

105TH CONGRESS  
1ST SESSION

# H. R. 864

To require the Secretary of the Treasury to mint coins in commemoration of the centennial of the birth of Marian Anderson, to redesign the half dollar circulating coin for 1997 to commemorate Marian Anderson, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 1997

Mr. BROWN of California (for himself, Mr. WATTS of Oklahoma, Mr. MALONEY of Connecticut, Ms. NORTON, Mr. FROST, Ms. JACKSON-LEE of Texas, Mr. FATTAH, Mr. SANDERS, Mr. FILNER, Mr. CONYERS, Mr. BERMAN, Mr. FOGLIETTA, Mr. DELLUMS, and Ms. SLAUGHTER) introduced the following bill; which was referred to the Committee on Banking and Financial Services

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## A BILL

To require the Secretary of the Treasury to mint coins in commemoration of the centennial of the birth of Marian Anderson, to redesign the half dollar circulating coin for 1997 to commemorate Marian Anderson, 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,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Marian Anderson Cen-  
5       tennial Commemorative Coin Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) Marian Anderson, one of the world’s great-  
4 est singers, a champion for civil rights, and a leader  
5 in the advancement of global peace, was born on  
6 February 27, 1897, in Philadelphia, Pennsylvania;

7 (2) Marian Anderson, a master of repertoire ac-  
8 tress operatic, recital, and American traditional  
9 genres, played a vital role in the acceptance of Afri-  
10 can-American musicians in the classical music world;

11 (3) in 1963, Marian Anderson was given a  
12 Presidential Medal of Freedom;

13 (4) in 1974, Congress passed a resolution to  
14 have a special gold medal minted in her name;

15 (5) in 1977, Marian Anderson, who was an al-  
16 ternate delegate to the United Nations, received the  
17 U.N. Peace Prize;

18 (6) in 1986, Marian Anderson was awarded the  
19 National Arts Medal; and

20 (7) 1997 will mark the centennial of the birth  
21 of Marian Anderson.

22 **TITLE I—COMMEMORATIVE**  
23 **COINS**

24 **SEC. 101. COIN SPECIFICATIONS.**

25 (a) DENOMINATIONS.—In commemoration of the cen-  
26 tennial of the birth of Marian Anderson, the Secretary of

1 the Treasury (hereafter in this Act referred to as the “Sec-  
2 retary”) shall mint and issue—

3 (1) not more than 350,000 \$1 coins, each of  
4 which shall—

5 (A) weigh 26.73 grams;

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

7 (C) contain 90 percent silver and 10 per-  
8 cent copper; and

9 (2) not more than 350,000 half dollar coins,  
10 each of which shall—

11 (A) weigh 12.50 grams;

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

13 (C) contain 90 percent silver and 10 per-  
14 cent copper.

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

18 (c) **NUMISMATIC ITEMS.**—For purposes of section  
19 5134 of title 31, United States Code, all coins minted  
20 under this title shall be considered to be numismatic items.

21 **SEC. 102. SOURCES OF BULLION.**

22 The Secretary shall obtain silver for minting coins  
23 under this title only from stockpiles established under the  
24 Strategic and Critical Materials Stock Piling Act.

1 **SEC. 103. DESIGN OF COINS.**

2 (a) DESIGN REQUIREMENTS.—

3 (1) IN GENERAL.—The design of the coins  
4 minted under this title shall be emblematic of the  
5 many accomplishments of Marian Anderson through-  
6 out her prolific life.

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

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

10 (B) an inscription of the years “1897–  
11 1997”; and

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

15 (3) OBVERSE OF COIN.—The obverse of each  
16 coin minted under this title shall bear the likeness  
17 of Marian Anderson.

18 (b) DESIGN COMPETITION.—Before the end of the 3-  
19 month period beginning on the date of enactment of this  
20 Act, the Secretary shall conduct an open design competi-  
21 tion for the design of the obverse and the reverse of the  
22 coins minted under this title.

23 (c) SELECTION.—The design for the coins minted  
24 under this title shall be—

25 (1) selected by the Secretary after consultation  
26 with the Commission of Fine Arts; and

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

3   **SEC. 104. ISSUANCE OF COINS.**

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

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

9       (c) COMMENCEMENT OF ISSUANCE.—The Secretary  
10   may issue coins minted under this title beginning on and  
11   after the date of enactment of this Act.

