

119TH CONGRESS
1ST SESSION

H. R. 40

To address 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 study and consider a national apology and proposal for reparations for the institution of slavery, its 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

JANUARY 3, 2025

Ms. PRESSLEY introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To address 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 study and consider a national apology and proposal for reparations for the institution of slavery, its 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.

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 “Commission to Study
5 and Develop Reparation Proposals for African Americans
6 Act”.

7 **SEC. 2. FINDINGS AND PURPOSE.**

8 (a) FINDINGS.—The Congress finds that—

9 (1) approximately 4,000,000 Africans and their
10 descendants were enslaved in the United States and
11 colonies that became the United States from 1619 to
12 1865;

13 (2) the institution of slavery was constitu-
14 tionally and statutorily sanctioned by the Govern-
15 ment of the United States from 1789 through 1865;

16 (3) the slavery that flourished in the United
17 States constituted an immoral and inhumane depri-
18 vation of Africans’ life, liberty, African citizenship
19 rights, and cultural heritage, and denied them the
20 fruits of their own labor;

21 (4) a preponderance of scholarly, legal, commu-
22 nity evidentiary documentation and popular culture
23 markers constitute the basis for inquiry into the on-
24 going effects of the institution of slavery and its leg-
25 acy of persistent systemic structures of discrimina-

1 tion on living African Americans and society in the
2 United States;

3 (5) the brutal overthrow of Reconstruction,
4 which represented a significant but constrained mo-
5 ment of advances for Black rights as epitomized by
6 the 13th, 14th, and 15th Amendments to the Con-
7 stitution, the Civil Rights Acts of 1866 and 1875
8 and the Freedman’s Bureau, failed African Ameri-
9 cans by failing to ensure their safety and security;

10 (6) following the abolition of slavery and end of
11 Reconstruction the United States Government,
12 through laws enacted at the Federal, State, and
13 local level, continued to perpetuate, condone and
14 profit from practices that continued to brutalize and
15 disadvantage African Americans, including share
16 cropping, convict leasing, Jim Crow, redlining, un-
17 equal education, and disproportionate treatment at
18 the hands of the criminal justice system, resulting in
19 stolen labor and ultimately forestalling landmark
20 contributions in science, arts, commerce and public
21 service;

22 (7) the civil rights movement, and other efforts
23 to redress grievances arising from systemic inequi-
24 ties, were sabotaged, both intentionally and uninten-
25 tionally, thus rendering the accomplishments of

1 those efforts transitory and unsustainable, and fur-
2 ther embedding racial inequality in society;

3 (8) examples of discriminatory Federal Govern-
4 ment actions directed against African Americans in-
5 clude—

6 (A) the creation of the Federal Housing
7 Administration, which adopted specific policies
8 designed to incentivize residential segregation;

9 (B) the enactment of legislation creating
10 the Social Security program, for which most Af-
11 rican Americans were purposely rendered ineli-
12 gible during its first two decades;

13 (C) the Servicemen’s Readjustment Act of
14 1944 (commonly known as the GI Bill of
15 Rights; 58 Stat. 284, chapter 268), which left
16 administration of its programs to the States,
17 thus enabling discrimination against African-
18 American veterans; and

19 (D) the Fair Labor Standards Act of
20 1938, which allowed labor unions to discrimi-
21 nate based on race; and

22 (9) as a result of the historic and continued dis-
23 crimination, African Americans continue to suffer
24 debilitating economic, educational, and health hard-
25 ships including but not limited to having nearly

1 1,000,000 Black people incarcerated; an unemploy-
2 ment rate more than twice the current White unem-
3 ployment rate; and an average of less than $\frac{1}{16}$ of
4 the wealth of White families, a disparity which has
5 worsened, not improved over time.

6 (b) PURPOSE.—The purpose of this Act is to estab-
7 lish a commission to study and develop Reparation pro-
8 posals for African Americans as a result of—

9 (1) the institution of slavery, including both the
10 Trans-Atlantic and the domestic “trade” which ex-
11 isted from 1565 in colonial Florida and from 1619
12 through 1865 within the other colonies that became
13 the United States, and which included the Federal
14 and State governments which constitutionally and
15 statutorily supported the institution of slavery;

16 (2) the de jure and de facto discrimination
17 against freed slaves and their descendants from the
18 end of the Civil War to the present, including eco-
19 nomic, political, educational, and social discrimina-
20 tion;

21 (3) the lingering negative effects of the institu-
22 tion of slavery and the discrimination described in
23 paragraphs (1) and (2) on living African Americans
24 and on society in the United States;

1 (4) the manner in which textual and digital in-
2 structional resources and technologies are being used
3 to deny the inhumanity of slavery and the crime
4 against humanity of people of African descent in the
5 United States;

6 (5) the role of Northern complicity in the
7 Southern based institution of slavery;

8 (6) the direct benefits to societal institutions,
9 public and private, including higher education, cor-
10 porations, religious, and associational;

11 (7) and thus, recommend appropriate ways to
12 educate the American public of the Commission’s
13 findings to advance racial healing, understanding,
14 and transformation;

15 (8) and thus, recommend appropriate remedies
16 in consideration of the Commission’s findings on the
17 matters described in paragraphs (1) through (7);
18 and

19 (9) submit to the Congress the results of such
20 examination, together with such recommendations.

