

105TH CONGRESS
1ST SESSION

S. 1228

AN ACT

To provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, 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 “50 States Commemo-
5 rative Coin Program Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) it is appropriate and timely—

4 (A) to honor the unique Federal republic
5 of 50 States that comprise the United States;
6 and

7 (B) to promote the diffusion of knowledge
8 among the youth of the United States about the
9 individual States, their history and geography,
10 and the rich diversity of the national heritage;

11 (2) the circulating coinage of the United States
12 has not been modernized during the 25-year period
13 preceding the date of enactment of this Act;

14 (3) a circulating commemorative 25-cent coin
15 program could produce earnings of \$110,000,000
16 from the sale of silver proof coins and sets over the
17 10-year period of issuance, and would produce indi-
18 rect earnings of an estimated \$2,600,000,000 to
19 \$5,100,000,000 to the United States Treasury,
20 money that will replace borrowing to fund the na-
21 tional debt to at least that extent; and

22 (4) it is appropriate to launch a commemorative
23 circulating coin program that encourages young peo-
24 ple and their families to collect memorable tokens of
25 all of the States for the face value of the coins.

1 **SEC. 3. ISSUANCE OF REDESIGNED QUARTER DOLLARS**
 2 **OVER 10-YEAR PERIOD COMMEMORATING**
 3 **EACH OF THE 50 STATES.**

4 Section 5112 of title 31, United States Code, is
 5 amended by inserting after subsection (k) the following
 6 new subsection:

7 “(1) REDESIGN AND ISSUANCE OF QUARTER DOLLAR
 8 IN COMMEMORATION OF EACH OF THE 50 STATES.—

9 “(1) REDESIGN BEGINNING IN 1999.—

10 “(A) IN GENERAL.—Notwithstanding the
 11 fourth sentence of subsection (d)(1) and sub-
 12 section (d)(2), quarter dollar coins issued dur-
 13 ing the 10-year period beginning in 1999, shall
 14 have designs on the reverse side selected in ac-
 15 cordance with this subsection which are em-
 16 blematic of the 50 States.

17 “(B) TRANSITION PROVISION.—Notwith-
 18 standing subparagraph (A), the Secretary may
 19 continue to mint and issue quarter dollars in
 20 1999 which bear the design in effect before the
 21 redesign required under this subsection and an
 22 inscription of the year ‘1998’ as required to en-
 23 sure a smooth transition into the 10-year pro-
 24 gram under this subsection.

25 “(2) SINGLE STATE DESIGNS.—The design on
 26 the reverse side of each quarter dollar issued during

1 the 10-year period referred to in paragraph (1) shall
2 be emblematic of 1 of the 50 States.

3 “(3) ISSUANCE OF COINS COMMEMORATING 5
4 STATES DURING EACH OF THE 10 YEARS.—

5 “(A) IN GENERAL.—The designs for the
6 quarter dollar coins issued during each year of
7 the 10-year period referred to in paragraph (1)
8 shall be emblematic of 5 States selected in the
9 order in which such States ratified the Con-
10 stitution of the United States or were admitted
11 into the Union, as the case may be.

12 “(B) NUMBER OF EACH OF 5 COIN DE-
13 SIGNS IN EACH YEAR.—Of the quarter dollar
14 coins issued during each year of the 10-year pe-
15 riod referred to in paragraph (1), the Secretary
16 of the Treasury shall prescribe, on the basis of
17 such factors as the Secretary determines to be
18 appropriate, the number of quarter dollars
19 which shall be issued with each of the 5 designs
20 selected for such year.

21 “(4) SELECTION OF DESIGN.—

22 “(A) IN GENERAL.—Each of the 50 de-
23 signs required under this subsection for quarter
24 dollars shall be—

1 “(i) selected by the Secretary after
2 consultation with—

3 “(I) the Governor of the State
4 being commemorated, or such other
5 State officials or group as the State
6 may designate for such purpose; and

7 “(II) the Commission of Fine
8 Arts; and

9 “(ii) reviewed by the Citizens Com-
10 memorative Coin Advisory Committee.

