

109TH CONGRESS
1ST SESSION

H. R. 1057

To award a congressional gold medal on behalf of all government workers and others who responded to the attacks on the World Trade Center and the Pentagon and perished and people aboard United Airlines Flight 93 who helped resist the hijackers and caused the plane to crash, to award a duplicate in silver of such gold medals to the personal representative of each such person, to require the Secretary of Treasury to mint coins in commemoration of the Spirit of America, recognizing the tragic events of September 11, 2001, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 2, 2005

Mr. KING of New York (for himself, Mrs. MALONEY, Mr. TOM DAVIS of Virginia, and Mr. ENGEL) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To award a congressional gold medal on behalf of all government workers and others who responded to the attacks on the World Trade Center and the Pentagon and perished and people aboard United Airlines Flight 93 who helped resist the hijackers and caused the plane to crash, to award a duplicate in silver of such gold medals to the personal representative of each such person, to require the Secretary of Treasury to mint coins in commemoration of the Spirit of America, recognizing the tragic events of September 11, 2001, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “True American Heroes
5 Act of 2005” .

6 **TITLE I—MEDALS FOR**
7 **RESPONDERS AND RESISTERS**

8 **SEC. 101. CONGRESSIONAL GOLD MEDAL .**

9 (a) PRESENTATION AUTHORIZED.—In recognition of
10 the bravery and self-sacrifice of—

11 (1) the officers, emergency workers, and other
12 employees of State and local government agencies,
13 including the Port Authority of New York and New
14 Jersey, and of the United States Government and
15 others, who responded to the attack on the World
16 Trade Center in New York City;

17 (2) the passengers and crew members on board
18 United Airlines Flight 93 who aided in the effort to
19 resist the hijackers on board the plane; and

20 (3) the officers, emergency workers, and other
21 employees of the United States Government, who re-
22 sponded to the attack on the Pentagon, Washington,
23 D.C.,

24 and perished in the tragic events of September 11, 2001
25 (including those who are missing and presumed dead), the

1 Speaker of the House and the President pro tempore of
 2 the Senate shall make appropriate arrangements for the
 3 presentation, on behalf of the Congress on the 5th anni-
 4 versary of such events, of a single gold medal of appro-
 5 priate design, in the name of the unknown officer, worker,
 6 employee, passenger, or crew member, who was the first
 7 to die that day in each such tragedy, to an appropriate
 8 representative of all such officers, emergency workers, em-
 9 ployees, and other individuals for permanent public display
 10 in the Smithsonian Institution.

11 (b) DESIGN AND STRIKING.—For purposes of the
 12 presentation referred to in subsection (a), the Secretary
 13 of the Treasury shall strike a gold medal with suitable em-
 14 blems, devices, and inscriptions, to be determined by the
 15 Secretary that is emblematic of the valor and heroism of
 16 the men and women honored.

17 **SEC. 102. SILVER DUPLICATES ON BEHALF OF GOVERN-**
 18 **MENT WORKERS WHO RESPONDED TO THE**
 19 **ATTACKS ON THE WORLD TRADE CENTER**
 20 **AND PERISHED.**

21 (a) IN GENERAL.—

22 (1) WORLD TRADE CENTER SITE MEMORIAL.—
 23 The Secretary of the Treasury shall strike a dupli-
 24 cate in silver of the gold medal struck pursuant to
 25 section 101(a) for permanent public display at a me-

1 memorial at the site of the World Trade Center at-
2 tacks.

3 (2) RESPONDERS.—

4 (A) IN GENERAL.—The Secretary of the
5 Treasury shall strike additional duplicates in
6 silver of the gold medal struck pursuant to sec-
7 tion 101(a) for presentation on behalf of each
8 officer, emergency worker, or other employee of
9 State and local government agencies, including
10 the Port Authority of New York and New Jer-
11 sey, or of the United States Government or oth-
12 ers, who responded to the attacks on the World
13 Trade Center in New York City, and perished
14 in the tragic events of September 11, 2001 (in-
15 cluding any who are missing and presumed
16 dead) to the next of kin or other personal rep-
17 resentative of each such officer, emergency
18 worker, employee, or other individual.

