

400 YEARS OF AFRICAN-AMERICAN HISTORY COMMISSION ACT

Mr. COMER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1242) to establish the 400 Years of African-American History Commission, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1242

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “400 Years of African-American History Commission Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **COMMEMORATION.**—The term “commemoration” means the commemoration of the 400th anniversary of the arrival of Africans in the English colonies, at Point Comfort, Virginia, in 1619.

(2) **COMMISSION.**—The term “Commission” means the 400 Years of African-American History Commission established by section 3(a).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 3. ESTABLISHMENT.

(a) **IN GENERAL.**—There is established a commission, to be known as the “400 Years of African-American History Commission”.

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Commission shall be composed of 15 members, of whom—

(A) three members shall be appointed by the Secretary after considering recommendations of Governors, including the Governor of Virginia;

(B) six members shall be appointed by the Secretary after considering recommendations of civil rights organizations and historical organizations;

(C) one member shall be an employee of the National Park Service having experience relative to the historical and cultural resources related to the commemoration, to be appointed by the Secretary;

(D) two members shall be appointed by the Secretary after considering the recommendations of the Secretary of the Smithsonian Institution; and

(E) three members shall be individuals who have an interest in, support for, and expertise appropriate to the commemoration, appointed by the Secretary after considering the recommendations of Members of Congress.

(2) **TIME OF APPOINTMENT.**—Each appointment of an initial member of the Commission shall be made before the expiration of the 120-day period beginning on the date of enactment of this Act.

(3) **TERM; VACANCIES.**—

(A) **TERM.**—A member of the Commission shall be appointed for the life of the Commission.

(B) **VACANCIES.**—

(i) **IN GENERAL.**—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(ii) **PARTIAL TERM.**—A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the predecessor of the member was appointed.

(C) **CONTINUATION OF MEMBERSHIP.**—If a member of the Commission was appointed to the Commission as an employee of the National Park Service, and ceases to be an employee of the National Park Service, that member may continue to serve on the Commission for not longer than the 30-day period beginning on the date on which that member

ceases to be an employee of the National Park Service.

(c) **DUTIES.**—The Commission shall—

(1) plan, develop, and carry out programs and activities throughout the United States—

(A) appropriate for the commemoration;

(B) to recognize and highlight the resilience and contributions of African-Americans since 1619;

(C) to acknowledge the impact that slavery and laws that enforced racial discrimination had on the United States; and

(D) to educate the public about—

(i) the arrival of Africans in the United States; and

(ii) the contributions of African-Americans to the United States;

(2) encourage civic, patriotic, historical, educational, artistic, religious, economic, and other organizations throughout the United States to organize and participate in anniversary activities to expand understanding and appreciation of—

(A) the significance of the arrival of Africans in the United States; and

(B) the contributions of African-Americans to the United States;

(3) provide technical assistance to States, localities, and nonprofit organizations to further the commemoration;

(4) coordinate and facilitate for the public scholarly research on, publication about, and interpretation of—

(A) the arrival of Africans in the United States; and

(B) the contributions of African-Americans to the United States;

(5) ensure that the commemoration provides a lasting legacy and long-term public benefit by assisting in the development of appropriate programs; and

(6) help ensure that the observances of the commemoration are inclusive and appropriately recognize the experiences and heritage of all individuals present at the arrival of Africans in the United States.

SEC. 4. COMMISSION MEETINGS.

(a) **INITIAL MEETING.**—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(b) **MEETINGS.**—The Commission shall meet—

(1) at least three times each year; or

(2) at the call of the Chairperson or the majority of the members of the Commission.

(c) **QUORUM.**—A majority of the voting members shall constitute a quorum, but a lesser number may hold meetings.

(d) **CHAIRPERSON AND VICE CHAIRPERSON.**—

(1) **ELECTION.**—The Commission shall elect the Chairperson and the Vice Chairperson of the Commission on an annual basis.

(2) **ABSENCE OF THE CHAIRPERSON.**—The Vice Chairperson shall serve as the Chairperson in the absence of the Chairperson.

(e) **VOTING.**—The Commission shall act only on an affirmative vote of a majority of the members of the Commission.

SEC. 5. COMMISSION POWERS.

(a) **GIFTS.**—The Commission may solicit, accept, use, and dispose of gifts, bequests, or devises of money or other property for aiding or facilitating the work of the Commission.

(b) **APPOINTMENT OF ADVISORY COMMITTEES.**—The Commission may appoint such advisory committees as the Commission determines to be necessary to carry out this Act.

