

World War I and World War II, to the Korean War, from the Halls of Montezuma to the shores of Tripoli, from the jungles in Vietnam to the hot sand in the Middle East, our Marine Corps has been there, on the cutting edge, standing strong and fighting and dying for our freedom and freedom around this world, and oftentimes standing when there is nothing left to do but stand and die for a noble cause, freedom and democracy.

Madam Speaker, I know that every American in this country joins me in recognizing the Marine Corps with this 230th commemorative coin that will go a long way in simply saying thank you, our Marines.

Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EVANS).

Mr. EVANS. Madam Speaker, I am proud to support this Commemorative Coin Act. I want to thank my friend and fellow Marine, the gentleman from Pennsylvania (Mr. MURTHA), for sponsoring this legislation. We have worked hard together to get our colleagues out in cosponsoring this legislation.

I am really impressed how eager our colleagues are to support the United States Marine Corps. There are currently only six enlisted men serving in the United States House of Representatives that were in the Marine Corps.

My friend, the gentleman from New York (Mr. HOUGHTON), is the oldest Marine; and I am proud to serve with him. As we all know, the gentleman is retiring this year and will be missed. He represents the generation of Marines that motivated my brother and myself to join the corps. It was his generation and their heroics in Guadalcanal, Iwo Jima and other places of legend and lore that seduced thousands of men and women to join.

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Madam Speaker, many people can point to a time in their life when everything changed. For me, it was my time in the United States Marine Corps. Not only did it give me discipline and rigorous physical conditioning, but it gave me a purpose in life.

The Marine Corps has continued to give generations of young Americans a purpose for their lives. So I thank the Chair for sponsoring this and for helping us to get it to this point.

Mr. SCOTT of Georgia. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. CASTLE. Madam Speaker, in yielding back, let me just thank the gentleman from Illinois (Mr. EVANS) for his service to this country on a couple of fronts, obviously, here in Congress and as a Marine, and the gentleman from Georgia (Mr. SCOTT) for his touching speech for the Marines, for whom we all owe a great debt of gratitude. I urge everyone to support the legislation.

Mr. SCHROCK. Madam Speaker, I rise today in support of H.R. 3277, the Marine

Corps 230th Anniversary Commemorative Coin Act.

As a representative of one of the largest military constituencies in the Nation and as the chairman of the House Navy and Marine Corps Caucus, I am proud to support this bill.

This is about memorializing the heritage of the United States Marine Corps, both in silver, and through the financial support that this will bring to funding the Marine Corps Heritage Center, which will allow us to preserve the over 200 years of brave service to our country that the Marine Corps has rendered.

The Marine Corps fought during America's first war on terror, when then President Thomas Jefferson launched a war against the Barbary pirates, who for nearly 200 years had terrorized shipping in the Caribbean, raiding ships, and forcing American merchant sailors into slavery until ransom was paid for their release.

Like today, the actions of these terrorists were openly supported by foreign nations who had no respect for law. Like today, few other countries in the world were willing to stand up and fight.

Many European nations calculated that paying tribute to the Barbary pirates to leave their merchant ships alone gave them an edge over young countries like the United States in commercial trade.

As part of Jefferson's war on the Barbary pirates, in 1805, a brave force of U.S. Marines crossed over 600 miles of West African desert and successfully assaulted the Barbary pirate harbor fortress at Derna, on the shores of Tripoli.

Following this victory, these Marines were the first U.S. forces to hoist the flag of the United States over territory in the Old World.

This early success of the Marines struck a blow for the forces of lawful nations against the terrorism of their day, and contributed to a change in the policy of European nations paying tribute, eventually bringing an end to the terrorism of the Barbary Coast nations.

This heritage is what we are commemorating with the passage of this bill. It is the same heritage that we will be preserving through the Marine Corps Heritage Center.

Mr. OXLEY. Madam Speaker, I rise today in strong support of H.R. 3277, the Marine Corps 230th Anniversary Commemorative Coin Act, authored by the gentleman from Pennsylvania, Mr. MURTHA, and ask for its immediate passage.

All of us know the grit the Marines have shown in the face of some of the worst of the fighting necessary to protect our Nation. All of us know the esprit de corps for which the Marines are famous. But, I think, few of us know all of the history of the Marines—that they were formed even before the United States became a country, for example. Passage of this legislation will help rectify that problem.

Surcharges from the sale of the coins authorized in this bill will help fund construction of a facility at Quantico to house Marines memorabilia currently held in a 60-plus-year-old corrugated-metal building that isn't going to last forever. The Marine Corps Heritage Center that would be partially funded by surcharges and matching funds will provide a permanent center for preserving those artifacts, and a place to do research on the Marines.