19 (B) DETERMINATION OF RECIPIENTS AND
20 AWARD OF DUPLICATE SILVER MEDALS.—The
21 Secretary of the Treasury shall—

22 (i) determine the number of silver du-
23 plicate medals to be presented under this
24 subsection and the appropriate recipients
25 of the medals after consulting with appro-

1 appropriate representatives of Federal, State,
2 and local officers and agencies and the
3 Port Authority of New York and New Jer-
4 sey; and

5 (ii) make appropriate arrangements
6 for the presentation of such silver duplicate
7 medals to the appropriate persons.

8 (3) DEPARTMENTS AND DUTY STATIONS.—

9 (A) IN GENERAL.—The Secretary of the
10 Treasury shall strike additional duplicates in
11 silver of the gold medal struck pursuant to sec-
12 tion 101(a) for presentation to each of the fol-
13 lowing, for permanent display in the respective
14 offices, houses, stations, or places of employ-
15 ment:

16 (i) The Governor of the State of New
17 York.

18 (ii) The Mayor of the City of New
19 York.

20 (iii) The Commissioner of the New
21 York Police Department, the Commis-
22 sioner of the New York Fire Department,
23 the head of emergency medical services for
24 the City of New York, the Chairman of the
25 Board of Directors of the Port Authority

1 of New York and New Jersey, and such
2 other officers as may be appropriate.

3 (iv) Each precinct house, fire house,
4 emergency response station, or other duty
5 station or place of employment to which
6 each person referred to in subsection (a)
7 was assigned on September 11, 2001, for
8 display in each such place in a manner be-
9 fitting the memory of such persons.

10 (b) USE OF THE UNITED STATES MINT AT WEST
11 POINT, NEW YORK.—It is the sense of the Congress that
12 the duplicates authorized under this section should be
13 struck at the United States Mint at West Point, New
14 York, to the greatest extent possible.

15 **SEC. 103. SILVER DUPLICATES ON BEHALF OF PEOPLE**
16 **ABOARD UNITED AIRLINES FLIGHT 93 WHO**
17 **HELPED RESIST THE HIJACKERS AND**
18 **CAUSED THE PLANE TO CRASH.**

19 (a) CONGRESSIONAL FINDINGS.—The Congress finds
20 as follows:

21 (1) On September 11, 2001, United Airlines
22 Flight 93, piloted by Captain James Dahl, departed
23 from Newark International Airport at 8:01 a.m. on
24 its scheduled route to San Francisco, California,
25 with 7 crew members and 38 passengers on board.

1 (2) Shortly after departure, United Airlines
2 Flight 93 was hijacked by terrorists.

3 (3) At 10:37 a.m. United Airlines Flight 93
4 crashed near Shanksville, Pennsylvania.

5 (4) Evidence indicates that people aboard
6 United Airlines Flight 93 learned that other hi-
7 jacked planes had been used to attack the World
8 Trade Center in New York City and resisted the ac-
9 tions of the hijackers on board.

10 (5) The effort to resist the hijackers aboard
11 United Airlines Flight 93 appears to have caused
12 the plane to crash prematurely, potentially saving
13 hundreds or thousands of lives and preventing the
14 destruction of the White House, the Capitol, or an-
15 other important symbol of freedom and democracy.

16 (6) The leaders of the resistance aboard United
17 Airlines Flight 93 demonstrated exceptional bravery,
18 valor, and patriotism, and are worthy of the appre-
19 ciation of the people of the United States.

20 (b) SILVER DUPLICATES.—

21 (1) UNITED AIRLINE FLIGHT 93 CRASH SITE
22 MEMORIAL.—The Secretary of the Treasury shall
23 strike a duplicate in silver of the gold medal struck
24 pursuant to section 101(a) for permanent public dis-

1 play at a memorial at the crash site of United Air-
2 lines Flight 93 near Shanksville, Pennsylvania.

