

114TH CONGRESS
1ST SESSION

H. R. 2978

To require the Treasury to mint coins in commemoration of the Sesquicentennial Anniversary of the adoption of the Thirteenth Amendment to the United States Constitution, which officially marked the abolishment of slavery in the United States.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 2015

Mr. DANNY K. DAVIS of Illinois (for himself, Mr. SHIMKUS, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CÁRDENAS, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. CONYERS, Mr. CROWLEY, Mr. CUMMINGS, Mrs. DAVIS of California, Ms. EDWARDS, Mr. ELLISON, Mr. FARR, Mr. FATAH, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Mr. HASTINGS, Mr. HIGGINS, Mr. HINOJOSA, Mr. HONDA, Ms. JENKINS of Kansas, Mr. JOHNSON of Georgia, Mr. KEATING, Mrs. KIRKPATRICK, Ms. KUSTER, Mr. LANGEVIN, Mrs. LAWRENCE, Mr. LEWIS, Mr. LIPINSKI, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mr. NADLER, Ms. NORTON, Mr. POCAN, Mr. QUIGLEY, Mr. RANGEL, Mr. ROYCE, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SMITH of Washington, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mrs. WATSON COLEMAN, Mr. WELCH, and Mrs. BUSTOS) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Treasury to mint coins in commemoration of the Sesquicentennial Anniversary of the adoption of the Thirteenth Amendment to the United States Con-

stitution, which officially marked the abolishment of slavery in the United States.

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 “Thirteenth Amend-
5 ment Commemorative Coin Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

8 (1) The economic contributions of enslaved Af-
9 rican-Americans to the American economy between
10 1691 and 1860 were immeasurable. This labor force
11 was used to build the foundations upon which Amer-
12 ica stands today.

13 (2) From the 16th through the 19th centuries,
14 most colonial economies in the Americas were de-
15 pendent on human-trafficking and the use of
16 enslaved African labor for their survival. This in-
17 cluded the North American mercantile and shipping
18 sectors that were dependent on slave-produced cot-
19 ton, rice, sugar and indigo, and the profits derived
20 from triangular trade with the West Indies, Africa,
21 and Europe.

22 (3) Enslaved Africans in the United States
23 were also recognized as an important element in the

1 political and economic capital in the Nation’s polit-
2 ical economy.

3 (4) Over the course of 246 years, slaves con-
4 tributed an estimated 605 billion hours of forced
5 free labor, the gain from which provided “seed cap-
6 ital” for the American economy, helped finance the
7 birth of American finance and industrial sectors,
8 contributed to the growth of most of the “Fortune
9 500” companies, and ultimately assisted the Nation
10 in financing both world wars.

11 (5) During the Civil War, after Union forces re-
12 pelled a Confederate invasion at the battle of Antie-
13 tam in 1862, President Abraham Lincoln issued the
14 Emancipation Proclamation, which declared that all
15 slaves in States then in rebellion would be “forever
16 free” as of January 1, 1863. By his action, Lincoln
17 added a new and revolutionary dimension to the Na-
18 tion’s war aims: from being a conflict to preserve the
19 Union, the Civil War grew to be a crusade to end
20 Black slavery and fulfill the promise of the Declara-
21 tion of Independence.

22 (6) In the spring of 1864, Charles Sumner in-
23 troduced an anti-slavery amendment in the Senate,
24 much like the amendments that were introduced in
25 the House by Representatives James Ashley and

1 James Wilson in December of 1863, which declared
2 all persons as equal, prohibited the slavery, and
3 granted Congress the power to enforce these provi-
4 sions. After extensive debate, the 13th Amendment
5 was formed from this proposal, with the omission of
6 the declaration of equality of all persons, and passed
7 the Senate on April 8, 1864, by a vote of 38–6.

8 (7) Debates between abolitionists and sup-
9 porters of slavery focused on the moral issue of slav-
10 ery and various interpretations of “natural law”.
11 Representative John Farnsworth of Illinois stated
12 that “the old fathers who made the constitution be-
13 lieved that slavery was at war with the rights of
14 human nature”, and pointed out the contradiction
15 between the existence of inalienable rights and the
16 institution of slavery. Some members within the Re-
17 publican Party, such as Charles Sumner, sought an
18 interpretation of the Constitution that rejected slav-
19 ery as incompatible with moral law.