(c) **AUTHORIZATION OF ACTION.**—The Commission may authorize any member or employee of the Commission to take any action that the Commission is authorized to take under this Act.

(d) **PROCUREMENT.**—

(1) **IN GENERAL.**—The Commission may procure supplies, services, and property, and make or enter into contracts, leases, or other legal agreements, to carry out this Act (except that a contract, lease, or other legal agreement made or entered into by the Commission shall not extend beyond the date of termination of the Commission).

(2) **LIMITATION.**—The Commission may not purchase real property.

(e) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(f) **GRANTS AND TECHNICAL ASSISTANCE.**—The Commission may—

(1) provide grants in amounts not to exceed \$20,000 per grant to communities and nonprofit organizations for use in developing programs to assist in the commemoration;

(2) provide grants to research and scholarly organizations to research, publish, or distribute information relating to the arrival of Africans in the United States; and

(3) provide technical assistance to States, localities, and nonprofit organizations to further the commemoration.

SEC. 6. COMMISSION PERSONNEL MATTERS.

(a) **COMPENSATION OF MEMBERS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), a member of the Commission shall serve without compensation.

(2) **FEDERAL EMPLOYEES.**—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation other than the compensation received for the services of the member as an officer or employee of the Federal Government.

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

(c) **DIRECTOR AND STAFF.**—

(1) **IN GENERAL.**—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), nominate an executive director to enable the Commission to perform the duties of the Commission.

(2) **CONFIRMATION OF EXECUTIVE DIRECTOR.**—The employment of an executive director shall be subject to confirmation by the Commission.

(d) **COMPENSATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(2) **MAXIMUM RATE OF PAY.**—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(e) **DETAIL OF GOVERNMENT EMPLOYEES.**—

(1) **FEDERAL EMPLOYEES.**—

(A) **DETAIL.**—At the request of the Commission, the head of any Federal agency may detail, on a reimbursable or nonreimbursable basis, any of the personnel of the agency to the Commission to assist the Commission in carrying out the duties of the Commission under this Act.

(B) **CIVIL SERVICE STATUS.**—The detail of an employee under subparagraph (A) shall be without interruption or loss of civil service status or privilege.

(2) **STATE EMPLOYEES.**—The Commission may—

(A) accept the services of personnel detailed from the State; and

(B) reimburse the State for services of detailed personnel.

(f) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(g) **VOLUNTEER AND UNCOMPENSATED SERVICES.**—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use such voluntary and uncompensated services as the Commission determines to be necessary.

(h) **SUPPORT SERVICES.**—

(1) **IN GENERAL.**—The Secretary shall provide to the Commission, on a reimbursable basis, such administrative support services as the Commission may request.

(2) **REIMBURSEMENT.**—Any reimbursement under this paragraph shall be credited to the appropriation, fund, or account used for paying the amounts reimbursed.

(i) **NO EFFECT ON AUTHORITY.**—Nothing in this section supersedes the authority of the National Park Service with respect to the commemoration.

SEC. 7. PLANS; REPORTS.

(a) **STRATEGIC PLAN.**—The Commission shall prepare a strategic plan for the activities of the Commission carried out under this Act.

(b) **FINAL REPORT.**—Not later than July 1, 2020, the Commission shall complete and submit to Congress a final report that contains—

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

(2) a final accounting of funds received and expended by the Commission; and

(3) the findings and recommendations of the Commission.

SEC. 8. TERMINATION OF COMMISSION.

(a) **DATE OF TERMINATION.**—The Commission shall terminate on July 1, 2020.

(b) **TRANSFER OF DOCUMENTS AND MATERIALS.**—Before the date of termination specified in subsection (a), the Commission shall transfer all documents and materials of the Commission to the National Archives or another appropriate Federal entity.

SEC. 9. EXPENDITURES OF COMMISSION.

All expenditures of the Commission shall be made solely from donated funds.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Kentucky (Mr. COMER) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. COMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. COMER. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 1242, the 400 Years of African-American History Commission Act, introduced by Congressman BOBBY SCOTT of Virginia.

H.R. 1242 establishes a historical commission commemorating the 400th anniversary of the arrival of Africans in Virginia in 1619. The bill creates a commission to plan programs and activities in 2019 to recognize the arrival, influence, and historical importance of Africans in America.

Congress has previously established similar commissions to celebrate historical anniversaries. For example, there was a commission on the 400th anniversary of the founding of Jamestown, Virginia, and the 450th anniversary of the founding of St. Augustine, Florida.