I would like to congratulate Mr. MURTHA for his legislation and for all the hard work to get

the co-sponsorship of more than two-thirds of this body, and as well to thank Chairman THOMAS for his help in expediting consideration of the bill. With that, I urge immediate passage of this legislation.

Mr. CASTLE. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. HARRIS). The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and pass the bill, H.R. 3277, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### JOHN MARSHALL COMMEMORATIVE COIN ACT

Mr. CASTLE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2768) to require the Secretary of the Treasury to mint coins in commemoration of Chief Justice John Marshall, as amended.

The Clerk read as follows:

H.R. 2768

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "John Marshall Commemorative Coin Act".

#### SEC. 2. FINDINGS.

The Congress hereby finds as follows:

(1) John Marshall served as the Chief Justice of the United States Supreme Court from 1801 to 1835, the longest tenure of any Chief Justice in the Nation's history.

(2) John Marshall authored more than 500 opinions, including virtually all of the most important cases decided by the Supreme Court during his tenure.

(3) Under his leadership, the Supreme Court of the United States gave shape to the fundamental principles of the Constitution, most notably the principle of judicial review.

(4) John Marshall's service to the United States—not only as a Chief Justice, but also as a soldier in the Revolutionary War, as a Member of Congress, and as Secretary of State—truly makes him one of the most important figures in our Nation's history.

#### SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATION.—In commemoration of the 250th anniversary of the birth of Chief Justice John Marshall, the Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 400,000 \$1 coins, each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

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

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

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

#### SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of Chief Justice John Marshall and his immeasurable contributions to the Constitution of the United States and the Supreme Court of the United States.

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

- (A) a designation of the value of the coin;
- (B) an inscription of the year “2005”; and
- (C) inscriptions of the words “Liberty”, “In God We Trust”, “United States of America”, and “E Pluribus Unum”.

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

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

(2) reviewed by the Citizens Coin Advisory Committee.

#### SEC. 5. ISSUANCE OF COINS.

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

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

(c) COMMENCEMENT OF ISSUANCE.—The Secretary may issue coins minted under this Act beginning January 1, 2005.

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

#### SEC. 6. SALE OF COINS.

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

- (1) the face value of the coins;
- (2) the surcharge provided in section 7(a) with respect to such coins; and
- (3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

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

(c) PREPAID ORDERS.—

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

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) MARKETING.—The Secretary, in cooperation with the Legacy Fund of the Library of Congress, shall develop and implement a marketing program to promote and sell the coins issued under this Act both within the United States and internationally.

#### SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins minted under this Act shall include a surcharge of \$10 per coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Supreme Court Historical Society for the purposes of—

- (1) supporting historical research and educational programs about the Supreme Court and the Constitution of the United States and related topics;
- (2) supporting fellowship programs, internships, and docents at the Supreme Court; and
- (3) collecting and preserving antiques, artifacts, and other historical items related to the Supreme Court and the Constitution of the United States and related topics.

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

(d) LIMITATION.—Notwithstanding subsection (a), no surcharge may be included with respect

to the issuance under this Act of any coin during a calendar year if, as of the time of such issuance, the issuance of such coin would result in the number of commemorative coin programs issued during such year to exceed the annual 2 commemorative coin program issuance limitation under section 5112(m)(1) of title 31, United States Code (as in effect on the date of the enactment of this Act). The Secretary of the Treasury may issue guidance to carry out this subsection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Delaware (Mr. CASTLE) and the gentleman from Georgia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

#### GENERAL LEAVE

Mr. CASTLE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. CASTLE. Madam Speaker, I yield myself such time as I may consume.

I do rise in strong support of this legislation, the John Marshall Commemorative Coin Act, authored by the gentleman from Alabama (Mr. BACHUS), and urge its immediate passage.

The legislation directs the Secretary of the Treasury to strike and issue, in 2005, silver one-dollar coins with a design emblematic of Chief Justice John Marshall, denoting the 250th anniversary of that great man's birth. Proceeds from the collection of surcharges on the sale of the coins will go, after matching funds are raised, to benefit the work of the Supreme Court Historical Society.

I would like to note that in addition to the broad bipartisan support for this legislation, in this Chamber and in the other body, we had a rather remarkable witness in the Subcommittee on Domestic and International Monetary Policy at a March hearing on this bill. For the first time in my memory, a Chief Justice of the Supreme Court testified before a committee other than that of the Committee on the Judiciary. Chief Justice Rehnquist gave a learned and enthusiastic presentation on behalf of the legislation.

Madam Speaker, John Marshall, known as “the Great Chief Justice,” served as Chief Justice of the United States for 34 years, from 1801 to 1835. Born in the Blue Ridge hills of Virginia, he had little formal education but served as a captain of an artillery company in the battles of Brandywine and Monmouth and spent the winter with General Washington at Valley Forge during the Revolutionary War and briefly studied law after the war before being elected a Member of Congress from Virginia. At the time of his appointment as Chief Justice, he was Secretary of State to President Adams.

