

110TH CONGRESS
2D SESSION

H. R. 2894

IN THE SENATE OF THE UNITED STATES

MAY 19, 2008

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

To require the Secretary of the Treasury to mint coins
in commemoration of the bicentennial of the writing of
the “Star Spangled Banner” and the War of 1812, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Star-Spangled Banner
3 and War of 1812 Bicentennial Commemorative Coin Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds as follows:

6 (1) During the War of 1812, on September 13,
7 1814, Francis Scott Key visited the British fleet in
8 Chesapeake Bay to secure the release of Dr. William
9 Beanes, who had been captured after the burning of
10 Washington, DC.

11 (2) The release was completed, but Key was
12 held by the British overnight during the shelling of
13 Fort McHenry, one of the forts defending Baltimore.

14 (3) In the morning, Key peered through clear-
15 ing smoke to see an enormous American flag flying
16 proudly after a 25-hour British bombardment of
17 Fort McHenry.

18 (4) He was so delighted to see the flag still fly-
19 ing over the fort that he began a poem to commemo-
20 rate the occasion, with a note that it should be sung
21 to the popular British melody “To Anacreon in
22 Heaven”.

23 (5) In 1916, President Woodrow Wilson or-
24 dered that it be played at military and naval occa-
25 sions.

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

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

4 (a) \$1 SILVER COINS.—The Secretary of the Treas-
5 ury (hereafter in this Act referred to as the “Secretary”)
6 shall mint and issue not more than 350,000 \$1 coins in
7 commemoration of the bicentennial of the writing of the
8 Star-Spangled Banner and the War of 1812, each of which
9 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 sections
18 5134 and 5136 of title 31, United States Code, all coins
19 minted under this Act shall be considered to be numis-
20 matic items.

21 **SEC. 4. DESIGN OF COINS.**

22 (a) DESIGN REQUIREMENTS.—

23 (1) IN GENERAL.—The design of the coins
24 minted under this Act shall be emblematic of the
25 War of 1812 and particularly the Battle for Fort

1 McHenry that formed the basis for the “Star-Span-
2 gled Banner”.

3 (2) DESIGNATION AND INSCRIPTIONS.—On
4 each coin minted under this Act, there shall be—

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

6 (B) an inscription of the year “2012”; and

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

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

12 (1) selected by the Secretary, after consultation
13 with the Star-Spangled Banner and War of 1812 Bi-
14 centennial Commission and the Commission of Fine
15 Arts; and

16 (2) reviewed by the Citizens Coinage Advisory
17 Committee.

18 **SEC. 5. ISSUANCE OF COINS.**

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

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

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

4 **SEC. 6. SALE OF COINS.**

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

8 (1) the face value of the coins;

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

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

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

17 (c) PREPAID ORDERS.—

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

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

1 **SEC. 7. SURCHARGES.**

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

4 (b) DISTRIBUTION.—Subject to section 5134(f) of
5 title 31, United States Code, all surcharges received by
6 the Secretary from the sale of coins issued under this Act
7 shall be paid to the Maryland War of 1812 Bicentennial
8 Commission for the purpose of supporting bicentennial ac-
9 tivities in collaboration with and aiding the Star-Spangled
10 Banner and War of 1812 Bicentennial Commission as it
11 provides coordination, advice, and assistance to Federal
12 agencies, States, localities, and other organizations for
13 such bicentennial activities, educational outreach activities
14 (including supporting scholarly research and the develop-
15 ment of exhibits), and preservation and improvement ac-
16 tivities relating to the sites and structures relating to the
17 War of 1812.

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

23 (d) LIMITATION.—Notwithstanding subsection (a),
24 no surcharge may be included with respect to the issuance
25 under this Act of any coin during a calendar year if, as
26 of the time of such issuance, the issuance of such coin

1 would result in the number of commemorative coin pro-
2 grams issued during such year to exceed the annual 2
3 commemorative coin program issuance limitation under
4 section 5112(m)(1) of title 31, United States Code (as in
5 effect on the date of the enactment of this Act). The Sec-
6 retary of the Treasury may issue guidance to carry out
7 this subsection.

Passed the House of Representatives May 15, 2008.

Attest: LORRAINE C. MILLER,
Clerk.