

George W. Bush Presidential Library

Collection: Executive Clerk, Office of The

Series: Saunders, G. Timothy (Tim) – Bill Files

Folder Title: 09/18/2001 [H. R. 2133]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;
003	Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;
004	Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;
005	Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;
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779

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

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014	Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;
T002	Statement	[Re: H. R. 2133]	1	09/18/2001	Transferred

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 01 01 15

September 19, 2001

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

H.R. 2133 would establish the Brown v. Board of Education 50th Anniversary Commission to plan and coordinate activities to commemorate the 50th anniversary of the May 17, 1954, Supreme Court decision in Brown v. Board of Education. The purpose of the Commission is to plan, develop, coordinate, and encourage observances of the anniversary of the Brown decision.

The Supreme Court decision in *Brown v. Board of Education* found that racial segregation in public education violated the 14th Amendment to the Constitution, which guarantees all citizens equal protection of the laws. The decision ended racial segregation in public schools. The enrolled bill would require the Commission to work with the Department of Education to plan and coordinate activities to commemorate the anniversary, including lectures and public awareness campaigns. The Commission also would work with the Brown Foundation for Education Equity, Excellence, and Research and other public or private entities to encourage, plan, develop, and coordinate appropriate observances of the decision.

The Commission would be comprised of 22 members including: (1) two representatives of the Department of Justice (one of whom would serve as a co-chair); (2) two representatives of the Department of Education (one of whom would serve as a co-chair); (3) 11 presidential appointees representing States involved in the *Brown* decision (Delaware, Kansas, South Carolina, Virginia, and Massachusetts); (4) two representatives of the Judicial branch appointed by the Chief Justice of the United States; (5) two representatives each of the Brown Foundation and the NAACP Legal Defense and Education Fund (NAACP-LDEF); and (6) one representative from the *Brown v. Board of Education* National Historic Site. The 11 presidential appointees are to be appointed after receipt of recommendations, as follows: five recommendations by the majority leader of the Senate, five by the Speaker of the House, and one by the Delegate to the House of Representatives from the District of Columbia.

The Commission would be authorized to appoint and compensate staff and accept and use gifts or donations. The enrolled bill authorizes appropriations totaling \$250,000 for fiscal years 2003 and 2004 to carry out this Act. The Commission would be required to submit interim reports to Congress that describe the Commission's activities and make recommendations for any legislative or administrative actions deemed appropriate. A final report describing the disposition of funds and property would be required by December 31, 2004. The Commission would terminate on February 1, 2005, and all remaining Commission funds would be deposited in the General Fund of the Treasury.

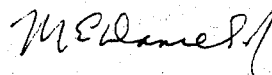
Conclusion and Recommendations

The Department of Education recommends approval of H.R. 2133. Education states that "[e]stablishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our Nation, by developing public education initiatives and coordinating observances."

The Department of Justice has no objection to approval of the bill, but recommends issuance of a signing statement to address a constitutional concern. The statement notes that the Commission would exercise "significant authority" and therefore must be appointed in

conformity with the Appointments Clause of the Constitution. Therefore, the members of the Commission who represent the Judicial branch, Brown Foundation, NAACP-LDEF, and the Brown National Historic Site, who are not so appointed, could serve in an advisory capacity only.

We join Education in recommending approval of H.R. 2133, which passed the House by voice vote and the Senate by unanimous consent. Attached for your consideration is a signing statement that is based on the language submitted by the Department of Justice. The statement was reviewed and approved by the Departments of Justice, Education, and the Interior, the Offices of Personnel Management and Government Ethics, the Office of White House Counsel, the Office of the Vice President, and this Office.



Mitchell E. Daniels, Jr.
Director

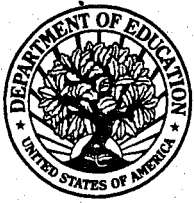
Enclosures

STATEMENT BY THE PRESIDENT

Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

Consistent with the requirements of the Appointments Clause of the Constitution, we welcome the participation, in an advisory capacity, on the Commission of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the Commission. While the Constitution does not permit them to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the Commission. As I exercise my independent power of appointment for 11 members of the Commission under the Appointments Clause and the legislation, I will welcome as a matter of comity the suggestions of the Congressional leadership for those positions.

