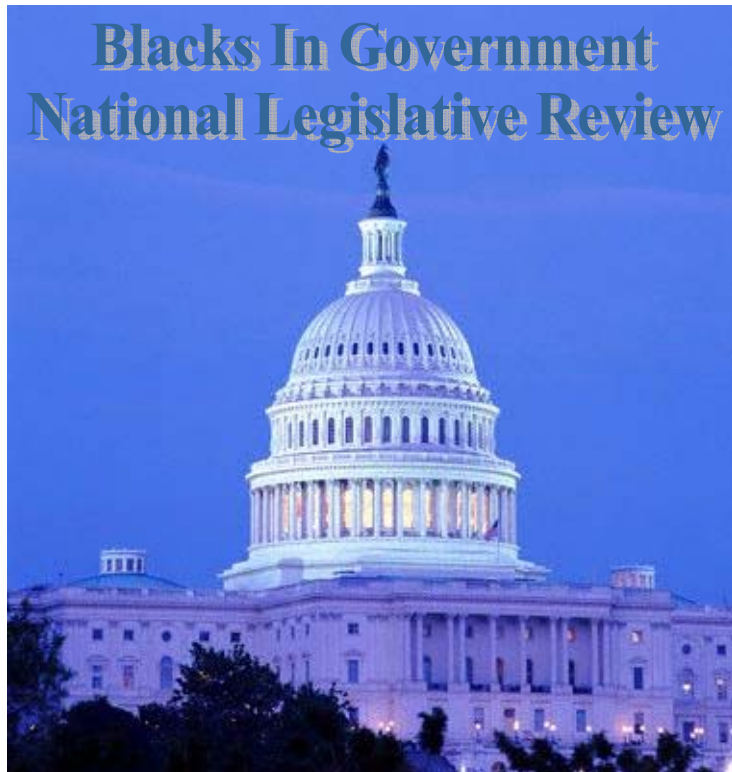


# HR 40

Commission to Study Reparations Proposal for African Americans Act



## Legislative Tool Kit

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National Legislative Review Committee: Yolanda Brown-Harris, Region V; Shirley Harrington-Watson (Immediate-Past Chair), Region XI; Joi Johnson, Region III; Priscilla Martin, Region VII; Linda Mansfield, Region III; Bonita Oden, Region XI; Merton Simpson, Region II; Rhonda Scott-Johnson, Region XI; Glenn Smith, Region III (Chair) and Pat Swailes, Region XI.

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## **Blacks In Government National Legislative Review**

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### **Forward**

The National Legislative Review Committee (NLRC) is the working group within the National Organization of Blacks In Government (BIG) with an advisory role to review and analyze legislation and major employment policy changes that impacts Black public service employees. Consistent with its advisory role, the NLRC has begun a grassroots campaign to collect information related to legislative matters to strengthen BIG as an advocate for the interests of Black public service employees.

In August 2004, BIG members passed a resolution to support House Resolution 40 Bill (HR 40), Commission to Study Reparations Proposal for African Americans Act, in Washington, D.C. The bill sponsor, Congressman John Conyers (D-MI), has introduced this legislation for the past 15 years, failing to garner the support of his colleagues of the House Judiciary Committee that would send the bill to the full House of Representatives. On June 16, 2005, Congressman Conyers met with NLRC members to discuss “next steps” in his efforts to win congressional support of HR 40. Impressed with the BIG delegates’ vote in support of HR 40, Congressman Conyers challenged the organization to contact congressional representatives and gain their support.

We at Blacks In Government admire the steadfastness of Congressman Conyers and accept his challenge to help facilitate a discussion on reparations. In preparing for our “next step” to support HR 40, the NLRC has developed the Legislative Tool Kit. This document is designed to promote an organized and active campaign to communicate with elected officials on all legislative matters. In support of HR 40, we have tailored a grassroots strategy of communicating with members of the House Judiciary Committee, as well as other members of the House of Representatives. The Tool Kit provides an organized approach to engage these elected officials and BIG members in a campaign that would require members to contact elected officials with personal visits, letters, telephone calls, faxes and/or emails and report back to the NLRC. This information will be consolidated, analyzed and reported to the BIG National Board of Directors and shared with Congressman Conyers at the Congressional Black Caucus, National Legislative Conference in mid-September 2005.