3 (2) RESISTORS.—The Secretary of the Treas-
4 ury shall strike additional duplicates in silver of the
5 gold medal struck pursuant to section 101(a) for
6 presentation on behalf of each passenger or crew
7 member on board United Airlines Flight 93 who
8 aided in the effort to resist the hijackers on board
9 to the next of kin or other personal representative
10 of each such passenger or crew member.

11 (3) DETERMINATION OF RECIPIENTS AND
12 AWARD OF DUPLICATE SILVER MEDALS.—The Sec-
13 retary of the Treasury shall—

14 (A) determine the number of silver dupli-
15 cate medals to be presented under this sub-
16 section and the appropriate recipients of the
17 medals after consulting with the Attorney Gen-
18 eral of the United States; and

19 (B) make appropriate arrangements for
20 the presentation of such silver duplicate medals
21 to the appropriate persons.

1 **SEC. 104. SILVER DUPLICATES FOR GOVERNMENT WORK-**
2 **ERS WHO RESPONDED TO THE ATTACKS ON**
3 **THE PENTAGON AND PERISHED.**

4 (a) PENTAGON SITE MEMORIAL.—The Secretary of
5 the Treasury shall strike a duplicate in silver of the gold
6 medal struck pursuant to section 101(a) for permanent
7 public display at a memorial at the site of the Pentagon
8 attack.

9 (b) RESPONDERS.—The Secretary of the Treasury
10 shall strike additional duplicates in silver of the gold medal
11 struck pursuant to section 101(a) for presentation on be-
12 half of each officer, emergency worker, or other employee
13 of the United States who responded to the attacks on the
14 Pentagon Washington, D.C. and perished in the tragic
15 events of September 11, 2001, to the next of kin or other
16 personal representative of each such officer, emergency
17 worker, employee, or other individual.

18 (c) DETERMINATION OF RECIPIENTS AND AWARD OF
19 DUPLICATE SILVER MEDALS.—The Secretary of the
20 Treasury shall—

21 (1) determine the number of silver duplicate
22 medals to be presented under this subsection and
23 the appropriate recipients of the medals after con-
24 sulting with the Secretary of Defense.

1 (2) make appropriate arrangements for the
2 presentation of such silver duplicate medals to the
3 appropriate persons.

4 **SEC. 105. BRONZE DUPLICATES.**

5 Under such regulations as the Secretary may pre-
6 scribe, the Secretary may strike and sell duplicates in
7 bronze of the gold medal struck under section 101(a) at
8 a price sufficient to cover the costs of the bronze medals
9 (including labor, materials, dies, use of machinery, and
10 overhead expenses) and the cost of the gold medal.

11 **SEC. 106. NATIONAL MEDALS; SINGLE DESIGN.**

12 The medals struck under this title—

13 (1) are national medals for purposes of chapter
14 51 of title 31, United States Code; and

15 (2) shall bear the same designs, emblems, de-
16 vices, and inscriptions, as determined by the Sec-
17 retary of the Treasury.

18 **TITLE II—SPIRIT OF AMERICA**
19 **COMMEMORATIVE COINS**

20 **SEC. 201. FINDINGS.**

21 The Congress finds as follows:

22 (1) On September 11, 2001, the United States
23 suffered the worst act of terrorism in its history.

24 (2) The roughly 3,000 people who lost their
25 lives as a result of the terrorist attacks that oc-

1 curred in New York City, at the Pentagon, and in
2 Pennsylvania on September 11, 2001, will not be
3 forgotten.

4 (3) Hundreds of emergency personnel re-
5 sponded heroically to the crisis and lost their lives
6 as a result.

7 (4) People from everywhere in the United
8 States responded to the crisis with an outpouring of
9 support for the victims of the terrorist attacks and
10 their families.

11 (5) The civilized world stands with strength and
12 fortitude in opposition to the cowardly terrorist at-
13 tacks against the United States that occurred on
14 September 11, 2001.

15 (6) It is essential to remember not only the
16 tragedy of the attacks, but also the strength and re-
17 solve demonstrated by the people of the United
18 States in the aftermath of the attacks.

19 (7) The minting of coins in commemoration of
20 the Spirit of America will pay tribute to the count-
21 less heroes who risked their lives during the terrorist
22 attacks and in their aftermath so that others may
23 live and to a united people whose belief in freedom,
24 justice, and democracy has never swayed.

