

§ 38.14 PROVIDING FOR THE
CONSIDERATION OF H.R. 2039

Mr. MOAKLEY, by direction of the Committee on Rules, reported (Rept. No. 102-477) the resolution (H. Res. 413) providing for the consideration of the bill (H.R. 2039) to authorize appropriations for the Legal Services Corporation, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

§ 38.15 FURTHER CONTINUING
APPROPRIATIONS FOR 1992

On motion of Mr. OBEY, by unanimous consent, the joint resolution (H.J. Res. 456) making further continuing appropriations for the fiscal year 1992, and for other purposes; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Page 17, line 10, strike out "1956." and insert: 1956.

Page 17, after line 10, insert:

"SEC. 128. Notwithstanding any other provision of this joint resolution, the following appropriation is made:

"SMALL BUSINESS ADMINISTRATION
"DISASTER LOANS PROGRAM ACCOUNT

"For an additional amount for the cost of direct loans, \$82,025,000, to remain available until expended: *Provided*, That these funds are available to subsidize additional gross obligations for the principal amount of direct loans not to exceed \$241,748,000.

"In addition, for administrative expenses to carry out the disaster loan program, an additional \$25,000,000, which may be transferred to and merged with the appropriations for 'Salaries and expenses'.

"Congress hereby designates these amounts as emergency requirements pursuant to section 251(b)(2)(D) of the Budget Enforcement Act of 1990."

On motion of Mr. OBEY, said Senate amendments were agreed to.

A motion to reconsider the vote whereby said Senate amendments were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

§ 38.16 WHITE HOUSE ANNIVERSARY COIN

Mr. TORRES called up the following conference report (Rept. No. 102-454):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3337), to require the Secretary of the Treasury to mint coins in commemoration of the 200th anniversary of the White House, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with amendments as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

TITLE V—COINS

SEC. 501. DESIGN CHANGES REQUIRED FOR CERTAIN COINS.

(a) IN GENERAL.—Section 5112(d) of title 31, United States Code, is amended by adding at the end the following new paragraph:

"(3) The design on the reverse side of the half-dollar and the quarter-dollar shall be se-

lected for redesign. The 1-cent, 5-cent and dime coins shall be considered for redesign. The first redesigned coin shall have a design commemorating the two hundredth anniversary of the ratification of the Bill of Rights to the United States Constitution for a period of 2 years after issuance. After the 2-year period, the bicentennial coin shall have its design changed in accordance with the provisions of this subsection. All such redesigned coins shall conform with the inscription requirements set forth in paragraph (1) of this subsection."

(b) Minting and Issuance.—The minting of the first coin selected for redesign under section 5112(d)(3) of title 31, United States Code, shall begin not later than one year after the date of enactment of this Act, and the issuance shall begin as soon as practical thereafter.

SEC. 502. SELECTION OF DESIGNS.

The design changes required by the amendments made by section 501 shall take place at the discretion of the Secretary of the Treasury and shall be phased in over 3 years after the date of enactment of this Act. After the expiration of one year after the second redesigned coin is put into circulation, the Congress may, at its discretion, direct the Secretary to reconsider the design of any redesigned coin. In selecting new designs, the Secretary shall consider, among other factors, thematic representations of the following concepts from the Bill of Rights: freedom of speech and assembly; freedom of the press; the right to due process of law; and other appropriate themes. The designs shall be selected by the Secretary upon consultation with the Commission of Fine Arts. All coins minted under section 501 shall bear the inscription "IN GOD WE TRUST" and such other inscriptions as are required by law.

SEC. 503. REDUCTION OF THE NATION'S DEBT.

Section 5132(a)(1) of title 31, United States Code, is amended by inserting after the 3rd sentence the following: "Any profits received from the sale of uncirculated and proof sets of such coins shall be deposited by the Secretary in the general fund of the Treasury and shall be used for the sole purpose of reducing the national debt."

SEC. 504 NO NET COST TO THE GOVERNMENT.

The Secretary of the Treasury shall take such actions as may be necessary to ensure that the minting and issuance of the coins referred to in section 501 do not result in any net cost to the Government.

