

Mr. CASTLE. Mr. Speaker, I ask support of the legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 5614, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SIMPSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### STAR-SPANGLED BANNER AND WAR OF 1812 BICENTENNIAL COMMEMORATIVE COIN ACT

Mr. GUTIERREZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2894) to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the "Star Spangled Banner" and the War of 1812, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2894

*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 "Star-Spangled Banner and War of 1812 Bicentennial Commemorative Coin Act".

##### SEC. 2. FINDINGS.

The Congress finds as follows:

(1) During the War of 1812, on September 13, 1814, Francis Scott Key visited the British fleet in Chesapeake Bay to secure the release of Dr. William Beanes, who had been captured after the burning of Washington, DC.

(2) The release was completed, but Key was held by the British overnight during the shelling of Fort McHenry, one of the forts defending Baltimore.

(3) In the morning, Key peered through clearing smoke to see an enormous American flag flying proudly after a 25-hour British bombardment of Fort McHenry.

(4) He was so delighted to see the flag still flying over the fort that he began a poem to commemorate the occasion, with a note that it should be sung to the popular British melody "To Anacreon in Heaven".

(5) In 1916, President Woodrow Wilson ordered that it be played at military and naval occasions.

(6) In 1931, the "Star-Spangled Banner" became our National Anthem.

##### SEC. 3. COIN SPECIFICATIONS.

(a) \$1 SILVER COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 350,000 \$1 coins in commemoration of the bicentennial of the writing of the Star-Spangled Banner and the War of 1812, 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 the War of 1812 and particularly the Battle for Fort McHenry that formed the basis for the "Star-Spangled Banner".

(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 "2012"; 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 Star-Spangled Banner and War of 1812 Bicentennial Commission and the Commission of Fine Arts; and

(2) reviewed by the Citizens Coinage 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 one facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins under this Act only during the calendar year beginning on January 1, 2012.

##### 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 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.

##### SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued 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 paid to the Maryland War of 1812 Bicentennial Commission for the purpose of supporting bicentennial activities in collaboration with and aiding the Star-Spangled Banner and War of 1812 Bicentennial Commission as it provides coordination, advice, and assistance to Federal agencies, States, localities, and other organizations for such bicentennial activities, educational outreach activities (including supporting scholarly re-

search and the development of exhibits), and preservation and improvement activities relating to the sites and structures relating to the War of 1812.

(c) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the Maryland War of 1812 Bicentennial Commission as may be related to the expenditures of amounts paid 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 Illinois (Mr. GUTIERREZ) and the gentleman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

##### GENERAL LEAVE

Mr. GUTIERREZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 2894, the Star-Spangled Banner and War of 1812 Bicentennial Commemorative Coin Act, and applaud my colleague, Mr. RUPPERSBERGER, for bringing this bill to the floor.

The Star-Spangled Banner and War of 1812 Bicentennial Commemorative Coin Act instructs the Secretary of the Treasury to mint and issue \$1 silver coins in commemoration of the bicentennial of the writing of "The Star-Spangled Banner" and the War of 1812. The issuing of this coin will begin during the 2012 calendar year.

"The Star-Spangled Banner" was taken from the poem titled "In Defense of Fort McHenry" written in 1814 by Francis Scott Key, a 35-year-old amateur poet and distant cousin of F. Scott Fitzgerald. Key wrote the poem after seeing the bombardment of Fort McHenry at Baltimore, Maryland by the Royal ships in the Chesapeake Bay during the War of 1812.

The American victory and the sight of the large American flag graciously above the fort came to be known as the Star-Spangled Banner Flag. The Star-Spangled Banner, throughout the course of American history, has played a significant role in the democracy and freedom of this country. It symbolizes our strength and respect for those who

have fallen to preserve the future of our nation. That is why, Mr. Speaker, commemorating the bicentennial of the Star-Spangled Banner and the War of 1812 is important. I urge all Members to support its passage.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON WAYS AND MEANS,  
Washington, DC, April 4, 2008.

Hon. BARNEY FRANK,  
Chairman, Financial Services Committee, Wash-  
ington, DC.

DEAR CHAIRMAN FRANK: I am writing regarding H.R. 2894, the Star-Spangled Banner and War of 1812 Bicentennial Commemorative Coin Act.

As you know, the Committee on Ways and Means maintains jurisdiction over bills that raise revenue. H.R. 2894 contains a provision that establishes a surcharge for the sale of commemorative coins that are minted under the bill, and thus falls within the jurisdiction of the Committee on Ways and Means.

However, as part of our ongoing understanding regarding commemorative coin bills and in order to expedite this bill for Floor consideration, the Committee will forgo action. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this bill or similar legislation in the future.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2894, and would ask that a copy of our exchange of letters on this matter be included in the record.

Sincerely,

CHARLES B. RANGEL,  
Chairman.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FINANCIAL SERVICES,  
Washington, DC, April 4, 2008.