As Chief Justice Rehnquist reminded us, due mostly to Chief Justice Mar-

shall, the Federal judiciary headed by the Supreme Court is regarded as a co-equal branch of the Federal government, but in the first decade of this country the judiciary was much a junior partner.

Chief Justice Marshall is best known as the author of the Court's opinion in the famous case of *Marbury v. Madison* decided in 1803, known as the fountainhead of all of our present-day constitutional law because it established the doctrine of judicial review, the authority of the Federal courts to declare legislative acts unconstitutional.

Ultimately, Chief Justice Marshall wrote more than 500 opinions and, as Chief Justice Rehnquist reminded us, Oliver Wendell Holmes once said, “If American law were to be represented by a single figure, skeptic and worshiper alike would agree without dispute that the figure could be one alone, and that one John Marshall.”

Madam Speaker, this legislation is supported by more than 300 bipartisan cosponsors and the full Committee on Financial Services by voice votes. I urge its immediate passage.

Madam Speaker, I reserve the balance of my time.

Mr. SCOTT of Georgia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I certainly want to thank the distinguished gentleman from Delaware (Mr. CASTLE) for his eloquent remarks concerning Mr. MARSHALL.

I rise in support and I am happy to be a cosponsor of this bipartisan legislation, H.R. 2768, which authorizes the minting and sale of commemorative coins honoring the great Chief Justice John Marshall.

A Virginian, John Marshall served as Chief Justice of the Supreme Court for 34 years, from 1801 through 1835, which was the longest tenure of any Chief Justice.

Chief Justice Marshall served this country with distinction in all three branches of government. After serving General George Washington as an artillery captain during the Revolutionary War, he studied law and was elected as a Member of Congress from Virginia and was Secretary of State when President John Adams named him Chief Justice.

Chief Justice Marshall is widely regarded as the person who elevated the Supreme Court's status to that of an equal partner with the legislative and executive branches.

In the landmark *Marbury v. Madison* decision, written 2 years after he became Chief Justice, Marshall laid the legal groundwork for modern-day constitutional law and established the doctrine of judicial review.

Surcharge proceeds from the sale of these coins, which can conservatively be estimated at \$1.5 million, are to be paid to the Supreme Court Historical Society. The Society is a nonprofit association dedicated to collecting and preserving the history of the Supreme

Court and to providing public education on the history of the Constitution and the judiciary.

Specifically, the surcharges will be used to enable the Society to support historical research and education programs about the Court and the Constitution and related topics to support fellowship programs, internships, and documents of the Court, and to collect and preserve antiques and artifacts and other historical items related to the Court and the Constitution. John Marshall, a most deserving recognition for a most deserving American.

Madam Speaker, I reserve the balance of my time.

Mr. CASTLE. Madam Speaker, I have no further speakers at this time, but I would like to do something. The sponsor of the legislation could not be here tonight, the gentleman from Alabama (Mr. BACHUS), and was very interested in being able to speak, and I will submit for the RECORD those remarks.

Mr. OXLEY. Madam Speaker, I rise today in strong support of H.R. 2768, the "John Marshall Commemorative Coin Act," introduced by the gentleman from Alabama, Mr. BACHUS, and urge its immediate passage.

Mr. Speaker, no school child of my age, or probably even of today, does not know of the famous Marbury vs. Madison decision, written by Chief Justice John Marshall, that established the principle of judicial review and made the Supreme Court, and the Federal judiciary, a co-equal branch of government.

I think, though, that even law students probably do not know that as the country's first Chief Justice, John Marshall wrote more than 500 opinions, truly making the court the great institution it is today during his 34 years of service in that post.

Just as importantly, I am certain that few know of the great efforts by the Supreme Court Historical Society, which preserves court memorabilia, provides docents for the court building and offers conservation for some truly valuable items held by the society—here I am thinking particularly of a striking portrait of John Marshall himself.

Surcharge income from the sale of the coins authorized in this legislation will help preserve those items and preserve the true history of the court, a history for which John Marshall's own hand scrawled the first bold strokes.

I would like to congratulate Mr. BACHUS for his legislation and for all the hard work to get the co-sponsorship of more than 500 Members of this body, and as well to thank Chairman THOMAS for his help in expediting consideration of the bill. With that, I urge immediate passage of this legislation.