We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

I am writing in response to your request for my views on enrolled bill H.R. 2133, which would establish a national commission to plan and coordinate the commemoration of the 50th anniversary of the Supreme Court's 1954 decision in Brown v. Board of Education, which outlawed the practice of separate schools for African-American children. I support the enrolled bill and recommend that the President approve it.

The year 2004 will mark the 50th anniversary of this landmark decision, which was an important victory for the civil rights movement and, ultimately, for all Americans. Establishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our nation, by developing public education initiatives and coordinating observances.

I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,

A handwritten signature in black ink that reads "Rod Paige".

Rod Paige

Withdrawal Marker

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For a complete list of items withdrawn from this folder, see the
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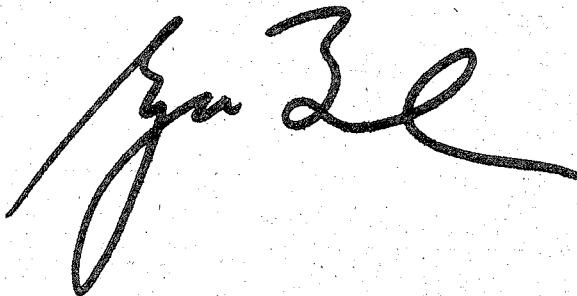
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Consistent with the requirements of the Appointments Clause of the Constitution, I welcome the participation, in an advisory capacity on the commission, of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the commission. While the Constitution does not permit them to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the commission. As I exercise my constitutional power of appointment to name 11 members of the commission, under the Appointments Clause and the enabling legislation, I welcome, as a matter of comity, the suggestions of the congressional leadership for those positions.

I look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in *Brown v. Board of Education*.

A handwritten signature in black ink, appearing to read "G. W. Bush", is written over the text of the statement.

THE WHITE HOUSE,

September 18, 2001.

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THE WHITE HOUSE,

September 18, 2001.

THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

September 19, 2001

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GEORGE W. BUSH

THE WHITE HOUSE,
September 18, 2001.

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THE WHITE HOUSE,

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PMSubject: ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DIIULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m., TONIGHT. Thanks.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

Shurt

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01

ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH

Subject: ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DIIULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m., TONIGHT. Thanks.

Comments from [Signature] 9.19 11:46

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 10:15

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

H.R. 2133 would establish the Brown v. Board of Education 50th Anniversary Commission to plan and coordinate activities to commemorate the 50th anniversary of the May 17, 1954, Supreme Court decision in Brown v. Board of Education. The purpose of the Commission is to plan, develop, coordinate, and encourage observances of the anniversary of the Brown decision.

The Supreme Court decision in Brown v. Board of Education found that racial segregation in public education violated the 14th Amendment to the Constitution, which guarantees all citizens equal protection of the laws. The decision ended racial segregation in public schools. The enrolled bill would require the Commission to work with the Department of Education to plan and coordinate activities to commemorate the anniversary, including lectures and public awareness campaigns. The Commission also would work with the Brown Foundation for Education Equity, Excellence, and Research and other public or private entities to encourage, plan, develop, and coordinate appropriate observances of the decision.

The Commission would be comprised of 22 members, including: (1) two representatives of the Department of Justice (one of whom would serve as a co-chair); (2) two representatives of the Department of Education (one of whom would serve as a co-chair); (3) 11 presidential appointees representing States involved in the Brown decision (Delaware, Kansas, South Carolina, Virginia, and Massachusetts); (4) two representatives of the Judicial branch appointed by the Chief Justice of the United States; (5) two representatives each of the Brown Foundation and the NAACP Legal Defense and Education Fund (NAACP-LDEF); and (6) one representative from the Brown v. Board of Education National Historic Site. The 11 presidential appointees are to be appointed after receipt of recommendations, as follows: five recommendations by the majority leader of the Senate, five by the Speaker of the House, and one by the Delegate to the House of Representatives from the District of Columbia.

