

There was no objection.

Mr. LUETKEMEYER. I yield myself such time as I may consume, and I rise in support of the Senate amendment to H.R. 2453, the Mark Twain Commemorative Coin Act.

The underlying legislation, which passed the House by a vote of 408-4 on April 18 and the Senate by unanimous consent in September, will allow the U.S. Treasury to mint \$1 and \$5 commemorative coins in 2016, which will promote the important legacy of Mark Twain and benefit four institutions that bear his name: the Mark Twain House & Museum in Hartford, Connecticut; the University of California Berkeley; Elmira College in New York; and in my congressional district, the Mark Twain Boyhood Home & Museum in Hannibal, Missouri.

I want to remind my colleagues that this bill will cost the American taxpayers nothing. In fact, the Senate has included language that specifically ensures that the minting and issuing of coins under this act will not result in any net cost to the United States Government and that no funds can be disbursed to the recipients until the total cost of designing and issuing all coins is first recovered by the U.S. Treasury.

I would like to thank my colleague, Mr. LARSON of Connecticut, for his leadership on this legislation.

I also would like to acknowledge Hannibal's Mark Twain Boyhood Home & Museum executive director Dr. Cindy Lovell and the museum's curator Henry Sweets, as well as their dedicated staff, for their incredible work to promote awareness and appreciation of the life and works of Mark Twain.

The bill we consider today honors the legacy of a great American and will greatly help to educate the public of his great accomplishments and contributions to society. I urge my colleagues to join me in passing this legislation.

And with that, Mr. Speaker, I reserve the balance of my time.

Mrs. MALONEY. I yield myself as much time as I may consume, Mr. Speaker.

I rise in strong support of H.R. 2453, the Mark Twain Commemorative Coin Act. This legislation will allow the U.S. Treasury Department to mint \$1 silver and \$5 gold commemorative coins in recognition of Mark Twain's incredible legacy.

The minting of these coins will come at no additional cost to the taxpayer and will be divided among four important organizations dedicated to promoting the legacy of Mark Twain. One will be the Mark Twain House & Museum in Hartford, Connecticut; secondly, the Mark Twain Project at the Bancroft Library at the University of California, Berkeley; thirdly, the Center for Mark Twain Studies at Elmira College in my home State of New York; and, lastly, the Mark Twain Boyhood Home & Museum in Hannibal, Missouri.

I commend the work of my colleague from Missouri, Representative LUETKE-

MEYER. This bill will ensure that these great institutions will benefit directly from Mark Twain's legacy.

Samuel Clemens, better known to the world as Mark Twain, was one of the most important and unique American voices whose literary work has had a lasting effect on our Nation's history and culture. In fact, Mark Twain was instrumental in popularizing the image of an America full of hardworking men and women who pulled themselves up by their own bootstraps, an America that is still very much alive and well and part of the American Dream.

Mark Twain's literary achievements and educational legacy remain strong to this very day, with nearly every book he wrote still in print, still taught in our schools, and still providing us with a social narrative that we will not and should not forget.

"The Adventures of Tom Sawyer," "Huckleberry Finn," "The Prince and the Pauper"—Twain's writings continue to be printed over a century after they were first published, and they continue to make a lasting impact. They are a cherished memory for every American school child.

So as Mark Twain once wrote: "There is nothing that cannot happen today." Isn't that the American spirit, the can-do American spirit?

I support this legislation as the recognition of one of America's greatest authors and certainly one of America's most popular authors, Mark Twain. I thank my colleague for bringing forward this important legacy legislation, American legislation.

I reserve the balance of my time.

Mr. LUETKEMEYER. Mr. Speaker, I just want to close by inviting my colleague from New York to come to the district to see the landmarks that inspired Mark Twain to write about Huckleberry Finn and Tom Sawyer. And you can see from those landmarks where he got the inspiration to do what he did and the type of people that he was around to see how he came up with his ideas. It's really a neat place to visit, and I certainly welcome and encourage you to come.

With that, Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. MALONEY. Mr. Speaker, I have no further requests for time.

And I would like to take up my good friend on the other side of the aisle on his offer and see if we can get a group of Congress Members to come and see this lasting legacy. Mark Twain—I read every single one of his books. I would love to see his inspiration from the great State of Missouri.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. LUETKEMEYER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 2453.

The question was taken.