1 **SEC. 202. COIN SPECIFICATIONS.**

2 (a) DENOMINATIONS.—In commemoration of the
3 Spirit of America, the Secretary of the Treasury (hereafter
4 in this title referred to as the “Secretary”) shall mint and
5 issue the following coins:

6 (1) \$50 GOLD COINS.—Such number of \$50
7 coins as the Secretary determines under subsection

8 (b), which shall—

9 (A) weigh 1 ounce;

10 (B) have a diameter of 1.287 inches; and

11 (C) contain 91.67 percent gold and 8.33
12 percent alloy.

13 (2) \$1 SILVER COINS.—Not more than 400,000
14 \$1 coins which shall—

15 (A) weigh 26.73 grams;

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

17 (C) contain 90 percent silver and 10 per-
18 cent copper.

19 (3) HALF DOLLAR CLAD COINS.—Such number
20 of half dollar coins as the Secretary determines ap-
21 propriate to meet demand, which shall—

22 (A) weigh 11.34 grams;

23 (B) have a diameter of 1.205 inches; and

24 (C) be minted to the specifications for half
25 dollar coins contained in section 5112(b) of title
26 31, United States Code.

1 (b) NUMBER OF GOLD COINS.—

2 (1) IN GENERAL.—The maximum number of
3 gold coins minted and issued under this title shall
4 equal the sum of 25,000 and the number determined
5 under paragraph (2).

6 (2) DETERMINATION OF NUMBER.—The Sec-
7 retary, in consultation with the Attorney General of
8 the United States, the Secretary of Defense, and the
9 Governors of New York, Pennsylvania, and Virginia
10 shall determine the number of innocent individuals
11 confirmed or presumed to have been killed as a re-
12 sult of the terrorist attacks against the United
13 States that occurred on September 11, 2001, and
14 shall identify such individuals. The Secretary, under
15 subsection (a)(1), shall mint and issue a number of
16 \$50 coins equal to the number of such individuals.

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

20 (d) NUMISMATIC ITEMS.—For purposes of section
21 5136 of title 31, United States Code, all coins minted
22 under this title shall be considered to be numismatic items.

23 (e) SOURCES OF BULLION.—For the purpose of
24 minting coins under this title, the Secretary may only use

1 metals that are from natural deposits in the United States
2 or any territory or possession of the United States.

3 (f) SPECIAL TREATMENT UNDER EXIGENT CIR-
4 CUMSTANCES.—

5 (1) FINDINGS.—The Congress finds as follows:

6 (A) The limitations contained in para-
7 graphs (1) and (2)(A) of section 5112(m) of
8 title 31, United States Code, and section
9 5134(f)(1)(B) of such title have well served,
10 and continue to serve, their purpose of bringing
11 greater stability to the markets for commemo-
12 rative coins, maximizing demand and participa-
13 tion in such programs, and ensuring that such
14 programs have a broad base of private support
15 and are not used as the primary means of fund-
16 raising by organizations that are the recipients
17 of surcharges.

18 (B) The shocking circumstances of Sep-
19 tember 11, 2001, the broad base of public inter-
20 est in showing the Spirit of America and par-
21 ticipating in the raising of funds for the victims
22 of the crimes committed on that date, and the
23 importance of implementing this coin program
24 as quickly as possible, notwithstanding the limi-
25 tations contained in such paragraphs, justify

1 exempting the coins produced under this title
2 from such limitations.

3 (2) EXEMPTION.—Paragraphs (1) and (2) of
4 section 5112(m) of title 31, United States Code, and
5 section 5134(f)(1)(B) of such title shall not apply to
6 coins authorized under this title.

7 **SEC. 203. DESIGN OF COINS.**

8 (a) IN GENERAL.—The design of the coins minted
9 under this title shall be emblematic of the tragic events
10 that occurred at the Pentagon, in New York City, and in
11 Pennsylvania, on September 11, 2001.

