

111TH CONGRESS
1ST SESSION

H. R. 4346

To establish a commission to commemorate the ending of chattel slavery
in the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 16, 2009

Mr. CONYERS (for himself, Mr. DANIEL E. LUNGREN of California, Ms. JACKSON-LEE of Texas, and Mr. HASTINGS of Florida) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish a commission to commemorate the ending of
chattel slavery in the United States, and for other purposes.

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 “National Emancipation
5 Commemoration Act of 2009”.

6 **SEC. 2. PURPOSE.**

7 The purpose of this Act is to establish the National
8 Emancipation Commemoration Commission in order to—

9 (1) ensure a suitable national observance of the
10 150th anniversary of the ending of chattel slavery in

1 the United States through the Emancipation Procla-
2 mation and the Thirteenth Amendment of the Con-
3 stitution;

4 (2) highlight the protections of the living 13th
5 Amendment against modern slavery in all its forms
6 and explore why servitude still exists in the United
7 States and elsewhere;

8 (3) provide assistance to the development of
9 programs, curricula, and activities concerning both
10 antebellum and modern slavery, in conjunction with
11 the 150th anniversary of Emancipation and there-
12 after; and

13 (4) support and facilitate efforts for events, a
14 commemorative coin, stamp, and related activities
15 for the observances of the 150th anniversary of
16 Emancipation and the adoption of the Thirteenth
17 Amendment.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) **COMMEMORATION.**—The term “commemo-
21 ration” means the commemoration of the 150th an-
22 niversaries of the Preliminary Emancipation Procla-
23 mation, the Emancipation Proclamation, the Thir-
24 teenth Amendment to the United States Constitu-
25 tion and its ongoing application to modern slavery,

1 passage of Federal anti-peonage legislation and the
2 extension of the Thirteenth Amendment protections
3 to all races and ethnicities, and the activities of the
4 Bureau of Refugees, Freedmen and Abandoned
5 Lands (“Freedman’s Bureau”) in attempting to
6 meet the needs of newly freed persons in the years
7 following the Civil War.

8 (2) COMMISSION.—The term “Commission”
9 means the Commission established by this Act.

10 (3) MODERN SLAVERY.—The term “modern
11 slavery” means activities that violate the Federal
12 statutory prohibitions against slavery and human
13 trafficking set forth in chapter 77 of title 18, United
14 States Code.

15 **SEC. 4. ATTORNEY GENERAL TO ASSIST THE COMMEMORA-**
16 **TION.**

17 In order to ensure that the 150th anniversary of
18 Emancipation provides a lasting legacy and long-term
19 public benefit by assisting in the development of appro-
20 priate programs and facilities, the Attorney General,
21 through the Office of Justice Programs, may make grants
22 and provide technical assistance to appropriate Federal,
23 State, and local entities and nonprofit organizations—

24 (1) to plan and carry out programs and activi-
25 ties appropriate to for the commemoration;

1 (2) to generally facilitate commemoration-re-
2 lated activities throughout the United States;

3 (3) to encourage civic, patriotic, historical, edu-
4 cational, religious, economic, and other organizations
5 throughout the United States to organize and par-
6 ticipate in anniversary activities to expand the un-
7 derstanding and appreciation of the significance of
8 the events commemorated by the commemoration;

9 (4) to coordinate and facilitate public scholarly
10 research on, publication about, and interpretation of:
11 chattel slavery, the trans-Atlantic slave trade, the
12 lives and work of such historical figures as Abraham
13 Lincoln, Frederick Douglass, Sojourner Truth, Levi
14 and Catherine Coffin, and Harriet Tubman, the
15 Emancipation, success and failures in implementing
16 the Emancipation, expansion of the protections of
17 the Thirteenth Amendment to all persons in the
18 United States, modern effects of chattel slavery and
19 the Emancipation on American culture and society,
20 and the continued application of the Thirteenth
21 Amendment and enabling legislation in combating
22 modern slavery in the United States and abroad;

23 (5) to encourage efforts for a commemorative
24 coin, stamp, and related activities for the commemo-
25 ration;

1 (6) to assist in the appropriate development of
2 commemoration-related heritage tourism and the
3 economic benefits of that tourism to the United
4 States; and

5 (7) to facilitate commemoration-related activi-
6 ties and informational displays at sites and locations
7 that are part of the National Park Service Under-
8 ground Railroad Network to Freedom Program and
9 the National Underground Railroad Freedom Cen-
10 ter.

