REPEAL OF EXISTING RECIPIENT REPORT RE-  
16 QUIREMENT.—Section 303 of Public Law 103—186 (31  
17 U.S.C. 5112 note) is hereby repealed.

18 **SEC. 102. CITIZENS COMMEMORATIVE COIN ADVISORY**  
19 **COMMITTEE.**

20 (a) FIXED TERMS FOR MEMBERS.—Section  
21 5135(a)(4) of title 31, United States Code, is amended  
22 to read as follows:

23 “(4) TERMS.—Each member appointed under  
24 clause (i) or (iii) of paragraph (3)(A) shall be ap-  
25 pointed for a term of 4 years.”.



1 (b) CHAIRPERSON.—Section 5135(a) of title 31,  
2 United States Code, is amended by adding at the end the  
3 following new paragraph:

4 “(6) CHAIRPERSON.—The Chairperson of the  
5 Advisory Committee shall be elected by the members  
6 of the Advisory Committee from among such mem-  
7 bers.”.

8 **SEC. 104. COMMEMORATIVE CIRCULATING COIN PROGRAM.**

9 (a) IN GENERAL.—The Citizens Commemorative  
10 Coin Advisory Committee shall develop a recommendation  
11 for a multiyear commemorative coin program involving the  
12 circulating coins of the United States which would super-  
13 sede other commemorative coin programs for the years the  
14 commemorative circulating coin program is in effect.

15 (b) REPORT TO CONGRESS.—The Citizens Com-  
16 memorative Coin Advisory Committee shall submit a re-  
17 port to the Congress before the end of the 6-month period  
18 beginning on the date of the enactment of this Act on the  
19 recommendations developed by the committee pursuant to  
20 subsection (a), together with such recommendations for  
21 legislative or administrative action as the committee deter-  
22 mines to be necessary or appropriate with respect to such  
23 recommendations.

1 **TITLE II—PLATINUM AND GOLD**  
2 **BULLION COINS**

3 **SEC. 201. PLATINUM COINS.**

4 (a) IN GENERAL.—Section 5112 of title 31, United  
5 States Code, is amended by adding at the end the follow-  
6 ing new subsection:

7 “(k) PLATINUM COINS.—

8 “(1) IN GENERAL.—Notwithstanding any other  
9 provision of law, the Secretary of the Treasury may  
10 mint and issue platinum coins in such quantity and  
11 of such variety as the Secretary determines to be ap-  
12 propriate.

13 “(2) SPECIFICATIONS.—Platinum coins minted  
14 under this subsection shall meet such specifications  
15 with respect to diameter, weight, design, and  
16 fineness as the Secretary, in the Secretary’s discre-  
17 tion, may prescribe from time to time.

18 “(3) LEGAL TENDER.—The coins minted under  
19 this subsection shall be legal tender, as provided in  
20 section 5103 of title 31, United States Code.

21 “(4) NUMISMATIC ITEMS.—For purposes of sec-  
22 tion 5134 of title 31, United States Code, all coins  
23 minted under this subsection shall be considered to  
24 be numismatic items.

1           “(5) DESIGNATIONS AND INSCRIPTIONS.—On  
2 each coin minted under this subsection, there shall  
3 be—

4           “(A) a designation of the value of the coin  
5 and the weight of the platinum content of the  
6 coin;

7           “(B) an inscription of the year in which  
8 the coin is minted or issued; and

9           “(C) inscriptions of the words ‘Liberty’,  
10 ‘In God We Trust’, ‘United States of America’,  
11 and ‘E Pluribus Unum’.

12           “(6) SALE PRICE.—

13           “(A) BULLION.—The bullion versions of  
14 the coins issued under this Act shall be sold by  
15 the Secretary at a price equal to the sum of—

16           “(i) the market value of the bullion at  
17 the time of the sale; and

18           “(ii) the cost of minting, marketing,  
19 and distributing the coins (including labor,  
20 materials, dies, use of machinery, and pro-  
21 motional and overhead expenses).

22           “(B) PROOF VERSIONS.—Proof versions of  
23 the coins issued under this Act may be sold by  
24 the Secretary at a price equal to the sum of—

1                   “(i) the cost of designing and issuing  
2                   the coins (including labor, materials, dies,  
3                   use of machinery, overhead expenses, mar-  
4                   keting, and shipping); and

5                   “(ii) a reasonable profit.

6                   “(7) BULK SALES.—The Secretary may make  
7                   bulk sales of the coins issued under this subsection  
8                   at a reasonable discount.”.

9                   (b) TECHNICAL AND CONFORMING AMENDMENT.—  
10                  Section 5112(j)(1) of title 31, United States Code, is  
11                  amended by inserting “, (i), or (k)” after “subsection (e)”.

12                  **SEC. 202. AMERICAN EAGLE GOLD COINS AUTHORIZED**  
13                                 **TO BE PRODUCED IN 2 OR MORE DESIGNS,**  
14                                 **WEIGHTS, DIAMETERS, OR FINENESSES**  
15                                 **SIMULTANEOUSLY.**

16                  Section 5112(i)(4) of title 31, United States Code,  
17                  is amended by adding at the end the following new sub-  
18                  paragraph:

19                                 “(C) CONTINUED MINTING TO STATUTORY  
20                                 SPECIFICATIONS AFTER DETERMINATION TO  
21                                 MINT COINS TO CHANGED SPECIFICATIONS.—  
22                                 Notwithstanding any other provision of this sec-  
23                                 tion, the Secretary may continue to mint and  
24                                 issue coins in accordance with the specifications  
25                                 contained in paragraphs (7), (8), (9), and (10)

1 of subsection (a) and paragraph (1)(A) of this  
2 subsection at the same time the Secretary is  
3 minting and issuing other coins under this sub-  
4 section in accordance with such specifications,  
5 varieties, quantities, designations, and inscrip-  
6 tions as the Secretary may determine to be ap-  
7 propriate.”.

8 **TITLE III—MINT MANAGERIAL**  
9 **STAFFING REFORM**

10 **SEC. 301. MODERNIZATION OF THE MANAGEMENT STRUC-**  
11 **TURE.**

12 Section 5131 of title 31, United States Code, is  
13 amended—

14 (1) by striking subsection (c); and

15 (2) by redesignating subsection (d) as sub-  
16 section (c).

Passed the House of Representatives December 5,  
1995.

Attest:

ROBIN H. CARLE,

*Clerk.*

By LINDA NAVE,

*Deputy Clerk.*