12      (d) TERMINATION OF MINTING AUTHORITY.—No  
13   coins may be minted under this title after July 31, 1998.

14   **SEC. 105. SALE OF COINS.**

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

18           (1) the face value of the coins;

19           (2) the surcharge provided in subsection (d)  
20   with respect to such coins; and

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

1 (b) BULK SALES.—The Secretary shall make bulk  
2 sales of the coins issued under this title at a reasonable  
3 discount.

4 (c) PREPAID ORDERS.—

5 (1) IN GENERAL.—The Secretary shall accept  
6 prepaid orders for the coins minted under this title  
7 before the issuance of such coins.

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

11 (d) SURCHARGES.—All sales of coins minted under  
12 this title shall include a surcharge of—

13 (1) \$14 per coin for the \$1 coin; and

14 (2) \$7 per coin for the half dollar coin.

15 **SEC. 106. GENERAL WAIVER OF PROCUREMENT**  
16 **REGULATIONS.**

17 (a) IN GENERAL.—Except as provided in subsection  
18 (b), no provision of law governing procurement or public  
19 contracts shall be applicable to the procurement of goods  
20 and services necessary for carrying out this title.

21 (b) EQUAL EMPLOYMENT OPPORTUNITY.—Sub-  
22 section (a) shall not relieve any person entering into a con-  
23 tract under the authority of this title from complying with  
24 any law relating to equal employment opportunity.

1 **SEC. 107. DISTRIBUTION OF SURCHARGES.**

2 (a) IN GENERAL.—Subject to section 5134(f) of title  
3 31, United States Code, the first \$2,000,000 of the sur-  
4 charges received by the Secretary from the sale of coins  
5 issued under this title shall be promptly paid by the Sec-  
6 retary as follows:

7 (1) SMITHSONIAN INSTITUTION.—50 percent to  
8 the Board of Regents of the Smithsonian Institu-  
9 tion, for exhibits on African-American art, history,  
10 and culture.

11 (2) CORPORATION FOR PUBLIC BROADCAST-  
12 ING.—50 percent to the Public Broadcasting Fund  
13 established under section 396(k) of the Communica-  
14 tions Act of 1934 (47 U.S.C. 396(k)), for edu-  
15 cational programs on African-American art, history,  
16 and culture and on the life of Marian Anderson.

17 (b) EXCESS PAYABLE TO THE NATIONAL NUMIS-  
18 MATIC COLLECTION.—After payment of the amounts re-  
19 quired under subsection (a), the Secretary shall pay the  
20 remaining surcharges to the National Museum of Amer-  
21 ican History in Washington, D.C., for the support of the  
22 National Numismatic Collection at the museum.

23 (c) AUDITS.—Each organization that receives any  
24 payment from the Secretary under this section shall be  
25 subject to the audit requirements of section 5134(f)(2) of  
26 title 31, United States Code.

1 **SEC. 108. FINANCIAL ASSURANCES.**

2 (a) NO NET COST TO THE GOVERNMENT.—The Sec-  
 3 retary shall take such actions as may be necessary to en-  
 4 sure that minting and issuing coins under this title will  
 5 not result in any net cost to the United States Govern-  
 6 ment.

7 (b) PAYMENT FOR COINS.—A coin shall not be issued  
 8 under this title unless the Secretary has received—

9 (1) full payment for the coin;

10 (2) security satisfactory to the Secretary to in-  
 11 demnify the United States for full payment; or

12 (3) a guarantee of full payment satisfactory to  
 13 the Secretary from a depository institution whose  
 14 deposits are insured by the Federal Deposit Insur-  
 15 ance Corporation or the National Credit Union Ad-  
 16 ministration Board.

17 **TITLE II—CIRCULATING COINS**

18 **SEC. 201. AUTHORITY TO REDESIGN HALF DOLLAR CIR-**  
 19 **CULATING COINS.**

20 Section 5112(d) of title 31, United States Code, is  
 21 amended by inserting after the 6th sentence the following:  
 22 “At the discretion of the Secretary, half dollar coins mint-  
 23 ed after December 31, 1996, and before July 31, 1998,  
 24 may bear the same design as the commemorative coins  
 25 minted under title I of the Marian Anderson Centennial



1 Commemorative Coin Act, as established under section  
2 103 of that Act.”.

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