11 **SEC. 5. NATIONAL EMANCIPATION COMMEMORATION COM-**
12 **MISSION.**

13 (a) IN GENERAL.—There is established a commission
14 to be known as the “National Emancipation Commemora-
15 tion Commission”.

16 (b) DUTIES.—

17 (1) IN GENERAL.—The Commission shall—

18 (A) advise the Attorney General with re-
19 gard to making grants and giving technical as-
20 sistance under this Act; and

21 (B) conduct a study on modern slavery in
22 all its forms that—

23 (i) addresses why slavery in all its
24 forms still exists globally;

(ii) analyzes the persistence of modern slavery in the United States from 1865 to the present; and

(iii) makes recommendations to address issues and concerns highlighted by the study.

(2) REPORTS.—

(A) INTERIM REPORT.—Not later than January 1, 2013, the Commission shall complete an interim report that contains—

(i) a summary of the activities of the Commission;

(ii) any interim results, findings, or recommendations of the study conducted under paragraph (1)(B); and

(iii) an accounting of funds received and expended by the Commission through September 30, 2012.

(B) FINAL REPORT.—Not later than March 2, 2017, the Commission shall complete a final report that contains—

(i) a summary of the activities of the Commission;

(ii) the results of the study conducted under paragraph (1)(B);

- 1 (iii) a final accounting of funds re-
2 ceived and expended by the Commission;
3 and
4 (iv) any findings and recommenda-
5 tions of the Commission.

6 (c) MEMBERSHIP.—

7 (1) IN GENERAL.—The Commission shall be
8 composed of 18 members, of whom—

9 (A) one shall be the Assistant Attorney
10 General for Civil Rights, who shall be the Chair
11 of the Commission;

12 (B) one shall be the Ambassador at Large,
13 Director of the Office to Monitor and Combat
14 Trafficking in Persons, who shall be the Vice-
15 Chair of the Commission;

16 (C) one shall be the Librarian of Congress,
17 or a designee of the Librarian of Congress;

18 (D) one shall be the Director of the Na-
19 tional Park Service, or a designee of the Direc-
20 tor;

21 (E) one shall be the Director of the Na-
22 tional Museum of American History of the
23 Smithsonian Institution, or a designee of the
24 Director;

1 (F) one shall be the Director of the Na-
2 tional Underground Railroad Freedom Center
3 (or any successor institution), or a designee of
4 the Director;

5 (G) one shall be the Director of the Na-
6 tional Civil Rights Museum, or a designee of
7 the Director;

8 (H) one shall be the Executive Director of
9 the National Hispanic Cultural Center, or a
10 designee of the Executive Director;

11 (I) one shall be the Executive Director of
12 the Asian Law Alliance, or a designee of the
13 Executive Director;

14 (J) four shall be appointed by the Speaker
15 of the House in consultation with the minority
16 leader; and

17 (K) four shall be appointed by the majority
18 leader of the Senate in consultation with the
19 minority leader.

20 (2) TERM; VACANCIES.—

21 (A) TERM.—The term of an appointed
22 member of the Commission is for the life of the
23 Commission.

24 (B) VACANCIES.—

1 (i) IN GENERAL.—A vacancy among
2 the appointed members of the Commission
3 shall be filled in the same manner in which
4 the original appointment was made.

5 (ii) PARTIAL TERM.—A member ap-
6 pointed to fill a vacancy on the Commis-
7 sion shall serve for the remainder of the
8 term for which the predecessor of the
9 member was appointed.

10 (3) MEETINGS.—

11 (A) IN GENERAL.—The Commission shall
12 meet—

13 (i) at least twice each year; and

14 (ii) additionally, at the call of the
15 Chairperson or the majority of the mem-
16 bers of the Commission.

17 (B) INITIAL MEETING.—Not later than 30
18 days after the date on which all appointed
19 members of the Commission have been ap-
20 pointed, the Commission shall hold the initial
21 meeting of the Commission.

22 (4) VOTING.—

23 (A) IN GENERAL.—The Commission shall
24 act only on an affirmative vote of a majority of
25 the members of the Commission.

1 (B) QUORUM.—A majority of the Commis-
2 sion shall constitute a quorum.

