

108TH CONGRESS  
1ST SESSION

# S. 1531

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 25, 2003

Referred to the Committee on Financial Services

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## AN ACT

To require the Secretary of the Treasury to mint coins  
in commemoration of Chief Justice John Marshall.

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 “Chief Justice John  
5 Marshall Commemorative Coin Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) John Marshall served as the Chief Justice  
4 of the Supreme Court of the United States from  
5 1801 to 1835, the longest tenure of any Chief Jus-  
6 tice in the Nation’s history;

7 (2) Under Marshall’s leadership, the Supreme  
8 Court expounded the fundamental principles of con-  
9 stitutional interpretation, including judicial review,  
10 and affirmed national supremacy, both of which  
11 served to secure the newly founded United States  
12 against dissolution; and

13 (3) John Marshall’s service to the nascent  
14 United States, not only as Chief Justice, but also as  
15 a soldier in the Revolutionary War, as a member of  
16 the Virginia Congress and the United States Con-  
17 gress, and as Secretary of State, makes him one of  
18 the most important figures in our Nation’s history.

19 **SEC. 3. COIN SPECIFICATIONS.**

20 (a) DENOMINATION.—In commemoration of the  
21 250th anniversary of the birth of Chief Justice John Mar-  
22 shall, the Secretary of the Treasury (in this Act referred  
23 to as the “Secretary”) shall mint and issue not more than  
24 400,000 \$1 coins, each of which shall—

25 (1) weigh 26.73 grams;

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

1           (3) contain 90 percent silver and 10 percent  
2 copper.

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

6           (c) **NUMISMATIC ITEMS.**—For purposes of sections  
7 5134 and 5136 of title 31, United States Code, all coins  
8 minted under this Act shall be considered to be numis-  
9 matic items.

10 **SEC. 4. DESIGN OF COINS.**

11           (a) **DESIGN REQUIREMENTS.**—

12           (1) **IN GENERAL.**—The design of the coins  
13 minted under this Act shall be emblematic of Chief  
14 Justice John Marshall and his contributions to the  
15 United States.

16           (2) **DESIGNATION AND INSCRIPTIONS.**—On  
17 each coin minted under this Act, there shall be—

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

19           (B) an inscription of the year “2005”; and

20           (C) inscriptions of the words “Liberty”,

21           “In God We Trust”, “United States of Amer-

22           ica”, and “E Pluribus Unum”.

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

1           (1) selected by the Secretary, after consultation  
2           with the Commission of Fine Arts, and the Supreme  
3           Court Historical Society; and

4           (2) reviewed by the Citizens Coinage Advisory  
5           Committee.

6 **SEC. 5. ISSUANCE OF COINS.**

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

9           (b) **MINT FACILITY.**—Only one facility of the United  
10          States Mint may be used to strike any particular quality  
11          of the coins minted under this Act.

12          (c) **COMMENCEMENT OF ISSUANCE.**—The Secretary  
13          may issue coins minted under this Act beginning on Janu-  
14          ary 1, 2005.

15          (d) **TERMINATION OF MINTING AUTHORITY.**—No  
16          coins may be minted under this Act after December 31,  
17          2005.

18 **SEC. 6. SALE OF COINS.**

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

22                 (1) the face value of the coins;

23                 (2) the surcharge provided in section 7 with re-  
24          spect to such coins; and

1           (3) the cost of designing and issuing the 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 minted under this Act at a reasonable  
6 discount.

7           (c) PREPAID ORDERS.—

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

14 **SEC. 7. SURCHARGES.**

15          (a) IN GENERAL.—All sales of coins minted 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 Supreme  
21 Court Historical Society for the purposes of—

22               (1) historical research about the Supreme Court  
23               and the Constitution of the United States and re-  
24               lated topics;

1           (2) supporting fellowship programs, internships,  
2           and docents at the Supreme Court; and

3           (3) collecting and preserving antiques, artifacts,  
4           and other historical items related to the Supreme  
5           Court and the Constitution of the United States and  
6           related topics.

7           (c) AUDITS.—The Supreme Court Historical Society  
8           shall be subject to the audit requirements of section  
9           5134(f)(2) of title 31, United States Code, with regard  
10          to the amounts received by the Society under subsection  
11          (b).

12          **SEC. 8. FINANCIAL ASSURANCES.**

13          (a) NO NET COST TO THE GOVERNMENT.—The Sec-  
14          retary shall take such actions as may be necessary to en-  
15          sure that the minting and issuance of the coins referred  
16          to in section 3(a) shall result in no net cost to the Federal  
17          Government.

18          (b) PAYMENT FOR THE COINS.—The Secretary may  
19          not sell a coin referred to in section 3(a) unless the Sec-  
20          retary has received—

21                  (1) full payment for the coin;

22                  (2) security satisfactory to the Secretary to in-  
23          demnify the Federal Government for full payment;

24          or

1           (3) a guarantee of full payment satisfactory to  
2           the Secretary from a depository institution, the de-  
3           posits of which are insured by the Federal Deposit  
4           Insurance Corporation, the Federal Savings and  
5           Loan Insurance Corporation, or the National Credit  
6           Union Administration Board.

Passed the Senate November 21, 2003.

Attest:

EMILY J. REYNOLDS,

*Secretary.*