

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1057**

OFFERED BY MR. OXLEY OF OHIO

Chairman's Mark

Strike all after the enacting clause and insert the
following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “True American Heroes
3 Act of 2005” .

**4 TITLE I—MEDALS FOR
5 RESPONDERS AND RESISTERS**

6 SEC. 101. CONGRESSIONAL GOLD MEDAL .

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

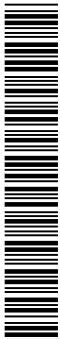
9 (1) the officers, emergency workers, and other
10 employees of State and local government agencies,
11 including the Port Authority of New York and New
12 Jersey, and of the United States Government and
13 others, who responded to the attack on the World
14 Trade Center in New York City;

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



1 (3) the officers, emergency workers, and other
2 employees of the United States Government, who re-
3 sponded to the attack on the Pentagon, Washington,
4 D.C.,
5 and perished in the tragic events of September 11, 2001
6 (including those who are missing and presumed dead), the
7 Speaker of the House and the President pro tempore of
8 the Senate shall make appropriate arrangements for the
9 presentation, on behalf of the Congress on the 5th anni-
10 versary of such events, of a single gold medal of appro-
11 priate design, in the name of the unknown officer, worker,
12 employee, passenger, or crew member, who was the first
13 to die that day in each such tragedy, to an appropriate
14 representative of all such officers, emergency workers, em-
15 ployees, and other individuals for permanent public display
16 in the Smithsonian Institution.

17 (b) DESIGN AND STRIKING.—For purposes of the
18 presentation referred to in subsection (a), the Secretary
19 of the Treasury shall strike a gold medal with suitable em-
20 blems, devices, and inscriptions, to be determined by the
21 Secretary that is emblematic of the valor and heroism of
22 the men and women honored.



1 **SEC. 102. SILVER DUPLICATES ON BEHALF OF GOVERN-**
2 **MENT WORKERS WHO RESPONDED TO THE**
3 **ATTACKS ON THE WORLD TRADE CENTER**
4 **AND PERISHED.**

5 (a) IN GENERAL.—

6 (1) WORLD TRADE CENTER SITE MEMORIAL.—

7 The Secretary of the Treasury shall strike a dupli-
8 cate in silver of the gold medal struck pursuant to
9 section 101(a) for permanent public display at a me-
10 morial at the site of the World Trade Center at-
11 tacks.

12 (2) RESPONDERS.—

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



1 representative of each such officer, emergency
2 worker, employee, or other individual.

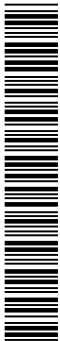
3 (B) DETERMINATION OF RECIPIENTS AND
4 AWARD OF DUPLICATE SILVER MEDALS.—The
5 Secretary of the Treasury shall—

6 (i) determine the number of silver du-
7 plicate medals to be presented under this
8 subsection and the appropriate recipients
9 of the medals after consulting with appro-
10 prie representatives of Federal, State,
11 and local officers and agencies and the
12 Port Authority of New York and New Jer-
13 sey; and

14 (ii) make appropriate arrangements
15 for the presentation of such silver duplicate
16 medals to the appropriate persons.

17 (3) DEPARTMENTS AND DUTY STATIONS.—

18 (A) IN GENERAL.—The Secretary of the
19 Treasury shall strike additional duplicates in
20 silver of the gold medal struck pursuant to sec-
21 tion 101(a) for presentation to each of the fol-
22 lowing, for permanent display in the respective
23 offices, houses, stations, or places of employ-
24 ment:



1 (i) The Governor of the State of New
2 York.

3 (ii) The Mayor of the City of New
4 York.

5 (iii) The Commissioner of the New
6 York Police Department, the Commis-
7 sioner of the New York Fire Department,
8 the head of emergency medical services for
9 the City of New York, the Chairman of the
10 Board of Directors of the Port Authority
11 of New York and New Jersey, and such
12 other officers as may be appropriate.

13 (iv) Each precinct house, fire house,
14 emergency response station, or other duty
15 station or place of employment to which
16 each person referred to in subsection (a)
17 was assigned on September 11, 2001, for
18 display in each such place in a manner be-
19 fitting the memory of such persons.

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



1 **SEC. 103. SILVER DUPLICATES ON BEHALF OF PEOPLE**
2 **ABOARD UNITED AIRLINES FLIGHT 93 WHO**
3 **HELPED RESIST THE HIJACKERS AND**
4 **CAUSED THE PLANE TO CRASH.**

5 (a) CONGRESSIONAL FINDINGS.—The Congress finds
6 as follows:

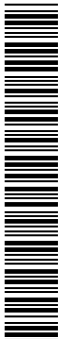
7 (1) On September 11, 2001, United Airlines
8 Flight 93, piloted by Captain James Dahl, departed
9 from Newark International Airport at 8:01 a.m. on
10 its scheduled route to San Francisco, California,
11 with 7 crew members and 38 passengers on board.

