

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2040

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IN THE SENATE OF THE UNITED STATES

APRIL 2, 2008

Received; read twice and referred to the Committee on Banking, Housing, and  
Urban Affairs

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## AN ACT

To require the Secretary of the Treasury to mint coins  
in commemoration of the semicentennial of the enact-  
ment of the Civil Rights Act of 1964.

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 “Civil Rights Act of  
3 1964 Commemorative Coin Act”.

4 **SEC. 2. FINDINGS.**

5 The Congress hereby finds as follows:

6 (1) On December 1, 1955, Rosa Parks’ brave  
7 act of defiance, refusing to give up her seat to a  
8 white person on a segregated bus in Montgomery,  
9 Alabama, galvanized the modern civil rights move-  
10 ment and led to the desegregation of the South.

11 (2) On February 1, 1960, 4 college students,  
12 Joseph McNeil, Franklin McCain, David Richmond,  
13 and Ezell Blair, Jr., asked to be served at a lunch  
14 counter in Greensboro, North Carolina, and lunch  
15 counter sit-ins began to occur throughout the South  
16 to challenge segregation in places of public accom-  
17 modation.

18 (3) On May 4, 1961, the Freedom Rides into  
19 the South began to test new court orders barring  
20 segregation in interstate transportation, and riders  
21 were jailed and beaten by mobs in several places, in-  
22 cluding Birmingham and Montgomery, Alabama.

23 (4) Dr. Martin Luther King, Jr., was the lead-  
24 ing civil rights advocate of the time, spearheading  
25 the civil rights movement in the United States dur-  
26 ing the 1950s and 1960s with the goal of nonviolent

1 social change and full civil rights for African Ameri-  
2 cans.

3 (5) On August 28, 1963, Dr. Martin Luther  
4 King, Jr., led over 250,000 civil rights supporters in  
5 the March on Washington and delivered his famous  
6 “I Have A Dream” speech to raise awareness and  
7 support for civil rights legislation.

8 (6) Mrs. Coretta Scott King, a leading partici-  
9 pant in the American civil rights movement, was  
10 side-by-side with her husband, Dr. Martin Luther  
11 King, Jr., during many civil rights marches, orga-  
12 nized Freedom Concerts to draw attention to the  
13 Movement, and worked in her own right to create an  
14 America in which all people have equal rights.

15 (7) The mass movement sparked by Rosa Parks  
16 and led by Dr. Martin Luther King, Jr., among oth-  
17 ers, called upon the Congress and Presidents John  
18 F. Kennedy and Lyndon B. Johnson to pass civil  
19 rights legislation which culminated in the enactment  
20 of the Civil Rights Act of 1964.

21 (8) The Civil Rights Act of 1964 greatly ex-  
22 panded civil rights protections, outlawing racial dis-  
23 crimination and segregation in public places and  
24 places of public accommodation, in federally funded  
25 programs, and employment and encouraging deseg-

1       regation in public schools, and has served as a model  
2       for subsequent anti-discrimination laws.

3               (9) We are an eminently better Nation because  
4       of Rosa Parks, Dr. Martin Luther King, Jr., and all  
5       those men and women who have confronted, and  
6       continue to confront, injustice and inequality wher-  
7       ever they see it.

8               (10) Equality in education was one of the cor-  
9       nerstones of the civil rights movement.

10              (11) On September 10, 1961, Dr. Martin Lu-  
11       ther King, Jr., wrote that African American “stu-  
12       dents are coming to understand that education and  
13       learning have become tools for shaping the future  
14       and not devices of privilege for an exclusive few”.

15              (12) Over its long and distinguished history,  
16       the United Negro College Fund has provided schol-  
17       arships and operating funds to its member colleges  
18       that have enabled more than 300,000 young African  
19       Americans to earn college degrees and become suc-  
20       cessful members of society.

