

110TH CONGRESS
2D SESSION

S. 3525

To require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the “Star-Spangled Banner”, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18 (legislative day, SEPTEMBER 17), 2008

Mr. CARDIN (for himself and Ms. MIKULSKI) 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 bicentennial of the writing of the “Star-Spangled Banner”, and for other purposes.

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 “Star-Spangled Banner
5 Bicentennial Commemorative Coin Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) During the War of 1812, on September 7,
9 1814, Francis Scott Key visited the British fleet in

1 the Chesapeake Bay to secure the release of Dr. Wil-
2 liam Beanes, who had been captured after the burn-
3 ing of Washington, DC.

4 (2) The release was completed, but Key was
5 held by the British during the shelling of Fort
6 McHenry, one of the forts defending Baltimore.

7 (3) On the morning of September 14, 1814,
8 Key peered through clearing smoke to see an enor-
9 mous American flag flying proudly after a 25-hour
10 British bombardment of Fort McHenry.

11 (4) He was so delighted to see the flag still fly-
12 ing over the fort that he began a song to commemo-
13 rate the occasion, with a note that it should be sung
14 to the popular British melody “To Anacreon in
15 Heaven”.

16 (5) In 1916, President Woodrow Wilson or-
17 dered that it be played at military and naval occa-
18 sions.

19 (6) In 1931, the “Star-Spangled Banner” be-
20 came our National Anthem.

21 **SEC. 3. COIN SPECIFICATIONS.**

22 (a) \$1 SILVER COINS.—The Secretary of the Treas-
23 ury (hereafter in this Act referred to as the “Secretary”)
24 shall mint and issue not more than 350,000 \$1 coins in

1 commemoration of the bicentennial of the writing of the
2 Star-Spangled Banner, each of which shall—

- 3 (1) weigh 26.73 grams;
4 (2) have a diameter of 1.500 inches; and
5 (3) contain 90 percent silver and 10 percent
6 copper.

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

10 (c) **NUMISMATIC ITEMS.**—For purposes of sections
11 5134 and 5136 of title 31, United States Code, all coins
12 minted under this Act shall be considered to be numis-
13 matic items.

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

15 (a) **DESIGN REQUIREMENTS.**—

16 (1) **IN GENERAL.**—The design of the coins
17 minted under this Act shall be emblematic of the
18 battle for Baltimore that formed the basis for the
19 “Star-Spangled Banner”.

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

- 22 (A) a designation of the value of the coin;
23 (B) an inscription of the year “2012”; and

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

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

6 (1) selected by the Secretary, after consultation
7 with the Maryland War of 1812 Bicentennial Com-
8 mission and the Commission of Fine Arts; and

9 (2) reviewed by the Citizens Coinage Advisory
10 Committee.

11 **SEC. 5. ISSUANCE OF COINS.**

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

14 (b) MINT FACILITY.—Only one facility of the United
15 States Mint may be used to strike any particular quality
16 of the coins minted under this Act.

17 (c) PERIOD FOR ISSUANCE.—The Secretary may
18 issue coins under this Act only during the calendar year
19 beginning on January 1, 2012.

20 **SEC. 6. SALE OF COINS.**

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

24 (1) the face value of the coins;

1 (2) the surcharge provided in section 7 with re-
2 spect to such coins; and

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

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

9 (c) PREPAID ORDERS.—

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

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

16 **SEC. 7. SURCHARGES.**

17 (a) IN GENERAL.—All sales of coins issued under this
18 Act shall include a surcharge of \$10 per coin.

19 (b) DISTRIBUTION.—Subject to section 5134(f) of
20 title 31, United States Code, all surcharges received by
21 the Secretary from the sale of coins issued under this Act
22 shall be paid to the Maryland War of 1812 Bicentennial
23 Commission for the purpose of supporting bicentennial ac-
24 tivities, educational outreach activities (including sup-
25 porting scholarly research and the development of exhib-

1 its), and preservation and improvement activities per-
2 taining to the sites and structures relating to the War of
3 1812.

4 (c) AUDITS.—The Comptroller General of the United
5 States shall have the right to examine such books, records,
6 documents, and other data of the Maryland War of 1812
7 Bicentennial Commission as may be related to the expend-
8 itures of amounts paid under subsection (b).

9 (d) LIMITATION.—Notwithstanding subsection (a),
10 no surcharge may be included with respect to the issuance
11 under this Act of any coin during a calendar year if, as
12 of the time of such issuance, the issuance of such coin
13 would result in the number of commemorative coin pro-
14 grams issued during such year to exceed the annual 2
15 commemorative coin program issuance limitation under
16 section 5112(m)(1) of title 31, United States Code (as in
17 effect on the date of the enactment of this Act). The Sec-
18 retary of the Treasury may issue guidance to carry out
19 this subsection.

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