11 “(B) SELECTION AND APPROVAL PROC-
12 ESS.—Designs for quarter dollars may be sub-
13 mitted in accordance with the design selection
14 and approval process developed by the Sec-
15 retary in the sole discretion of the Secretary.

16 “(C) PARTICIPATION.—The Secretary may
17 include participation by State officials, artists
18 from the States, engravers of the United States
19 Mint, and members of the general public.

20 “(D) STANDARDS.—Because it is impor-
21 tant that the Nation’s coinage and currency
22 bear dignified designs of which the citizens of
23 the United States can be proud, the Secretary
24 shall not select any frivolous or inappropriate

1 design for any quarter dollar minted under this
2 subsection.

3 “(E) PROHIBITION ON CERTAIN REP-
4 RESENTATIONS.—No head and shoulders por-
5 trait or bust of any person, living or dead, and
6 no portrait of a living person may be included
7 in the design of any quarter dollar under this
8 subsection.

9 “(5) TREATMENT AS NUMISMATIC ITEMS.—For
10 purposes of sections 5134 and 5136, all coins mint-
11 ed under this subsection shall be considered to be
12 numismatic items.

13 “(6) ISSUANCE.—

14 “(A) QUALITY OF COINS.—The Secretary
15 may mint and issue such number of quarter
16 dollars of each design selected under paragraph
17 (4) in uncirculated and proof qualities as the
18 Secretary determines to be appropriate.

19 “(B) SILVER COINS.—Notwithstanding
20 subsection (b), the Secretary may mint and
21 issue such number of quarter dollars of each
22 design selected under paragraph (4) as the Sec-
23 retary determines to be appropriate, with a con-
24 tent of 90 percent silver and 10 percent copper.

1 “(C) SOURCES OF BULLION.—The Sec-
2 retary shall obtain silver for minting coins
3 under subparagraph (B) from available re-
4 sources, including stockpiles established under
5 the Strategic and Critical Materials Stock Pil-
6 ing Act.

7 “(7) APPLICATION IN EVENT OF THE ADMIS-
8 SION OF ADDITIONAL STATES.—If any additional
9 State is admitted into the Union before the end of
10 the 10-year period referred to in paragraph (1), the
11 Secretary of the Treasury may issue quarter dollar
12 coins, in accordance with this subsection, with a de-
13 sign which is emblematic of such State during any
14 1 year of such 10-year period, in addition to the
15 quarter dollar coins issued during such year in ac-
16 cordance with paragraph (3)(A).”.

17 **SEC. 4. UNITED STATES DOLLAR COINS.**

18 (a) SHORT TITLE.—This section may be cited as the
19 “United States \$1 Coin Act of 1997”.

20 (b) WEIGHT.—Section 5112(a)(1) of title 31, United
21 States Code, is amended by striking “and weighs 8.1
22 grams”.

23 (c) COLOR AND CONTENT.—Section 5112(b) of title
24 31, United States Code, is amended—

1 (1) in the first sentence, by striking “dollar,”;
2 and

3 (2) by inserting after the fourth sentence the
4 following: “The dollar coin shall be golden in color,
5 have a distinctive edge, have tactile and visual fea-
6 tures that make the denomination of the coin readily
7 discernible, be minted and fabricated in the United
8 States, and have similar metallic, anti-counterfeiting
9 properties as United States coinage in circulation on
10 the date of enactment of the United States \$1 Coin
11 Act of 1997.”.

12 (d) DESIGN.—Section 5112(d)(1) of title 31, United
13 States Code, is amended by striking the fifth and sixth
14 sentences and inserting the following: “The Secretary of
15 the Treasury, in consultation with the Congress, shall se-
16 lect appropriate designs for the obverse and reverse sides
17 of the dollar coin.”.

18 (e) PRODUCTION OF NEW DOLLAR COINS.—

19 (1) IN GENERAL.—Upon the depletion of the
20 Government’s supply (as of the date of enactment of
21 this Act) of \$1 coins bearing the likeness of Susan
22 B. Anthony, the Secretary of the Treasury shall
23 place into circulation \$1 coins that comply with the
24 requirements of subsections (b) and (d)(1) of section

1 5112 of title 31, United States Code, as amended by
2 this section.