Please visit the Legislative Action Center, <http://www.bignet.org/program/legis/legis.htm> for updates on our grassroots campaign and for additional information about other legislative interests.

Darlene Young  
National President

**Commission to Study Reparation Proposals for African Americans Act  
(Introduced in House)**

HR 3745 IH

101st CONGRESS

1st Session

**H. R. 3745**

To acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to examine the institution of slavery, subsequent de jure and de facto racial and economic discrimination against African Americans, and the impact of these forces on living African Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes.

**IN THE HOUSE OF REPRESENTATIVES**

**November 20, 1989**

Mr. CONYERS introduced the following bill; which was referred to the Committee on the Judiciary

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**A BILL**

To acknowledge the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to examine the institution of slavery, subsequent de jure and de facto racial and economic discrimination against African Americans, and the impact of these forces on living African Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes.

*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 'Commission to Study Reparation Proposals for African Americans Act'.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS - The Congress finds that--

- (1) approximately 4,000,000 Africans and their descendants were enslaved in the United States and the colonies that became the United States from 1619 to 1865;
- (2) the institution of slavery was constitutionally and statutorily sanctioned by the Government of the United States from 1789 through 1865;
- (3) the slavery that flourished in the United States constituted an immoral and inhumane deprivation of Africans' life, liberty, African citizenship rights, and cultural heritage, and denied them the fruits of their own labor; and
- (4) sufficient inquiry has not been made into the effects of the institution of slavery on living African Americans and society in the United States.

(b) PURPOSE - The purpose of this Act is to establish a commission to--

- (1) examine the institution of slavery which existed from 1619 through 1865 within the United States and the colonies that became the United States, including the extent to which the Federal and State governments constitutionally and statutorily supported the institution of slavery;
- (2) examine de jure and de facto discrimination against freed slaves and their descendants from the end of the Civil War to the present, including economic, political, and social discrimination;

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- (3) examine the lingering negative effects of the institution of slavery and the discrimination described in paragraph (2) on living African Americans and on society in the United States;
- (4) recommend appropriate ways to educate the American public of the Commission's findings;
- (5) recommend appropriate remedies in consideration of the Commission's findings on the matters described in paragraphs (1) and (2); and
- (6) submit to the Congress the results of such examination, together with such recommendations.

**SEC. 3. ESTABLISHMENT AND DUTIES.**

(a) ESTABLISHMENT- There is established the Commission to Study Reparation Proposals for African Americans (hereinafter in this Act referred to as the `Commission').

(b) DUTIES - The Commission shall perform the following duties:

- (1) Examine the institution of slavery which existed within the United States and the colonies that became the United States from 1619 through 1865. The Commission's examination shall include an examination of--
  - (A) the capture and procurement of Africans;
  - (B) the transport of Africans to the United States and the colonies that became the United States for the purpose of enslavement, including their treatment during transport;
  - (C) the sale and acquisition of Africans as chattel property in interstate and intrastate commerce; and
  - (D) the treatment of African slaves in the colonies and the United States, including the deprivation of their freedom, exploitation of their labor, and destruction of their culture, language, religion, and family.
- (2) Examine the extent to which the Federal and State governments of the United States supported the institution of slavery in constitutional and statutory provisions, including the extent to which such governments prevented, opposed, or restricted efforts of freed African slaves to repatriate to their home land.
- (3) Examine Federal and State laws that discriminated against freed African slaves and their descendants during the period between the end of the civil war and the present.
- (4) Examine other forms of discrimination in the public and private sectors against freed African slaves and their descendants during the period between the end of the civil war and the present.
- (5) Examine the lingering negative effects of the institution of slavery and the matters described in paragraphs (1), (2), (3), and (4) on living African Americans and on society in the United States.
- (6) Recommend appropriate ways to educate the American public of the Commission's findings.
- (7) Recommend appropriate remedies in consideration of the Commission's findings on the matters described in paragraphs (1), (2), (3), and (4). In making such recommendations, the Commission shall address, among other issues, the following questions:
  - (A) Whether the Government of the United States should offer a formal apology on behalf of the people of the United States for the perpetration of gross human rights violations on African slaves and their descendants.
  - (B) Whether African Americans still suffer from the lingering affects of the matters described in paragraphs (1), (2), (3), and (4).

