

110TH CONGRESS  
1ST SESSION

# H. R. 1764

To establish a congressional commemorative medal for organ donors and their families.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2007

Mr. STARK (for himself, Mr. CAMP of Michigan, Mr. VAN HOLLEN, Mr. McNULTY, Mrs. MCCARTHY of New York, Mr. ENGLISH of Pennsylvania, Mr. KIRK, Mr. PASCRELL, Mr. McDERMOTT, Mr. WILSON of South Carolina, Mr. HINCHEY, Mr. CRENSHAW, Mr. COOPER, Mrs. BLACKBURN, Mr. KIND, Ms. NORTON, and Mr. UPTON) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To establish a congressional commemorative medal for organ donors and their families.

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 “William H. Frist Gift  
5       of Life Congressional Medal Act of 2007”.

1 **SEC. 2. CONGRESSIONAL MEDAL.**

2       The Secretary of the Treasury shall design and strike  
3 a bronze medal with suitable emblems, devices, and in-  
4 scriptions, to be determined by the Secretary of the Treas-  
5 ury, to commemorate organ donors and their families.

6 **SEC. 3. ELIGIBILITY REQUIREMENTS.**

7       (a) IN GENERAL.—Any organ donor, or the family  
8 of any organ donor, shall be eligible for a medal described  
9 in section 2.

10       (b) DOCUMENTATION.—The Secretary of Health and  
11 Human Services shall direct the entity holding the Organ  
12 Procurement and Transplantation Network (hereafter in  
13 this Act referred to as “OPTN”) to contract to—

14           (1) establish an application procedure requiring  
15 the relevant organ procurement organization, as de-  
16 scribed in section 371(b)(1) of the Public Health  
17 Service Act (42 U.S.C. 273(b)(1)), through which an  
18 individual or their family made an organ donation,  
19 to submit to the OPTN contractor documentation  
20 supporting the eligibility of that individual or their  
21 family to receive a medal described in section 2; and

22           (2) determine, through the documentation pro-  
23 vided, and, if necessary, independent investigation,  
24 whether the individual or family is eligible to receive  
25 a medal described in section 2.

1 **SEC. 4. PRESENTATION.**

2 (a) DELIVERY TO THE SECRETARY OF HEALTH AND  
3 HUMAN SERVICES.—The Secretary of the Treasury shall  
4 deliver medals struck pursuant to this Act to the Secretary  
5 of Health and Human Services.

6 (b) DELIVERY TO ELIGIBLE RECIPIENTS.—The Sec-  
7 retary of Health and Human Services shall direct the  
8 OPTN contractor to arrange for the presentation to the  
9 relevant organ procurement organization all medals struck  
10 pursuant to this Act to individuals or families that, in ac-  
11 cordance with section 3, the OPTN contractor has deter-  
12 mined to be eligible to receive medals under this Act.

13 (c) LIMITATION.—

14 (1) IN GENERAL.—Except as provided in para-  
15 graph (2), only 1 medal may be presented to a fam-  
16 ily under subsection (b). Such medal shall be pre-  
17 sented to the donating family member, or in the case  
18 of a deceased donor, the family member who signed  
19 the consent form authorizing, or who otherwise au-  
20 thorized, the donation of the organ involved.

21 (2) EXCEPTION.—In the case of a family in  
22 which more than 1 member is an organ donor, the  
23 OPTN contractor may present an additional medal  
24 to each such organ donor or their family.

1 **SEC. 5. DUPLICATE MEDALS.**

2 (a) IN GENERAL.—The Secretary of Health and  
3 Human Services or the OPTN contractor may provide du-  
4 plicates of the medal described in section 2 to any recipi-  
5 ent of a medal under section 4(b), under such regulations  
6 as the Secretary of Health and Human Services may  
7 issue.

8 (b) LIMITATION.—The price of a duplicate medal  
9 shall be sufficient to cover the cost of such duplicates.

10 **SEC. 6. NATIONAL MEDALS.**

11 The medals struck pursuant to this Act are national  
12 medals for purposes of section 5111 of title 31, United  
13 States Code.

14 **SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULA-**  
15 **TIONS.**

16 No provision of law governing procurement or public  
17 contracts shall be applicable to the procurement of goods  
18 or services necessary for carrying out the provisions of this  
19 Act.

20 **SEC. 8. SOLICITATION OF DONATIONS.**

21 (a) IN GENERAL.—The Secretary of the Treasury  
22 may enter into an agreement with the OPTN contractor  
23 to collect funds to offset expenditures relating to the  
24 issuance of medals authorized under this Act.

25 (b) PAYMENT OF FUNDS.—

1           (1) IN GENERAL.—Except as provided in para-  
2           graph (2), all funds received by the Organ Procure-  
3           ment and Transplantation Network under subsection  
4           (a) shall be promptly paid by the Organ Procure-  
5           ment and Transplantation Network to the Secretary  
6           of the Treasury.

7           (2) LIMITATION.—Not more than 5 percent of  
8           any funds received under subsection (a) shall be  
9           used to pay administrative costs incurred by the  
10          OPTN contractor as a result of an agreement estab-  
11          lished under this section.

12          (c) NUMISMATIC PUBLIC ENTERPRISE FUND.—Not-  
13          withstanding any other provision of law—

14                (1) all amounts received by the Secretary of the  
15          Treasury under subsection (b)(1) shall be deposited  
16          in the Numismatic Public Enterprise Fund, as de-  
17          scribed in section 5134 of title 31, United States  
18          Code; and

19                (2) the Secretary of the Treasury shall charge  
20          such fund with all expenditures relating to the  
21          issuance of medals authorized under this Act.

22          (d) START-UP COSTS.—A 1-time amount not to ex-  
23          ceed \$55,000 shall be provided to the OPTN contractor  
24          to cover initial start-up costs. The amount will be paid

1 back in full within 3 years of the date of the enactment  
2 of this Act from funds received under subsection (a).

3 (e) NO NET COST TO THE GOVERNMENT.—The Sec-  
4 retary of the Treasury shall take all actions necessary to  
5 ensure that the issuance of medals authorized under sec-  
6 tion 2 results in no net cost to the Government.

7 **SEC. 9. DEFINITIONS.**

8 For purposes of this Act—

9 (1) the term “organ” means the human kidney,  
10 liver, heart, lung, pancreas, and any other human  
11 organ (other than corneas and eyes) specified by  
12 regulation of the Secretary of Health and Human  
13 Services or the OPTN contractor; and

14 (2) the term “Organ Procurement and Trans-  
15 plantation Network” means the Organ Procurement  
16 and Transplantation Network established under sec-  
17 tion 372 of the Public Health Service Act (42  
18 U.S.C. 274).

19 **SEC. 10. SUNSET PROVISION.**

20 This Act shall be effective during the 2-year period  
21 beginning on the date of the enactment of this Act.

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