Hon. CHARLES B. RANGEL,  
Chairman, Committee on Ways and Means,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN RANGEL: I am writing in response to your letter regarding H.R. 2894, the "Star-Spangled Banner and War of 1812 Bicentennial Commemorative Coin Act," which was introduced in the House and referred to the Committee on Financial Services on June 28, 2007. It is my understanding that this bill will be scheduled for floor consideration shortly.

I wish to confirm our mutual understanding on this bill. As you know, section 7 of the bill establishes a surcharge for the sale of commemorative coins that are minted under the bill. I acknowledge your committee's jurisdictional interest in such surcharges as revenue matters. However, I appreciate your willingness to forego committee action on H.R. 2894 in order to allow the bill to come to the floor expeditiously. I agree that your decision to forego further action on this bill will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this or similar legislation. I would support your request for conferees on those provisions within your jurisdiction should this bill be the subject of a House-Senate conference.

I will include this exchange of letters in the Congressional Record when this bill is considered by the House. Thank you again for your assistance.

BARNEY FRANK,  
Chairman.

Mr. Speaker, I reserve the balance of my time.

Mrs. BIGGERT. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of H.R. 2894, the Star-Spangled Banner

and War of 1812 Bicentennial Commemorative Coin Act. It is a great honor to be speaking on this bill brought to the floor by the efforts of my friend and colleague from Maryland, Congressman RUPPERSBERGER. I commend the gentleman for his work on this act.

Mr. Speaker, over 200 years ago, a fateful night gave birth to what is now our national anthem, "The Star-Spangled Banner." As it is widely known today, Francis Scott Key penned the piece during the War of 1812 after he witnessed the American flag flying resiliently over Fort McHenry after it sustained 25 hours of British bombardment.

However, Mr. Speaker, what is often overlooked is the original title of the poem that Key wrote. The piece was entitled, "In Defense of Fort McHenry." I bring this up because I believe it reveals a larger lesson about our Nation. We are, above all things, Americans, bound to serve and protect one another. What affects one citizen, community, or State affects the entire Nation.

When Fort McHenry came under attack, the brave patriots there fought for its survival, knowing that a nation depends on their efforts. Significantly, the failure of the British navy to take Fort McHenry proved to be the end of the British naval portion of the war. The attack launched from the great navy base on Bermuda had failed, and at nearly the same time a British land attack towards Baltimore faltered as well.

I cannot imagine a more inspiring sight than what Mr. Key saw that morning as the smoke from the British rockets cleared. After witnessing the fearsome and seemingly endless barrage, he must have imagined the worse. Yet, when he set his eyes upon the land, he saw the American flag, symbolizing the resolve of a nation and preserving the freedoms and ideals in the face of any threat.

Mr. Speaker, this Nation has endured many trials during its history. From its nascent moments of independence, through the sacking of the Capitol and the White House during the War of 1812, to Pearl Harbor and the attacks of 9/11, the United States has not only survived these tests, but has emerged a stronger union because of such adversity.

No matter how overwhelming the odds, men and women have put country above all and weathered each storm. And what has always been true is what was true that fateful morning when Francis Scott Key peered through the clearing smoke: This Nation's flag stands proud, a symbol of strength and spirit.

As far as the coin is concerned, surcharges on the sale of the \$1 coins will be used to support bicentennial activities, including education and outreach activities, and preservation and improvements to the sites and structures relating to the War of 1812.

This event was a proud moment in the Nation's history, Mr. Speaker, and H.R. 2894 recognizes that fact. I urge immediate passage of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. GUTIERREZ. Mr. Speaker, I yield the gentleman from Maryland as much time as he may consume.

Mr. RUPPERSBERGER. I want to thank Congressman GUTIERREZ and also the gentlewoman from Illinois, Congressman BIGGERT, for your support of this bill. I would also like to thank Chairman FRANK for his support, and Congressman SNYDER of Arkansas for his tremendous help in gathering support of other Members for this bill.

Mr. Speaker, I rise today to ask my colleagues to support this legislation to create the Star-Spangled Banner commemorative coin.

From VFW and American Legion halls across the country, to Little League baseball games, to presidential inaugurations, we play the national anthem to bring Americans together and honor our Nation.

My hometown of Baltimore is proud to be the home of America's national anthem. In September 1814, Francis Scott Key was held captive aboard a British ship in the Chesapeake Bay during the attack on Baltimore by British forces. The morning after the bombardment by the British navy, he looked out his window and saw a large American flag flying proudly over Fort McHenry. He knew the American forces had successfully defended the city of Baltimore. The next day he penned his famous poem in honor of that flag.

His brother-in-law, Judge Joseph H. Nicholson, set the poem to the tune of a popular British melody. A few days later it was printed in Baltimore and quickly spread to newspapers from New Hampshire to Georgia. The song gained popularity and was often played at public events and 4th of July celebrations. However, it was many years before "The Star-Spangled Banner" became our national anthem.

In 1916, President Woodrow Wilson ordered that the song be played at military events and other official occasions. By the late 1920s, a consensus formed across the country that America needed a national anthem. John Philip Sousa argued in favor of "The Star-Spangled Banner," and in 1931, President Hoover signed legislation adopting it as the national anthem.