The Commission would be authorized to appoint and compensate staff and accept and use gifts or donations. The enrolled bill authorizes appropriations totaling \$250,000 for fiscal years 2003 and 2004 to carry out this Act. The Commission would be required to submit interim reports to Congress that describe the Commission's activities and make recommendations for any legislative or administrative actions deemed appropriate. A final report describing the disposition of funds and property would be required by December 31, 2004. The Commission would terminate on February 1, 2005, and all remaining Commission funds would be deposited in the General Fund of the Treasury.

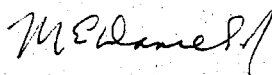
Conclusion and Recommendations

The Department of Education recommends approval of H.R. 2133. Education states that "[e]stablishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our Nation, by developing public education initiatives and coordinating observances."

The Department of Justice has no objection to approval of the bill, but recommends issuance of a signing statement to address a constitutional concern. The statement notes that the Commission would exercise "significant authority" and therefore must be appointed in

conformity with the Appointments Clause of the Constitution. Therefore, the members of the Commission who represent the Judicial branch, Brown Foundation, NAACP-LDEF, and the Brown National Historic Site, who are not so appointed, could serve in an advisory capacity only.

We join Education in recommending approval of H.R. 2133, which passed the House by voice vote and the Senate by unanimous consent. Attached for your consideration is a signing statement that is based on the language submitted by the Department of Justice. The statement was reviewed and approved by the Departments of Justice, Education, and the Interior, the Offices of Personnel Management and Government Ethics, the Office of White House Counsel, the Office of the Vice President, and this Office.



Mitchell E. Daniels, Jr.
Director

Enclosures

STATEMENT BY THE PRESIDENT

Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

Consistent with the requirements of the Appointments Clause of the Constitution, we welcome the participation, in an advisory capacity, on the Commission, of representatives of the Judiciary, the Brown Foundation for Education Equity, Excellence, and Research, the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the Commission. While the Constitution does not permit them to participate in the performance of Executive functions, their advice will be crucial to the effective functioning of the Commission. As I exercise my ^{constitutional} independent power of appointment ^{to designate} for 11 members of the Commission, under the Appointments Clause and the legislation, I ^{enabling} will welcome, as a matter of comity, the suggestions of the Congressional leadership for those positions. STEP

We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

I am writing in response to your request for my views on enrolled bill H.R. 2133, which would establish a national commission to plan and coordinate the commemoration of the 50th anniversary of the Supreme Court's 1954 decision in Brown v. Board of Education, which outlawed the practice of separate schools for African-American children. I support the enrolled bill and recommend that the President approve it.

The year 2004 will mark the 50th anniversary of this landmark decision, which was an important victory for the civil rights movement and, ultimately, for all Americans. Establishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our nation, by developing public education initiatives and coordinating observances.

I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,

A handwritten signature in black ink, reading "Rod Paige", is positioned below the word "Sincerely,". The signature is fluid and cursive.

Rod Paige

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

09/18/2001 [H. R. 2133]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE:

H.R. 2133 - Brown vs Board of Education 50th Anniversary Commission

TYPE DOCUMENT:

PROCLAMATION

LETTER(S)

EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER:

RECEIVED:

(Advance:

In final:

9/18/01
/ / 01

Time:

Time:

8:13 a.m. / p.m.)
a.m. / p.m.

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance:

In final:

9/18/01
/ / 01

Time:

Time:

9:00 a.m. / p.m.)
a.m. / p.m.

TO HARRIET MIERS' OFFICE:

(For staffing:

In final:

/ / 01
/ / 01

Time:

Time:

a.m. / p.m.)
a.m. / p.m.

*INFO, INCLUDING STENCIL AND DISC, TO PRESS OFFICE:

Date:

POSTED:

/ / 01
/ / 01

Time:

Time:

a.m. / p.m.)
a.m. / p.m.