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

Mrs. MALONEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

DIRECT REVIEW BY U.S. SUPREME COURT OF DECISIONS OF VIRGIN ISLANDS SUPREME COURT

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6116) to amend the Revised Organic Act of the Virgin Islands to provide for direct appeals to the United States Supreme Court of decisions of the Virgin Islands Supreme Court.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6116

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

SECTION 1. DIRECT REVIEW BY U.S. SUPREME COURT OF DECISIONS OF VIRGIN ISLANDS SUPREME COURT.

Section 23 of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1613) is amended by striking "": Provided, That" and all that follows through the end and inserting a period.

SEC. 2. JURISDICTION OF THE SUPREME COURT.

(a) IN GENERAL.—Chapter 81 of title 28, United States Code, is amended by adding at the end the following:

"§ 1260. Supreme Court of the Virgin Islands; certiorari

"Final judgments or decrees rendered by the Supreme Court of the Virgin Islands may be reviewed by the Supreme Court by writ of certiorari where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of the Virgin Islands is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution or the treaties or statutes of, or any commission held or authority exercised under, the United States."

(b) CONFORMING AMENDMENT.—The table of sections for chapter 81 of title 28, United States Code, is amended by adding at the end the following new item:

"1260. Supreme Court of the Virgin Islands; certiorari."

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act apply to cases commenced on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

□ 1250

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 6116, as amended, currently under consideration.

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

There was no objection.

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

H.R. 6116 authorizes direct review by the United States Supreme Court of decisions rendered by the Supreme Court of the Virgin Islands. I thank Representative CHRISTENSEN for her work on this bill.

Created in 2007, the Supreme Court of the U.S. Virgin Islands is the equivalent of a U.S. State supreme court. It is authorized to review all final orders, judgments, and specified interlocutory orders of the Virgin Islands Superior Court.

Appeals from the Virgin Islands Supreme Court are made by petitions of certiorari to the U.S. Court of Appeals for the Third Circuit.

Federal statute specifies that discretionary review by the third circuit exists for the first 15 years following inception of the Virgin Islands Supreme Court or until it "has developed sufficient institutional traditions to justify direct review by the Supreme Court of the United States from all [of its] final decisions," whichever is sooner.

The third circuit's judicial council, Mr. Speaker, evaluates the progress of the Virgin Islands Supreme Court in 5-year intervals. Following extensive review, the council published its initial 5th-year report last April. The council recommends that the U.S. Supreme Court exercise direct review of all final decisions made by the Virgin Islands Supreme Court.

H.R. 6116 adopts the third circuit recommendation. The bill simply authorizes the U.S. Supreme Court to review, at its discretion, all final judgments rendered by the Virgin Islands Supreme Court.

The suspension version under consideration makes two technical changes to the bill as introduced. First, it clarifies that the U.S. Supreme Court may review final judgments of the Virgin Islands Supreme Court pursuant to cert petitions. In other words, the U.S. Supreme Court may exercise its own discretion to accept or reject cases.

Secondly, the suspension version expands the U.S. Supreme Court's appellate jurisdiction through an additional reference to chapter 81 of title 28 of the U.S. Code. Chapter 81 sets forth the jurisdiction and venue of the U.S. Supreme Court. Judges, lawyers, and litigants look to it when they have questions about the Court's appellate jurisdiction. The creation of an additional reference to chapter 81 makes it easier to find the new law.

I again express my thanks to Mrs. CHRISTENSEN for her work on this bill, and I urge my colleagues to support H.R. 6116.

I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 6116, as amended. I support this legislation for several reasons.

To begin with, this bill simply implements the recommendation of the third

circuit judicial council to allow decisions of the Virgin Islands Supreme Court to be reviewed directly by the United States Supreme Court. The Virgin Islands Supreme Court is the equivalent of a U.S. State supreme court. It is authorized to review all final orders, judgments, and specified interlocutory orders of the Virgin Islands superior courts. Appeals from the Virgin Islands Supreme Court are made by petitions of certiorari to the U.S. Court of Appeals for the Third Circuit at this time.

The Revised Organic Act specifically grants the third circuit appellate jurisdiction for the first 15 years of the Virgin Islands Supreme Court's existence. In addition, the act requires the third circuit judicial council to submit reports to two congressional committees every 5 years assessing whether the Virgin Islands Supreme Court "has developed sufficient institutional traditions to justify direct review by the Supreme Court of the United States from all of its final decisions."

In April of this year, the third circuit judicial council submitted the first of these 5-year reports. In it, the council concluded that the Virgin Islands Supreme Court had met the standard necessary to justify direct review of its decisions by the United States Supreme Court. Accordingly, the council recommended that Congress enact legislation to allow for such direct review.