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(C) Whether, in consideration of the Commission's findings, any form of compensation to the descendants of African slaves is warranted.

(D) If the Commission finds that such compensation is warranted, what should be the amount of compensation, what form of compensation should be awarded, and who should be eligible for such compensation.

(c) REPORT TO CONGRESS- The Commission shall submit a written report of its findings and recommendations to the Congress not later than the date which is one year after the date of the first meeting of the Commission held pursuant to section 4(c).

**SEC. 4. MEMBERSHIP.**

(a) NUMBER AND APPOINTMENT- (1) The Commission shall be composed of 7 members, who shall be appointed, within 90 days after the date of enactment of this Act, as follows:

(A) Three members shall be appointed by the President.

(B) Three members shall be appointed by the Speaker of the House of Representatives.

(C) One member shall be appointed by the President pro tempore of the Senate.

(2) All members of the Commission shall be persons who are especially qualified to serve on the Commission by virtue of their education, training, or experience, particularly in the field of African American studies.

(b) TERMS- The term of office for members shall be for the life of the Commission. A vacancy in the Commission shall not affect the powers of the Commission, and shall be filled in the same manner in which the original appointment was made.

(c) FIRST MEETING- The President shall call the first meeting of the Commission within 120 days after the date of the enactment of this Act, or within 30 days after the date on which legislation is enacted making appropriations to carry out this Act, whichever date is later.

(d) QUORUM- Four members of the Commission shall constitute a quorum, but a lesser number may hold hearings.

(e) CHAIR AND VICE CHAIR - The Commission shall elect a Chair and Vice Chair from among its members. The term of office of each shall be for the life of the Commission.

(f) COMPENSATION- (1) Except as provided in paragraph (2), each member of the Commission shall receive compensation at the daily equivalent of the annual rate of basic pay payable for GS-18 of the General Schedule under section 5332 of title 5, United States Code, for each day, including travel time, during which he or she is engaged in the actual performance of duties vested in the Commission.

(2) A member of the Commission who is a full-time officer or employee of the United States or a Member of Congress shall receive no additional pay, allowances, or benefits by reason of his or her service on the Commission.

(3) All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties to the extent authorized by chapter 57 of title 5, United States Code.

**SEC. 5. POWERS OF THE COMMISSION.**

(a) HEARINGS AND SESSIONS- The Commission may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and at such times and at such places in the United States, and request the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission considers appropriate. The Commission may request the Attorney General to invoke the aid of an appropriate United States district court to require, by subpoena or otherwise, such attendance, testimony, or production.

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(b) POWERS OF SUBCOMMITTEES AND MEMBERS- Any subcommittee or member of the Commission may, if authorized by the Commission, take any action which the Commission is authorized to take by this section.

(c) OBTAINING OFFICIAL DATA - The Commission may acquire directly from the head of any department, agency, or instrumentality of the executive branch of the Government, available information which the Commission considers useful in the discharge of its duties. All departments, agencies, and instrumentalities of the executive branch of the Government shall cooperate with the Commission with respect to such information and shall furnish all information requested by the Commission to the extent permitted by law.

**SEC. 6. ADMINISTRATIVE PROVISIONS.**

(a) STAFF - The Commission may, without regard to section 5311(b) of title 5, United States Code, appoint and fix the compensation of such personnel as the Commission considers appropriate.

(b) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS- The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that the compensation of any employee of the Commission may not exceed a rate equal to the annual rate of basic pay payable for GS-18 of the General Schedule under section 5332 of title 5, United States Code.

(c) EXPERTS AND CONSULTANTS - The Commission may procure the services of experts and consultants in accordance with the provisions of section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the highest rate payable under section 5332 of such title.

(d) ADMINISTRATIVE SUPPORT SERVICES - The Commission may enter into agreements with the Administrator of General Services for procurement of financial and administrative services necessary for the discharge of the duties of the Commission. Payment for such services shall be made by reimbursement from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator.