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

22 (a) ESTABLISHMENT.—There is established in the
23 legislative branch the Commission to Study and Develop
24 Reparation Proposals for African Americans (hereinafter
25 in this Act referred to as the “Commission”).

1 (b) DUTIES.—The Commission shall perform the fol-
2 lowing duties:

3 (1) Identify, compile, and synthesize the rel-
4 evant corpus of evidentiary documentation of the in-
5 stitution of slavery which existed within the United
6 States and the colonies that became the United
7 States from 1619 through 1865. The Commission’s
8 documentation and examination shall include facts
9 related to—

10 (A) the capture and procurement of Afri-
11 cans;

12 (B) the transport of Africans to the United
13 States and the colonies that became the United
14 States for the purpose of enslavement, including
15 their treatment during transport;

16 (C) the sale and acquisition of Africans
17 and their descendants as chattel property in
18 interstate and intrastate commerce;

19 (D) the treatment of African slaves and
20 their descendants in the colonies and the
21 United States, including the deprivation of their
22 freedom, exploitation of their labor, and de-
23 struction of their culture, language, religion,
24 and families; and

1 (E) the extensive denial of humanity, sexual abuse, and the chattelization of persons.

2
3 (2) Study and analyze the role 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 formerly enslaved Africans and their descendants to repatriate to their homeland.

4
5
6
7
8
9
10 (3) Study and analyze the effects of laws enacted by the Federal Government and State governments with discriminatory intent or discriminatory effect on the formerly enslaved Africans and their descendants following the overdue recognition of such persons as United States citizens beginning in 1868.

11
12
13
14
15
16
17 (4) Study and analyze the other forms of discrimination in the public and private sectors against freed African slaves and their descendants who were belatedly accorded their rightful status as United States citizens from 1868 to the present, including redlining, educational funding discrepancies, and predatory financial practices.

18
19
20
21
22
23
24 (5) Study and analyze the lingering negative effects of the institution of slavery and the matters de-

1 scribed in paragraphs (1) through (7) of section 2(b)
2 on living African Americans and on society in the
3 United States.

4 (6) Recommend appropriate ways to educate
5 the American public of the Commission's findings to
6 advance racial healing, understanding, and trans-
7 formation.

8 (7) Recommend appropriate remedies in consid-
9 eration of the Commission's findings on the matters
10 described in paragraphs (1), (2), (3), (4), (5), and
11 (6). In making such recommendations, the Commis-
12 sion shall address, among other issues, the following
13 questions:

14 (A) How such recommendations comport
15 with international standards of remedy for
16 wrongs and injuries caused by the State, that
17 include full reparations and special measures,
18 as understood by various relevant international
19 protocols, laws, and findings.

20 (B) How the Government of the United
21 States will offer a formal apology on behalf of
22 the people of the United States for the per-
23 petration of gross human rights violations and
24 crimes against humanity on African slaves and
25 their descendants.

1 (C) How Federal laws and policies that
2 continue to disproportionately and negatively
3 affect African Americans as a group, and those
4 that perpetuate the lingering effects, materially
5 and psycho-social, can be eliminated.

6 (D) How the injuries resulting from mat-
7 ters described in paragraphs (1), (2), (3), (4),
8 (5), and (6) can be reversed and provide appro-
9 priate policies, programs, projects, and rec-
10 ommendations for the purpose of reversing the
11 injuries.

12 (E) How, in consideration of the Commis-
13 sion's findings, any form of compensation to the
14 descendants of enslaved Africans is calculated.

15 (F) What form of compensation should be
16 awarded, through what instrumentalities, and
17 who should be eligible for such compensation.

18 (G) How, in consideration of the Commis-
19 sion's finding, what forms of satisfaction, in ad-
20 dition to apology, should be implemented in an
21 effort toward return of dignity and racial heal-
22 ing, and reconciliation.

23 (H) How, in consideration of the Commis-
24 sion's findings, any other forms of rehabilita-
25 tion or restitution to African descendants is

1 warranted and what the form and scope of
2 those measures should take.

