

109TH CONGRESS
1ST SESSION

H. R. 1977

To establish a commission to investigate the expulsion of African-American residents of the Missouri cities of Aurora, Monett, Newburg, Pierce City, Cassville, and Webb City from their homes that occurred between August 1894 and August 1901, and make recommendations regarding the feasibility and appropriateness of providing reparations to such residents.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2005

Mr. CLAY (for himself, Mrs. CHRISTENSEN, Mr. OWENS, Mr. PAYNE, Ms. KILPATRICK of Michigan, Ms. MCKINNEY, Mr. HASTINGS of Florida, Ms. LEE, Mr. LEWIS of Georgia, Mr. CLEAVER, Mr. RANGEL, Mr. CONYERS, Mr. JACKSON of Illinois, and Mr. CUMMINGS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a commission to investigate the expulsion of African-American residents of the Missouri cities of Aurora, Monett, Newburg, Pierce City, Cassville, and Webb City from their homes that occurred between August 1894 and August 1901, and make recommendations regarding the feasibility and appropriateness of providing reparations to such residents.

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. SHORT TITLE.**

2 This Act may be cited as the “1901 Missouri African
3 American Expulsion Commission Act”.

4 **SEC. 2. ESTABLISHMENT.**

5 There is established a commission to be known as the
6 “1901 Missouri African American Expulsion Commission”
7 (in this Act referred to as the “Commission”).

8 **SEC. 3. DUTIES OF COMMISSION.**

9 The Commission shall—

10 (1) investigate the expulsion of any African-
11 American resident in or around the Missouri cities
12 of Aurora, Monett, Newburg, Pierce City, Cassville,
13 or Webb City from the home or farm of such resi-
14 dent occurring between August 1894 and August
15 1901, including—

16 (A) any cause for the expulsion;

17 (B) any burning or vandalism of the home
18 of such resident;

19 (C) any tortuous or criminal conduct com-
20 mitted against such resident; and

21 (D) any mob activity directed against such
22 resident;

23 (2) identify any person—

24 (A) who is a relative of a resident de-
25 scribed in paragraph (1); or

1 (B) whom the Commission determines sus-
2 tained an identifiable loss, including a loss to
3 the personal relations, real property, or per-
4 sonal property of such person, because of con-
5 duct described in paragraph (1), whether or not
6 such conduct has previously been the subject of
7 a legal proceeding;

8 (3) research and develop a historical record of
9 the expulsion described in paragraph (1); and

10 (4) make recommendations regarding—

11 (A) the feasibility of providing reparations
12 to any person identified under paragraph (2);
13 and

14 (B) the appropriate method to provide
15 such reparations.

16 **SEC. 4. MEMBERSHIP.**

17 (a) NUMBER AND APPOINTMENT.—

18 (1) The Commission shall be composed of seven
19 members as follows:

20 (A) Four members appointed by the House
21 of Representatives, in the manner prescribed by
22 the House of Representatives.

23 (B) Three members appointed by the Sen-
24 ate, in the manner prescribed by the Senate.

1 (2) Of the three members appointed under
2 paragraph (1)(B), one shall be a member of the Mis-
3 souri Historical Society.

4 (b) QUALIFICATIONS.—In making appointments
5 under this section, the appointing authorities shall make
6 a special effort to appoint individuals who are particularly
7 qualified to perform the functions of the Commission, by
8 reason of either practical experience or academic expertise
9 in politics or government.

10 (c) TERMS AND VACANCIES.—Each member shall be
11 appointed for the life of the Commission. A vacancy in
12 the Commission shall be filled in the manner in which the
13 original appointment was made. Any member appointed
14 to fill a vacancy occurring before the expiration of the
15 term for which the member's predecessor was appointed
16 shall be appointed only for the remainder of that term.
17 A member may serve after the expiration of that member's
18 term until a successor has taken office.

19 (d) BASIC PAY.—

20 (1) RATES OF PAY.—To the extent or in the
21 amounts provided in advance in appropriation Acts,
22 except as provided in paragraph (2), each member of
23 the Commission shall be paid the daily equivalent of
24 the annual rate of basic pay payable for level V of
25 the Executive Schedule for each day (including trav-

1 el time) during which the member is engaged in the
2 actual performance of duties of the Commission.