3 (2) AUTHORITY OF SECRETARY TO CONTINUE
4 PRODUCTION.—If the supply of \$1 coins bearing the
5 likeness of Susan B. Anthony is depleted before pro-
6 duction has begun of \$1 coins which bear a design
7 which complies with the requirements of subsections
8 (b) and (d)(1) of section 5112 of title 31, United
9 States Code, as amended by this section, the Sec-
10 retary of the Treasury may continue to mint and
11 issue \$1 coins bearing the likeness of Susan B. An-
12 thony in accordance with that section 5112 (as in ef-
13 fect on the day before the date of enactment of this
14 Act) until such time as production begins.

15 (3) NUMISMATIC SETS.—The Secretary may in-
16 clude such \$1 coins in any numismatic set produced
17 by the United States Mint before the date on which
18 the \$1 coins authorized by this section are placed in
19 circulation.

20 (f) MARKETING PROGRAM.—

21 (1) IN GENERAL.—Before placing into circula-
22 tion \$1 coins authorized under this section, the Sec-
23 retary of the Treasury shall adopt a program to pro-
24 mote the use of such coins by commercial enter-

1 prises, mass transit authorities, and Federal, State,
2 and local government agencies.

3 (2) STUDY REQUIRED.—The Secretary of the
4 Treasury shall conduct a study on the progress of
5 the marketing program adopted in accordance with
6 paragraph (1).

7 (3) REPORT.—Not later than March 31, 2001,
8 the Secretary of the Treasury shall submit a report
9 to the Congress on the results of the study con-
10 ducted pursuant to paragraph (2).

11 **SEC. 5. FIRST FLIGHT COMMEMORATIVE COINS.**

12 (a) COIN SPECIFICATIONS.—

13 (1) DENOMINATIONS.—The Secretary of the
14 Treasury (hereafter in this section referred to as the
15 “Secretary”) shall mint and issue the following
16 coins:

17 (A) \$10 GOLD COINS.—Not more than
18 100,000 \$10 coins, each of which shall—

19 (i) weigh 16.718 grams;

20 (ii) have a diameter of 1.06 inches;

21 and

22 (iii) contain 90 percent gold and 10
23 percent alloy.

24 (B) \$1 SILVER COINS.—Not more than
25 500,000 \$1 coins, each of which shall—

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

6 (C) HALF DOLLAR CLAD COINS.—Not
7 more than 750,000 half dollar coins each of
8 which shall—

- 9 (i) weigh 11.34 grams;
10 (ii) have a diameter of 1.205 inches;
11 and
12 (iii) be minted to the specifications for
13 half dollar coins contained in section
14 5112(b) of title 31, United States Code.

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

18 (c) SOURCES OF BULLION.—The Secretary shall ob-
19 tain gold and silver for minting coins under this section
20 pursuant to the authority of the Secretary under other
21 provisions of law, including authority relating to the use
22 of silver stockpiles established under the Strategic and
23 Critical Materials Stockpiling Act, as applicable.

24 (d) DESIGN OF COINS.—

25 (1) DESIGN REQUIREMENTS.—

1 (A) IN GENERAL.—The design of the coins
2 minted under this section shall be emblematic
3 of the first flight of Orville and Wilbur Wright
4 in Kitty Hawk, North Carolina, on December
5 17, 1903.

6 (B) DESIGNATION AND INSCRIPTIONS.—
7 On each coin minted under this section there
8 shall be—

9 (i) a designation of the value of the
10 coin;

11 (ii) an inscription of the year “2003”;
12 and

13 (iii) inscriptions of the words “Lib-
14 erty”, “In God We Trust”, “United States
15 of America”, and “E Pluribus Unum”.

