

105TH CONGRESS
1ST SESSION

S. 1112

To require the Secretary of the Treasury to mint coins in commemoration
of Native American history and culture.

IN THE SENATE OF THE UNITED STATES

JULY 31, 1997

Mr. CAMPBELL (for himself, Mr. INOUE, Mr. CONRAD, and Mr. WELLSTONE) 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 Native American history and culture.

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 Buffalo
5 Nickel Act of 1997”.

6 **SEC. 2. COIN SPECIFICATIONS.**

7 (a) DENOMINATIONS.—Notwithstanding any other
8 provision of law, during the 3-year period beginning on
9 January 1, 2000, the Secretary of the Treasury (hereafter
10 in this Act referred to as the “Secretary”) shall mint and

1 issue each year not more than 1,000,000 5-cent coins,
2 which shall—

3 (1) weigh 5 grams;

4 (2) have a diameter of 0.835 inch; and

5 (3) contain an alloy of 90 percent silver and 10
6 percent copper.

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

10 (c) **NUMISMATIC ITEMS.**—For purposes of section
11 5134 of title 31, United States Code, all coins minted
12 under this Act shall be considered to be numismatic items.

13 **SEC. 3. SOURCES OF BULLION.**

14 The Secretary shall obtain silver for minting coins
15 under this Act only from stockpiles established under the
16 Strategic and Critical Materials Stockpiling Act.

17 **SEC. 4. DESIGN OF COINS.**

18 (a) **DESIGN REQUIREMENTS.**—

19 (1) **IN GENERAL.**—The design of the coins
20 minted under this Act shall be based on the original
21 5-cent coin designed by James Earle Fraser and
22 minted from 1913 to 1938. Each coin shall have on
23 the obverse side a profile representation of a Native
24 American, and on the reverse side a representation
25 of a buffalo.

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

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

4 (B) an inscription of the year; and

5 (C) inscriptions of the words “United
6 States of America”, “Liberty”, and “E
7 Pluribus Unum”.

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

10 (1) selected by the Secretary after consultation
11 with the Committee on Banking, Housing, and
12 Urban Affairs and the Committee on Indian Affairs
13 of the Senate and the Commission of Fine Arts; and

14 (2) reviewed by the Citizens Commemorative
15 Coin Advisory Committee.

16 **SEC. 5. ISSUANCE OF COINS.**

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

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

23 (c) TERMINATION OF MINTING AUTHORITY.—No
24 coins may be minted under this Act after December 31,
25 2000.

1 **SEC. 6. SALE OF COINS.**

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

5 (1) the face value of the coins;

6 (2) the surcharge provided in subsection (d)
7 with respect to such coins; and

8 (3) the cost of designing and issuing the coins
9 (including labor, materials, dies, use of machinery,
10 overhead expenses, marketing, and shipping).

11 (b) BULK SALES.—The Secretary shall make bulk
12 sales of the coins issued under this Act at a reasonable
13 discount.

14 (c) PREPAID ORDERS.—

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

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

21 (d) SURCHARGES.—All sales shall include a sur-
22 charge of \$1.00 per coin.

23 **SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULA-**
24 **TIONS.**

25 (a) IN GENERAL.—Except as provided in subsection
26 (b), no provision of law governing procurement or public

1 contracts shall be applicable to the procurement of goods
2 and services necessary for carrying out the provisions of
3 this Act.

4 (b) EQUAL EMPLOYMENT OPPORTUNITY.—Sub-
5 section (a) does not relieve any person entering into a con-
6 tract under the authority of this Act from complying with
7 any law relating to equal employment opportunity.

8 **SEC. 8. DISTRIBUTION OF SURCHARGES.**

9 (a) PERMISSIBLE PURPOSES.—All surcharges re-
10 ceived by the Secretary from the sale of coins issued under
11 this Act shall be paid promptly by the Secretary to the
12 National Museum of the American Indian for the purposes
13 of—

14 (1) commemorating the tenth anniversary of
15 the establishment of the Museum; and

16 (2) supplementing the endowment and edu-
17 cational outreach funds of the Museum.

18 (b) AUDITS.—The Comptroller General of the United
19 States shall have the right to examine such books, records,
20 documents, and other data of the National Museum of the
21 American Indian as may be related to the expenditures
22 of amounts paid under subsection (a).

23 **SEC. 9. FINANCIAL ASSURANCES.**

24 (a) NO NET COST TO THE GOVERNMENT.—The Sec-
25 retary shall take such actions as may be necessary to en-

1 sure that minting and issuing coins under this Act will
2 not result in any net cost to the United States Govern-
3 ment.

4 (b) PAYMENT FOR COINS.—A coin shall not be issued
5 under this Act unless the Secretary has received—

6 (1) full payment for the coin;

7 (2) security satisfactory to the Secretary to in-
8 demnify the United States for full payment; or

9 (3) a guarantee of full payment satisfactory to
10 the Secretary from a depository institution whose
11 deposits are insured by the Federal Deposit Insur-
12 ance Corporation or the National Credit Union Ad-
13 ministration Board.

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