3 (2) PROHIBITION OF COMPENSATION OF FED-
4 ERAL EMPLOYEES.—Members of the Commission
5 who are full-time officers or employees of the United
6 States or Members of Congress may not receive ad-
7 ditional pay, allowances, or benefits by reason of
8 their service on the Commission.

9 (e) TRAVEL EXPENSES.—Each member shall receive
10 travel expenses, including per diem in lieu of subsistence,
11 in accordance with applicable provisions under subchapter
12 I of chapter 57 of title 5, United States Code.

13 (f) QUORUM.—A majority of the members of the
14 Commission shall constitute a quorum for the transaction
15 of business.

16 (g) CHAIRMAN.—The Chairman of the Commission
17 shall be elected by the members.

18 (h) MEETINGS.—

19 (1) FREQUENCY OF MEETINGS.—The Commis-
20 sion shall meet as often as the Chairman determines
21 is necessary to perform the duties of the Commis-
22 sion.

23 (2) INITIAL MEETING.—Not later than 90 days
24 after the date of the enactment of this Act, the

1 Commission shall hold the initial meeting of the
2 Commission.

3 **SEC. 5. STAFF OF COMMISSION AND EXPERTS AND CON-**
4 **SULTANTS.**

5 (a) STAFF.—Subject to rules prescribed by the Com-
6 mission, the Chairman may appoint and fix the pay of per-
7 sonnel as the Chairman considers appropriate.

8 (b) EXPERTS AND CONSULTANTS.—With the ap-
9 proval of the Commission, the Chairman may procure tem-
10 porary and intermittent services in the manner prescribed
11 in section 3109(b) of title 5, United States Code, but at
12 rates for individuals not to exceed the daily equivalent of
13 the maximum annual rate of basic pay payable for grade
14 GS-15 of the General Schedule under section 5332 of
15 such title.

16 (c) STAFF OF FEDERAL AGENCIES.—Upon the re-
17 quest of the Commission, the head of any Federal depart-
18 ment or agency may detail, on a reimbursable basis, any
19 of the personnel of that department or agency to the Com-
20 mission to assist it in performing its duties under this Act.

21 **SEC. 6. POWERS OF COMMISSION.**

22 (a) HEARINGS.—The Commission may, for the pur-
23 pose of carrying out this Act, hold hearings, sit and act
24 at times and places, take testimony, and receive evidence
25 as the Commission considers appropriate. The Commis-

1 sion may administer oaths or affirmations to witnesses ap-
2 pearing before it.

3 (b) MEMBERS AND AGENTS.—Any member or agent
4 of the Commission may, if authorized by the Commission,
5 take any action that the Commission is authorized to take
6 by this section.

7 (c) OBTAINING OFFICIAL DATA.—Subject to sections
8 552, 552a, and 552b of title 5, United States Code, the
9 Commission may secure directly from any department or
10 agency of the United States information necessary to en-
11 able it to carry out this Act. Upon request of the Chair-
12 man of the Commission, the head of that department or
13 agency shall furnish the information to the Commission.

14 (d) GIFTS, BEQUESTS, AND DEVISES.—To the extent
15 or in the amounts provided in advance in appropriation
16 Acts, the Commission may accept, use, and dispose of
17 gifts, bequests, or devises of services or property, both real
18 and personal, for the purposes of aiding or facilitating the
19 work of the Commission. Gifts, bequests, or devises of
20 money and proceeds from sales of other property received
21 as gifts, bequests, or devises shall be deposited in the
22 Treasury and shall be available for disbursement upon
23 order of the Commission.

1 (e) **MAILS.**—The Commission may use the United
2 States mails in the same manner and under the same con-
3 ditions as departments and agencies of the United States.

4 (f) **ADMINISTRATIVE SUPPORT SERVICES.**—Upon the
5 request of the Commission, the Administrator of General
6 Services shall provide to the Commission, on a reimburs-
7 able basis, the administrative support services necessary
8 for the Commission to carry out its responsibilities under
9 this Act.

10 **SEC. 7. REPORT.**

11 The Commission shall submit to Congress a report
12 not later than 18 months after the date of the first meet-
13 ing of the Commission. The report shall contain a detailed
14 statement of the findings and conclusions of the Commis-
15 sion, together with such recommendations as the Commis-
16 sion considers appropriate.

17 **SEC. 8. TERMINATION.**

18 The Commission shall terminate 10 days after sub-
19 mitting its report under section 7.

20 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

21 There are authorized to be appropriated such sums
22 as may be necessary to carry out this Act.

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