(e) CONTRACTS - The Commission may--

(1) procure supplies, services, and property by contract in accordance with applicable laws and regulations and to the extent or in such amounts as are provided in appropriations Acts; and

(2) enter into contracts with departments, agencies, and instrumentalities of the Federal Government, State agencies, and private firms, institutions, and agencies, for the conduct of research or surveys, the preparation of reports, and other activities necessary for the discharge of the duties of the Commission, to the extent or in such amounts as are provided in appropriation Acts.

**SEC. 7. TERMINATION.**

The Commission shall terminate 90 days after the date on which the Commission submits its report to the Congress under section 3(c).

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

To carry out the provisions of this Act, there are authorized to be appropriated \$8,000,000.

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**FROM  
BLACKS IN GOVERNMENT (BIG)  
NATIONAL DELEGATES ASSEMBLY 2004**

## **Support Reparations for African Americans**

WHEREAS, at the conclusion of the Civil War, the plan for the economic redistribution of land and resources on behalf of the former slaves of the Confederacy was never enacted; and

WHEREAS, the failure to distribute land prevented newly freed Blacks from achieving true autonomy and made their civil and political rights all but meaningless; and

WHEREAS, conditions comparable to "economic depression" continue for millions of African Americans in communities where unemployment often exceeds 50 percent; and

WHEREAS, unabated narcotics trafficking and gang killings as a result of these economic realities can be traced to the broken promise that each slave would receive "forty acres, fifty dollars, and a mule"; and

WHEREAS, William R. Vaughan timely secured the introduction of nine bills starting in 1890 in succession to the Congress, none of which ever became law. All of the bills were identical; each providing a pension to ex-slaves based on a scale. Ex-slaves 70 years and older were to receive an initial payment of \$500 and \$15 a month; ex-slaves 60-70 years would receive \$300 and \$12 a month; ex-slaves 50-60 years would receive \$100 and \$8 a month; and those ex-slaves less than 50 years old would not receive an initial payment, but a \$4 a month pension.

WHEREAS, the economic gains that were temporarily experienced by the Black middle class following the passage of the Civil Rights Bill of 1964 and President Lyndon B. Johnson's Executive Order 11246 have been seriously eroded by the failure to enforce the same and by the Supreme Court's attack and the U.S. House of Representatives' attack on affirmative action; and

WHEREAS, Supreme Court Justice Clarence Thomas and conservative scholar Dr. Shelby Steele have both contended that the danger facing civil rights in America is not the absence of law, but failure to enforce existing laws; and

WHEREAS, January 5, 1993, Congressman John Conyers Jr. (D-Mich.) introduced H.R. 40 to the House of Representatives, calling for the establishment of the Commission to Study Reparation Proposals for African Americans, "acknowledging the fundamental injustice, cruelty, brutality and inhumanity of slavery in the United States from 1619 to the present day," for the purpose of submitting a report to Congress for further action and consideration with respect to slavery's effects on African American lives, economics, and politics;

Therefore, be it resolved:

(1) that the National Organization of Blacks in Government through its National Board of Directors and the National Executive Committee, all regions and chapters support the discussion and study of reparation for African Americans;

(2) that the National Organization of Blacks in Government through its National Board of Directors and the National Executive Committee, all regions and chapters petition the President, Vice President, and the United States House of Representatives to support the passage and signing of H.R. 40;

(3) that a written copy of this resolution be delivered to the President and Vice President of the United States.

ADOPTED BY THE NATIONAL DELEGATES ASSEMBLY, BLACKS IN GOVERNMENT IN SESSION, AUGUST 15 AND 16, 2004 IN WASHINGTON, DC.

## **Contacting Congress<sup>1</sup>**

Contrary to popular belief, a concise and well written personal letter written to a Member of Congress is an effective way to influence these lawmakers. However, you should be mindful that they get hundreds of letters, calls and emails every day. Whatever method you use to communicate with a Member of Congress, please take a look at some tips to help your letter have the impact you desire.

### **“All Politics Is Local”**

Former Congressman Thomas Phillip (Tip) O’Neill is know for the quote that reminds all politicians that no matter what political office you are seeking, most issues to the voters are local issues. As it relates to communicating with a Member of Congress, it is usually best to send letters to the Representative from your local Congressional District or the Senators from your state. Your vote helps elect them -- or not -- and that fact alone carries a lot of weight. It also helps to personalize your letter. Sending the same "cookie-cutter" message to every member of Congress may grab attention but rarely much consideration.