H.R. 6116 effectuates the third circuit's recommendations by deleting from the Revised Organic Act both the provisions granting appellate jurisdiction to the third circuit and the reporting requirement.

I also support changes reflected in the version of the bill we are considering today because they reflect input both from the U.S. Supreme Court and an academic expert. Specifically, the amended version of the bill requires both the bill's long title and header to section 1 so that they refer to direct review rather than direct appeals. This change more accurately reflects the discretionary nature of the U.S. Supreme Court's appellate jurisdiction over most cases whereby it selects cases for consideration through granting petitions for writs of certiorari.

Additionally, the amended version of H.R. 6116 adds a provision to chapter 81 of title 28 of the United States Code to further clarify the scope of the U.S. Supreme Court's discretionary appellate jurisdiction with respect to decisions of the Virgin Islands Supreme Court.

Finally, H.R. 6116 is consistent with precedence. For example, in 2004, Congress enacted similar legislation to provide for direct review by the U.S. Supreme Court of decisions of the Guam Supreme Court.

I congratulate the gentlelady from the Virgin Islands, Dr. CHRISTENSEN, for her leadership in this measure. I also thank the Judiciary Committee chairman, the gentleman from Texas (Mr. SMITH), for his assistance in bringing this legislation to the floor.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Does the gentleman have additional speakers?

Mr. COBLE. I have no additional speakers, and I reserve the balance of my time.

Mr. SCOTT of Virginia. I would like to yield such time as she may consume to the gentlelady from the Virgin Islands, Dr. CHRISTENSEN.

Ms. CHRISTENSEN. Thank you, Congressman SCOTT, for yielding the time.

Mr. Speaker, I rise in strong support of H.R. 6116, legislation I sponsored to provide for direct appeals of decisions of the Virgin Islands Supreme Court to the U.S. Supreme Court.

I want to begin by thanking the chairman and ranking member of the Committee on the Judiciary and their staff for working together in a bipartisan way to swiftly report H.R. 6116 and bring it to the House floor today. On behalf of the people of the Virgin Islands, I want to say thank you to Chairman SMITH and Ranking Member CONYERS, as well as to my colleagues, Congressman COBLE and Congressman SCOTT, who are managing the bill on the floor today.

It was just 5 months ago that I had the pleasure of joining the elected leaders of the Virgin Islands at a ceremony to celebrate the Virgin Islands Supreme Court reaching a historic milestone. Specifically, the occasion was to receive the report from the judicial council of the third circuit regarding their review of the Virgin Island Supreme Court during its first 5 years, as required by law, which authorized the Virgin Islands to create a local appellate court.

The third circuit report concluded that the U.S. Virgin Islands Supreme Court developed sufficient institutional traditions to justify direct review of its final decisions by the United States Supreme Court and urged Congress to enact legislation providing that the Supreme Court of the U.S. Virgin Islands enjoy the same relationship with the U.S. Supreme Court as the highest court of any State.

Today, the House will take the first step in making the Virgin Islands Supreme Court just like every other high court in the States and territories. This is just one more step on the journey for further local self-governance, which was begun in 1984 when my predecessor, former Delegate to Congress, Ron de Lugo, amended the Virgin Islands 1954 Organic Act to allow for the creation of an appellate court chartered under local law, while it took another 20 years for Virgin Islands Act No. 6687 to be signed into law by then-Governor Charles W. Turnbull, and 2 more years for a chief justice and two associate justices to be nominated and confirmed and for the Supreme Court to formally accept appellate jurisdiction.

Chief Justice Hodge and Associate Justices Cabret and Swan are to be

commended for the work they did to earn the recommendation of the third circuit's judicial council for appeals of their decisions to go directly to the U.S. Supreme Court. In doing so, they are following our sister territory of Guam, which was the last Supreme Court to gain direct appeals of their decisions to the U.S. Supreme Court.

Over these past 5 years, the Virgin Islands Supreme Court has issued opinions on such wide-ranging cases as whether and when a judge could be disciplined, to affirming in a landmark ruling that women are not property. By my staff's unofficial count, among the court's many accomplishments is the issuance of over 180 published opinions since 2007.

Other noteworthy accomplishments include making several structural reforms in the areas of attorney admissions to the Virgin Islands Bar, discipline procedures, and mandating new requirements for continuing legal education courses for all active members of the Virgin Islands Bar Association.

□ 1300

I had the pleasure of joining Chief Justice Hodge and Associate Justices Cabret and Swan at their official swearing-in ceremony in 2006. At that time I focused my remarks on the historic nature of the occasion as well as the personal relationships I share with each of the individual justices. With all that they have accomplished over the short time that this court has been in existence, all Virgin Islanders will look back on this time with great pride and gratitude for the way in which they laid the foundation for appellate jurisprudence in the territory that is second to none.

