

108TH CONGRESS  
1ST SESSION

# H. R. 2768

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

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## IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2003

Mr. BACHUS (for himself, Mr. LEACH, Mr. MARSHALL, Mr. MICHAUD, Mr. ISAKSON, Mr. GINGREY, Mr. FROST, Mr. BURNS, Mr. MORAN of Virginia, Ms. MAJETTE, Mr. DAVIS of Florida, Mrs. CAPITO, Mr. GERLACH, Mrs. WILSON of New Mexico, Mr. ALLEN, Mr. COOPER, Mr. DUNCAN, Mr. CULBERSON, Mr. CANTOR, Mr. MATHESON, Mr. GEPHARDT, Mr. TERRY, Mr. WILSON of South Carolina, Mr. GOODE, and Mr. JENKINS) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

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 “John Marshall Com-  
5       memorative Coin Act”.

### 6   **SEC. 2. FINDINGS.**

7       The Congress hereby finds as follows:

1           (1) John Marshall served as the Chief Justice  
2           of the United States Supreme Court from 1801 to  
3           1835, the longest tenure of any Chief Justice in the  
4           Nation’s history.

5           (2) John Marshall authored more than 500  
6           opinions, including virtually all of the most impor-  
7           tant cases decided by the Supreme Court during his  
8           tenure.

9           (3) Under his leadership, the Supreme Court of  
10          the United States gave shape to the fundamental  
11          principles of the Constitution, most notably the prin-  
12          ciple of judicial review.

13          (4) John Marshall’s service to the United  
14          States—not only as a Chief Justice, but also as a  
15          soldier in the Revolutionary War, as a Member of  
16          Congress, and as Secretary of State—truly makes  
17          him one of the most important figures in our Na-  
18          tion’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 (hereafter in this Act  
23          referred to as the “Secretary”) shall mint and issue not  
24          more than 400,000 \$1 coins, each of which shall—

25                 (1) weigh 26.73 grams;

1           (2) have a diameter of 1.500 inches; and  
2           (3) contain 90 percent silver and 10 percent  
3       copper.

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

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

11 **SEC. 4. DESIGN OF COINS.**

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

13           (1) **IN GENERAL.**—The design of the coins  
14 minted under this Act shall be emblematic of Chief  
15 Justice John Marshall and his immeasurable con-  
16 tributions to the Constitution of the United States  
17 and the Supreme Court of the United States.

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

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

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

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

23                   “In God We Trust”, “United States of Amer-  
24                   ica”, and “E Pluribus Unum”.

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

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

6 (2) reviewed by the Citizens Coin Advisory  
7 Committee.

8 **SEC. 5. ISSUANCE OF COINS.**

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

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

14 (c) COMMENCEMENT OF ISSUANCE.—The Secretary  
15 may issue coins minted under this Act beginning January  
16 1, 2005.

17 (d) TERMINATION OF MINTING AUTHORITY.—No  
18 coins may be minted under this Act after December 31,  
19 2005.

20 **SEC. 6. SALE OF COINS.**

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

24 (1) the face value of the coins;

1           (2) the surcharge provided in section 7(a) with  
2       respect to such coins; and

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

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

9       (c) PREPAID ORDERS.—

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

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

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

21       **SEC. 7. SURCHARGES.**

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

24           (b) DISTRIBUTION.—Subject to section 5134(f) of  
25       title 31, United States Code, all surcharges received by

1 the Secretary from the sale of coins issued under this Act  
2 shall be promptly paid by the Secretary to the Supreme  
3 Court Historical Society for the purposes of—

4 (1) supporting historical research and edu-  
5 cational programs about the Supreme Court and the  
6 Constitution of the United States and related topics;

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

9 (3) collecting and preserving antiques, artifacts,  
10 and other historical items related to the Supreme  
11 Court and the Constitution of the United States and  
12 related topics.

13 (c) AUDITS.—The Supreme Court Historical Society  
14 shall be subject to the audit requirements of section  
15 5134(f)(2) of title 31, United States Code, with regard  
16 to the amounts received by the Society under subsection  
17 (b).

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