SEC. 505. DENOMINATIONS, SPECIFICATIONS, AND DESIGN OF COINS.

(a) IN GENERAL.—The fourth sentence of section 5112(d)(1) of title 31, United States Code, is amended by striking ", half dollar, and quarter dollar".

(b) TECHNICAL AMENDMENTS RELATING TO INSCRIPTION REQUIREMENTS.—Section 5112(d)(1) of title 31, United States Code, is amended—

(1) in the 1st sentence, by inserting "shall" before "have"; and

(2) in the 2nd and 3rd sentences, by striking "has" and inserting "shall have".

TITLE VI—JAMES MADISON COINS

SEC. 601. SHORT TITLE.

This title may be cited as the "James Madison—Bill of Rights Commemorative Coin Act".

SEC. 602. COIN SPECIFICATIONS.

(a) FIVE DOLLAR GOLD COINS.—

(1) ISSUANCE.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 300,000 five dollar coins each of which shall—

- (A) weigh 8.359 grams;
- (B) have a diameter of .850 inches; and
- (C) be composed of 90 percent gold and 10 percent alloy.

(2) DESIGN.—The design of the five dollar coins shall be emblematic of the first ten Amendments of the Constitution of the United States, known as the Bill of Rights. The Director of the United States Mint shall sponsor a nationwide open competition for the design of the five dollar coin beginning not later than 3 months after the date of the enactment of this Act. This Director of the United States Mint shall convene the Design Panel established under subsection (e) which shall select 10 designs to be submitted to the Secretary who shall select the final design.

(b) ONE DOLLAR SILVER COINS.—

(1) ISSUANCE.—The Secretary shall mint and issue not more than 900,000 one dollar coins each of which shall—

- (A) weigh 26.73 grams;
- (B) have a diameter of 1.5 inches; and
- (C) be composed of 90 percent silver and 10 percent copper.

(2) DESIGN.—The obverse design of the one dollar coins shall be emblematic of James Madison, the fourth President of the United States. The reverse design shall be emblematic of James Madison's home, Montpelier, between the years 1751 and 1836. The Director of the United States Mint shall sponsor a nationwide open competition for the design of the one dollar coin beginning not later than 3 months after the date of the enactment of this Act. The Director of the United States Mint shall convene the Design Panel established under subsection (e) which shall select 10 designs to be submitted to the Secretary who shall select the final design.

(c) HALF DOLLAR SILVER COINS.—

(1) ISSUANCE.—The Secretary shall mint and issue not more than 1,000,000 half dollar coins each of which shall—

- (A) weigh 12.50 grams;
- (B) have a diameter of 30.61 millimeters; and
- (C) be composed of 90 percent silver and 10 percent copper.

(2) DESIGN.—The design of the half dollar silver coins shall be emblematic of the first ten Amendments of the Constitution of the United States, known as the Bill of Rights. The Director of the United States Mint shall sponsor a nationwide open competition for the design of the half dollar coin beginning not later than 3 months after the date of the enactment of the Act. The Director of the United States Mint shall convene the Design Panel established under subsection (e) which shall select 10 designs to be submitted to the Secretary who shall select the final design.

(d) INSCRIPTIONS.—All coins minted and issued under this Act shall bear a designation of the value of the coin, an inscription of the year of issue and inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum".

(e) DESIGN PANEL.—The Design Panel referred to in subsections (a), (b), and (c) shall consist of the following members:

- (1) The Chairperson of the Commission of Fine Arts.
- (2) The president of the James Madison Memorial Fellowship Foundation.
- (3) The Executive Director, National Numismatic Collection, the Smithsonian Institution.
- (4) A representative member of the American Numismatic Association.
- (5) A representative member of a national sculpture society or association.
- (6) Two representatives of the United States Mint selected by the Director of the United States Mint.

The Secretary shall reimburse the members of the Design Panel for per diem expenses and other official expenses from the revenues received from the sale of the coins. The Design Panel shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.), and shall terminate following the selection process set forth in subsections (a), (b), and (c).

(f) **LEGAL TENDER.**—The coins issued under this title shall be legal tender as provided in section 5103 of title 31, United States Code.

SEC. 603. SOURCES OF BULLION.