12 (b) DESIGNATION AND INSCRIPTIONS.—On each coin
13 minted under this title there shall be—

14 (1) a designation of the value of the coin;

15 (2) an inscription of the date “September 11,
16 2001” (and such coin shall bear no other date); and

17 (3) inscriptions of the words “Liberty”, “In
18 God We Trust”, “United States of America”, and
19 “E Pluribus Unum”.

20 (c) SELECTION.—The design for the coins minted
21 under this title shall be selected—

22 (1) by the Secretary after consultation with the
23 Commission of Fine Arts; and

1 (2) reviewed by the citizens advisory committee
2 established under section 5135 of title 31, United
3 States Code.

4 **SEC. 204. STRIKING AND ISSUANCE OF COINS.**

5 (a) QUALITY OF COINS.—

6 (1) IN GENERAL.—Except as provided under
7 paragraph (2), coins minted under this title shall be
8 issued in uncirculated quality.

9 (2) GOLD COINS.—\$50 coins minted under sec-
10 tion 202(a)(1) shall be issued only in proof quality.

11 (b) MINT FACILITY.—

12 (1) IN GENERAL.—Except as provided under
13 paragraph (2), only 1 facility of the United States
14 Mint may be used to strike any particular quality of
15 the coins minted under this title.

16 (2) CLAD COINS.—Any number of facilities of
17 the United States Mint may be used to strike the
18 half dollar coins minted under section 202(a)(3).

19 (c) PERIOD FOR ISSUANCE.—The Secretary—

20 (1) shall commence issuing coins minted under
21 this title as soon as possible after the date of the en-
22 actment of this Act; and

23 (2) shall not issue any coins after the end of
24 the 1-year period beginning on the date such coins
25 are first issued.

1 **SEC. 205. SALE OF COINS.**

2 (a) SALE PRICE.—The coins issued under section
3 202(a) (other than the \$50 gold coins referred to in sub-
4 section (d)) shall be sold by the Secretary at a price equal
5 to the sum of—

6 (1) the face value of the coins;

7 (2) the surcharges required by section 206(a)
8 with respect to such coins; and

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

12 (b) BULK SALES.—The Secretary shall make bulk
13 sales of the coins issued under section 202(a) at a reason-
14 able discount.

15 (c) PREPAID ORDERS.—The Secretary shall accept
16 prepaid orders received before the issuance of the coins
17 minted under section 202(a). The sale prices with respect
18 to such prepaid orders shall be at a reasonable discount.

19 (d) GOLD COINS.—Notwithstanding section
20 204(c)(2), the Secretary shall issue a \$50 coin minted
21 under section 202(a)(1) for presentation free of charge to
22 the next of kin or personal representative of each indi-
23 vidual identified under section 202(b). The Speaker of the
24 House of Representatives and the President Pro Tempore
25 of the Senate shall make appropriate arrangements for the
26 presentation, on behalf of the Congress, of such gold coins.

1 **SEC. 206. SURCHARGES ON SALE OF COINS.**

2 (a) ASSESSMENT.—Any sale by the Secretary of a
3 coin minted under this title shall include a surcharge of—

4 (1) \$100 per coin for the \$50 gold coins;

5 (2) \$10 per coin for the \$1 coin; and

6 (3) \$5 per coin for the half dollar coin.

7 (b) DISTRIBUTION OF EXCESS PROCEEDS.—Any pro-
8 ceeds from the surcharges received by the Secretary from
9 the sale of coins issued under this title in excess of the
10 cost of producing all coins issued under this title (includ-
11 ing coins presented under section 205(d)) shall be—

12 (1) used to cover the costs incurred in the pro-
13 duction of gold medals, gold duplicate medals, and
14 silver duplicate medals under title I that have not
15 been recovered from the sale of duplicate bronze
16 medals under such title; and

17 (2) with respect to any amount remaining after
18 the costs described in paragraph (1) are covered,
19 transferred to each fund determined by the Sec-
20 retary of the Treasury to be appropriate that was
21 established for the purpose of establishing and main-
22 taining any memorial referred to in section 101(c),
23 102(d) or 103(c) in equal amounts to each such
24 fund.

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