

105TH CONGRESS
1ST SESSION

S. 732

To require the Secretary of the Treasury to mint and issue coins in commemoration of the centennial anniversary of the first manned flight of Orville and Wilbur Wright in Kitty Hawk, North Carolina, on December 17, 1903.

IN THE SENATE OF THE UNITED STATES

MAY 8, 1997

Mr. FAIRCLOTH (for himself, Mr. HELMS, Mr. DEWINE, Ms. SNOWE, Ms. COLLINS, Mr. ROBERTS, Mr. MACK, Mr. DOMENICI, Mr. ABRAHAM, Mr. SANTORUM, Mr. THOMAS, Mr. WARNER, Mr. DODD, Mr. COCHRAN, and Mr. MURKOWSKI) 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 and issue coins in commemoration of the centennial anniversary of the first manned flight of Orville and Wilbur Wright in Kitty Hawk, North Carolina, on December 17, 1903.

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 “First Flight Com-
5 memorative Coin Act of 1997”.

1 **SEC. 2. COIN SPECIFICATIONS.**

2 (a) DENOMINATIONS.—The Secretary of the Treas-
3 ury (hereafter in this Act referred to as the “Secretary”)
4 shall mint and issue the following coins:

5 (1) \$10 GOLD COINS.—Not more than 500,000
6 \$10 coins, each of which shall—

7 (A) weigh 16.718 grams;

8 (B) have a diameter of 1.06 inches; and

9 (C) contain 90 percent gold and 10 percent
10 alloy.

11 (2) \$1 SILVER COINS.—Not more than
12 3,000,000 \$1 coins, each of which shall—

13 (A) weigh 26.73 grams;

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

15 (C) contain 90 percent silver and 10 per-
16 cent copper.

17 (3) HALF DOLLAR CLAD COINS.—Not more
18 than 10,000,000 half dollar coins each of which
19 shall—

20 (A) weigh 11.34 grams;

21 (B) have a diameter of 1.205 inches; and

22 (C) be minted to the specifications for half
23 dollar coins contained in section 5112(b) of title
24 31, United States Code.

25 (b) REDUCED AMOUNTS.—If the Secretary deter-
26 mines that there is clear evidence of insufficient public de-

1 mand for coins minted under this Act, the Secretary of
 2 the Treasury may reduce the maximum amounts specified
 3 in paragraphs (1), (2), and (3) of subsection (a).

4 (c) **LEGAL TENDER.**—The coins minted under this
 5 Act shall be legal tender, as provided in section 5103 of
 6 title 31, United States Code.

7 **SEC. 3. SOURCES OF BULLION.**

8 The Secretary shall obtain gold and silver for minting
 9 coins under this Act pursuant to the authority of the Sec-
 10 retary under other provisions of law, including authority
 11 relating to the use of silver stockpiles established under
 12 the Strategic and Critical Materials Stockpiling Act, as
 13 applicable.

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 first flight of Orville and Wilbur Wright in Kitty
 19 Hawk, North Carolina, on December 17, 1903.

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 “2003”; 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 Board of Directors of the First Flight
8 Foundation and the Commission of Fine Arts; and

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

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

12 (a) IN GENERAL.—Except as provided in subsection
13 (b), the Secretary may issue coins minted under this Act
14 only during the period beginning on August 1, 2003, and
15 ending on July 31, 2004.

16 (b) EXCEPTION.—If the Secretary determines that
17 there is sufficient public demand for the coins minted
18 under section 2(a)(3), the Secretary may extend the period
19 of issuance under subsection (a) for a period of 5 years
20 with respect to those coins.

21 **SEC. 6. SALE OF COINS.**

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

25 (1) the face value of the coins;

1 (2) the surcharge provided in subsection (d)
2 with respect 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 (d) SURCHARGES.—All sales shall include a sur-
17 charge of—

18 (1) \$35 per coin for the \$10 coin;

19 (2) \$10 per coin for the \$1 coin; and

20 (3) \$1 per coin for the half dollar coin.

21 (e) MARKETING EXPENSES.—The Secretary shall en-
22 sure that—

23 (1) a plan is established for marketing the coins
24 minted under this Act; and

1 (2) adequate funds are made available to cover
2 the costs of carrying out that marketing plan.

3 **SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULA-**
4 **TIONS.**

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

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

14 **SEC. 8. DISTRIBUTION OF SURCHARGES.**

15 (a) IN GENERAL.—All surcharges received by the
16 Secretary from the sale of coins issued under this Act shall
17 be promptly paid by the Secretary to the First Flight
18 Foundation for the purposes of—

19 (1) repairing, refurbishing, and maintaining the
20 Wright Brothers Monument on the Outer Banks of
21 North Carolina; and

22 (2) expanding (or, if necessary, replacing) and
23 maintaining the visitor center and other facilities at
24 the Wright Brothers National Memorial Park on the

1 Outer Banks of North Carolina, including providing
2 educational programs and exhibits for visitors.

3 (b) AUDITS.—The Comptroller General of the United
4 States shall have the right to examine such books, records,
5 documents, and other data of the First Flight Foundation
6 as may be related to the expenditures of amounts paid
7 under subsection (a).

8 **SEC. 9. FINANCIAL ASSURANCES.**

9 The Secretary shall take such actions as may be nec-
10 essary to ensure that minting and issuing coins under this
11 Act will not result in any net cost to the United States
12 Government.

13 **SEC. 10. WAIVER OF COIN PROGRAM RESTRICTIONS.**

14 The provisions of section 5112(m) of title 31, United
15 States Code, do not apply to the coins minted and issued
16 under this Act.

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