

113TH CONGRESS
1ST SESSION

H. R. 2633

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 9, 2013

Mr. DANNY K. DAVIS of Illinois (for himself and Mr. SHIMKUS) introduced the following bill; which was referred to the Committee on Financial Services

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 Constitution, 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:

1 (1) The economic contributions of enslaved Af-
2 rican Americans to the American economy between
3 1691 and 1860 were immeasurable. This labor force
4 was used to build the foundations upon which Amer-
5 ica stands today.

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

15 (3) Enslaved Africans in the United States
16 were also recognized as an important element in the
17 political and economic capital in the nation’s polit-
18 ical economy.

19 (4) Over the course of 246 years, slaves con-
20 tributed an estimated 605 billion hours of forced
21 free labor, the gain from which provided “seed cap-
22 ital” for the American economy, helped finance the
23 birth of American finance and industrial sectors,
24 contributed to the growth of most of the “Fortune

1 500” companies, and ultimately assisted the nation
2 in financing both world wars.

3 (5) During the Civil War, after Union forces re-
4 pelled a Confederate invasion at the battle of Antie-
5 tam in 1862, President Abraham Lincoln issued the
6 Emancipation Proclamation, which declared that all
7 slaves in states then in rebellion would be “forever
8 free” as of January 1, 1863. By his action, Lincoln
9 added a new and revolutionary dimension to the na-
10 tion’s war aims: from being a conflict to preserve the
11 Union, the Civil War grew to be a crusade to end
12 black slavery and fulfill the promise of the Declara-
13 tion of Independence.

14 (6) In the spring of 1864, Charles Sumner in-
15 troduced an anti-slavery amendment in the Senate,
16 much like the amendments that were introduced in
17 the House by Representatives James Ashley and
18 James Wilson in December of 1863, which declared
19 all persons as equal, prohibited the slavery, and
20 granted Congress the power to enforce these provi-
21 sions. After extensive debate, the 13th Amendment
22 was formed from this proposal, with the omission of
23 the declaration of equality of all persons, and passed
24 the Senate on April 8, 1864, by a vote of 38–6.

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

13 (8) President Lincoln took an active role in pro-
14 moting the 13th Amendment in Congress. He en-
15 sured that the Republican Party’s 1864 election
16 platform included a provision supporting a constitu-
17 tional amendment to “terminate and forever prohibit
18 the existence of Slavery”. His efforts were met with
19 success when the House passed the bill on January
20 31, 1865, with a vote of 119–56.

21 (9) On February 1, 1865, Illinois became the
22 first state to ratify the proposed 13th Amendment;
23 it was joined by 17 other states by the end of the
24 month. Georgia ratified on December 6, 1865, be-
25 coming the 27th of 36 states to approve the Amend-

1 ment, thus achieving the constitutional requirement
2 that it be ratified by three-fourths of the states. Sec-
3 retary of State William Seward declared the 13th
4 Amendment to be part of the Constitution on De-
5 cember 18.

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

11 (11) It is fitting that the NMAAHC receive the
12 surcharges from the sale of coins issued under this
13 Act because the Museum is devoted to the docu-
14 mentation of African American life, and, among
15 other areas, encompasses the period of slavery and
16 the era of Reconstruction.

17 (12) The surcharge proceeds from the sale of a
18 commemorative coin, which would have no net cost
19 to the taxpayers, would raise valuable funding to
20 supplement the endowment and educational outreach
21 funds of the NMAAHC.

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

23 (a) DENOMINATIONS.—The Secretary of the Treas-
24 ury (hereafter in this Act referred to as the “Secretary”)
25 shall mint and issue the following coins in commemoration

1 of the Sesquicentennial Anniversary of the passage of the
2 13th Amendment:

3 (1) \$50 BI-METALLIC PLATINUM AND GOLD
4 COINS.—Not more than 250,000 \$50 coins, which
5 shall—

6 (A) have a weight, diameter, and thickness
7 determined by the Secretary; and

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

9 (2) \$20 GOLD COINS.—Not more than 250,000
10 \$20 coins, which shall—

11 (A) weigh 33.931 grams;

12 (B) have a diameter of 32.7 millimeters;

13 and

14 (C) contain .900 pure gold.

15 (3) \$1 SILVER COINS.—Not more than 500,000
16 \$1 coins, which shall—

17 (A) weigh 31.103 grams;

18 (B) have a diameter of 40.6 millimeters;

19 and

20 (C) contain .999 fine silver.

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

24 (c) NUMISMATIC ITEMS.—For the purposes of sec-
25 tions 5134 and 5136 of title 31, United States Code, all

1 coins minted under this Act shall be considered to be nu-
2 mismatic items.

3 **SEC. 4. DESIGN OF COINS.**

4 (a) IN GENERAL.—The design of the coins minted
5 under this Act shall be emblematic of the Thirteenth
6 Amendment and the abolishment of slavery in America.

7 (b) DESIGNATION AND INSCRIPTIONS.—On each coin
8 minted under this Act there shall be—

9 (1) a designation of the value of the coin;

10 (2) an inscription of the year “1865–2015”;

11 and

12 (3) inscriptions of the words “Liberty”, “In
13 God We Trust”, “United States of America”, and
14 “E Pluribus Unum”.

15 (c) SELECTION.—The design for the coins minted
16 under this Act—

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

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

22 (3) may include, on the \$50 coins—

23 (A) on the obverse, an illustration of Co-
24 lumbia or similar figure representing Liberty,
25 the female representation of America; and

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

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

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

7 **SEC. 5. ISSUANCE OF COINS.**

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

10 (b) **PERIOD OF ISSUANCE.**—The Secretary may issue
11 coins minted under this Act only during the calendar year
12 beginning January 1, 2016, except that the Secretary may
13 initiate sales of such coins, without issuance, before such
14 date.

15 (c) **MINTING IN 2016.**—Notwithstanding section
16 5112(d)(1) of title 31, United States Code, the Secretary
17 may continue to mint the coins under this Act in the year
18 2016.

19 **SEC. 6. SALE OF COINS.**

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

23 (1) the face value of the coins;

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

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

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

7 (c) PREPAID ORDERS AT A DISCOUNT.—

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

11 (2) DISCOUNT.—Sales prices with respect to
12 prepaid orders under paragraph (1) shall be at a
13 reasonable discount.

14 **SEC. 7. SURCHARGES.**

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

17 (b) DISTRIBUTION.—Subject to section 5134(f) of
18 title 31, United States Code, all surcharges received by
19 the Secretary from the sale of coins issued under this Act
20 shall be promptly paid by the Secretary to the Smithso-
21 nian National Museum of African American History and
22 Culture to carry out the purposes of the museum, which
23 goes beyond simply telling the history of African Ameri-
24 cans, creating an opportunity for anyone who cares about

1 African American Culture a place to explore, learn, and
2 revel in the rich history of African American Culture.

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

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

18 **SEC. 8. FINANCIAL ASSURANCES.**

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

21 (1) minting and issuing coins under this Act
22 will not result in any net cost to the United States
23 Government; and

24 (2) no funds, including applicable surcharges,
25 are disbursed to any recipient designated in section

1 7 until the total cost of designing and issuing all of
2 the coins authorized by this Act is recovered by the
3 United States Treasury, consistent with sections
4 5112(m) and 5134(f) of title 31, United States
5 Code.

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