Mr. GUTIERREZ. Madam Speaker, the resolution we are considering today, H.R. 2768, provides for the minting of a commemorative coin to honor the life and legacy of Chief Justice John Marshall, an important figure in United States history. He was a soldier during the Revolutionary War, a member of Congress, and Secretary of State before serving as chief justice for 34 years, the longest period of any justice in our Nation's history. He authored more than 500 opinions, which helped shape the fundamental principles of the Constitution, most notably the principle of judicial review. His leadership helped set the course for our court to become the powerful and prestigious institution that it is today.

Most Chicagoans recognize the name John Marshall as that of the John Marshall Law School, located in the heart of the city's legal and financial district. This institution has a long and continuous tradition of diversity, innovation and opportunity. Students receive an education that combines an understanding of the theory, the philosophy and the practice of law. Alumni from John Marshall Law School are active participants in local and national politics.

I initially became aware of this bill through alumni of John Marshall Law School. I have since become a strong supporter because not only does it honor Marshall's legacy, but it also has the potential to generate millions of dollars for the Supreme Court Historical Society. I believe the Society is an important tool for all Americans. It helps keep us educated and informed of our Nation's highest court and its activities.

As I spoke to other offices about this legislation, I was pleased to be able to secure an additional 40 cosponsors for this bill, helping to move it forward. However, I am disappointed that it took so long to get it past the House Financial Services Committee, which reported it out on April 27, 2004. I would have liked such a worthy, bipartisan issue to have been brought on the floor for voting much sooner. Nonetheless, I am pleased to be standing here in front of you today and I urge you to support this honorable and worthy legislation.

Mr. BACHUS. Madam Speaker, I rise today as a sponsor of H.R. 2768, the John Marshall Commemorative Coin Bill. The Citizens Commemorative Coin Advisory Committee has recommended that a coin commemorating the 250th anniversary of Chief Justice John Marshall be minted in 2005.

John Marshall's service to United States—not only as Chief Justice, but also as a soldier in the Revolutionary War, as a Member of Congress, and as Secretary of State—truly makes him one of the most unique and important figures in our Nation's history. A commemorative coin in his honor would be a fitting way to mark the 250th anniversary of his birth.

One occasionally hears the expression that an institution is the lengthened shadow of a individual. One would be remiss in suggesting that an institution such as the Supreme Court, an institution that has endured for over 200 years, could be the lengthened shadow of any one individual; but surely if there is one individual who could possibly qualify for such a distinction, it would be John Marshall.

John Marshall served as Chief Justice of the United States Supreme Court from 1801 to 1835, much of that time spent in this very building, holding the longest tenure of any Chief Justice in the Nation's history. He authored more than 500 opinions, including virtually all of the most important cases that the Court decided during his tenure. Under his leadership, the Supreme Court gave shape to the fundamental principles of the Constitution.

Neither Marshall nor the Court has previously been honored with a commemorative coin. One in his honor would be a fitting way to mark the 250th anniversary of his birth. Furthermore, to those concerned with the expense incurred from the creation of this coin, surcharges received by the Secretary from the sale of the coins will be paid by the Secretary of Treasury to the Supreme Court Historical Society to support historical research and edu-

cational programs about the Supreme Court and the Constitution of the United States; to support fellowship programs, internships, and docents at the Supreme Court; and to collect and preserve antiques, artifacts, and other historical items related to the Supreme Court and the Constitution of the United States. I urge my colleagues to strongly support this legislation.

Mr. SCOTT of Georgia. Madam Speaker, I have no further requests for time, so I yield back the balance of my time.

Mr. CASTLE. Madam Speaker, I also yield back the balance of my time and encourage all of the Members to vote aye in support of this legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Delaware (Mr. CASTLE) that the House suspend the rules and pass the bill, H.R. 2768, as amended.

The question was taken; and, two-thirds having voted in favor thereof, the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### FIVE YEAR REAUTHORIZATION OF DISTRICT OF COLUMBIA TUITION ASSISTANCE PROGRAMS

Mr. TOM DAVIS of Virginia. Madam Speaker, I move to suspend the rules and pass the bill—H.R. 4012—to amend the District of Columbia College Access Act of 1999 to permanently authorize the public school and private school tuition assistance programs established under the Act, as amended.

The Clerk read as follows:

H.R. 4012

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. 5-YEAR REAUTHORIZATION OF TUITION ASSISTANCE PROGRAMS.

(a) PUBLIC SCHOOL PROGRAM.—Section 3(i) of the District of Columbia College Access Act of 1999 (sec. 38–2702(i), D.C. Official Code) is amended by striking "each of the five succeeding fiscal years" and inserting "each of the 10 succeeding fiscal years".

(b) PRIVATE SCHOOL PROGRAM.—Section 5(f) of such Act (sec. 38–2704(f), D.C. Official Code) is amended by striking "each of the five succeeding fiscal years" and inserting "each of the 10 succeeding fiscal years".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia (Mr. TOM DAVIS).

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?