

111TH CONGRESS  
1ST SESSION

# S. 2106

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.

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## IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

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## 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 hereby finds as follows:

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 of Congress enti-  
4           tled “Chapter XX.—An Act to Establish the Judi-  
5           cial Courts of the United States” and enacted on  
6           September 24, 1789 (commonly referred to as the  
7           “Judiciary Act of September 24, 1789”), during the  
8           1st Session of the 1st Congress and signed into law  
9           by the 1st President of the United States, George  
10          Washington.

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

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

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

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

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

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

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

19              (8) The United States should pay tribute to the  
20      Nation's oldest law enforcement agency, the United  
21      States Marshals Service, by minting and issuing  
22      commemorative coins as defined herein.

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 100,000  
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 500,000

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 LIMIT.—Notwithstanding the  
 8 mintage level limit described under section  
 9 5112(m)(2)(A)(ii) of title 31, United States Code, the Sec-  
 10 retary of the Treasury may mint and issue not more than  
 11 500,000 of each of the \$1 coins and 100,000 of each of  
 12 the \$5 coins authorized to be minted under this Act.

#### 13 **SEC. 4. DESIGN OF COINS.**

14 (a) DESIGN REQUIREMENTS.—

15 (1) IN GENERAL.—The design of the coins  
 16 minted under this Act shall be emblematic of the  
 17 225 years of exemplary and unparalleled achieve-  
 18 ments of the United States Marshals Service.

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

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

22 (B) an inscription of the year “2014”; and

23 (C) inscriptions of the words “Liberty”,

24 “In God We Trust”, “United States of Amer-

25 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 (a.k.a.  
8 “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 (a.k.a.  
 4 “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 be-  
23   ginning on or after September 24, 2014, the 225th anni-  
24   versary date of the United States Marshals Service, except  
25   for a limited number to be issued prior to this date to



1 the Director of the United States Marshals Service and  
2 employees of the Service for display and presentation dur-  
3 ing the 225th Anniversary celebration.

4 (d) TERMINATION OF MINTING AUTHORITY.—No  
5 coins may be minted under this Act after December 31,  
6 2014.

7 **SEC. 6. SALE OF COINS.**

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

11 (1) the face value of the coins;

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

14 (3) the cost of designing and issuing the coins  
15 (including labor, materials, dies, use of machinery,  
16 overhead expenses, marketing, and shipping).

17 (b) PREPAID ORDERS.—

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

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

24 (3) UNITED STATES MARSHALS SERVICE EM-  
25 PLOYEES.—To the extent possible the Secretary

1 shall make arrangements to ensure that current,  
2 former, and retired employees of the United States  
3 Marshals Service, names to be verified by the Direc-  
4 tor USMS, or his designee, have an exclusive defined  
5 period of time to place prepaid orders under para-  
6 graph (1) at the same reasonable discount referred  
7 to in paragraph (2).

8 (c) PRESENTATION.—In addition to the issuance of  
9 coins under this Act in such other methods of presentation  
10 as the Secretary of the Treasury determines to be appro-  
11 priate, the Secretary shall provide, as a sale option, a pres-  
12 entation case which displays the \$5 gold and the \$1 silver  
13 coins. The presentation case should bear a depiction of  
14 the current badge of the United States Marshals Service.

15 **SEC. 7. SURCHARGES.**

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

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

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

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

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

7           (2) Of amounts available for distribution after  
8           the payment under paragraph (1)—

9                   (A) \$1,000,000 to the Center for Missing  
10                  and Exploited Children located in Washington,  
11                  DC.

12                  (B) \$1,000,000 to the National Law En-  
13                  forcement Officers Memorial Fund located in  
14                  Washington, DC, in support of the National  
15                  Law Enforcement Museum and the National  
16                  Law Enforcement Officers Memorial.

17                  (C) \$1,000,000 to the Federal Law En-  
18                  forcement Officers Association.

19                  (D) \$500,000 to the William “Bill” Degan  
20                  Scholarship Fund, which provides scholarships  
21                  for spouses and children of law enforcement of-  
22                  ficers killed in the line of duty.

23                  (E) \$500,000 to the Robert D. May Schol-  
24                  arship Fund, which provides scholarships for

1 spouses and children of law enforcement offi-  
2 cers killed in the line of duty.

3 (F) \$500,000 to the Community Oriented  
4 Policing Service.

5 (G) \$500,000 to the Retired United States  
6 Marshals Service Association, an IRS 501(c)3  
7 charitable organization located in Miami, FL.

8 (c) AUDITS.—All organizations, associations, and  
9 funds shall be subject to the audit requirements of section  
10 5134(f)(2) of title 31, United States Code, with regard  
11 to the amounts received under subsection (b).

12 **SEC. 8. BRONZE DUPLICATES.**

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

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