

118TH CONGRESS
1ST SESSION

H. R. 1077

To posthumously award a congressional gold medal to Constance Baker Motley, in recognition of her enduring contributions and service to the United States.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2023

Ms. DELAURO (for herself, Mr. CLYBURN, Mr. MEEKS, Ms. CLARKE of New York, and Mr. TORRES of New York) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To posthumously award a congressional gold medal to Constance Baker Motley, in recognition of her enduring contributions and service to the United States.

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 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

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

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

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

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

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

1 (6) Constance Baker Motley’s only loss before
2 the United States Supreme Court was in *Swain v.*
3 *Alabama*, 380 U.S. 202 (1965), a case in which the
4 Supreme Court refused to proscribe race-based pe-
5 remptory challenges in cases involving African-Amer-
6 ican defendants, and which was later reversed in
7 *Batson v. Kentucky*, 476 U.S. 79 (1986), on
8 grounds that were largely asserted by Constance
9 Baker Motley in the *Swain* case.

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

13 (8) In 1965, Constance Baker Motley became
14 the first African-American woman, and the first
15 woman, to serve as president of the Borough of
16 Manhattan.

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

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

1 (11) The appointment of Constance Baker Mot-
2 ley made her the first African-American woman, and
3 only the fifth woman, appointed and confirmed for
4 a Federal judgeship.

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

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

13 (14) Constance Baker Motley passed away on
14 September 28, 2005, and is survived by her son,
15 Joel W. Motley III, 3 grandchildren, and nieces and
16 nephews in Connecticut and in other States.

17 (15) September 14, 2021, was the 100th anni-
18 versary of the birth of Constance Baker Motley.

19 **SEC. 3. CONGRESSIONAL GOLD MEDAL.**

20 (a) PRESENTATION AUTHORIZED.—The President
21 pro tempore of the Senate and the Speaker of the House
22 of Representatives are authorized to make appropriate ar-
23 rangements for the posthumous award, on behalf of Con-
24 gress, of a gold medal of appropriate design in commemo-

1 ration of Constance Baker Motley, in recognition of her
2 enduring contributions and service to the United States.

3 (b) DESIGN AND STRIKING.—

4 (1) IN GENERAL.—For the purpose of the
5 award referred to in subsection (a), the Secretary of
6 the Treasury (in this Act referred to as the “Sec-
7 retary”) shall strike a gold medal with suitable em-
8 blems, devices, and inscriptions, to be determined by
9 the Secretary.

10 (2) IMAGE.—The emblems, devices, and inscrip-
11 tions determined by the Secretary shall include an
12 image of Constance Baker Motley and an inscription
13 of the name of Constance Baker Motley.

14 (c) PRESENTATION.—With respect to the award de-
15 scribed under subsection (a), the award shall be presented
16 to Constance Baker Motley’s son, Joel Motley III, and her
17 niece, Constance Royster.

18 (d) DISPOSITION OF MEDAL.—Following the award
19 of the gold medal under subsection (a), the gold medal
20 shall be given to Joel Motley III.

21 **SEC. 4. DUPLICATE MEDALS.**

22 The Secretary may strike and sell duplicates in
23 bronze of the gold medal struck under section 3, at a price
24 sufficient to cover the cost thereof, including labor, mate-
25 rials, dies, use of machinery, and overhead expenses.

1 **SEC. 5. NATIONAL MEDALS.**

2 (a) NATIONAL MEDAL.—All medals struck under this
3 Act are national medals for purposes of chapter 51 of title
4 31, United States Code.

5 (b) NUMISMATIC ITEMS.—For purposes of sections
6 5134 and 5136 of title 31, United States Code, all medals
7 struck under this Act shall be considered to be numismatic
8 items.

9 **SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF**
10 **SALE.**

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 costs of the medals struck under
15 this Act.

16 (b) PROCEEDS OF SALE.—Amounts received from the
17 sale of duplicate bronze medals authorized under section
18 4 shall be deposited into the United States Mint Public
19 Enterprise Fund.

○