16 (2) SELECTION.—The design for the coins
17 minted under this section shall be—

18 (A) selected by the Secretary after con-
19 sultation with the Board of Directors of the
20 First Flight Foundation and the Commission of
21 Fine Arts; and

22 (B) reviewed by the Citizens Commemora-
23 tive Coin Advisory Committee.

24 (e) PERIOD FOR ISSUANCE OF COINS.—The Sec-
25 retary may issue coins minted under this section only dur-

1 ing the period beginning on August 1, 2003, and ending
2 on July 31, 2004.

3 (f) SALE OF COINS.—

4 (1) SALE PRICE.—The coins issued under this
5 section shall be sold by the Secretary at a price
6 equal to the sum of—

7 (A) the face value of the coins;

8 (B) the surcharge provided in paragraph
9 (4) with respect to such coins; and

10 (C) the cost of designing and issuing the
11 coins (including labor, materials, dies, use of
12 machinery, overhead expenses, marketing, and
13 shipping).

14 (2) BULK SALES.—The Secretary shall make
15 bulk sales of the coins issued under this section at
16 a reasonable discount.

17 (3) PREPAID ORDERS.—

18 (A) IN GENERAL.—The Secretary shall ac-
19 cept prepaid orders for the coins minted under
20 this section before the issuance of such coins.

21 (B) DISCOUNT.—Sale prices with respect
22 to prepaid orders under subparagraph (A) shall
23 be at a reasonable discount.

24 (4) SURCHARGES.—All sales shall include a
25 surcharge of—

- 1 (A) \$35 per coin for the \$10 coin;
2 (B) \$10 per coin for the \$1 coin; and
3 (C) \$1 per coin for the half dollar
4 coin.

5 **SEC. 6. RULE OF CONSTRUCTION.**

6 Nothing in this Act or the amendments made by this
7 Act shall be construed to evidence any intention to elimi-
8 nate or to limit the printing or circulation of United States
9 currency in the \$1 denomination.

10 (g) GENERAL WAIVER OF PROCUREMENT REGULA-
11 TIONS.—

12 (1) IN GENERAL.—Except as provided in para-
13 graph (2), no provision of law governing procure-
14 ment or public contracts shall be applicable to the
15 procurement of goods and services necessary for car-
16 rying out the provisions of this Act.

17 (2) EQUAL EMPLOYMENT OPPORTUNITY.—
18 Paragraph (1) does not relieve any person entering
19 into a contract under the authority of this section
20 from complying with any law relating to equal em-
21 ployment opportunity.

22 (h) TREATMENT AS NUMISMATIC ITEMS.—For pur-
23 poses of sections 5134 and 5136 of title 31, United States
24 Code, all coins minted under this subsection shall be con-
25 sidered to be numismatic items.

1 (i) DISTRIBUTION OF SURCHARGES.—

2 (1) IN GENERAL.—Subject to section 5134 of
3 title 31, United States Code, all surcharges received
4 by the Secretary from the sale of coins issued under
5 this section shall be promptly paid by the Secretary
6 to the First Flight Foundation for the purposes of—

7 (A) repairing, refurbishing, and maintain-
8 ing the Wright Brothers Monument on the
9 Outer Banks of North Carolina; and

10 (B) expanding (or, if necessary, replacing)
11 and maintaining the visitor center and other fa-
12 cilities at the Wright Brothers National Memo-
13 rial Park on the Outer Banks of North Caro-
14 lina, including providing educational programs
15 and exhibits for visitors.

16 (2) AUDITS.—The Comptroller General of the
17 United States shall have the right to examine such
18 books, records, documents, and other data of the
19 First Flight Foundation as may be related to the ex-
20 penditures of amounts paid under paragraph (1).

21 (j) FINANCIAL ASSURANCES.—The Secretary shall
22 take such actions as may be necessary to ensure that mint-

- 1 ing and issuing coins under this section will not result in
- 2 any net cost to the United States Government.

Passed the Senate November 9, 1997.

Attest:

Secretary.

105TH CONGRESS
1ST SESSION

S. 1228

AN ACT

To provide for a 10-year circulating commemorative coin program to commemorate each of the 50 States, and for other purposes.

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