20 (8) President Lincoln took an active role in pro-
21 moting the 13th Amendment in Congress. He en-
22 sured that the Republican Party’s 1864 election
23 platform included a provision supporting a constitu-
24 tional amendment to “terminate and forever prohibit
25 the existence of Slavery”. His efforts were met with

1 success when the House passed the bill on January
2 31, 1865, with a vote of 119–56.

3 (9) On February 1, 1865, Illinois became the
4 first State to ratify the proposed 13th Amendment;
5 it was joined by 17 other States by the end of the
6 month. Georgia ratified on December 6, 1865, be-
7 coming the 27th of 36 States to approve the Amend-
8 ment, thus achieving the constitutional requirement
9 that it be ratified by three-fourths of the States.
10 Secretary of State William Seward declared the 13th
11 Amendment to be part of the Constitution on De-
12 cember 18.

13 (10) The Smithsonian National Museum of Af-
14 rican American History and Culture (hereafter re-
15 ferred to in this section as the “NMAAHC”) was es-
16 tablished by an Act of Congress in 2003, in Public
17 Law 108–184.

18 (11) It is fitting that the NMAAHC receive the
19 surcharges from the sale of coins issued under this
20 Act because the Museum is devoted to the docu-
21 mentation of African-American life, and, among
22 other areas, encompasses the period of slavery and
23 the era of Reconstruction.

24 (12) The surcharge proceeds from the sale of a
25 commemorative coin, which would have no net cost

1 to the taxpayers, would raise valuable funding to
2 supplement the endowment and educational outreach
3 funds of the NMAAHC.

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

5 (a) DENOMINATIONS.—The Secretary of the Treas-
6 ury (hereafter in this Act referred to as the “Secretary”)
7 shall mint and issue the following coins in commemoration
8 of the Sesquicentennial Anniversary of the passage of the
9 13th Amendment:

10 (1) \$50 BI-METALLIC PLATINUM AND GOLD
11 COINS.—Not more than 250,000 \$50 coins, which
12 shall—

13 (A) have a weight, diameter, and thickness
14 determined by the Secretary; and

15 (B) contain platinum and .9167 pure gold.

16 (2) \$20 GOLD COINS.—Not more than 250,000
17 \$20 coins, which shall—

18 (A) weigh 33.931 grams;

19 (B) have a diameter of 32.7 millimeters;

20 and

21 (C) contain .900 pure gold.

22 (3) \$1 SILVER COINS.—Not more than 500,000
23 \$1 coins, which shall—

24 (A) weigh 31.103 grams;

1 (B) have a diameter of 40.6 millimeters;
2 and
3 (C) contain .999 fine silver.

4 (b) **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 (c) **NUMISMATIC ITEMS.**—For the purposes of sec-
8 tions 5134 and 5136 of title 31, United States Code, all
9 coins minted under this Act shall be considered to be nu-
10 mismatic items.

11 **SEC. 4. DESIGN OF COINS.**

12 (a) **IN GENERAL.**—The design of the coins minted
13 under this Act shall be emblematic of the Thirteenth
14 Amendment and the abolishment of slavery in America.

15 (b) **DESIGNATION AND INSCRIPTIONS.**—On each coin
16 minted under this Act there shall be—

- 17 (1) a designation of the value of the coin;
18 (2) an inscription of the year “1865–2015”;
19 and
20 (3) inscriptions of the words “Liberty”, “In
21 God We Trust”, “United States of America”, and
22 “E Pluribus Unum”.

23 (c) **SELECTION.**—The design for the coins minted
24 under this Act—

1 (1) shall be based on the economic contribu-
2 tions of slavery, and include images of the pathway
3 from slavery to freedom;

4 (2) may include, on the \$20 coins, that the de-
5 sign elements be in high relief;

6 (3) may include, on the \$50 coins—

7 (A) on the obverse, an illustration of Co-
8 lumbia or similar figure representing Liberty,
9 the female representation of America; and

10 (B) on the reverse, a single eagle, and a
11 set of stars on one or both sides;

12 (4) shall be selected by the Secretary after con-
13 sultation with the Commission of Fine Arts; and

14 (5) shall be reviewed by the Citizens Coinage
15 Advisory Committee.

