

108TH CONGRESS
2D SESSION

H. R. 4162

To posthumously award a congressional gold medal to the Reverend Oliver
L. Brown.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2004

Mr. RYUN of Kansas (for himself, Mr. FATTAH, Mrs. JONES of Ohio, Ms. DeLAURO, Mr. McDERMOTT, Ms. LEE, Mr. CRANE, Mr. GRIJALVA, Ms. KILPATRICK, Mr. CUMMINGS, Mr. JEFFERSON, Mr. OWENS, Mr. THOMPSON of Mississippi, Mr. CONYERS, Ms. CORRINE BROWN of Florida, Mr. MEEK of Florida, Mrs. CHRISTENSEN, Mr. TOWNS, Ms. CARSON of Indiana, Ms. WATERS, Mr. PAYNE, Mr. GREEN of Texas, Mr. TIAHRT, Mr. WAMP, Mr. HAYWORTH, Mr. TERRY, Mr. WILSON of South Carolina, Mr. FOLEY, Mr. KELLER, Mr. KINGSTON, and Mr. DAVIS of Illinois) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To posthumously award a congressional gold medal to the
Reverend Oliver L. Brown.

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. SHORT TITLE.**

4 This Act may be cited as the “Reverend Oliver L.
5 Brown Congressional Gold Medal Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds that—

3 (1) Oliver L. Brown is the namesake of the
4 landmark United States Supreme Court decision of
5 1954, *Brown v. Board of Education* (347 U.S. 483,
6 1954);

7 (2) Oliver L. Brown is honored as the lead
8 plaintiff in the Topeka, Kansas case which posed a
9 legal challenge to racial segregation in public edu-
10 cation;

11 (3) by 1950, African-American parents began
12 to renew their efforts to challenge State laws that
13 only permitted their children to attend certain
14 schools, and as a result, they organized through the
15 National Association for the Advancement of Col-
16 ored People (the NAACP), an organization founded
17 in 1909 to address the issue of the unequal and dis-
18 criminatory treatment experienced by African-Ameri-
19 cans throughout the country;

20 (4) Oliver L. Brown became part of the
21 NAACP strategy led first by Charles Houston and
22 later by Thurgood Marshall, to file suit against var-
23 ious school boards on behalf of such parents and
24 their children;

25 (5) Oliver L. Brown was a member of a distin-
26 guished group of plaintiffs in cases from Kansas

1 (Brown v. Board of Education), Delaware (Gebhart
2 v. Belton), South Carolina (Briggs v. Elliot), and
3 Virginia (Davis v. County School Board of Prince
4 Edward County) that were combined by the United
5 States Supreme Court in Brown v. Board of Edu-
6 cation, and in Washington, D.C. (Bolling v. Sharpe),
7 considered separately by the Supreme Court with re-
8 spect to the District of Columbia;

9 (6) with respect to cases filed in the State of
10 Kansas—

11 (A) there were 11 school integration cases
12 dating from 1881 to 1949, prior to Brown v.
13 Board of Education in 1954;

14 (B) in many instances, the schools for Af-
15 rican-American children were substandard fa-
16 cilities with out-of-date textbooks and often no
17 basic school supplies;

18 (C) in the fall of 1950, members of the To-
19 peka, Kansas chapter of the NAACP agreed to
20 again challenge the “separate but equal” doc-
21 trine governing public education;

22 (D) on February 28, 1951, the NAACP
23 filed their case as Oliver L. Brown et al. v. The
24 Board of Education of Topeka, Kansas (which

1 represented a group of 13 parents and 20 chil-
2 dren);

3 (E) the district court ruled in favor of the
4 school board and the case was appealed to the
5 United States Supreme Court;

6 (F) at the Supreme Court level, the case
7 was combined with other NAACP cases from
8 Delaware, South Carolina, Virginia, and Wash-
9 ington, D.C. (which was later heard separately);
10 and

11 (G) the combined cases became known as
12 Oliver L. Brown et al. v. The Board of Edu-
13 cation of Topeka, et al.;

14 (7) with respect to the Virginia case of Davis
15 et al. v. Prince Edward County Board of Super-
16 visors—

17 (A) one of the few public high schools
18 available to African-Americans in the State of
19 Virginia was Robert Moton High School in
20 Prince Edward County;

21 (B) built in 1943, it was never large
22 enough to accommodate its student population;

23 (C) the gross inadequacies of these class-
24 rooms sparked a student strike in 1951;

1 (D) the NAACP soon joined their strug-
2 gles and challenged the inferior quality of their
3 school facilities in court; and

4 (E) although the United States District
5 Court ordered that the plaintiffs be provided
6 with equal school facilities, they were denied ac-
7 cess to the schools for white students in their
8 area;

9 (8) with respect to the South Carolina case of
10 Briggs v. R.W. Elliott—

11 (A) in Clarendon County, South Carolina,
12 the State NAACP first attempted, unsucces-
13 sfully and with a single plaintiff, to take legal
14 action in 1947 against the inferior conditions
15 that African-American students experienced
16 under South Carolina's racially segregated
17 school system;

18 (B) by 1951, community activists con-
19 vinced African-American parents to join the
20 NAACP efforts to file a class action suit in
21 United States District Court;