As we reach the 400th anniversary of the arrival of Africans in Virginia, establishing this commission allows for the opportunity to acknowledge the horrible impact slavery has had in America. This is an opportunity to commemorate the resilience and contributions of African Americans in our country. While that chapter in our history is a painful one, this is a story that must be told to acknowledge how profoundly unrecognized our Nation would be without the contribution of African Americans.

The commission will work with State and local groups to coordinate the commemoration and public education. The commission will be funded by private donations, not taxpayer dollars, and will terminate shortly after the anniversary activities conclude. The bill authorizes the commission to provide grants to further the historical and cultural activities carried out in commemoration of the anniversary.

The Committee on Oversight and Government Reform approved this bill on March 28, 2017.

I thank Congressman SCOTT for his leadership on this legislation.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. CONNOLLY. Mr. Speaker, I yield myself such time as I may consume.

I rise today in strong support of H.R. 1242, the 400 Years of African-American History Commission Act, introduced by my friend and colleague from Virginia, BOBBY SCOTT. Senator TIM KAINE of Virginia has introduced a companion bill in the Senate.

In the 400 years since the first Africans arrived at Point Comfort, Virginia, African Americans have made an indelible contribution to our Nation. They have been pioneers in the arts and sciences. They have led the charge for civil rights and spoken out against injustice against anybody. They have also ascended to the highest level of politics, athletics, and business, and sacrificed for our country in every military engagement from the American Revolution to the present-day fight against terrorism.

African Americans have played a crucial role in the establishment and evolution of our Nation:

Crispus Attucks, a Black man, became the first casualty of the American Revolution in my hometown of

Boston when he confronted British soldiers in what became known as the Boston Massacre.

James Armistead, a slave who fed false information to the British, helped the Patriots' cause to secure victory in the Battle of Yorktown.

Abolitionists, from Sojourner Truth to Frederick Douglass to Harriet Tubman spoke out against slavery and fought to realize the meaning of Thomas Jefferson's founding creed that all men are created equal.

And African Americans helped our country awaken its collective consciousness during the epochal civil rights movement, with the courageous actions of so many from Rosa Parks in the Montgomery bus boycott to the persevering spirit of our colleague JOHN LEWIS and the Freedom Riders, and the bold vision, of course, of Martin Luther King, Jr., that "injustice anywhere threatens justice everywhere."

The bill before us today would recognize those accomplishments while acknowledging the sorry, tragic history of slavery in America and the subsequent era of discrimination and economic deprivation after the Civil War. H.R. 1242 would establish a commission charged with celebrating the rich history of African Americans in the United States.

Along with States, community groups, and nonprofit organizations, the commission would plan and execute anniversary activities throughout the Nation and encourage the publication and distribution of scholarly research on African-American history.

I urge all of my colleagues to support H.R. 1242.

Mr. Speaker, I reserve the balance of my time.

□ 1730

Mr. COMER. Mr. Speaker, I reserve the balance of my time.

Mr. CONNOLLY. Mr. Speaker, may I inquire as to how much time is remaining on this side?

The SPEAKER pro tempore. The gentleman from Virginia has 17½ minutes remaining.

Mr. CONNOLLY. Mr. Speaker, I yield the balance of my time to the gentleman from Virginia (Mr. SCOTT), my friend and the author of this bill.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in support of H.R. 1242, the 400 Years of African-American History Commission Act, which was introduced earlier this year by Senators TIM KAINE, MARK WARNER, ROY BLUNT, and CORY BOOKER. I was proud to introduce the House version, which has the support of Representatives TAYLOR, RICHMOND, WITTMAN, BEYER, MCEACHIN, LEWIS, COMSTOCK, CONNOLLY, GRIFFITH, GOODLATTE, and many others.

I would like to thank Chairman CHAFFETZ, Ranking Member CUMMINGS, Mr. COMER, and Mr. CONNOLLY for their assistance in bringing the bill to the floor today.

This bill would establish a commission to begin the planning of programs

and activities across our Nation to recognize the contributions of African Americans since their first arrival as African slaves in the English colonies at Point Comfort, Virginia, in 1619, almost 400 years ago.

Slavery was an abhorrent institution, but the history of Virginia and our Nation cannot be fully understood without first recognizing the role played by the slave trade. This institution was the foundation of the colonial and early American agricultural system. The 20 slaves who arrived at Point Comfort in Hampton, Virginia, in 1619 were the first on record to be forcibly settled as involuntary laborers in the English colonies.

This bill will establish a commission to recognize and highlight the resilience and contributions of African Americans since 1619. From enduring slavery to fighting in the Civil War, to working against the oppressive Jim Crow laws, to struggling through the civil rights movement, the rich history of African Americans in the United States and their contributions to our Nation began hundreds of years ago. Obviously, this history does not end there.