(a) **GOLD.**—The Secretary shall obtain gold for minting coins under this title pursuant to the authority of the Secretary under existing law.

(b) **SILVER.**—The Secretary shall obtain silver for minting coins under this Act only from stockpiles established under the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98 et seq.).

SEC. 604. ISSUANCE OF COINS.

(a) **FIVE DOLLAR COINS.**—The five dollar coins minted under this Act may be issued in uncirculated and proof qualities and shall be struck at the United States Mint at West Point, New York.

(b) **ONE DOLLAR COINS AND HALF DOLLAR COINS.**—The one dollar and half dollar coins minted under this Act may be issued in uncirculated and proof qualities, except that not more than one facility of the United States Mint may be used to strike any particular combination of denomination and quality.

(c) **COMMENCEMENT OF ISSUANCE.**—The coins authorized and minted under this title may be issued beginning on January 1, 1993.

(d) **TERMINATION OF AUTHORITY.**—Coins may not be minted under this title after December 31, 1993.

SEC. 605. SALE OF COINS.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary shall sell the coins minted under this title at a price at least equal to the face value, plus the cost of minting and issuing the coins (including labor, materials, overhead, distribution, and promotional expenses).

(b) **BULK SALES.**—The Secretary shall make any bulk sales of the coins minted under this Act at a reasonable discount.

(c) **PREPAID ORDERS.**—The Secretary shall accept prepaid orders for the coins minted under this title prior to the issuance of such coins. Sale prices with respect to such prepaid orders shall be at a reasonable discount.

(d) **SURCHARGES.**—All sales of coins minted under this Act shall include a surcharge of \$30 per coin for the five dollar coins, \$6 per coin for the one dollar coins, and \$3 per coin for the half dollar coins.

SEC. 606. FINANCIAL ASSURANCES.

(a) **NO NET COST TO THE GOVERNMENT.**—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this title will not result in any net cost to the United States Government.

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

- (1) full payment for the coin;
- (2) security satisfactory to the Secretary to indemnify the United States for full payment; or
- (3) a guarantee of full payment satisfactory to the Secretary from a depository institution the deposits of which are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

(c) **REPORTS TO CONGRESS.**—Not later than fifteen days after the last day of each month, the Secretary shall transmit to the Committee on Banking, Finance, and Urban Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report detailing activities carried out under this title during such month. The report shall include a review of all marketing activities and a financial statement which details sources of funds, surcharges generated, and expenses incurred for manufacturing, materials, overhead, packaging, marketing, and shipping.

SEC. 607. DISTRIBUTION OF SURCHARGES.

The surcharges received by the Secretary shall be transmitted promptly to the James Madison Memorial Fellowship Trust Fund established in 1986 by the James Madison Memorial Fellowship Act (20 U.S.C. 4501 et seq.). Such transmitted amounts shall qualify under section 811(a)(2) of that Act as funds contributed from private sources. In accordance with the purposes of the James Madison Fellowship Program, the funds transmitted to the Trust Fund shall be used to encourage teaching and graduate study of the Constitution of the United States, its roots, its formation, its principles, and its development.

SEC. 608. AUDITS.

The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data as may be related to the expenditure of amounts transmitted under section 607 of this title. The expenditures and audit of surcharge funds deposited in the James Madison Memorial Fellowship Trust Fund under section 607 of this Act shall be done in accordance with section 812 of the James Madison Memorial Fellowship Act (20 U.S.C. 4511). Annual reports shall be submitted by the Chairman of the James Madison Memorial Fellowship Foundation to both Houses of Congress on all expenditures of surcharge funds.

SEC. 609. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) **IN GENERAL.**—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this title.

(b) **EQUAL EMPLOYMENT OPPORTUNITY.**—Subsection (a) shall not relieve any person entering into a contract under the authority of this title from complying with any law relating to equal employment opportunity.

On page 15, between lines 19 and 20 of the House engrossed bill, insert the following:

SEC. 400. SHORT TITLE.

This title may be cited as the "Frank Annunzio Act".

