

107TH CONGRESS
1ST SESSION

S. 1046

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*.

IN THE SENATE OF THE UNITED STATES

JUNE 14, 2001

Mr. ROBERTS (for himself and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

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,*

3 **SECTION 1. FINDINGS.**

4 Congress finds that as the Nation approaches May
5 17, 2004, marking the 50th anniversary of the Supreme
6 Court decision in *Oliver L. Brown et al. v. Board of Edu-*
7 *cation of Topeka, Kansas et al.*, it is appropriate to estab-

1 lish a national commission to plan and coordinate the com-
2 memoration of that anniversary.

3 **SEC. 2. ESTABLISHMENT.**

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

7 **SEC. 3. DUTIES.**

8 In order to commemorate the 50th anniversary of the
9 Brown decision, the Commission shall—

10 (1) in conjunction with the Department of Edu-
11 cation, plan and coordinate public education activi-
12 ties and initiatives, including public lectures, writing
13 contests, and public awareness campaigns, through
14 the Department of Education’s ten regional offices;

15 (2) in cooperation with the Brown Foundation
16 for Educational Equity, Excellence, and Research in
17 Topeka, Kansas, (referred to in this Act as the
18 “Brown Foundation”) and such other public or pri-
19 vate entities as the Commission considers appro-
20 priate, encourage, plan, develop, and coordinate ob-
21 servances of the anniversary of the Brown decision;
22 and

23 (3) submit recommendations to the Congress
24 relating to a joint session of Congress for the pur-
25 pose of commemorating the anniversary.

1 **SEC. 4. MEMBERSHIP.**

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

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

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

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

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

21 (C) The Delegate to the House of Rep-
22 resentatives from the District of Columbia shall
23 recommend to the President one individual
24 from the District of Columbia.

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

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

6 (5) Two representatives of the NAACP Legal
7 Defense and Education Fund.

8 (6) One representative of the Brown v. Board
9 of Education National Historic Site.

10 (b) TERMS.—Members of the Commission shall be
11 appointed for the life of the Commission.

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

14 (d) COMPENSATION.—

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

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

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

24 (f) MEETINGS.—The Commission shall hold its first
25 meeting not later than 6 months after the date of enact-

1 ment of this Act. The Commission shall subsequently meet
2 at the call of the Chair or a majority of its members.

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

6 **SEC. 5. POWERS.**

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

11 (b) GIFTS AND DONATIONS.—

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

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

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

24 (B) be disposed of by the Commission in
25 consultation with the Librarian of Congress,

1 and with the express consent of the Brown
2 Foundation and the Brown v. Board of Edu-
3 cation National Historic Site.

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

8 **SEC. 6. REPORTS.**

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

18 (b) **FINAL REPORT.**—The Commission shall transmit
19 a final report to the President and Congress not later than
20 December 31, 2004. Such report shall include an account-
21 ing of any funds received or expended, and the disposition
22 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 at total of
10 \$300,000 for fiscal years 2003 and 2004 to carry out this
11 Act, to remain available until expended.

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