The commission established by this bill will be charged with the important task of planning, developing, and implementing a series of programs and activities throughout 2019 to tell the full story of African Americans over the last 400 years. This 15-member commission will include historical experts instead of politicians. Therefore, the true legacy of African Americans will be truthfully told.

It would be a great disservice not only to African Americans, but to all Americans, if we fail to appropriately recognize this important milestone in our Nation's history.

Mr. Speaker, I again thank the chairman and ranking member of the committee, Mr. COMER and Mr. CONNOLLY, for their leadership in bringing this bill to the floor.

I urge my colleagues to support this bill.

Mr. CONNOLLY. Mr. Speaker, I want to thank my friend BOBBY SCOTT for his leadership. This is an incredible service, not only to my Commonwealth of Virginia and his, but, frankly, to all Americans. This isn't just an issue for African Americans or some subgroup. All of us are formed from our history, as we know from the popularity of the opening of the new African-American museum here in Washington, which is an incredible contribution, I think, to our Nation's culture and our discussion.

Mr. Speaker, I have no other speakers, and I yield back the balance of my time.

Mr. COMER. Mr. Speaker, I urge adoption of the bill, and I yield back the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 1242, "400 Years of African-American History Commission Act", which establishes the 400 Years of African-American

History Commission to develop and carry out activities throughout the United States to commemorate the 400th anniversary of the arrival of Africans in the English colonies at Point Comfort, Virginia, in 1619.

Through this bill, the commission must:

1. Plan programs to acknowledge the impact that slavery and laws that enforced racial discrimination had on the United States;
2. Encourage civic, patriotic, historical, educational, artistic, religious, and economic organizations to organize and participate in anniversary activities;
3. Assist states, localities, and nonprofit organizations to further the commemoration; and
4. Coordinate for the public scholarly research on the arrival of Africans in the United States and their contributions to this country.

The commission may provide:

1. Grants to communities and nonprofit organizations for the development of programs;
2. Grants to research and scholarly organizations to research, publish, or distribute information relating to the arrival of Africans in the United States; and
3. Technical assistance to states, localities, and nonprofit organizations to further the commemoration.

The commission must prepare a strategic plan and submit a final report to Congress that contains a summary of its activities, an accounting of its received and expended funds, and its recommendations.

The commission would submit a final report to the Congress and terminate on July 1, 2020.

H.R. 1242 would authorize the appropriation of the necessary amounts for those purposes.

The commission would consist of 15 members who would serve without pay but would be reimbursed for travel expenses.

CBO estimates that enacting H.R. 1242 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028. Enacting H.R. 1242 would not affect revenues.

H.R. 1242 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

August of 2019 will mark 400 years since the first documented arrival of Africans who came to English America by way of Point Comfort, Va.

Not only is it appropriate to establish a commission that would recognize the contributions of African Americans, but it is historically significant to acknowledge that the "20 and odd" Africans (as it was recorded) were the first recorded group of Africans to be sold as involuntary laborers or indentured servants in the English colonies.

The commission would be charged with highlighting the resilience and contributions of African Americans, as well as acknowledging the painful impact that slavery and other atrocities have had on our nation.

African Americans have contributed to the economic, academic, social, cultural and moral well-being of this nation.

Could we claim America as the most innovative nation on earth without the invention of the modern traffic light, the perfection of the carbon filament or the use of the mathematics that propelled Apollo astronauts to the moon?

African-American culture is American culture, and African-American discoveries are

American discoveries. Without the accomplishments of African Americans, the United States could not boast the ingenuity and cultural richness that we cherish.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Kentucky (Mr. COMER) that the House suspend the rules and pass the bill, H.R. 1242, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 33 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDING) at 6 o'clock and 30 minutes p.m.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1180, WORKING FAMILIES FLEXIBILITY ACT OF 2017; PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM MAY 5, 2017, THROUGH MAY 15, 2017; AND FOR OTHER PURPOSES

Mr. COLLINS of Georgia, from the Committee on Rules, submitted a privileged report (Rept. No. 115-106) on the resolution (H. Res. 299) providing for consideration of the bill (H.R. 1180) to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector; providing for proceedings during the period from May 5, 2017, through May 15, 2017; and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

- H.R. 910, by the yeas and nays;
- H.R. 1312, by the yeas and nays; and
- H.R. 657, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

FAIR ACCESS TO INVESTMENT RESEARCH ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the