

108TH CONGRESS
1ST SESSION

S. 498

AN ACT

To authorize the President to posthumously award a gold medal on behalf of Congress to Joseph A. De Laine, in recognition of his contributions to the Nation.

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. FINDINGS.**

2 Congress finds that—

3 (1) the Reverend Joseph Armstrong De Laine,
4 one of the true heroes of the civil rights struggle, led
5 a crusade to break down barriers in education in
6 South Carolina;

7 (2) the efforts of Reverend De Laine led to the
8 desegregation of public schools in the United States,
9 but forever scarred his own life;

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

18 (4) in 1950, these same parents sued to end
19 public school segregation in *Briggs v. Elliott*, 1 of 5
20 cases that collectively led to the landmark 1954 Su-
21 preme Court decision of *Brown v. Board of Edu-*
22 *cation*;

23 (5) because of his participation in the desegre-
24 gation movement, Reverend De Laine was subjected
25 to repeated acts of domestic terror, in which—

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

3 (B) he fought off an angry mob;

4 (C) he received frequent death threats; and

5 (D) his church and his home were burned
6 to the ground;

7 (6) in October 1955, after Reverend De Laine
8 relocated to Florence County in South Carolina,
9 shots were fired at the De Laine home, and because
10 Reverend De Laine fired back to mark the car, he
11 was charged with assault and battery with intent to
12 kill;

13 (7) the shooting incident drove him from South
14 Carolina to Buffalo, New York, where he organized
15 an African Methodist Episcopal Church;

16 (8) believing that he would not be treated fairly
17 by the South Carolina judicial system if he returned
18 to South Carolina, Reverend De Laine told the Fed-
19 eral Bureau of Investigation, “I am not running
20 from justice but injustice”, and it was not until
21 2000 (26 years after his death and 45 years after
22 the incident) that Reverend De Laine was cleared of
23 all charges relating to the October 1955 incident;

24 (9) Reverend De Laine was a humble and fear-
25 less man who showed the Nation that all people, re-

1 regardless of the color of their skin, deserve a first-
 2 rate education, a lesson from which the Nation has
 3 benefited immeasurably; and

4 (10) Reverend De Laine deserves rightful rec-
 5 ognition for the suffering that he and his family en-
 6 dured to teach the Nation one of the great civil
 7 rights lessons of the last century.

8 **SEC. 2. CONGRESSIONAL GOLD MEDAL.**

9 (a) PRESENTATION AUTHORIZED.—The President is
 10 authorized, on behalf of Congress, to award a gold medal
 11 of appropriate design to Joseph De Laine, Jr. to honor
 12 his father, Reverend Joseph Armstrong De Laine (post-
 13 humously), for his contributions to the Nation.

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

20 **SEC. 3. DUPLICATE MEDALS.**

21 The Secretary may strike and sell duplicates in
 22 bronze of the gold medal struck pursuant to section 2,
 23 under such regulations as the Secretary may prescribe,
 24 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 medal.

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

4 The medals struck pursuant to this Act are national
5 medals for purposes of chapter 51 of title 31, United
6 States Code.

7 **SEC. 5. FUNDING.**

8 (a) **AUTHORITY TO USE FUND AMOUNTS.**—There is
9 authorized to be charged against the United States Mint
10 Public Enterprise Fund an amount not to exceed \$30,000
11 to pay for the cost of the medals authorized by this Act.

12 (b) **PROCEEDS OF SALE.**—Amounts received from the
13 sale of duplicate bronze medals under section 3 shall be
14 deposited in the United States Mint Public Enterprise
15 Fund.

Passed the Senate June 25, 2003.

Attest:

Secretary.

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