

112TH CONGRESS
1ST SESSION

S. 431

To require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

IN THE SENATE OF THE UNITED STATES

MARCH 2, 2011

Mr. PRYOR (for himself and Mr. BOOZMAN) 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 the 225th anniversary of the establishment of the Nation's first Federal 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, the first Fed-
2 eral law enforcement officers in America, were 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 nominated the first 11 United States
15 Marshals on September 24, and the remaining two
16 Marshals on September 25, 1789. The Senate con-
17 firmed all 13 on September 26, 1789, 2 days after
18 the Judiciary Act was signed into law.

19 (3) In 1969, by order of the Department of
20 Justice, the United States Marshals Service was cre-
21 ated, and achieved Bureau status in 1974. The
22 United States Marshals Service has had major sig-
23 nificance in the history of the United States, and
24 has directly contributed to the safety and preserva-
25 tion of this Nation, by serving as an instrument of

1 civil authority used by all 3 branches of the United
2 States Government.

3 (4) One of the original 13 United States Mar-
4 shals, Robert Forsyth of Georgia, a 40-year old vet-
5 eran of the Revolutionary War, was the first civilian
6 official of the United States Government, and the
7 first of many United States Marshals and deputies,
8 to be killed in the line of duty when he was shot on
9 January 11, 1794, while trying to serve civil process.

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

13 (6) The United States should pay tribute to the
14 Nation's oldest Federal law enforcement agency, the
15 United States Marshals Service, by minting and
16 issuing commemorative coins, as provided in this
17 Act.

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

21 (8) The proceeds from a surcharge on the sale
22 of such commemorative coins will assist the financ-
23 ing of national museums and charitable organiza-
24 tions.

1 **SEC. 3. COIN SPECIFICATIONS.**

2 (a) DENOMINATIONS.—In commemoration of the
3 225th anniversary of the establishment of the United
4 States Marshals Service, the Secretary of the Treasury
5 (hereafter in this Act referred to as the “Secretary”) shall
6 mint and issue the following coins:

7 (1) \$5 GOLD COINS.—Not more than 100,000
8 \$5 gold coins, which shall—

9 (A) weigh 8.359 grams;

10 (B) have a diameter of 0.850 inches; and

11 (C) contain 90 percent gold and 10 percent
12 alloy.

13 (2) \$1 SILVER COINS.—Not more than 500,000
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 alloy.

19 (3) HALF DOLLAR CLAD COINS.—Not more
20 than 750,000 half dollar coins, which shall—

21 (A) weigh 11.34 grams;

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

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

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

8 (a) DESIGN REQUIREMENTS.—

9 (1) IN GENERAL.—The design of the coins
10 minted under this Act shall be emblematic of the
11 225 years of exemplary and unparalleled achieve-
12 ments of the United States Marshals Service.

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

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

16 (B) an inscription of—

17 (i) the mint date “2015”; and

18 (ii) the years 1789 and 2014; and

19 (C) inscriptions of the words “Liberty”,
20 “In God We Trust”, “United States of Amer-
21 ica”, and “E Pluribus Unum”, and such other
22 inscriptions as the Secretary may determine to
23 be appropriate for the designs of the coins.

24 (3) COIN IMAGES.—

25 (A) \$5 GOLD COINS.—

1 (i) OBVERSE.—The obverse of the \$5
2 coins issued under this Act shall bear an
3 image of the United States Marshals Serv-
4 ice Star (also known as “America’s Star”).

5 (ii) REVERSE.—The reverse of the \$5
6 coins issued under this Act shall bear a de-
7 sign emblematic of the sacrifice and service
8 of the men and women of the United
9 States Marshals Service who lost their lives
10 in the line of duty and include the Mar-
11 shals Service motto “Justice, Integrity,
12 Service”.

13 (B) \$1 SILVER COINS.—

14 (i) OBVERSE.—The obverse of the \$1
15 coins issued under this Act shall bear an
16 image of the United States Marshals Serv-
17 ice Star (also known as “America’s Star”).

18 (ii) REVERSE.—The reverse of the \$1
19 silver coins issued under this Act shall bear
20 an image emblematic of the United States
21 Marshals legendary status in America’s
22 cultural landscape. The image should de-
23 pict Marshals as the lawmen of our fron-
24 tiers, including their geographic, political,
25 or cultural history, and shall include the

1 Marshals Service motto “Justice, Integrity,
2 Service”.

3 (C) HALF DOLLAR CLAD COINS.—

4 (i) OBVERSE.—The obverse of the
5 half dollar clad coins issued under this Act
6 shall bear an image emblematic of the
7 United States Marshals Service and its
8 history.