### **Keep It Simple**

Your letter should address a single topic or issue. Typed, one-page letters are best. Many Political Action Committees recommend a three-paragraph letter structured like this:

1. Say why you are writing and who you are. List your "credentials." (If you want a response, you must include your name and address, even when using email.)
2. Provide more detail. Be factual not emotional. Provide specific rather than general information about how the topic affects you and others. If a certain bill is involved, [cite the correct title or number](#) whenever possible.
3. Close by requesting the action you want taken: a vote for or against a bill, or change in general policy.

The best letters are courteous, to the point, and include specific supporting examples.

## **Addressing Members Of Congress**

### **To Your Senator:**

The Honorable (full name)  
(Room #) (Name) Senate Office Building  
United States Senate  
Washington, DC 20510

Dear Senator:

### **To Your Representative:**

The Honorable (full name)  
(Room #) (Name) House Office Building  
United States House of Representatives  
Washington, DC 20515

Dear Representative:

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<sup>1</sup> Reference: About.Com

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When writing to the Chairperson of a Committee or the Speaker of the House, address them as:  
*Dear Mr. Chairman, Dear Madam Chairwoman, Dear Mr. Speaker, Dear Madam Speaker*

The above addresses should be used in email messages, as well as those sent through the Postal Service.

## **Other Methods to Communicate With Congress**

### **Plan a Visit**

As a concerned citizen, you can plan a visit to the offices of your two Senators or congressional representatives. Meetings can be scheduled at the elected official's district office(s) in your state or in Washington, DC. Ideally, you should call and make an appointment with either the elected official or the official's Legislative Assistant.

### **Phone Calls**

You may phone the United States Capitol switchboard at (202) 224-3121 for the U.S. Senate or U.S. House of Representatives. An operator will connect you directly with the elected official's you request. The phone numbers for members of the House Committee on the Judiciary may also be found at the committee member's web sites on Page 11. When you call to request a meeting, ask to speak to the scheduler.

### **Sending a Fax or Email**

You are advised to fax your correspondence to the Capitol Hill offices. Incoming mail is screened for possible contaminants and subject to lengthy delays. Call the Capitol Hill switchboard at (202) 224-3121, ask to be connected to the office you are trying to reach, and then request the member's fax number. (Fax numbers can also be found on the member's web site.) Alternatively, you can send an e-mail expressing your support for HR 40 to your members of Congress. Please send a blind copy of your e-mail to the BIG Legislative Review Committee.

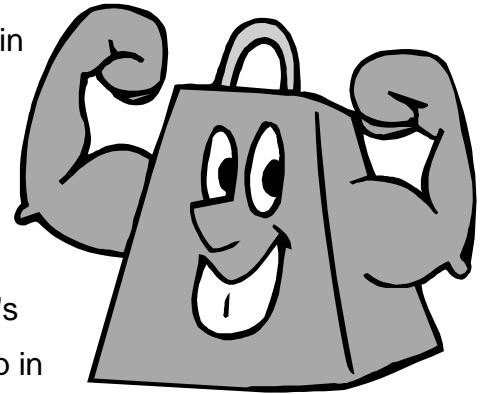
The Internet is a great source of electronic contact information for the current Congress. You can have easy access to forms that allow you to add your contact information, write your narrative and hit the enter key.

### **Addresses & Phone Numbers for the 109th Congress**

As a great resource to you, please access this web site: <http://www.visi.com/juan/congress/> .

## **Add Strengths, Avoid Weaknesses**

Here are some key things you should always and never do in writing to your elected representatives.



### **ALWAYS**

1. Be courteous and respectful without "gushing."
2. Clearly and simply state the purpose of your letter. If it's about a certain bill, [identify it correctly](#). If you need help in finding the number of a bill, use the [Thomas Legislative Information System](#).
3. Say who you are. Anonymous letters go nowhere. Even in email, include your correct name, address, phone number and email address. If you don't include at least your name and address, you will not get a response.
4. State any professional credentials or personal experience you may have, especially those pertaining to the subject of your letter.
5. Keep your letter short -- one page is best.
6. Use specific examples or evidence to support your position.
7. State what it is you want done or recommend a course of action.
8. Thank the member for taking the time to read your letter.

