

108TH CONGRESS
1ST SESSION

H. R. 3287

To award congressional gold medals posthumously on behalf of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson in recognition of their contributions to the Nation as pioneers in the effort to desegregate public schools that led directly to the landmark desegregation case of *Brown et al. v. the Board of Education of Topeka et al.*

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2003

Mr. CLYBURN (for himself, Mr. ACEVEDO-VILÁ, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ADERHOLT, Mr. ALEXANDER, Mr. ALLEN, Mr. ANDREWS, Mr. BACA, Mr. BACHUS, Mr. BAIRD, Ms. BALDWIN, Mr. BALLANCE, Mr. BALLENGER, Mr. BARTON of Texas, Mr. BASS, Mr. BECERRA, Mr. BELL, Ms. BERKLEY, Mr. BERMAN, Mr. BERRY, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. BLUNT, Mr. BOEHLERT, Ms. BORDALLO, Mr. BOSWELL, Mr. BOUCHER, Mr. BOYD, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BROWN of South Carolina, Mr. BROWN of Ohio, Mr. BURNS, Mr. BURTON of Indiana, Mr. BUYER, Mr. CAMP, Mrs. CAPITO, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDIN, Mr. CARDOZA, Ms. CARSON of Indiana, Mr. CASE, Mr. CHABOT, Mr. CHOCOLA, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CONYERS, Mr. COOPER, Mr. COSTELLO, Mr. COX, Mr. CRENSHAW, Mr. CROWLEY, Mr. CULBERSON, Mr. CUMMINGS, Mr. CUNNINGHAM, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Mr. DAVIS of Florida, Mr. DAVIS of Tennessee, Mrs. DAVIS of California, Mr. TOM DAVIS of Virginia, Mr. DEAL of Georgia, Mr. DEFazio, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DEMINT, Mr. DEUTSCH, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. DICKS, Mr. DOGGETT, Mr. DOOLEY of California, Mr. DOOLITTLE, Mr. DOYLE, Mr. DUNCAN, Ms. DUNN, Mr. EDWARDS, Mr. EHLERS, Mr. EMANUEL, Mrs. EMERSON, Mr. ENGEL, Mr. ENGLISH, Ms. ESHOO, Mr. ETHERIDGE, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FOLEY, Mr. FORBES, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FRELINGHUYSEN, Mr. FROST, Mr. GEPHARDT, Mr. GIBBONS, Mr. GONZALEZ, Mr. GORDON, Mr. GREEN of Texas, Mr. GREENWOOD, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. GUTKNECHT, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HAYWORTH, Mr. HEFLEY, Mr. HERGER, Mr. HILL, Mr. HINCHEY, Mr. HINOJOSA, Mr. HOBSON, Mr. HOEFFEL, Mr. HOLDEN, Mr. HOLT,