While it took more than 20 years after the law's authorizing us to establish a local appellate court, and while we are the last U.S. territory to do so, it is more than fitting that we are on the verge of accomplishing the final goal of making the U.S. Virgin Islands Supreme Court just like all other State supreme courts, and I urge my colleagues to vote in favor of H.R. 6116.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. I thank the gentleman from Virginia, and especially also my dear friend and colleague, the gentleman from North Carolina, as managers of this important legislation.

Mr. Speaker, I rise today in strong support of H.R. 6116, a bill to provide for appeals from the Virgin Islands Supreme Court to go to the U.S. Supreme Court instead of the Third Circuit Court of Appeals.

H.R. 6116, sponsored by my good friend, the gentelady from the U.S. Virgin Islands, Dr. CHRISTENSEN, simply puts into legislation a decision vet-

ted by the judicial council of the third circuit, established through a process which has already been authorized by Congress.

Mr. Speaker, in 1984, Congress provided Guam and the Virgin Islands with the authority to establish local supreme courts, and the law provided for appeals from these courts to go to their respective circuit courts of appeals for the first 15 years unless after 5 years their respective court of appeals found the local supreme court was ready for appeals to go directly to the U.S. Supreme Court.

On April 18 of this year, the third circuit's judicial council published a 23-page report on the Virgin Islands Supreme Court that was submitted to the Senate Committee on Energy and Natural Resources and also to the House Committee on Natural Resources. In its review, the council concluded that the Virgin Islands Supreme Court has developed sufficient institutional traditions to justify direct review by the Supreme Court of the United States of all final decisions. The council affirmed that the Virgin Islands Supreme Court's quality of case law was commensurate with that of the supreme courts of several States, and among other remarkable reviews, stated further that the third circuit court has yet to reverse a decision of the Virgin Islands Supreme Court.

I congratulate the Virgin Islands Supreme Court Chief Justice Rhys Hodge and Associate Justices Maria Cabret and Ive Swan for this extraordinary feat, and I commend again the gentelady from the Virgin Islands for introducing this timely legislation.

I urge my colleagues to support this bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume just to thank the gentelady from the Virgin Islands, Dr. CHRISTENSEN, and the leadership of the Judiciary Committee, the gentleman from Texas (Mr. SMITH) and the gentleman from Michigan, the ranking member, Mr. CONYERS, for bringing this bill to the floor.

And with that, Mr. Speaker, I ask Members to support the bill, and I yield back the balance of my time.

Mr. COBLE. Mr. Speaker, I, too, want to express my thanks to Dr. CHRISTENSEN and to my friend from American Samoa for their assistance, and Mr. SCOTT as well.

I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 6116, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend the Revised Organic Act of the Virgin Islands to provide for

direct review by the United States Supreme Court of decisions of the Virgin Islands Supreme Court, and for other purposes."

A motion to reconsider was laid on the table.

STOP TOBACCO SMUGGLING IN THE TERRITORIES ACT OF 2012

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5934) to amend title 18, United States Code, to include certain territories and possessions of the United States in the definition of State for the purposes of chapter 114, relating to trafficking in contraband cigarettes and smokeless tobacco.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5934

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 "Stop Tobacco Smuggling in the Territories Act of 2012".

SEC. 2. TERRITORIES AND POSSESSIONS OF THE UNITED STATES INCLUDED IN THE DEFINITION OF STATE FOR THE PURPOSES OF THE PROHIBITION AGAINST TRAFFICKING IN CONTRABAND CIGARETTES AND SMOKELESS TOBACCO.

Paragraph (4) of section 2341 of title 18, United States Code, is amended by striking "or the Virgin Islands" and inserting "the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, or Guam".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina.

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 5934 currently under consideration.

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

There was no objection.

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

H.R. 5934, the Stop Tobacco Smuggling in the Territories Act of 2012, was introduced by Mr. FALEOMAVAEGA, my good friend from American Samoa—and I apologize if I did damage to that. I thank him for his work on this issue.

Cigarette trafficking is one of the most lucrative smuggling operations in the United States and around the world. It is estimated that illicit cigarettes account for over 10 percent of the more than 5.7 trillion cigarettes sold globally each year.

Here in the United States, approximately 4 billion cigarettes sold each year are illicit. Cigarette smuggling is typically carried out by sophisticated,