22 (C) the court found that the schools des-
23 ignated for African-Americans were grossly in-
24 adequate in terms of buildings, transportation,

1 and teacher salaries when compared to the
2 schools provided for white students; and

3 (D) an order to equalize the facilities was
4 virtually ignored by school officials, and the
5 schools were never made equal;

6 (9) with respect to the Delaware cases of
7 Belton v. Gebhart and Bulah v. Gebhart—

8 (A) first petitioned in 1951, these cases
9 challenged the inferior conditions of 2 African-
10 American schools;

11 (B) in the suburb of Claymont, Delaware,
12 African-American children were prohibited from
13 attending the area's local high school, and in
14 the rural community of Hockessin, Delaware,
15 African-American students were forced to at-
16 tend a dilapidated 1-room schoolhouse, and
17 were not provided transportation to the school,
18 while white children in the area were provided
19 transportation and a better school facility;

20 (C) both plaintiffs were represented by
21 local NAACP attorneys; and

22 (D) though the State Supreme Court ruled
23 in favor of the plaintiffs, the decision did not
24 apply to all schools in Delaware;

1 (10) with respect to the District of Columbia
2 case of *Bolling, et al. v. C. Melvin Sharpe, et al.*—

3 (A) 11 African-American junior high
4 school students were taken on a field trip to
5 Washington, D.C.’s new John Philip Sousa
6 School for white students only;

7 (B) the African-American students were
8 denied admittance to the school and ordered to
9 return to their inadequate school; and

10 (C) in 1951, a suit was filed on behalf of
11 the students, and after review with the *Brown*
12 case in 1954, the United States Supreme Court
13 ruled that segregation in the Nation’s capital
14 was unconstitutional;

15 (11) on May 17, 1954, at 12:52 p.m., the
16 United States Supreme Court ruled that the dis-
17 criminatory nature of racial segregation “violates the
18 14th Amendment to the Constitution, which guaran-
19 tees all citizens equal protection of the laws”;

20 (12) the decision in *Brown v. Board of Edu-*
21 *cation* set the stage for dismantling racial segrega-
22 tion throughout the country;

23 (13) the quiet courage of Oliver L. Brown and
24 his fellow plaintiffs asserted the right of African-

1 American people to have equal access to social, polit-
2 ical, and communal structures;

3 (14) our country is indebted to the work of the
4 NAACP Legal Defense and Educational Fund, Inc.,
5 Howard University Law School, the NAACP, and
6 the individual plaintiffs in the cases considered by
7 the Supreme Court;

8 (15) Reverend Oliver L. Brown died in 1961,
9 and because the landmark United States Supreme
10 Court decision bears his name, he is remembered as
11 an icon for justice, freedom, and equal rights; and

12 (16) the national importance of the Brown v.
13 Board of Education decision had a profound impact
14 on American culture, affecting families, commu-
15 nities, and governments by outlawing racial segrega-
16 tion in public education, resulting in the abolition of
17 legal discrimination on any basis.

18 **SEC. 3. CONGRESSIONAL GOLD MEDAL.**

19 (a) PRESENTATION AUTHORIZED.—

20 (1) IN GENERAL.—The Speaker of the House of
21 Representatives and the President pro tempore of
22 the Senate shall make appropriate arrangements for
23 the posthumous presentation, on behalf of the Con-
24 gress, of a gold medal of appropriate design in com-
25 memoration of the Reverend Oliver L. Brown, in

1 recognition of his and his fellow plaintiffs' enduring
2 contributions to civil rights and American society.

3 (2) DISPLAY.—The medal presented under
4 paragraph (1) shall be maintained and displayed at
5 the Brown Foundation of Topeka, Kansas.

6 (b) DESIGN AND STRIKING.—For purposes of the
7 presentation referred to in subsection (a), the Secretary
8 of the Treasury (hereafter in this Act referred to as the
9 “Secretary”) shall strike a gold medal with suitable em-
10 blems, devices, and inscriptions, to be determined by the
11 Secretary.

12 **SEC. 4. DUPLICATE MEDALS.**

13 The Secretary may strike and sell duplicates in
14 bronze of the gold medal struck pursuant to section 3,
15 under such regulations as the Secretary may prescribe, at
16 a price sufficient to cover the cost thereof, including labor,
17 materials, dies, use of machinery, and overhead expenses,
18 and the cost of the gold medal.

19 **SEC. 5. STATUS OF MEDALS.**

20 (a) NATIONAL MEDALS.—The medals struck pursu-
21 ant to this Act are national medals for purposes of chapter
22 51 of title 31, United States Code.

23 (b) NUMISMATIC ITEMS.—For purposes of section
24 5134 of title 31, United States Code, all medals struck
25 under this Act shall be considered to be numismatic items.

1 **SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF**
2 **SALE.**

3 (a) **AUTHORITY TO USE FUND AMOUNTS.**—There is
4 authorized to be charged against the United States Mint
5 Public Enterprise Fund, such amounts as may be nec-
6 essary to pay for the costs of the medals struck pursuant
7 to this Act.

8 (b) **PROCEEDS OF SALE.**—Amounts received from the
9 sale of duplicate bronze medals authorized under section
10 4 shall be deposited into the United States Mint Public
11 Enterprise Fund.