3 (d) POWERS OF THE COMMISSION.—The Commission
4 may—

5 (1) accept donations and make dispersions of
6 money, personal services, and real and personal
7 property related to its duties;

8 (2) appoint such advisory committees of its
9 members as the Commission determines to be nec-
10 essary to carry out its duties;

11 (3) authorize any member or employee of the
12 Commission to take any action that the Commission
13 is authorized to take by this Act;

14 (4) procure supplies, services, and property, and
15 make or enter into contracts, leases, or other legal
16 agreements, to carry out its duties (except that any
17 contracts, leases, or other legal agreements made or
18 entered into by the Commission shall not extend be-
19 yond the date of termination of the Commission);
20 and

21 (5) use the United States mails in the same
22 manner and under the same conditions as a Federal
23 agency.

24 (e) COMMISSION PERSONNEL MATTERS.—

1 (1) COMPENSATION OF MEMBERS OF THE COM-
2 MISSION.—

3 (A) IN GENERAL.—Except as provided in
4 this paragraph, a member of the Commission
5 shall serve without compensation.

6 (B) FEDERAL EMPLOYEES.—A member of
7 the Commission who is an officer or employee
8 of the Federal Government shall serve without
9 compensation in addition to the compensation
10 received for the services of the member as an
11 officer or employee of the Federal Government.

12 (C) TRAVEL EXPENSES.—A member or
13 employee of the Commission shall be allowed
14 travel expenses, including per diem in lieu of
15 subsistence, at rates authorized for an employee
16 of an agency under subchapter I of chapter 57
17 of title 5, United States Code, while away from
18 the home or regular place of business of the
19 member or employee in the performance of the
20 duties of the Commission.

21 (2) STAFF.—

22 (A) IN GENERAL.—The Chairperson of the
23 Commission may, without regard to the civil
24 service laws (including regulations), appoint
25 and terminate an executive director and such

1 other additional personnel as are necessary to
2 enable the Commission to perform the duties of
3 the Commission.

4 (B) APPROVAL OF EXECUTIVE DIREC-
5 TOR.—The employment of an executive director
6 shall require approval by a majority of the
7 Commission members.

8 (3) COMPENSATION.—

9 (A) IN GENERAL.—Except as provided in
10 subparagraph (B), the Chairperson of the Com-
11 mission may fix the compensation of the execu-
12 tive director and other personnel without regard
13 to the provisions of chapter 51 and subchapter
14 III of chapter 53 of title 5, United States Code,
15 relating to classification of positions and Gen-
16 eral Schedule pay rates.

17 (B) MAXIMUM RATE OF PAY.—The rate of
18 pay for the executive director and other per-
19 sonnel shall not exceed the rate payable for
20 level V of the Executive Schedule under section
21 5316 of title 5, United States Code.

22 (4) DETAIL OF GOVERNMENT EMPLOYEES.—

23 (A) FEDERAL EMPLOYEES.—

24 (i) IN GENERAL.—On the request of
25 the Commission, the head of any Federal

1 agency may detail, on a reimbursable or
2 non-reimbursable basis, any of the per-
3 sonnel of the agency to the Commission to
4 assist the Commission in carrying out the
5 duties of the Commission under this Act.

6 (ii) CIVIL SERVICE STATUS.—The de-
7 tail of an employee under clause (I) shall
8 be without interruption or loss of civil serv-
9 ice status or privilege.

10 (B) STATE EMPLOYEES.—The Commission
11 may—

12 (i) accept the services of personnel de-
13 tailed from States (including subdivisions
14 of States); and

15 (ii) reimburse States for services of
16 detailed personnel.

17 (5) VOLUNTEER AND UNCOMPENSATED SERV-
18 ICES.—Notwithstanding section 1342 of title 31,
19 United States Code, the Commission may accept and
20 use voluntary and uncompensated services as the
21 Commission determines necessary.

22 (6) SUPPORT SERVICES.—The Attorney General
23 shall provide to the Commission, on a reimbursable
24 basis, such administrative support services as the
25 Commission may request.

1 (f) PROCUREMENT OF TEMPORARY AND INTERMIT-
2 TENT SERVICES.—The Chairperson of the Commission
3 may procure temporary and intermittent services in ac-
4 cordance with section 3109(b) of title 5, United States
5 Code, at rates for individuals that do not exceed the daily
6 equivalent of the annual rate of basic pay prescribed for
7 level V of the Executive Schedule under section 5316 of
8 that title.

9 (g) TERMINATION.—The Commission shall terminate
10 on September 30, 2017. Any advisory committee estab-
11 lished under this Act that is not previously terminated by
12 the Commission shall also terminate on that date.

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