

108TH CONGRESS
1ST SESSION

H. R. 3287

IN THE SENATE OF THE UNITED STATES

NOVEMBER 19, 2003

Received

AN ACT

To award congressional gold medals posthumously on behalf of Reverend Joseph A. DeLaine, Harry and Eliza Briggs, and Levi Pearson in recognition of their contributions to the Nation as pioneers in the effort to desegregate public schools that led directly to the landmark desegregation case of *Brown et al. v. the Board of Education of Topeka et al.*

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. FINDINGS.**

4 The Congress finds as follows:

5 (1) The Reverend Joseph Armstrong DeLaine,
6 one of the true heroes of the civil rights struggle, led
7 a crusade to break down barriers in education in
8 South Carolina.

9 (2) The efforts of Reverend DeLaine led to the
10 desegregation of public schools in the United States,
11 but forever scarred his own life.

12 (3) In 1949, Joseph DeLaine, a minister and
13 school principal, organized African-American parents
14 in Summerton, South Carolina, to petition the school
15 board for a bus for black students, who had to walk
16 up to 10 miles through corn and cotton fields to at-
17 tend a segregated school, while the white children in
18 the school district rode to and from school in nice
19 clean buses.

20 (4) In 1950, these same parents, including
21 Harry and Eliza Briggs, sued to end public school
22 segregation in Briggs et al. v. Elliott et al., one of
23 5 cases that collectively led to the landmark 1954
24 Supreme Court decision of Brown et al. v. Board of
25 Education of Topeka et al.

1 (5) Because of his participation in the desegre-
2 gation movement, Reverend DeLaine was subjected
3 to repeated acts of domestic terror in which—

4 (A) he, along with 2 sisters and a niece,
5 lost their jobs;

6 (B) he fought off an angry mob;

7 (C) he received frequent death threats; and

8 (D) his church and his home were burned
9 to the ground.

10 (6) In October 1955, after Reverend DeLaine
11 relocated to Florence County in South Carolina,
12 shots were fired at the DeLaine home, and because
13 Reverend DeLaine fired back to mark the car, he
14 was charged with assault and battery with intent to
15 kill.

16 (7) The shooting incident drove him from South
17 Carolina to Buffalo, New York, where he organized
18 an African Methodist Episcopal Church.

19 (8) Believing that he would not be treated fairly
20 by the South Carolina judicial system if he returned
21 to South Carolina, Reverend DeLaine told the Fed-
22 eral Bureau of Investigation, “I am not running
23 from justice but injustice”, and it was not until
24 2000 (26 years after his death and 45 years after

1 the incident) that Reverend DeLaine was cleared of
2 all charges relating to the October 1955 incident.

3 (9) Reverend DeLaine was a humble and fear-
4 less man who showed the Nation that all people, re-
5 gardless of the color of their skin, deserve a first-
6 rate education, a lesson from which the Nation has
7 benefited immeasurably.

8 (10) Reverend DeLaine deserves rightful rec-
9 ognition for the suffering that he and his family en-
10 dured to teach the Nation one of the great civil
11 rights lessons of the last century.

12 (11) Like the Reverend DeLaine and Harry
13 and Eliza Briggs, Levi Pearson was an integral par-
14 ticipant in the struggle to equalize the educational
15 experiences of white and black students in South
16 Carolina.

17 (12) Levi Pearson, with the assistance of Rev-
18 erend Joseph DeLaine, filed a lawsuit against the
19 Clarendon County School District to protest the in-
20 equitable treatment of black children.

21 (13) As a result of his lawsuit, Levi Pearson
22 also suffered from acts of domestic terror, such as
23 the time gun shots were fired into his home, as well
24 as economic consequences: local banks refused to
25 provide him with credit to purchase farming mate-

1 rials and area farmers refused to lend him equip-
2 ment.

3 (14) Although his case was ultimately dismissed
4 on a technicality, Levi Pearson's courage to stand
5 up for equalized treatment and funding for black
6 students served as the catalyst for further attempts
7 to desegregate South Carolina schools, as he contin-
8 ued to fight against segregation practices and be-
9 came President of Clarendon County Chapter of the
10 NAACP.

11 (15) When Levi Pearson's litigation efforts to
12 obtain equalized treatment and funding for black
13 students were stymied, Harry and Eliza Briggs, a
14 service station attendant and a maid, continued to
15 fight for not only equalized treatment of all children
16 but desegregated schools as well.

17 (16) As with Reverend DeLaine and Levi Pear-
18 son, the family of Harry and Eliza Briggs suffered
19 consequences for their efforts: Harry and Eliza both
20 were fired from their jobs and forced to move their
21 family to Florida.

22 (17) Although they and their family suffered
23 tremendously, Harry and Eliza Briggs were also pio-
24 neers leading the effort to desegregate America's
25 public schools.

1 **SEC. 2. CONGRESSIONAL GOLD MEDAL.**

2 (a) PRESENTATION AUTHORIZED.—In recognition of
3 the contributions of Reverend Joseph A. DeLaine, Harry
4 and Eliza Briggs, and Levi Pearson to the Nation as pio-
5 neers in the effort to desegregate public schools that led
6 directly to the landmark desegregation case of Brown et
7 al. v. the Board of Education of Topeka et al., the Speaker
8 of the House of Representatives and the President Pro
9 Tempore of the Senate shall make appropriate arrange-
10 ments for the presentation, on behalf of the Congress, of
11 a gold medal of appropriate design, to Joseph De Laine,
12 Jr., as next of kin of Reverend Joseph A. DeLaine, and
13 to the next of kin or other personal representative of
14 Harry and Eliza Briggs and of Levi Pearson.

15 (b) DESIGN AND STRIKING.—For the purposes of the
16 awards referred to in subsection (a), the Secretary of the
17 Treasury (hereafter in this Act referred to as the “Sec-
18 retary”) shall strike 3 gold medals with suitable emblems,
19 devices, and inscriptions, to be determined by the Sec-
20 retary.

21 **SEC. 3. DUPLICATE MEDALS.**

22 The Secretary may strike and sell duplicates in
23 bronze of the gold medals struck pursuant to section 2,
24 under such regulations as the Secretary may prescribe,
25 and at a price sufficient to cover the costs thereof, includ-

1 ing labor, materials, dies, use of machinery, and overhead
2 expenses, and the cost of the gold medals.

3 **SEC. 4. STATUS AS NATIONAL MEDALS.**

4 (a) NATIONAL MEDALS.—The medals struck pursu-
5 ant to this Act are national medals for purposes of chapter
6 51 of title 31, United States Code.

7 (b) NUMISMATIC ITEMS.—For purposes of section
8 5134 of title 31, United States Code, all medals struck
9 under this Act shall be considered to be numismatic items.

10 **SEC. 5. FUNDING.**

11 (a) AUTHORITY TO USE FUND AMOUNTS.—There is
12 authorized to be charged against the United States Mint
13 Public Enterprise Fund such amounts as may be nec-
14 essary to pay for the cost of the medals authorized by this
15 Act.

16 (b) PROCEEDS OF SALE.—Amounts received from the
17 sale of duplicate bronze medals under section 3 shall be
18 deposited in the United States Mint Public Enterprise
19 Fund.

Passed the House of Representatives November 18,
2003.

Attest:

JEFF TRANDAHL,

Clerk.