

113TH CONGRESS
1ST SESSION

S. 1150

To posthumously award a congressional gold medal to Constance Baker Motley.

IN THE SENATE OF THE UNITED STATES

JUNE 12, 2013

Mr. BLUMENTHAL introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To posthumously award a congressional gold medal to Constance Baker Motley.

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 “Congressional Tribute
5 to Constance Baker Motley Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Constance Baker Motley was born in 1921,
9 in New Haven, Connecticut, the daughter of immi-
10 grants from the Caribbean island of Nevis.

1 (2) In 1943, Constance Baker Motley grad-
2 uated from New York University with a Bachelor of
3 Arts degree in economics.

4 (3) Upon receiving a law degree from Columbia
5 University in 1946, Constance Baker Motley became
6 a staff attorney at the National Association for the
7 Advancement of Colored People Legal Defense and
8 Educational Fund, Inc. (in this Act referred to as
9 the “LDF”), and fought tirelessly for 2 decades
10 alongside Thurgood Marshall and other leading civil
11 rights lawyers to dismantle segregation throughout
12 the United States.

13 (4) Constance Baker Motley was the only fe-
14 male attorney on the LDF legal team that won the
15 landmark desegregation case, *Brown v. Board of*
16 *Education*, 347 U.S. 483 (1954).

17 (5) Constance Baker Motley argued 10 major
18 civil rights cases before the Supreme Court, winning
19 all but one, including the case brought on behalf of
20 James Meredith challenging the refusal of the Uni-
21 versity of Mississippi to admit him.

22 (6) Constance Baker Motley’s only loss before
23 the United States Supreme Court was in *Swain v.*
24 *Alabama*, 380 U.S. 202 (1965), a case in which the
25 Supreme Court refused to proscribe race-based pe-

1 remptory challenges in cases involving African-Amer-
2 ican defendants, and which was later reversed in
3 *Batson v. Kentucky*, 476 U.S. 79 (1986), on
4 grounds that were largely asserted by Constance
5 Baker Motley in the Swain case.

6 (7) In 1964, Constance Baker Motley became
7 the first African-American woman elected to the
8 New York State Senate.

9 (8) In 1965, Constance Baker Motley became
10 the first African-American woman, and the first
11 woman, to serve as president of the Borough of
12 Manhattan.

13 (9) Constance Baker Motley, in her capacity as
14 an elected public official in New York, continued to
15 fight for civil rights, dedicating herself to the revital-
16 ization of the inner city and improvement of urban
17 public schools and housing.

18 (10) In 1966, Constance Baker Motley was ap-
19 pointed by President Lyndon B. Johnson as a judge
20 on the United States District Court for the Southern
21 District of New York.

22 (11) The appointment of Constance Baker Mot-
23 ley made her the first African-American woman, and
24 only the fifth woman, appointed and confirmed for
25 a Federal judgeship.

1 (12) In 1982, Constance Baker Motley was ele-
2 vated to Chief Judge of the United States District
3 Court for the Southern District of New York, the
4 largest Federal trial court in the United States.

5 (13) Constance Baker Motley assumed senior
6 status in 1986, and continued serving on the United
7 States District Court for the Southern District of
8 New York with distinction for nearly 2 decades.

9 (14) Constance Baker Motley passed away on
10 September 28, 2005, and is survived by her husband
11 Joel Wilson Motley, Jr., their son, Joel Motley III,
12 her 3 grandchildren, her brother, Edmund Baker of
13 Florida, and her sisters Edna Carnegie, Eunice
14 Royster, and Marian Green, of New Haven, Con-
15 necticut.

16 **SEC. 3. CONGRESSIONAL GOLD MEDAL.**

17 (a) **PRESENTATION AUTHORIZED.**—The President
18 pro tempore of the Senate and the Speaker of the House
19 of Representatives are authorized to make appropriate ar-
20 rangements for the posthumous presentation, on behalf of
21 Congress, of a gold medal of appropriate design in com-
22 memoration of Constance Baker Motley, in recognition of
23 her enduring contributions and service to the United
24 States.

1 (b) DESIGN AND STRIKING.—For the purpose of the
2 presentation referred to in subsection (a), the Secretary
3 of the Treasury (in this Act referred to as the “Sec-
4 retary”) shall strike a gold medal with suitable emblems,
5 devices, and inscriptions, to be determined by the Sec-
6 retary.

7 **SEC. 4. DUPLICATE MEDALS.**

8 Under such regulations as the Secretary may pre-
9 scribe, the Secretary may strike and sell duplicates in
10 bronze of the gold medal struck under section 3, at a price
11 sufficient to cover the cost thereof, including labor, mate-
12 rials, dies, use of machinery, and overhead expenses, and
13 the cost of the gold medal.

14 **SEC. 5. NATIONAL MEDALS.**

15 (a) NATIONAL MEDAL.—The medal struck under sec-
16 tion 3 is a national medal for purposes of chapter 51 of
17 title 31, United States Code.

18 (b) NUMISMATIC ITEMS.—For purposes of section
19 5134 of title 31, United States Code, all duplicate medals
20 struck under section 4 shall be considered to be numis-
21 matic items.

22 **SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF**
23 **SALE.**

24 (a) AUTHORITY TO USE FUND AMOUNTS.—There is
25 authorized to be charged against the United States Mint

1 Public Enterprise Fund such amounts as may be nec-
2 essary to pay for the cost of the medals struck under this
3 Act.

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

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