3 (c) REPORT TO CONGRESS.—The Commission shall
4 submit a written report of its findings and recommenda-
5 tions to the Congress not later than the date which is 18
6 months after the date of the first meeting of the full Com-
7 mission held pursuant to section 4(f).

8 **SEC. 4. MEMBERSHIP.**

9 (a) NUMBER AND APPOINTMENT.—

10 (1) MEMBERSHIP.—The Commission shall be
11 composed of 15 members, who shall be appointed as
12 follows:

13 (A) POLITICALLY APPOINTED MEMBERS.—
14 Not later than 60 days after the date of enact-
15 ment of this Act:

16 (i) Three members shall be appointed
17 by the President.

18 (ii) Three members shall be appointed
19 by the Speaker of the House of Represent-
20 atives, in consultation with the committee
21 of jurisdiction of the House.

22 (iii) Three members shall be ap-
23 pointed by the President pro tempore of
24 the Senate, in consultation with the com-
25 mittee of jurisdiction of the Senate.

1 (B) SUBJECT MATTER EXPERTS.—Not
2 later than 60 days after the appointment of the
3 Director under section 6(a), six members, who
4 shall be individuals appointed by the Director,
5 and approved by a majority of the members ap-
6 pointed under subparagraph (A). Such individ-
7 uals shall be from the major civil society and
8 reparations organizations that have historically
9 championed the cause of reparatory justice.

10 (2) QUALIFICATIONS.—All members of the
11 Commission shall be persons who are especially
12 qualified to serve on the Commission by virtue of
13 their education, training, activism or experience,
14 particularly in the field of African-American studies
15 and reparatory justice.

16 (3) LIMITATION.—No person who is a member
17 of Congress or an officer or employee of the Federal
18 Government or any State or local government may
19 serve as a member of the Commission.

20 (b) TERMS.—The term of office for members shall
21 be for the life of the Commission. A vacancy in the Com-
22 mission shall not affect the powers of the Commission and
23 shall be filled in the same manner in which the original
24 appointment was made.

1 (c) QUORUM.—Seven members of the Commission
2 shall constitute a quorum, but a lesser number may hold
3 hearings.

4 (d) VACANCIES.—Any vacancy on the Commission
5 shall—

6 (1) not affect the powers of the Commission;
7 and

8 (2) be filled in the same manner in which the
9 original appointment was made.

10 (e) CHAIR AND VICE-CHAIR.—There shall be a Chair
11 and a Vice Chair of the Commission selected jointly by
12 the majority leader of the Senate and the Speaker of the
13 House of Representatives, in consultation with the com-
14 mittees of jurisdiction. The term of office of each shall
15 be for the life of the Commission.

16 (f) INITIAL MEETING OF FULL COMMISSION.—The
17 Chair shall call an initial meeting of the full Commission
18 not later than 45 days after the appointment of all mem-
19 bers under subsection (a)(1)(B).

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

21 (a) HEARINGS AND EVIDENCE.—The Commission
22 may, for purposes of carrying out this Act—

23 (1) hold hearings, sit and act at times and
24 places, take testimony, receive evidence, and admin-
25 ister oaths; and

1 (2) require, by subpoena or otherwise, the at-
2 tendance and testimony of witnesses and the produc-
3 tion of books, records, correspondence, memoranda,
4 papers, and documents.

5 (b) SUBPOENAS.—

6 (1) SERVICE.—Subpoenas issued under this
7 section may be served by any person designated by
8 the Commission.

9 (2) ENFORCEMENT.—

10 (A) IN GENERAL.—In the case of contu-
11 macy or failure to obey a subpoena issued
12 under this section, the United States district
13 court for the judicial district in which the sub-
14 poenaed person resides, is served, or may be
15 found, or where the subpoena is returnable,
16 may issue an order requiring such person to ap-
17 pear at any designated place to testify or to
18 produce documentary or other evidence. Any
19 failure to obey the order of the court may be
20 punished by the court as a contempt of that
21 court.

22 (B) ADDITIONAL ENFORCEMENT.—Sec-
23 tions 102 through 104 of the Revised Statutes
24 of the United States (2 U.S.C. 192 through
25 194) shall apply in the case of any failure of

1 any witness to comply with any subpoena or to
2 testify when summoned under the authority of
3 this section.

4 (C) ISSUANCE.—A subpoena may be issued
5 under this section only—

6 (i) by the agreement of the Chair and
7 the Vice Chair; or

8 (ii) by the affirmative vote of a major-
9 ity of the Commission, a majority being
10 present.

11 (e) CONTRACTING.—To the extent or in amounts pro-
12 vided in Appropriations acts, and subject to the applicable
13 laws and regulations, the Commission may enter into con-
14 tracts with government entities, private entities, or per-
15 sons for goods or services, including for conducting re-
16 search or surveys, the preparation of reports, and other
17 activities necessary for the discharge of the duties of the
18 Commission.

