

Public Law 108–291
108th Congress

An Act

Aug. 6, 2004
[H.R. 3277]

Marine Corps
230th
Anniversary
Commemorative
Coin Act.
31 USC 5112
note.

To require the Secretary of the Treasury to mint coins in commemoration of the 230th Anniversary of the United States Marine Corps, and to support construction of the Marine Corps Heritage Center.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Marine Corps 230th Anniversary Commemorative Coin Act”.

SEC. 2. FINDINGS.

The Congress finds that—

(1) November 10, 2005, marks the 230th anniversary of the United States Marine Corps;

(2) the United States Marine Corps has, over the course of its illustrious 230-year history, fought gallantly in defense of the United States;

(3) the United States Marine Corps has, over the course of its storied history, established itself as the Nation’s military leader in amphibious warfare, and will continue in that role as the United States faces the challenges of the 21st Century;

(4) the United States Marine Corps continues to exemplify the warrior ethos that has made it a fighting force of international repute;

(5) all Americans should commemorate the legacy of the United States Marine Corps so that the values embodied in the “Corps” are recognized for the significant contribution they have made in protecting the United States against its enemies;

(6) in 2001, the Congress authorized the construction of the Marine Corps Heritage Center, the purpose of which is to provide a multipurpose facility to be used for historical displays for the public viewing, curation, and storage of artifacts, research facilities, classrooms, offices, and associated activities, consistent with the mission of the Marine Corps;

(7) the Marine Corps Heritage Center is scheduled to open on November 10, 2005;

(8) the United States should pay tribute to the 230th anniversary of the United States Marine Corps by minting and issuing a commemorative silver dollar coin; and

(9) the surcharge proceeds from the sale of a commemorative coin, which would have no net costs to the taxpayers, would raise valuable funding for the construction of the Marine Corps Heritage Center.

SEC. 3. COIN SPECIFICATIONS.

(a) **\$1 SILVER COINS.**—The Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall mint and issue not more than 500,000 \$1 coins, each of which shall—

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

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

SEC. 4. DESIGN OF COINS.

(a) **DESIGN REQUIREMENTS.**—

(1) **IN GENERAL.**—The design of the coins minted under this Act shall be emblematic of the warrior ethos of the United States Marine Corps.

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

- (A) a designation of the value of the coin;
- (B) an inscription of the year “2005”; and
- (C) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

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

- (1) selected by the Secretary, after consultation with the Marine Corps Historical Division and the Commission of Fine Arts; and
- (2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

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

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

(c) **PERIOD FOR ISSUANCE.**—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2005.

SEC. 6. SALE OF COINS.

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

- (1) the face value of the coins;
- (2) the surcharge provided in subsection (b) with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) **SURCHARGES.**—All sales of coins issued under this Act shall include a surcharge of \$10 per coin.

(c) **BULK SALES.**—The Secretary shall make bulk sales of coins issued under this Act at a reasonable discount.

(d) **PREPAID ORDERS.**—

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

(2) **DISCOUNT.**—Sale prices with respect to prepaid orders under paragraph (1) should be at a reasonable discount.

(e) **LIMITATION.**—Notwithstanding subsection (b), no surcharge may be included with respect to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

SEC. 7. DISTRIBUTION OF SURCHARGES.

(a) **DISTRIBUTION.**—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Marine Corps Heritage Foundation for the purposes of construction of the Marine Corps Heritage Center, as authorized by section 1 of Public Law 106–398 (114 Stat. 1654).

(b) **AUDIT.**—The Marine Corps Heritage Foundation shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received under subsection (a).

Approved August 6, 2004.

LEGISLATIVE HISTORY—H.R. 3277:

HOUSE REPORTS: No. 108–474, Pt. 1 (Comm. on Financial Services) and Pt. 2 (Comm. on Ways and Means).

CONGRESSIONAL RECORD, Vol. 150 (2004):

July 14, considered and passed House.

July 20, considered and passed Senate.