

108TH CONGRESS
1ST SESSION

S. 1531

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 25, 2003

Referred to the Committee on Financial Services

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.