19 (d) INFORMATION FROM FEDERAL AGENCIES AND
20 OTHER ENTITIES.—The Commission may secure directly
21 from any department, agency, bureau, board, commission,
22 office, independent establishment, or instrumentality of
23 the United States any information related to any inquiry
24 of the Commission conducted under this Act, including in-
25 formation of a confidential nature (which the Commission

1 shall maintain in a secure manner). Each such depart-
2 ment, agency, bureau, board, commission, office, inde-
3 pendent establishment, or instrumentality shall furnish
4 such information directly to the Commission upon request.

5 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
6 the request of the Commission—

7 (1) the Administrator of General Services shall
8 provide to the Commission, on a reimbursable basis,
9 the administrative support services necessary for the
10 Commission to carry out its responsibilities under
11 this Act; and

12 (2) other Federal departments and agencies
13 may provide to the Commission any administrative
14 support services as may be determined by the head
15 of such department or agency to be advisable and
16 authorized by law.

17 (f) DONATIONS OF GOODS AND SERVICES.—The
18 Commission may accept, use, and dispose of gifts or dona-
19 tions of services or property.

20 (g) POSTAL SERVICES.—The Commission may use
21 the United States mails in the same manner and under
22 the same conditions as departments and agencies of the
23 United States.

24 (h) POWERS OF SUBCOMMITTEES, MEMBERS, AND
25 AGENTS.—Any subcommittee, member, or agent of the

1 Commission may, if authorized by the Commission, take
2 any action which the Commission is authorized to take by
3 this section.

4 **SEC. 6. ADMINISTRATIVE PROVISIONS.**

5 (a) **DIRECTOR.**—The Commission shall have a Direc-
6 tor who shall be, not later than 60 days after the appoint-
7 ment of all members appointed under section 4(a)(1)(A),
8 jointly selected by the Chair and Vice Chair, subject to
9 approval by a majority vote of such members.

10 (b) **STAFF.**—The Chair and the Vice Chair may joint-
11 ly appoint additional personnel, as may be necessary, to
12 enable the Commission to carry out its functions.

13 (c) **APPLICABILITY OF CERTAIN CIVIL SERVICE**
14 **LAWS.**—The Director and staff of the Commission may
15 be appointed without regard to the provisions of title 5,
16 United States Code, governing appointments in the com-
17 petitive service, and may be paid with out regard to the
18 provisions of chapter 51 and subchapter III of chapter 53
19 of such title relating to classification and General Schedule
20 pay rates, except that no rate of pay fixed under this para-
21 graph may exceed the equivalent of that payable for a po-
22 sition at level V of the Executive Schedule under section
23 5316 of title 5, United States Code. Any individual ap-
24 pointed under this section shall be treated as an employee

1 for purposes of chapters 63, 81, 83, 84, 85, 87, 89, 89A,
2 89B, and 90 of that title.

3 (d) DETAILEES.—Any Federal Government employee
4 may be detailed to the Commission without reimbursement
5 from the Commission, and such detailee shall retain the
6 rights, status, and privileges of his or her regular employ-
7 ment without interruption.

8 (e) CONSULTANT SERVICES.—The Commission is au-
9 thorized to procure the services of experts and consultants
10 in accordance with section 3109 of title 5, United States
11 Code, but at rates not to exceed the daily rate paid a per-
12 son occupying a position at level IV of the Executive
13 Schedule under section 5315 of title 5, United States
14 Code.

15 (f) COMPENSATION AND TRAVEL EXPENSES.—

16 (1) COMPENSATION.—Each member of the
17 Commission may be compensated at a rate not to
18 exceed the daily equivalent of the annual rate of
19 basic pay in effect for a position at level IV of the
20 Executive Schedule under section 5315 of title 5,
21 United States Code, for each day during which that
22 member is engaged in the actual performance of the
23 duties of the Commission.

24 (2) TRAVEL EXPENSES.—While away from
25 their homes or regular places of business in the per-

1 formance of services for the Commission, members
2 of the Commission shall be allowed travel expenses,
3 including per diem in lieu of subsistence, in the
4 same manner as persons employed intermittently in
5 the Government service are allowed expenses under
6 section 5703(b) of title 5, United States Code.

7 (g) NONAPPLICABILITY OF FEDERAL ADVISORY
8 COMMITTEE ACT.—The Federal Advisory Committee Act
9 (5 U.S.C. App.) shall not apply to the Commission.

10 **SEC. 7. TERMINATION.**

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

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

15 To carry out the provisions of this Act, there are au-
16 thorized to be appropriated \$20,000,000.

○