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

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

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

21 (5) The effort to resist the hijackers aboard
22 United Airlines Flight 93 appears to have caused
23 the plane to crash prematurely, potentially saving
24 hundreds or thousands of lives and preventing the
25 destruction of the White House, the Capitol, or an-
26 other important symbol of freedom and democracy.



1 (6) The leaders of the resistance aboard United
2 Airlines Flight 93 demonstrated exceptional bravery,
3 valor, and patriotism, and are worthy of the appre-
4 ciation of the people of the United States.

5 (b) SILVER DUPLICATES.—

6 (1) UNITED AIRLINE FLIGHT 93 CRASH SITE
7 MEMORIAL.—The Secretary of the Treasury shall
8 strike a duplicate in silver of the gold medal struck
9 pursuant to section 101(a) for permanent public dis-
10 play at a memorial at the crash site of United Air-
11 lines Flight 93 near Shanksville, Pennsylvania.

12 (2) RESISTORS.—The Secretary of the Treas-
13 ury shall strike additional duplicates in silver of the
14 gold medal struck pursuant to section 101(a) for
15 presentation on behalf of each passenger or crew
16 member on board United Airlines Flight 93 who
17 aided in the effort to resist the hijackers on board
18 to the next of kin or other personal representative
19 of each such passenger or crew member.

20 (3) DETERMINATION OF RECIPIENTS AND
21 AWARD OF DUPLICATE SILVER MEDALS.—The Sec-
22 retary of the Treasury shall—

23 (A) determine the number of silver dupli-
24 cate medals to be presented under this sub-
25 section and the appropriate recipients of the



1 medals after consulting with the Attorney Gen-
2 eral of the United States; and

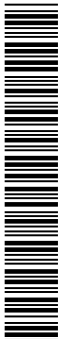
3 (B) make appropriate arrangements for
4 the presentation of such silver duplicate medals
5 to the appropriate persons.

6 **SEC. 104. SILVER DUPLICATES FOR GOVERNMENT WORK-**
7 **ERS WHO RESPONDED TO THE ATTACKS ON**
8 **THE PENTAGON AND PERISHED.**

9 (a) PENTAGON SITE MEMORIAL.—The Secretary of
10 the Treasury shall strike a duplicate in silver of the gold
11 medal struck pursuant to section 101(a) for permanent
12 public display at a memorial at the site of the Pentagon
13 attack.

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

23 (c) DETERMINATION OF RECIPIENTS AND AWARD OF
24 DUPLICATE SILVER MEDALS.—The Secretary of the
25 Treasury shall—



1 (1) determine the number of silver duplicate
2 medals to be presented under this subsection and
3 the appropriate recipients of the medals after con-
4 sulting with the Secretary of Defense.

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

8 **SEC. 105. BRONZE DUPLICATES.**

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

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

16 The medals struck under this title—

17 (1) are national medals for purposes of chapter
18 51 of title 31, United States Code; and

19 (2) shall bear the same designs, emblems, de-
20 vices, and inscriptions, as determined by the Sec-
21 retary of the Treasury.

22 **TITLE II—SPIRIT OF AMERICA**
23 **COMMEMORATIVE COINS**

24 **SEC. 201. FINDINGS.**

25 The Congress finds as follows:



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

3 (2) The roughly 3,000 people who lost their
4 lives as a result of the terrorist attacks that oc-
5 curred in New York City, at the Pentagon, and in
6 Pennsylvania on September 11, 2001, will not be
7 forgotten.

8 (3) Hundreds of emergency personnel re-
9 sponded heroically to the crisis and lost their lives
10 as a result.

11 (4) People from everywhere in the United
12 States responded to the crisis with an outpouring of
13 support for the victims of the terrorist attacks and
14 their families.

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

19 (6) It is essential to remember not only the
20 tragedy of the attacks, but also the strength and re-
21 solve demonstrated by the people of the United
22 States in the aftermath of the attacks.

23 (7) The minting of coins in commemoration of
24 the Spirit of America will pay tribute to the count-
25 less heroes who risked their lives during the terrorist



1 attacks and in their aftermath so that others may
2 live and to a united people whose belief in freedom,
3 justice, and democracy has never swayed.