And the Senate agree to the same.
 ESTEBAN EDWARD TORRES,
 CARROLL HUBBARD,
 DOUG BARNARD JR.,
Managers on the Part of the House.
 DON RIEGLE,
 ALAN CRANSTON,
Managers on the Part of the Senate.

When said conference report was considered.

After debate,
 By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

Mr. MCCANDLESS moved to recommend the conference report on the bill (H.R. 3337) to require the Secretary of the Treasury to mint a coin in commemoration of the Two-hundredth Anniversary of the White House, to the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill, with instructions to the managers on the part of the House to disagree to the Senate amendment relating to the redesign of the circulating coinage of the United States.

By unanimous consent, the previous question was ordered on the motion to recommit.

The question being put, *viva voce*,
 Will the House recommit said conference report?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the nays had it.

Mr. MCCANDLESS objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,
 The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 206
 Nays 199

38.17 [Roll No. 70]
 YEAS—206

Alexander	Goss	Penny
Allen	Gradison	Peterson (FL)
Andrews (TX)	Grandy	Porter
Anthony	Green	Poshard
Archer	Gunderson	Ramstad
Armey	Hamilton	Ravenel
Aspin	Hancock	Ray
Baker	Hansen	Regula
Ballenger	Harris	Rhodes
Barrett	Hastert	Ridge
Barton	Hayes (LA)	Riggs
Bateman	Hefley	Rinaldo
Bentley	Hefner	Ritter
Bereuter	Henry	Roberts
Bilirakis	Herger	Roemer
Bliley	Hobson	Rogers
Boehner	Hochbrueckner	Rohrabacher
Boucher	Holloway	Ros-Lehtinen
Boxer	Houghton	Rose
Broomfield	Huckaby	Rostenkowski
Bruce	Hughes	Roth
Bunning	Hunter	Roukema
Burton	Hutto	Rowland
Byron	Hyde	Russo
Callahan	Inhofe	Sangmeister
Camp	Jacobs	Santorum
Campbell (CA)	James	Schaefer
Carper	Johnson (CT)	Schiff
Chandler	Johnson (TX)	Schroeder
Clinger	Kanjorski	Schulze
Coble	Kasich	Sensenbrenner
Coleman (MO)	Klug	Sharp
Combest	Kolter	Shaw
Cooper	Kostmayer	Shays
Coughlin	Kyl	Shuster
Cox (CA)	Lagomarsino	Skeen
Cramer	Laughlin	Skelton
Crane	Leach	Slattery
Cunningham	Levin (MI)	Slaughter
de la Garza	Lewis (FL)	Smith (FL)
DeLay	Lightfoot	Smith (IA)
Dickinson	Lloyd	Smith (OR)
Dingell	Lowery (CA)	Smith (TX)
Doolittle	Marlenee	Snowe
Dorgan (ND)	Martin	Solomon
Dornan (CA)	Martinez	Spence
Downey	Mazzoli	Staggers
Dreier	McCandless	Stark
Duncan	McCollum	Stearns
Dwyer	McCrery	Tanner
Edwards (OK)	McCurdy	Taylor (MS)
Emerson	McDade	Taylor (NC)
English	McEwen	Thomas (CA)
Ewing	McGrath	Thomas (WY)
Fawell	Miller (OH)	Vander Jagt
Fields	Miller (WA)	Volkmer
Ford (TN)	Molinari	Vucanovich
Franks (CT)	Moorhead	Walker
Frost	Myers	Walsh
Gallegly	Nichols	Weber
Gallo	Nussle	Wise
Gaydos	Olin	Wolf
Gekas	Orton	Wylie
Geren	Oxley	Yatron
Gilchrest	Packard	Young (AK)
Gillmor	Panetta	Young (FL)
Gingrich	Patterson	Zeliff
Glickman	Paxon	Zimmer
Goodling	Payne (VA)	

NAYS—199

Abercrombie	Barnard	Brooks
Ackerman	Bellenson	Browder
Allard	Bennett	Brown
Anderson	Berman	Bryant
Andrews (ME)	Bilbray	Bustamante
Andrews (NJ)	Blackwell	Cardin
Annunzio	Boehlert	Carr
Atkins	Bonior	Chapman
AuCoin	Borski	Clay
Bacchus	Brewster	Clement