16 **SEC. 5. ISSUANCE OF COINS.**

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

19 (b) **PERIOD OF ISSUANCE.**—

20 (1) **IN GENERAL.**—The Secretary may issue
21 coins minted under this Act only during the 1-year
22 period beginning on January 1 of the issuance year,
23 except that the Secretary may initiate sales of such
24 coins, without issuance, before such date.

1 (2) ISSUANCE YEAR DEFINED.—For purposes
2 of this subsection, the term “issuance year” means
3 the first calendar year, after the date of the enact-
4 ment of this Act, with respect to which the Secretary
5 determines, as of January 1 of such year, that there
6 are less than 2 commemorative coin programs au-
7 thorized to be issued during such year.

8 (c) SESQUICENTENNIAL DATES TO BE THE ONLY
9 DATES.—Notwithstanding section 5112(d)(1) of title 31,
10 United States Code, coins minted under this Act shall not
11 have an inscription of the year of minting or issuance.

12 **SEC. 6. SALE OF COINS.**

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

16 (1) the face value of the coins;

17 (2) the surcharge required under section 7(a)
18 with respect to such coins; and

19 (3) the cost of designing and issuing such coins
20 (including labor, materials, dies, use of machinery,
21 overhead expenses, marketing, and shipping).

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

25 (c) PREPAID ORDERS AT A DISCOUNT.—

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

4 (2) DISCOUNT.—Sales prices with respect to
5 prepaid orders under paragraph (1) shall be at a
6 reasonable discount.

7 **SEC. 7. SURCHARGES.**

8 (a) SURCHARGE REQUIRED.—All sales of coins under
9 this Act shall include a surcharge of \$10 per coin.

10 (b) DISTRIBUTION.—Subject to section 5134(f) of
11 title 31, United States Code, all surcharges received by
12 the Secretary from the sale of coins issued under this Act
13 shall be promptly paid by the Secretary to the Smithso-
14 nian National Museum of African American History and
15 Culture to carry out the purposes of the museum, which
16 goes beyond simply telling the history of African-Ameri-
17 cans, creating an opportunity for anyone who cares about
18 African-American Culture a place to explore, learn, and
19 revel in the rich history of African-American Culture.

20 (c) AUDITS.—The Smithsonian National Museum of
21 African American History and Culture shall be subject to
22 the audit requirements of section 5134(f)(2) of title 31,
23 United States Code, with regard to the amounts received
24 under subsection (b).

1 (d) LIMITATION.—Notwithstanding subsection (a),
2 no surcharge may be included with respect to the issuance
3 under this Act of any coin during a calendar year if, as
4 of the time of such issuance, the issuance of such coin
5 would result in the number of commemorative coin pro-
6 grams issued during such year to exceed the annual 2
7 commemorative coin program issuance limitation under
8 section 5112(m)(1) of title 31, United States Code. The
9 Secretary of the Treasury may issue guidance to carry out
10 this subsection.

11 **SEC. 8. FINANCIAL ASSURANCES.**

12 The Secretary shall take such actions as may be nec-
13 essary to ensure that—

14 (1) minting and issuing coins under this Act
15 will not result in any net cost to the United States
16 Government; and

17 (2) no funds, including applicable surcharges,
18 are disbursed to any recipient designated in section
19 7 until the total cost of designing and issuing all of
20 the coins authorized by this Act is recovered by the
21 United States Treasury, consistent with sections
22 5112(m) and 5134(f) of title 31, United States
23 Code.

1 **SEC. 9. BUDGET COMPLIANCE.**

2 The budgetary effects of this Act, for the purpose of
3 complying with the Statutory Pay-As-You-Go Act of 2010,
4 shall be determined by reference to the latest statement
5 titled “Budgetary Effects of PAYGO Legislation” for this
6 Act, submitted for printing in the Congressional Record
7 by the Chairman of the Committee on the Budget of the
8 House of Representatives, provided that such statement
9 has been submitted prior to the vote on passage.

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