Mr. HONDA, Ms. HOOLEY of Oregon, Mr. HOUGHTON, Mr. HOYER, Mr. HULSHOF, Mr. INSLEE, Mr. ISAKSON, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. JENKINS, Mr. JOHN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mrs. JONES of Ohio, Mr. JONES of North Carolina, Mr. KANJORSKI, Ms. KAPTUR, Mrs. KELLY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Ms. KILPATRICK, Mr. KING of New York, Mr. KINGSTON, Mr. KLECZKA, Mr. KNOLLENBERG, Mr. KOLBE, Mr. KUCINICH, Mr. LAHOOD, Mr. LAMPSON, Mr. LANGEVIN, Mr. LANTOS, Mr. LARSEN of Washington, Mr. LARSON of Connecticut, Ms. LEE, Mr. LEVIN, Mr. LEWIS of California, Mr. LEWIS of Georgia, Mr. LIPINSKI, Ms. LOFGREN, Mrs. LOWEY, Mr. LUCAS of Kentucky, Mr. LYNCH, Ms. MAJETTE, Mrs. MALONEY, Mr. MARKEY, Mr. MARSHALL, Mr. MATHE-SON, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Ms. MCCOLLUM, Mr. MCCRERY, Mr. McDERMOTT, Mr. MCGOVERN, Mr. McHUGH, Mr. MCINTYRE, Mr. McKEON, Mr. McNULTY, Mr. MEEHAN, Mr. MEEK of Florida, Mr. MEEKS of New York, Mr. MENENDEZ, Mr. MICA, Mr. MICHAUD, Ms. MILLENDER-McDONALD, Mr. MILLER of North Carolina, Mr. GEORGE MILLER of California, Mr. MOLLOHAN, Mr. MOORE, Mr. MORAN of Virginia, Mr. MURTHA, Mrs. MYRICK, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL of Massachusetts, Mr. NETHERCUTT, Mr. NEY, Ms. NORTON, Mr. NUSSLE, Mr. OBERSTAR, Mr. OBEY, Mr. OLVER, Mr. ORTIZ, Mr. OSBORNE, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. PENCE, Mr. PETRI, Mr. PICKERING, Mr. POMEROY, Mr. PORTMAN, Mr. PRICE of North Carolina, Ms. PRYCE of Ohio, Mr. RAHALL, Mr. RAMSTAD, Mr. RANGEL, Mr. REGULA, Mr. REYES, Mr. RODRIGUEZ, Mr. ROGERS of Kentucky, Mr. ROHRABACHER, Mr. ROSS, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUPPERSBERGER, Mr. RUSH, Mr. RYAN of Ohio, Mr. SABO, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SANDERS, Mr. SANDLIN, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SESSIONS, Mr. SHADEGG, Mr. SHAYS, Mr. SHERMAN, Mr. SKELTON, Mr. SHIMKUS, Ms. SLAUGHTER, Mr. SNYDER, Ms. SOLIS, Mr. SPRATT, Mr. STARK, Mr. STEARNS, Mr. STRICKLAND, Mr. STUPAK, Mr. SWEENEY, Mr. TANNER, Mrs. TAUSCHER, Mr. TAUZIN, Mr. TAYLOR of North Carolina, Mr. TAYLOR of Mississippi, Mr. TERRY, Mr. THOMAS, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Mr. TLAHRT, Mr. TIERNEY, Mr. TOWNS, Mr. TURNER of Texas, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Mr. VISCLOSKY, Mr. WALSH, Mr. WAMP, Ms. WATERS, Ms. WATSON, Mr. WATT, Mr. WAXMAN, Mr. WEINER, Mr. WELDON of Florida, Mr. WELLER, Mr. WEXLER, Mr. WICKER, Mrs. WILSON of New Mexico, Mr. WILSON of South Carolina, Mr. WOLF, Ms. WOOLSEY, Mr. WU, Mr. WYNN, Mr. YOUNG of Florida, and Mr. YOUNG of Alaska) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To award congressional gold medals posthumously on behalf of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson in recognition of their contributions to the Nation as pioneers in the effort to desegregate public schools that led directly to the landmark desegregation case of *Brown et al. v. the Board of Education of Topeka et al.*

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 The Congress finds as follows:

5 (1) The Reverend Joseph Armstrong DeLaine,
6 one of the true heroes of the civil rights struggle, led
7 a crusade to break down barriers in education in
8 South Carolina.

9 (2) The efforts of Reverend DeLaine led to the
10 desegregation of public schools in the United States,
11 but forever scarred his own life.

12 (3) In 1949, Joseph DeLaine, a minister and
13 school principal, organized African-American parents
14 in Summerton, South Carolina, to petition the school
15 board for a bus for black students, who had to walk
16 up to 10 miles through corn and cotton fields to at-
17 tend a segregated school, while the white children in

1 the school district rode to and from school in nice
2 clean buses.

3 (4) In 1950, these same parents, including
4 Harry and Eliza Briggs, sued to end public school
5 segregation in Briggs et al. v. Elliott et al., one of
6 5 cases that collectively led to the landmark 1954
7 Supreme Court decision of Brown et al. v. Board of
8 Education of Topeka et al.

9 (5) Because of his participation in the desegre-
10 gation movement, Reverend DeLaine was subjected
11 to repeated acts of domestic terror in which—

12 (A) he, along with 2 sisters and a niece,
13 lost their jobs;

14 (B) he fought off an angry mob;

15 (C) he received frequent death threats; and

16 (D) his church and his home were burned
17 to the ground.

18 (6) In October 1955, after Reverend DeLaine
19 relocated to Florence County in South Carolina,
20 shots were fired at the DeLaine home, and because
21 Reverend DeLaine fired back to mark the car, he
22 was charged with assault and battery with intent to
23 kill.

1 (7) The shooting incident drove him from South
2 Carolina to Buffalo, New York, where he organized
3 an African Methodist Episcopal Church.

4 (8) Believing that he would not be treated fairly
5 by the South Carolina judicial system if he returned
6 to South Carolina, Reverend DeLaine told the Fed-
7 eral Bureau of Investigation, “I am not running
8 from justice but injustice”, and it was not until
9 2000 (26 years after his death and 45 years after
10 the incident) that Reverend DeLaine was cleared of
11 all charges relating to the October 1955 incident.