21              (13) Those graduates include Dr. Martin Lu-  
22       ther King, Jr., as well as leaders in the fields of edu-  
23       cation, science, medicine, law, entertainment, lit-  
24       erature, the military, and politics who have made

1 major contributions to the civil rights movement and  
2 the creation of a more equitable society.

3 (14) Congress has an obligation to lead Amer-  
4 ica’s continued struggle to fight discrimination and  
5 ensure equal rights for all.

6 (15) The year 2014 will mark the  
7 semicentennial of the passage of the Civil Rights Act  
8 of 1964.

9 **SEC. 3. COIN SPECIFICATIONS.**

10 (a) DENOMINATIONS.—The Secretary of the Treas-  
11 ury (hereinafter in this Act referred to as the “Secretary”)  
12 shall mint and issue not more than 350,000 \$1 coins each  
13 of which shall—

14 (1) weigh 26.73 grams;

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

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

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

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

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

2 (a) DESIGN REQUIREMENTS.—The design of the  
3 coins minted under this Act shall be emblematic of the  
4 enactment of the Civil Rights Act of 1964 and its con-  
5 tribution to civil rights in America.

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

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

9 (2) an inscription of the year “2014”; and

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

13 (c) SELECTION.—The design for the coins minted  
14 under this Act shall be—

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

17 (2) reviewed by the Citizens Coinage Advisory  
18 Committee established under section 5135 of title  
19 31, United States Code.

20 **SEC. 5. ISSUANCE OF COINS.**

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

23 (b) COMMENCEMENT OF ISSUANCE.—The Secretary  
24 may issue coins minted under this Act beginning January  
25 1, 2014, except that the Secretary may initiate sales of  
26 such coins, without issuance, before such date.

1 (c) TERMINATION OF MINTING AUTHORITY.—No  
2 coins shall be minted under this Act after December 31,  
3 2014.

4 **SEC. 6. SALE OF COINS.**

5 (a) SALE PRICE.—Notwithstanding any other provi-  
6 sion of law, the coins issued under this Act shall be sold  
7 by the Secretary at a price equal to the sum of the face  
8 value of the coins, the surcharge required under section  
9 7(a) for the coins, and the cost of designing and issuing  
10 such coins (including labor, materials, dies, use of machin-  
11 ery, overhead expenses, and marketing).

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

15 (c) PREPAID ORDERS AT A DISCOUNT.—

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

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

22 **SEC. 7. SURCHARGES.**

23 (a) SURCHARGE REQUIRED.—All sales shall include  
24 a surcharge of \$10 per coin.

1           (b) DISTRIBUTION.—Subject to section 5134(f) of  
2 title 31, United States Code, all surcharges which are re-  
3 ceived by the Secretary from the sale of coins issued under  
4 this Act shall be promptly paid by the Secretary to the  
5 United Negro College Fund (UNCF) to carry out the pur-  
6 poses of the Fund, including providing scholarships and  
7 internships for minority students and operating funds and  
8 technology enhancement services for 39 member histori-  
9 cally black colleges and universities.

10           (c) AUDITS.—The United Negro College Fund shall  
11 be subject to the audit requirements of section 5134(f)(2)  
12 of title 31, United States Code, with regard to the  
13 amounts received by the Fund under subsection (b).

14           (d) LIMITATION.—Notwithstanding subsection (a),  
15 no surcharge may be included with respect to the issuance  
16 under this Act of any coin during a calendar year if, as  
17 of the time of such issuance, the issuance of such coin  
18 would result in the number of commemorative coin pro-  
19 grams issued during such year to exceed the annual 2  
20 commemorative coin program issuance limitation under  
21 section 5112(m)(1) of title 31, United States Code (as in  
22 effect on the date of the enactment of this Act). The Sec-



1 retary of the Treasury may issue guidance to carry out  
2 this subsection.

Passed the House of Representatives April 1, 2008.

Attest:                   LORRAINE C. MILLER,  
*Clerk.*