

107TH CONGRESS
1ST SESSION

H. R. 2133

IN THE SENATE OF THE UNITED STATES

JUNE 28, 2001

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FINDINGS.**

2 The Congress finds that as the Nation approaches
3 May 17, 2004, marking the 50th anniversary of the Su-
4 preme Court decision in *Oliver L. Brown et al. v. Board*
5 *of Education of Topeka, Kansas et al.*, it is appropriate
6 to establish a national commission to plan and coordinate
7 the commemoration of that anniversary.

8 **SEC. 2. ESTABLISHMENT.**

9 There is established a commission to be known as the
10 “*Brown v. Board of Education 50th Anniversary Commis-*
11 *sion*” (referred to in this Act as the “*Commission*”).

12 **SEC. 3. DUTIES.**

13 In order to commemorate the 50th anniversary of the
14 *Brown* decision, the Commission shall—

15 (1) in conjunction with the Department of Edu-
16 cation, plan and coordinate public education activi-
17 ties and initiatives, including public lectures, writing
18 contests, and public awareness campaigns, through
19 the Department of Education’s ten regional offices;
20 and

21 (2) in cooperation with the Brown Foundation
22 for Educational Equity, Excellence, and Research in
23 Topeka, Kansas (referred to in this Act as the
24 “*Brown Foundation*”), and such other public or pri-
25 vate entities as the Commission considers appro-

1 appropriate, encourage, plan, develop, and coordinate ob-
2 servances of the anniversary of the Brown decision.

3 **SEC. 4. MEMBERSHIP.**

4 (a) NUMBER AND APPOINTMENT.—The Commission
5 shall be composed as follows:

6 (1) Two representatives of the Department of
7 Education appointed by the Secretary of Education,
8 one of whom shall serve as Chair of the Commission.

9 (2) Eleven individuals appointed by the Presi-
10 dent after receiving recommendations as follows:

11 (A) Members of the Senate from each of
12 the States in which the lawsuits decided by the
13 Brown decision were originally filed, Delaware,
14 Kansas, South Carolina, and Virginia, and from
15 the State of the first legal challenge, Massachu-
16 setts, shall jointly recommend to the President
17 one individual from their respective States.

18 (B) Members of the House of Representa-
19 tives from each of the States referred to in sub-
20 paragraph (A) shall jointly recommend to the
21 President one individual from their respective
22 States.

23 (C) The Delegate to the House of Rep-
24 resentatives from the District of Columbia shall

1 recommend to the President one individual
2 from the District of Columbia.

3 (3) Two representatives of the judicial branch
4 of the Federal Government appointed by the Chief
5 Justice of the United States Supreme Court.

6 (4) Two representatives of the Brown Founda-
7 tion.

8 (5) Two representatives of the NAACP Legal
9 Defense and Education Fund.

10 (6) One representative of the Brown v. Board
11 of Education National Historic Site.

12 (b) TERMS.—Members of the Commission shall be
13 appointed for the life of the Commission.

14 (c) VACANCIES.—A vacancy in the Commission shall
15 be filled in the same manner as the original appointment.

16 (d) COMPENSATION.—

17 (1) IN GENERAL.— Members of the Commis-
18 sion shall serve without pay.

19 (2) TRAVEL EXPENSES.—Each member shall
20 receive travel expenses, including per diem in lieu of
21 subsistence, in accordance with applicable provisions
22 under subchapter I of chapter 57 of title 5, United
23 States Code.

24 (e) QUORUM.—A majority of members of the Com-
25 mission shall constitute a quorum.

1 (f) MEETINGS.—The Commission shall hold its first
2 meeting not later than 6 months after the date of enact-
3 ment of this Act. The Commission shall subsequently meet
4 at the call of the Chair or a majority of its members.

5 (g) EXECUTIVE DIRECTOR AND STAFF.— The Com-
6 mission may secure the services of an executive director
7 and staff personnel as it considers appropriate.

8 **SEC. 5. POWERS.**

9 (a) POWERS OF MEMBERS AND AGENTS.—Any mem-
10 ber or agent of the Commission may, if so authorized by
11 the Commission, take any action which the Commission
12 is authorized to take under this Act.

13 (b) GIFTS AND DONATIONS.—

14 (1) AUTHORITY TO ACCEPT.—The Commission
15 may accept and use gifts or donations of money,
16 property, or personal services.

17 (2) DISPOSITION OF PROPERTY.—Any books,
18 manuscripts, miscellaneous printed matter, memora-
19 bilia, relics, or other materials donated to the Com-
20 mission which relate to the Brown decision, shall,
21 upon termination of the Commission—

22 (A) be deposited for preservation in the
23 Brown Foundation Collection at the Spencer
24 Research Library at the University of Kansas
25 in Lawrence, Kansas; or

1 (B) be disposed of by the Commission in
2 consultation with the Librarian of Congress,
3 and with the express consent of the Brown
4 Foundation and the Brown v. Board of Edu-
5 cation National Historic Site.

6 (c) **MAILS.**—The Commission may use the United
7 States mails in the same manner and under the same con-
8 ditions as other departments and agencies of the United
9 States.

10 **SEC. 6. REPORTS.**

11 (a) **INTERIM REPORTS.**—The Commission shall
12 transmit interim reports to the President and the Con-
13 gress not later than December 31 of each year. Each such
14 report shall include a description of the activities of the
15 Commission during the year covered by the report, an ac-
16 counting of any funds received or expended by the Com-
17 mission during such year, and recommendations for any
18 legislation or administrative action which the Commission
19 considers appropriate.

20 (b) **FINAL REPORT.**—The Commission shall transmit
21 a final report to the President and the Congress not later
22 than December 31, 2004. Such report shall include an ac-
23 counting of any funds received or expended, and the dis-
24 position of any other properties, not previously reported.

1 **SEC. 7. TERMINATION.**

2 (a) DATE.—The Commission shall terminate on such
3 date as the Commission may determine, but not later than
4 February 1, 2005.

5 (b) DISPOSITION OF FUNDS.—Any funds held by the
6 Commission on the date the Commission terminates shall
7 be deposited in the general fund of the Treasury.

8 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

9 There are authorized to be appropriated \$250,000 for
10 the period encompassing fiscal years 2003 and 2004 to
11 carry out this Act, to remain available until expended.

Passed the House of Representatives June 27, 2001.

Attest:

JEFF TRANDAHL,

Clerk.