

104TH CONGRESS
2^D SESSION

H. R. 1776

AN ACT

To require the Secretary of the Treasury to mint coins in commemoration of Black Revolutionary War patriots and the 275th anniversary of the 1st Black Revolutionary War patriot, Crispus Attucks.

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To require the Secretary of the Treasury to mint coins in commemoration of Black Revolutionary War patriots and the 275th anniversary of the 1st Black Revolutionary War patriot, Crispus Attucks.

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 “Black Revolutionary
3 War Patriots Commemorative Coin Act”.

4 **SEC. 2. COIN SPECIFICATIONS.**

5 (a) \$1 SILVER COINS.—In commemoration of Black
6 Revolutionary War patriots and the 275th anniversary of
7 the birth of the 1st Black Revolutionary War patriot,
8 Crispus Attucks, who was the 1st American colonist killed
9 by British troops during the Revolutionary period, the
10 Secretary of the Treasury (hereafter in this Act referred
11 to as the “Secretary”) shall mint and issue not more than
12 500,000 1 dollar coins, each of which shall—

13 (1) weigh 26.73 grams;

14 (2) have a diameter of 1.500 inches; and

15 (3) contain 90 percent silver and 10 percent
16 copper.

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

20 (c) NUMISMATIC ITEMS.—For purposes of section
21 5136 of title 31, United States Code, all coins minted
22 under this Act shall be considered to be numismatic items.

23 **SEC. 3. SOURCES OF BULLION.**

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

1 **SEC. 4. DESIGN OF COINS.**

2 (a) DESIGN REQUIREMENTS.—

3 (1) IN GENERAL.—The design—

4 (A) on the obverse side of the coins minted
5 under this Act shall be emblematic of the 1st
6 Black Revolutionary War patriot, Crispus
7 Attucks; and

8 (B) on the reverse side of such coins shall
9 be emblematic of the Black Revolutionary War
10 Patriots Memorial.

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

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

14 (B) an inscription of the year “1998”; and

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

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

20 (1) selected by the Secretary after consultation
21 with the Black Revolutionary War Patriots Founda-
22 tion and the Commission of Fine Arts; and

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

1 **SEC. 5. ISSUANCE OF COINS.**

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

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

7 (c) COMMENCEMENT OF ISSUANCE.—The Secretary
8 may issue coins minted under this Act beginning January
9 1, 1998 .

10 (d) TERMINATION OF MINTING AUTHORITY.—No
11 coins may be minted under this Act after December 31,
12 1998.

13 **SEC. 6. SALE OF COINS.**

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

17 (1) the face value of the coins;

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

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

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

26 (c) PREPAID ORDERS.—

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.—Sale prices with respect to pre-
5 paid orders under paragraph (1) shall be at a rea-
6 sonable discount.

7 (d) SURCHARGES.—All sales shall include a sur-
8 charge of \$10 per coin.

9 **SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULA-**
10 **TIONS.**

11 (a) IN GENERAL.—Except as provided in subsection
12 (b), no provision of law governing procurement or public
13 contracts shall be applicable to the procurement of goods
14 and services necessary for carrying out the provisions of
15 this Act.

16 (b) EQUAL EMPLOYMENT OPPORTUNITY.—Sub-
17 section (a) shall not relieve any person entering into a con-
18 tract under the authority of this Act from complying with
19 any law relating to equal employment opportunity.

20 **SEC. 8. DISTRIBUTION OF SURCHARGES.**

21 Subject to section 10(a), all surcharges received by
22 the Secretary from the sale of coins issued under this Act
23 shall be promptly paid by the Secretary to the Black Revo-
24 lutionary War Patriots Foundation for the purpose of rais-

1 ing an endowment to support the construction of a Black
2 Revolutionary War Patriots Memorial.

3 **SEC. 9. FINANCIAL ASSURANCES.**

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

9 (b) PAYMENT FOR COINS.—A coin shall not be issued
10 under this Act unless the Secretary has received—

11 (1) full payment for the coin;

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

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

19 **SEC. 10. CONDITIONS ON PAYMENT OF SURCHARGES.**

20 (a) PAYMENT OF SURCHARGES.—Notwithstanding
21 any other provision of law, no amount derived from the
22 proceeds of any surcharge imposed on the sale of coins
23 issued under this Act shall be paid to the Black Revolu-
24 tionary War Patriots Foundation unless—

1 (1) all numismatic operation and program costs
2 allocable to the program under which such coins are
3 produced and sold have been recovered; and

4 (2) the Black Revolutionary War Patriots
5 Foundation submits an audited financial statement
6 which demonstrates to the satisfaction of the Sec-
7 retary of the Treasury that, with respect to all
8 projects or purposes for which the proceeds of such
9 surcharge may be used, the Foundation has raised
10 funds from private sources for such projects and
11 purposes in an amount which is equal to or greater
12 than the maximum amount the Foundation may re-
13 ceive from the proceeds of such surcharge.