Even though it has been our anthem for more than 75 years, many Americans still don't know the lyrics to this wonderful song of our national anthem. A 2005 survey revealed that only 39 percent of Americans knew all of the words to our national anthem.

The National Anthem Project has worked to educate Americans about our national anthem. Last year, they brought more than 5,000 school children to Washington to sing the anthem at the Washington Monument with the United States Marine Band.

This legislation will create a commemorative coin to honor America's

national anthem. This \$1 silver coin will be minted for the 200th anniversary of the War of 1812 and will help fund the War of 1812 Bicentennial Commission. It is my hope that this collectible coin will inspire more Americans to learn the lyrics of "The Star-Spangled Banner" and learn more about the War of 1812 and the history of our national anthem, as well as the role Baltimore played in the history of our national anthem.

The U.S. Mint only creates two commemorative silver coins each year. And I hope that my colleagues will join me in honoring Francis Scott Key and "The Star-Spangled Banner" with a vote for this bill today.

Mrs. MCCARTHY of New York. Mr. Speaker, I rise to speak in support of H.R. 2894, the Star Spangled Banner and War of 1812 Bicentennial Commemorative Coin Act.

Let me start off by thanking the gentleman from Maryland, Mr. RUPERSBERGER for introducing this bill.

As school children we all learn about the War of 1812 as a turning point in our Nation's history that confirmed that the United States would remain a free and sovereign nation.

We also learn in school that, while being held by the British during the attack on Fort McHenry, just a few short miles from this building, Francis Scott Key was inspired after getting a glimpse at that tattered, but triumphant flag of our young Nation to compose a poem, which later became known as "The Star Spangled Banner," our national anthem.

The symbol of the flag served as an inspiration to Francis Scott Key that night and has continued to inspire all Americans ever since.

Our flag was still there and is there still.

It is important that this Congress take this opportunity to recognize the historic significance of our national anthem and the battle from which it was born.

The Star Spangled Banner has inspired millions of patriotic Americans to take up the causes of our Nation in times of war and peace.

I know that many of my colleagues share the same sentiment with me when I say that every time I hear the opening notes of the Star Spangled Banner, I am personally nearly moved to tears.

That is why it is so important for us to commemorate the War of 1812 and the Star Spangled Banner by issuing a coin that will stand the test of time, much the same as the national anthem has.

I am in full support of this bill and ask that every Member of this Congress support it as well.

We can never be too patriotic.

We can never love our country too much.

And we can never do enough to commemorate the sacrifice that so many have given to protect our freedom.

This coin is one small gesture that we can offer to show our commitment to the values that are spoken about in our Nation's anthem: strength, honor, justice, patriotism, and courage.

Again, I encourage all my colleagues to support this resolution.

Mrs. BIGGERT. Mr. Speaker, I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 2894, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. SIMPSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### BOY SCOUTS OF AMERICA CENTENNIAL COMMEMORATIVE COIN ACT

Mr. GUTIERREZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5872) to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5872

*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 "Boy Scouts of America Centennial Commemorative Coin Act".

##### SEC. 2. FINDINGS.

The Congress finds as follows:

(1) The Boy Scouts of America will celebrate its centennial on February 8, 2010.

(2) The Boy Scouts of America is the largest youth organization in the United States, with 3,000,000 youth members and 1,000,000 adult leaders in the traditional programs of Cub Scouts, Boy Scouts, and Venturing.

(3) Since 1910, more than 111,000,000 youth have participated in Scouting's traditional programs.

(4) The Boy Scouts of America was granted a Federal charter in 1916 by an Act of the 64th Congress which was signed into law by President Woodrow Wilson.

(5) In the 110th Congress, 248 members of the House of Representative and the Senate have participated in Boy Scouts of America as Scouts or adult leaders.

(6) The mission of the Boy Scouts of America is "to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the Scout Oath and Law".

(7) Every day across our Nation, Scouts and their leaders pledge to live up the promise in the Scout Oath—"On my honor I will do my best, To do my duty to God and my country and to obey the Scout Law; To help other people at all times; To keep myself physically strong, mentally awake, and morally straight"—and the Scout Law, according to which a Scout is "Trustworthy, Loyal, Helpful, Friendly, Courteous, Kind, Obedient, Cheerful, Thrifty, Brave, Clean, and Reverent".

(8) In the past 4 years alone, Scouting youth and their leaders have volunteered

more than 6,500,000 hours of service to their communities through more than 75,000 service projects, benefiting food banks, local schools, and civic organizations.

##### SEC. 3. COIN SPECIFICATIONS.

(a) \$1 SILVER COINS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue not more than 350,000 \$1 coins in commemoration of the centennial of the founding of the Boy Scouts of America, 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 the 100 years of the largest youth organization in United States, the Boy Scouts of America.

(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 "2010"; 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 Chief Scout Executive of the Boy Scouts of America and the Commission of Fine Arts; and

(2) reviewed by the Citizens Coinage 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) PERIOD FOR ISSUANCE.—The Secretary may issue coins under this Act only on or after February 8, 2010, and before January 1, 2011.

##### 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 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.

##### SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins issued 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