4 **SEC. 202. COIN SPECIFICATIONS.**

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

9 (1) \$50 GOLD COINS.—Such number of \$50
10 coins as the Secretary determines under subsection

11 (b), which shall—

12 (A) weigh 1 ounce;

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

14 (C) contain 91.67 percent gold and 8.33
15 percent alloy.

16 (2) \$1 SILVER COINS.—Not more than 400,000
17 \$1 coins which shall—

18 (A) weigh 26.73 grams;

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

20 (C) contain 90 percent silver and 10 per-
21 cent copper.

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

25 (A) weigh 11.34 grams;



1 (B) have a diameter of 1.205 inches; and
2 (C) be minted to the specifications for half
3 dollar coins contained in section 5112(b) of title
4 31, United States Code.

5 (b) NUMBER OF GOLD COINS.—

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

10 (2) DETERMINATION OF NUMBER.—The Sec-
11 retary, in consultation with the Attorney General of
12 the United States, the Secretary of Defense, and the
13 Governors of New York, Pennsylvania, and Virginia
14 shall determine the number of innocent individuals
15 confirmed or presumed to have been killed as a re-
16 sult of the terrorist attacks against the United
17 States that occurred on September 11, 2001, and
18 shall identify such individuals. The Secretary, under
19 subsection (a)(1), shall mint and issue a number of
20 \$50 coins equal to the number of such individuals.

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



1 (d) NUMISMATIC ITEMS.—For purposes of section
2 5136 of title 31, United States Code, all coins minted
3 under this title shall be considered to be numismatic items.

4 (e) SOURCES OF BULLION.—For the purpose of
5 minting coins under this title, the Secretary may only use
6 metals that are from natural deposits in the United States
7 or any territory or possession of the United States.

8 (f) SPECIAL TREATMENT UNDER EXIGENT CIR-
9 CUMSTANCES.—

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

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

23 (B) The shocking circumstances of Sep-
24 tember 11, 2001, the broad base of public inter-
25 est in showing the Spirit of America and par-



1 ticipating in the raising of funds for the victims
2 of the crimes committed on that date, and the
3 importance of implementing this coin program
4 as quickly as possible, notwithstanding the limi-
5 tations contained in such paragraphs, justify
6 exempting the coins produced under this title
7 from such limitations.

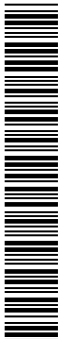
8 (2) EXEMPTION.—Paragraphs (1) and (2) of
9 section 5112(m) of title 31, United States Code, and
10 section 5134(f)(1)(B) of such title shall not apply to
11 coins authorized under this title, except that, for
12 purposes of paragraph (1) of such section, coins
13 struck under this title shall be deemed to have been
14 issued in 2003.

15 **SEC. 203. DESIGN OF COINS.**

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

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

- 22 (1) a designation of the value of the coin;
23 (2) an inscription of the date “September 11,
24 2001” (and such coin shall bear no other date); and



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

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

6 (1) by the Secretary after consultation with the
7 Commission of Fine Arts; and

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

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

12 (a) QUALITY OF COINS.—

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

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

18 (b) MINT FACILITY.—

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

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



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

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

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

8 **SEC. 205. SALE OF COINS.**

9 (a) SALE PRICE.—The coins issued under section
10 202(a) (other than the \$50 gold coins referred to in sub-
11 section (d)) shall be sold by the Secretary at a price equal
12 to the sum of—

13 (1) the face value of the coins;

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

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

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

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



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

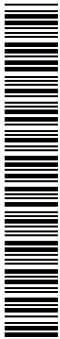
9 **SEC. 206. SURCHARGES ON SALE OF COINS..**

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

- 12 (1) \$100 per coin for the \$50 gold coins;
13 (2) \$10 per coin for the \$1 coin; and
14 (3) \$5 per coin for the half dollar coin.

15 (b) DISTRIBUTION OF EXCESS PROCEEDS.—Any pro-
16 ceeds from the surcharges received by the Secretary from
17 the sale of coins issued under this title in excess of the
18 cost of producing all coins issued under this title (includ-
19 ing coins presented under section 205(d)) shall be—

- 20 (1) used to cover the costs incurred in the pro-
21 duction of the gold medal and silver duplicate med-
22 als under title I that have not been recovered from
23 the sale of duplicate bronze medals under such title;
24 and



1 (2) with respect to any amount remaining after
2 the costs described in paragraph (1) are covered,
3 transferred to each fund determined by the Sec-
4 retary of the Treasury to be appropriate that was
5 established for the purpose of establishing and main-
6 taining any memorial referred to in section
7 102(a)(1), 103(b)(1) or 104(a)(1) in equal amounts
8 to each such fund.

