

One Hundred Eighth Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the seventh day of January, two thousand and three*

An Act

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.*

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

SECTION 1. FINDINGS.

The Congress finds as follows:

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

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

(3) In 1949, Joseph DeLaine, a minister and school principal, organized African-American parents in Summerton, South Carolina, to petition the school board for a bus for black students, who had to walk up to 10 miles through corn and cotton fields to attend a segregated school, while the white children in the school district rode to and from school in nice clean buses.

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

(5) Because of his participation in the desegregation movement, Reverend DeLaine was subjected to repeated acts of domestic terror in which—

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

(B) he fought off an angry mob;

(C) he received frequent death threats; and

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

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

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

(8) Believing that he would not be treated fairly by the South Carolina judicial system if he returned to South Carolina, Reverend DeLaine told the Federal Bureau of Investigation, "I am not running from justice but injustice", and it was not until 2000 (26 years after his death and 45 years after the incident) that Reverend DeLaine was cleared of all charges relating to the October 1955 incident.

(9) Reverend DeLaine was a humble and fearless man who showed the Nation that all people, regardless of the color of their skin, deserve a first-rate education, a lesson from which the Nation has benefited immeasurably.

(10) Reverend DeLaine deserves rightful recognition for the suffering that he and his family endured to teach the Nation one of the great civil rights lessons of the last century.

(11) Like the Reverend DeLaine and Harry and Eliza Briggs, Levi Pearson was an integral participant in the struggle to equalize the educational experiences of white and black students in South Carolina.

(12) Levi Pearson, with the assistance of Reverend Joseph DeLaine, filed a lawsuit against the Clarendon County School District to protest the inequitable treatment of black children.

(13) As a result of his lawsuit, Levi Pearson also suffered from acts of domestic terror, such as the time gun shots were fired into his home, as well as economic consequences: local banks refused to provide him with credit to purchase farming materials and area farmers refused to lend him equipment.

(14) Although his case was ultimately dismissed on a technicality, Levi Pearson's courage to stand up for equalized treatment and funding for black students served as the catalyst for further attempts to desegregate South Carolina schools, as he continued to fight against segregation practices and became President of Clarendon County Chapter of the NAACP.

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

(16) As with Reverend DeLaine and Levi Pearson, the family of Harry and Eliza Briggs suffered consequences for their efforts: Harry and Eliza both were fired from their jobs and forced to move their family to Florida.

(17) Although they and their family suffered tremendously, Harry and Eliza Briggs were also pioneers leading the effort to desegregate America's public schools.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) **PRESENTATION AUTHORIZED.**—In recognition of the contributions of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson 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.*, the Speaker of the House of Representatives and the President Pro Tempore of the Senate shall make appropriate arrangements for the presentation, on behalf of the Congress, of a gold medal

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of appropriate design, to Joseph De Laine, Jr., as next of kin of Reverend Joseph A. DeLaine, and to the next of kin or other personal representative of Harry and Eliza Briggs and of Levi Pearson.

(b) DESIGN AND STRIKING.—For the purposes of the awards referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall strike 3 gold medals with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

SEC. 3. DUPLICATE MEDALS.

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

SEC. 4. STATUS AS NATIONAL MEDALS.

(a) NATIONAL MEDALS.—The medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

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

SEC. 5. FUNDING.

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

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

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*