12 (9) Reverend DeLaine was a humble and fear-
13 less man who showed the Nation that all people, re-
14 gardless of the color of their skin, deserve a first-
15 rate education, a lesson from which the Nation has
16 benefited immeasurably.

17 (10) Reverend DeLaine deserves rightful rec-
18 ognition for the suffering that he and his family en-
19 dured to teach the Nation one of the great civil
20 rights lessons of the last century.

21 (11) Like the Reverend DeLaine and Harry
22 and Eliza Briggs, Levi Pearson was an integral par-
23 ticipant in the struggle to equalize the educational
24 experiences of white and black students in South
25 Carolina.

1 (12) Levi Pearson, with the assistance of Rev-
2 erend Joseph DeLaine, filed a lawsuit against the
3 Clarendon County School District to protest the in-
4 equitable treatment of black children.

5 (13) As a result of his lawsuit, Levi Pearson
6 also suffered from acts of domestic terror, such as
7 the time gun shots were fired into his home, as well
8 as economic consequences: local banks refused to
9 provide him with credit to purchase farming mate-
10 rials and area farmers refused to lend him equip-
11 ment.

12 (14) Although his case was ultimately dismissed
13 on a technicality, Levi Pearson's courage to stand
14 up for equalized treatment and funding for black
15 students served as the catalyst for further attempts
16 to desegregate South Carolina schools, as he contin-
17 ued to fight against segregation practices and be-
18 came President of Clarendon County Chapter of the
19 NAACP.

20 (15) When Levi Pearson's litigation efforts to
21 obtain equalized treatment and funding for black
22 students were stymied, Harry and Eliza Briggs, a
23 service station attendant and a maid, continued to
24 fight for not only equalized treatment of all children
25 but desegregated schools as well.

1 (16) As with Reverend DeLaine and Levi Pear-
2 son, the family of Harry and Eliza Briggs suffered
3 consequences for their efforts: Harry and Eliza both
4 were fired from their jobs and forced to move their
5 family to Florida.

6 (17) Although they and their family suffered
7 tremendously, Harry and Eliza Briggs were also pio-
8 neers leading the effort to desegregate America's
9 public schools.

10 **SEC. 2. CONGRESSIONAL GOLD MEDAL.**

11 (a) PRESENTATION AUTHORIZED.—In recognition of
12 the contributions of Reverend Joseph A. DeLaine, Harry
13 and Eliza Briggs, and Levi Pearson to the Nation as pio-
14 neers in the effort to desegregate public schools that led
15 directly to the landmark desegregation case of Brown et
16 al. v. the Board of Education of Topeka et al., the Speaker
17 of the House of Representatives and the President Pro
18 Tempore of the Senate shall make appropriate arrange-
19 ments for the presentation, on behalf of the Congress, of
20 a gold medal of appropriate design, to Joseph De Laine,
21 Jr., as next of kin of Reverend Joseph A. DeLaine, and
22 to the next of kin or other personal representative of
23 Harry and Eliza Briggs and of Levi Pearson.

24 (b) DESIGN AND STRIKING.—For the purposes of the
25 awards referred to in subsection (a), the Secretary of the

1 Treasury (hereafter in this Act referred to as the “Sec-
2 retary”) shall strike 3 gold medals with suitable emblems,
3 devices, and inscriptions, to be determined by the Sec-
4 retary.

5 **SEC. 3. DUPLICATE MEDALS.**

6 The Secretary may strike and sell duplicates in
7 bronze of the gold medals struck pursuant to section 2,
8 under such regulations as the Secretary may prescribe,
9 and at a price sufficient to cover the costs thereof, includ-
10 ing labor, materials, dies, use of machinery, and overhead
11 expenses, and the cost of the gold medals.

12 **SEC. 4. STATUS AS NATIONAL MEDALS.**

13 (a) NATIONAL MEDALS.—The medals struck pursu-
14 ant to this Act are national medals for purposes of chapter
15 51 of title 31, United States Code.

16 (b) NUMISMATIC ITEMS.—For purposes of section
17 5134 of title 31, United States Code, all medals struck
18 under this Act shall be considered to be numismatic items.

19 **SEC. 5. FUNDING.**

20 (a) AUTHORITY TO USE FUND AMOUNTS.—There is
21 authorized to be charged against the United States Mint
22 Public Enterprise Fund such amounts as may be nec-
23 essary to pay for the cost of the medals authorized by this
24 Act.

1 (b) PROCEEDS OF SALE.—Amounts received from the
2 sale of duplicate bronze medals under section 3 shall be
3 deposited in the United States Mint Public Enterprise
4 Fund.

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