

105TH CONGRESS
1ST SESSION

H. R. 2978

To require the Secretary of the Treasury to mint coins in commemoration of all the brave and gallant Puerto Ricans in the 65th Infantry Regiment of the United States Army who fought in the Korean conflict.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 9, 1997

Ms. VELÁZQUEZ (for herself, Mr. GUTIERREZ, and Mr. SERRANO) introduced the following bill; which was referred to the Committee on Banking and Financial Services

A BILL

To require the Secretary of the Treasury to mint coins in commemoration of all the brave and gallant Puerto Ricans in the 65th Infantry Regiment of the United States Army who fought in the Korean conflict.

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; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “65th Infantry Regiment Commemorative Coin Act”.

6 (b) FINDINGS.—The Congress hereby finds that the
7 brave and gallant soldiers from the Commonwealth of
8 Puerto Rico who comprised the 65th Infantry Regiment

1 of the United States Army deserve a special commemora-
2 tion and a commemorative coin for their contributions
3 during the Korean conflict for the following reasons:

4 (1) The Puerto Rican soldiers of the 65th In-
5 fantry Regiment unselfishly fought, bled, and died
6 for the rights and privileges of all citizens of the
7 United States and the Republic of Korea.

8 (2) 129 soldiers of the United States Army's
9 65th Infantry Regiment were awarded the Silver
10 Star and 8 received the Distinguished Service Cross
11 for their heroism during the Korean conflict.

12 (3) The 65th Infantry Regiment went to the
13 rescue of the 1st Division of the United States Ma-
14 rine Corps in Hagaru-ri when that division was sur-
15 rounded by forces of the Peoples Republic of China,
16 provided a safe corridor through which the Marines
17 escaped, and formed a protective rear guard during
18 the retreat to Hungnam.

19 (4) After bitter fighting, and with the forces of
20 the Peoples Republic of China on their heels, the
21 65th Infantry Regiment was the last regiment to
22 leave the beachhead in the Christmas eve evacuation
23 of Hungnam on December 24, 1950.

24 (5) On the night of February 13–14, 1951,
25 while the 65th Infantry Regiment was encamped

1 near the command post of the 3d Infantry Division
2 of the United States Army during a rest and recre-
3 ation leave away from the front lines, the command
4 post of the 3d Infantry Division was attacked by
5 over 1,000 North Korean soldiers who had infil-
6 trated through the front lines without being detected
7 and the 65th Infantry Regiment rallied, attacked,
8 and subsequently destroyed the North Korean force,
9 thereby saving the commanding officer and staff of
10 the 3d Infantry Division from death or capture.

11 (6) For their heroism in battle, the soldiers of
12 the 65th Infantry Regiment were showered with
13 many accolades but for them perhaps the most sig-
14 nificant and meaningful came in the form of a letter
15 from the commander of the United Nations forces in
16 Korea, General of the Army Douglas MacArthur
17 which read in part as follows:

18 “The Puerto Ricans forming the ranks of the gallant
19 65th Infantry Division on the battlefields of Korea by
20 valor, determination and a resolute will to victory give
21 daily testament to their invincible loyalty to the United
22 States and the fervor of their devotion to those immutable
23 standards of human relations to which the Americans and
24 the Puerto Ricans are in common dedicated. They are
25 writing a brilliant record of achievement in battle and I

1 am proud indeed to have them in this command. I wish
2 that we might have many more like them.”.

3 **SEC. 2. COIN SPECIFICATIONS.**

4 (a) \$1 SILVER COINS.—In commemoration of all the
5 Puerto Ricans in the 65th Infantry Regiment of the
6 United States Army who fought in the Korean conflict,
7 the Secretary of the Treasury (hereafter in this Act re-
8 ferred to as the “Secretary”) shall mint and issue not
9 more than 60,000 1 dollar coins, which shall—

10 (1) weigh 26.73 grams;

11 (2) have a diameter of 1.500 inches; and

12 (3) contain 90 percent silver and 10 percent
13 copper.

14 (b) LEGAL TENDER.—The coins minted under this
15 Act shall be legal tender, as provided in section 5103 of
16 title 31, United States Code.

17 (c) NUMISMATIC ITEMS.—For purposes of section
18 5134 of title 31, United States Code, all coins minted
19 under this Act shall be considered to be numismatic items.