### **NEVER**

1. Use vulgarity, profanity, or threats. The first two are just plain rude and the third one can get you a visit from the Secret Service. Simply stated, don't let your passion get in the way of making your point,
2. Fail to include your name and address, even in email letters.
3. Demand a response.

## **Members Of The House Committee On The Judiciary**

The current chairmen of the committee are Republican Jim Sensenbrenner of Wisconsin, and the ranking minority member is Democrat John Conyers of Michigan.

- [Jim Sensenbrenner](#) (R-WI),
- [Henry J. Hyde](#) (R-IL)
- [Howard Coble](#) (R-NC)
- [Lamar S. Smith](#) (R-TX)
- [Elton Gallegly](#) (R-CA)
- [Bob Goodlatte](#) (R-VA)
- [Steve Chabot](#) (R-OH)
- [William L. Jenkins](#) (R-TN)
- [Chris Cannon](#) (R-UT)
- [Spencer Bachus](#) (R-AL)
- [John N. Hostettler](#) (R-IN)
- [Mark Green](#) (R-WI)
- [Ric Keller](#) (R-FL)
- [Melissa A. Hart](#) (R-PA)
- [Jeff Flake](#) (R-AZ)
- [Mike Pence](#) (R-IN)
- [J. Randy Forbes](#) (R-VA)
- [Steve King](#) (R-IA)
- [John R. Carter](#) (R-TX)
- [Tom Feeney](#) (R-FL)
- [Marsha Blackburn](#) (R-TN)
- [John Conyers](#) (D-MI)
- [Howard L. Berman](#) (D-CA)
- [Rick Boucher](#) (D-VA)
- [Jerrold Nadler](#) (D-NY)
- [Robert C. Scott](#) (D-VA)
- [Melvin L. Watt](#) (D-NC)
- [Zoe Lofgren](#) (D-CA)
- [Sheila Jackson-Lee](#) (D-TX)
- [Maxine Waters](#) (D-CA)
- [Martin T. Meehan](#) (D-MA)
- [William D. Delahunt](#) (D-MA)
- [Robert Wexler](#) (D-FL)
- [Tammy Baldwin](#) (D-WI)
- [Anthony D. Weiner](#) (D-NY)
- [Adam B. Schiff](#) (D-CA)
- [Linda T. Sánchez](#) (D-CA)

## **Sample Letter To Members Of Congress**

The Honorable \_\_\_\_\_  
United States House of Representatives  
Washington, D.C. 20515

Dear Representative \_\_\_\_\_

In January of 1989, the Honorable, Congressman Conyers first introduced H.R. 40, [Commission to Study Reparation Proposals for African Americans Act](#). He has re-introduced HR 40 every Congress since 1989, and will continue to do so until it's passed into law.

Over 4 million Africans and their descendants were enslaved in the United States and its colonies from 1619 to 1865, and as a result, the United States was able to begin its grand place as the most prosperous country in the free world.

It is a fact that slavery flourished in the United States and constituted an immoral and inhumane deprivation of African slaves' lives, liberty and cultural heritage. As a result, millions of African Americans today continue to suffer great injustices.

Please review HR 40 and give Congress the support needed to have this bill passed through the Judiciary Committee of the House. It will finally give our nation a chance to start the healing process.

Sincerely,

**(Please personalize your letter for maximum effect)**

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National Legislative Review**

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## Information Sheet

Blacks In Government's (BIG) 2005 Legislative Agenda includes a grassroots campaign to actively engage its membership in the public policy arena and achieve the positive outcome of legislative issues important to BIG members. This information sheet collects information on contacts with elected officials and is one of the essential elements of our campaign to organize and communicate.

After you have complete this short information sheet and submit it to the National Legislative Review Committee, your response will be complied and analyzed in a national effort to effectively advocate the interests of Blacks In Government.

BIG Member's Name: \_\_\_\_\_ Region: \_\_\_\_\_

Elected Official Contacted: \_\_\_\_\_

Date Contacted: \_\_\_\_\_

Method of Contact:  Visit  Letter  Email  Telephone  Fax

Legislative Matter Addressed: \_\_\_\_\_

Comments: \_\_\_\_\_

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