9 (ii) REVERSE.—The reverse of the
10 half dollar clad coins issued under this Act
11 shall bear an image consistent with the
12 role that the United States Marshals
13 played in a changing Nation, as they were
14 involved in some of the most pivotal social
15 issues in American history. The image
16 should show the ties that the Marshals
17 have to the United States Constitution,
18 with themes including—

19 (I) the Whiskey Rebellion and
20 the rule of law;

21 (II) slavery and the legacy of in-
22 equality; and

23 (III) the struggle between labor
24 and capital.

1 (4) REALISTIC AND HISTORICALLY ACCURATE
2 DEPICTIONS.—The images for the designs of coins
3 issued under this Act shall be selected on the basis
4 of the realism and historical accuracy of the images
5 and on the extent to which the images are reminis-
6 cent of the dramatic and beautiful artwork on coins
7 of the so-called “Golden Age of Coinage” in the
8 United States, at the beginning of the 20th Century,
9 with the participation of such noted sculptors and
10 medallic artists as James Earle Fraser, Augustus
11 Saint-Gaudens, Victor David Brenner, Adolph A.
12 Weinman, Charles E. Barber, and George T. Mor-
13 gan.

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

16 (1) selected by the Secretary, after consultation
17 with the Director of the United States Marshals
18 Service and the Commission of Fine Arts; and

19 (2) reviewed by the Citizens Coin Advisory
20 Committee.

21 **SEC. 5. ISSUANCE OF COINS.**

22 (a) QUALITY OF COINS.—Coins minted under this
23 Act shall be issued in proof quality and uncirculated qual-
24 ity.

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

5 (c) COMMENCEMENT OF ISSUANCE.—The Secretary
6 may issue coins, to the public, minted under this Act be-
7 ginning on or after January 1, 2015, except for a limited
8 number to be issued prior to such date to the Director
9 of the United States Marshals Service and employees of
10 the Service for display and presentation during the 225th
11 Anniversary celebration.

12 (d) TERMINATION OF MINTING AUTHORITY.—No
13 coins may be minted under this Act after December 31,
14 2015.

15 **SEC. 6. SALE OF COINS.**

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

19 (1) the face value of the coins;

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

22 (3) the cost of designing and issuing the coins
23 (including labor, materials, dies, use of machinery,
24 overhead expenses, marketing, and shipping).

25 (b) PREPAID ORDERS.—

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

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

7 **SEC. 7. SURCHARGES.**

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

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

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

14 (3) A surcharge of \$3 per coin for the half dol-
15 lar coin.

16 (b) DISTRIBUTION.—Subject to section 5134(f) of
17 title 31, United States Code, the Secretary shall promptly
18 distribute all surcharges received from the sale of coins
19 issued under this Act as follows:

20 (1) The first \$5,000,000 available for distribu-
21 tion under this section, to the U.S. Marshals Mu-
22 seum, Inc., also known as the United States Mar-
23 shals Museum, for the preservation, maintenance,
24 and display of artifacts and documents.

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

3 (A) Thirty-three and one-third percent
4 shall be distributed to The National Center for
5 Missing & Exploited Children.

6 (B) Thirty-three and one-third percent
7 shall be distributed to the National Law En-
8 forcement Officers Memorial Fund, in support
9 of the National Law Enforcement Museum and
10 the National Law Enforcement Officers Memo-
11 rial.

12 (C) Thirty-three and one-third percent
13 shall be distributed to the Federal Law En-
14 forcement Officers Association Foundation.

15 (c) AUDITS.—All organizations, associations, and
16 funds shall be subject to the audit requirements of section
17 5134(f)(2) of title 31, United States Code, with regard
18 to the amounts received under subsection (b).

19 (d) LIMITATION.—Notwithstanding subsection (a),
20 no surcharge may be included with respect to this issuance
21 under this Act of any coin during a calendar year if, as
22 of the time of such issuance, the issuance of such coin
23 would result in the number of commemorative coin pro-
24 grams issued during such year to exceed the annual 2
25 commemorative coin program issuance limitation under

1 section 5112(m)(1) of title 31, United States Code (as in
2 effect on the date of the enactment of this Act). The Sec-
3 retary of the Treasury may issue guidance to carry out
4 this subsection.

○