14 (b) ANNUAL AUDITS.—

15 (1) ANNUAL AUDITS OF RECIPIENTS RE-
16 QUIRED.—The Black Revolutionary War Patriots
17 Foundation shall provide, as a condition for receiv-
18 ing any amount derived from the proceeds of any
19 surcharge imposed on the sale of coins issued under
20 this Act, for an annual audit, in accordance with
21 generally accepted government auditing standards by
22 an independent public accountant selected by the
23 Foundation, of all such payments to the Foundation
24 beginning in the first fiscal year of the Foundation
25 in which any such amount is received and continuing

1 until all such amounts received by the Foundation
2 with respect to such surcharges are fully expended
3 or placed in trust.

4 (2) MINIMUM REQUIREMENTS FOR ANNUAL AU-
5 DITS.—At a minimum, each audit of the Black Rev-
6 olutionary War Patriots Foundation pursuant to
7 paragraph (1) shall report—

8 (A) the amount of payments received by
9 the Foundation during the fiscal year of the
10 Foundation for which the audit is conducted
11 which are derived from the proceeds of any sur-
12 charge imposed on the sale of coins issued
13 under this Act;

14 (B) the amount expended by the Founda-
15 tion from the proceeds of such surcharges dur-
16 ing the fiscal year of the Foundation for which
17 the audit is conducted; and

18 (C) whether all expenditures by the Foun-
19 dation from the proceeds of such surcharges
20 during the fiscal year of the Foundation for
21 which the audit is conducted were for author-
22 ized purposes.

23 (3) RESPONSIBILITY OF FOUNDATION TO AC-
24 COUNT FOR EXPENDITURES OF SURCHARGES.—The
25 Black Revolutionary War Patriots Foundation shall

1 take appropriate steps, as a condition for receiving
2 any payment of any amount derived from the pro-
3 ceeds of any surcharge imposed on the sale of coins
4 issued under this Act, to ensure that the receipt of
5 the payment and the expenditure of the proceeds of
6 such surcharge by the Foundation in each fiscal year
7 of the Foundation can be accounted for separately
8 from all other revenues and expenditures of the
9 Foundation.

10 (4) SUBMISSION OF AUDIT REPORT.—Not later
11 than 90 days after the end of any fiscal year of the
12 Black Revolutionary War Patriots Foundation for
13 which an audit is required under paragraph (1), the
14 Foundation shall—

15 (A) submit a copy of the report to the Sec-
16 retary of the Treasury; and

17 (B) make a copy of the report available to
18 the public.

19 (5) USE OF SURCHARGES FOR AUDITS.—The
20 Black Revolutionary War Patriots Foundation may
21 use any amount received from payments derived
22 from the proceeds of any surcharge imposed on the
23 sale of coins issued under this Act to pay the cost
24 of an audit required under paragraph (1).

1 (6) WAIVER OF SUBSECTION.—The Secretary
2 of the Treasury may waive the application of any
3 paragraph of this subsection to the Black Revolu-
4 tionary War Patriots Foundation for any fiscal year
5 after taking into account the amount of surcharges
6 which such Foundation received or expended during
7 such year.

8 (7) AVAILABILITY OF BOOKS AND RECORDS.—
9 The Black Revolutionary War Patriots Foundation
10 shall provide, as a condition for receiving any pay-
11 ment derived from the proceeds of any surcharge im-
12 posed on the sale of coins issued under this Act, to
13 the Inspector General of the Department of the
14 Treasury or the Comptroller General of the United
15 States, upon the request of such Inspector General
16 or the Comptroller General, all books, records, and
17 workpapers belonging to or used by the Foundation,
18 or by any independent public accountant who au-
19 dited the Foundation in accordance with paragraph
20 (1), which may relate to the receipt or expenditure
21 of any such amount by the Foundation.

22 (c) USE OF AGENTS OR ATTORNEYS TO INFLUENCE
23 COMMEMORATIVE COIN LEGISLATION.—No portion of any
24 payment to the Black Revolutionary War Patriots Foun-
25 dation from amounts derived from the proceeds of sur-

1 charges imposed on the sale of coins issued under this Act
2 may be used, directly or indirectly, by the Foundation to
3 compensate any agent or attorney for services rendered
4 to support or influence in any way legislative action of the
5 Congress relating to the coins minted and issued under
6 this Act.

Passed the House of Representatives September 17,
1996.

Attest:

Clerk.