20 **SEC. 3. SOURCES OF BULLION.**

21 The Secretary shall obtain silver for minting coins
22 under this Act only from stockpiles established under the
23 Strategic and Critical Materials Stock Piling Act.

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

25 (a) DESIGN REQUIREMENTS.—

1 (1) IN GENERAL.—The design of the coins
2 minted under this Act shall be emblematic of the
3 courage and valor of the Puerto Ricans who served
4 in the 65th Infantry Regiment during the Korean
5 conflict.

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

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

9 (B) an inscription of the year “1999”; and

10 (C) inscriptions of the words “Liberty”,
11 “In God We Trust”, “United States of Amer-
12 ica”, and “E Pluribus Unum”.

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

15 (1) selected by the Secretary after consultation
16 with the Secretary of Veterans Affairs, the Puerto
17 Rican Veterans Association of Massachusetts, the
18 Puerto Rican-American Research Institute, and the
19 Commission of Fine Arts; and

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

22 **SEC. 5. ISSUANCE OF COINS.**

23 (a) QUALITY OF COINS.—Coins minted under this
24 Act shall be issued in uncirculated and proof qualities.

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

4 (c) COMMENCEMENT OF ISSUANCE.—The Secretary
5 may issue coins minted under this Act beginning January
6 1, 1999.

7 (d) TERMINATION OF MINTING AUTHORITY.—No
8 coins may be minted under this Act after December 31,
9 1999.

10 **SEC. 6. SALE OF COINS.**

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

14 (1) the face value of the coins;

15 (2) the surcharge provided in subsection (d)
16 with respect to such coins; and

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

20 (b) BULK SALES.—The Secretary shall make bulk
21 sales of the coins issued under this Act at a reasonable
22 discount.

23 (c) 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 (d) SURCHARGES.—All sales shall include a sur-
8 charge of \$10 per coin.

9 **SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULA-**
10 **TIONS.**

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

16 (b) EQUAL EMPLOYMENT OPPORTUNITY.—Sub-
17 section (a) shall not relieve any person entering into a con-
18 tract under the authority of this Act from complying with
19 any law relating to equal employment opportunity.

20 **SEC. 8. DISTRIBUTION OF SURCHARGES.**

21 (a) IN GENERAL.—All surcharges received by the
22 Secretary from the sale of coins issued under this Act shall
23 be promptly deposited in the Korean War Veterans Memo-
24 rial Fund for use by the American Battle Monuments
25 Commission in accordance with subsection (b).

1 (b) USE OF PROCEEDS.—

2 (1) COSTS RELATING TO THE KOREAN WAR
3 VETERANS MEMORIAL.—Except as provided in para-
4 graph (2), amounts deposited in the Korean War
5 Veterans Memorial Fund pursuant to subsection (a)
6 shall be available to the American Battle Monuments
7 Commission for the uses described in section 8(b) of
8 Public Law 101–495.

9 (2) CEREMONY FOR THE 65TH REGIMENT.—
10 The American Battle Monuments Commission shall
11 use such amount of the surcharges from the sale of
12 coins issued as the Commission determines to be
13 necessary and appropriate, after consulting with the
14 Puerto Rican Veterans Association of Massachusetts
15 and the Puerto Rican-American Research Institute,
16 to conduct a ceremony at the Korean War Veterans
17 Memorial commemorating the Puerto Ricans com-
18 prising the 65th Infantry Regiment of the United
19 States Army for their service and contributions dur-
20 ing the Korean conflict.

21 (c) AUDITS.—The Comptroller General of the United
22 States shall have the right to examine such books, records,
23 documents, and other data of the American Battle Monu-
24 ments Commission as may be related to the expenditures
25 of amounts paid under subsection (a).

1 **SEC. 9. FINANCIAL ASSURANCES.**

2 (a) NO NET COST TO THE GOVERNMENT.—The Sec-
3 retary shall take such actions as may be necessary to en-
4 sure that minting and issuing coins under this Act will
5 not result in any net cost to the United States Govern-
6 ment.

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

9 (1) full payment for the coin;

10 (2) security satisfactory to the Secretary to in-
11 demnify the United States for full payment; or

12 (3) a guarantee of full payment satisfactory to
13 the Secretary from a depository institution whose
14 deposits are insured by the Federal Deposit Insur-
15 ance Corporation or the National Credit Union Ad-
16 ministration Board.

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