NOTIFICATIONS:

(Person/time)

NSC (#), when appropriate -- Desk Officer;
W.H. Situation Room -- x6-9425.

Ginger Gregory, x6-2230, Legislative Affairs
(for messages to the Congress)

(Person/time)

(Other)

(Person/time)

(Other)

OTHER INFORMATION:

Note: Bill already signed by the President on
Tuesday the 18th.
- Harriett has seen a draft of the statement

STATEMENT BY THE PRESIDENT

Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

Consistent with the requirements of the Appointments Clause of the Constitution, we welcome the participation, in an advisory capacity, on the Commission of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the Commission. While the Constitution does not permit them to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the Commission. As I exercise my independent power of appointment for 11 members of the Commission under the Appointments Clause and the legislation, I will welcome as a matter of comity the suggestions of the Congressional leadership for those positions.

We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.

One Hundred Seventh Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

To establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. FINDINGS.

The Congress finds that as the Nation approaches May 17, 2004, marking the 50th anniversary of the Supreme Court decision in *Oliver L. Brown et al. v. Board of Education of Topeka, Kansas et al.*, it is appropriate to establish a national commission to plan and coordinate the commemoration of that anniversary.

SEC. 2. ESTABLISHMENT.

There is established a commission to be known as the "Brown v. Board of Education 50th Anniversary Commission" (referred to in this Act as the "Commission").

SEC. 3. DUTIES.

In order to commemorate the 50th anniversary of the Brown decision, the Commission shall—

(1) in conjunction with the Department of Education, plan and coordinate public education activities and initiatives, including public lectures, writing contests, and public awareness campaigns, through the Department of Education's ten regional offices; and

(2) in cooperation with the Brown Foundation for Educational Equity, Excellence, and Research in Topeka, Kansas (referred to in this Act as the "Brown Foundation"), and such other public or private entities as the Commission considers appropriate, encourage, plan, develop, and coordinate observances of the anniversary of the Brown decision.

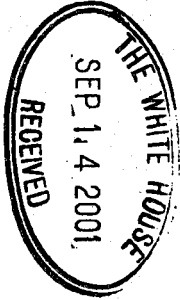
SEC. 4. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed as follows:

(1) Two representatives of the Department of Education appointed by the Secretary of Education, one of whom shall serve as one of two Co-chairpersons of the Commission.

(2) Two representatives of the Department of Justice appointed by the Attorney General, one of whom shall serve as one of two Co-chairpersons of the Commission.

(3) Eleven individuals appointed by the President after receiving recommendations as follows:



THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

September 19, 2001

STATEMENT BY THE PRESIDENT

Today I have signed into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of my Administration's educational initiatives, so that we leave no child behind.

Consistent with the requirements of the Appointments Clause of the Constitution, I welcome the participation, in an advisory capacity on the commission, of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the commission. While the Constitution does not permit them to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the commission. As I exercise my constitutional power of appointment to name 11 members of the commission, under the Appointments Clause and the enabling legislation, I welcome, as a matter of comity, the suggestions of the congressional leadership for those positions.

I look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in *Brown v. Board of Education*.

GEORGE W. BUSH

THE WHITE HOUSE,
September 18, 2001.

#

OFFICE OF THE EXECUTIVE CLERK
TRACKING SHEET FOR PRESIDENTIAL DOCUMENTS

TITLE: _____

H.R. 2133

TYPE DOCUMENT:

PROCLAMATION

LETTER(S)

EXECUTIVE ORDER

MESSAGE TO THE CONGRESS/SENATE

MEMORANDUM

STATEMENT BY THE PRESIDENT

DECISION MEMORANDUM

SIGNING STATEMENT

DETERMINATION (numbered)

TREATY/CONVENTION/AGREEMENT, etc.

OTHER: _____

RECEIVED: (Advance: 7/18/01 Time: 8 a.m./p.m.)
In final: 7/19/01 Time: 9 a.m./p.m.

SENT TO CORRESPONDENCE FOR TYPING IN FINAL:

(Advance: 1 / 01 Time: a.m./p.m.)
In final: 7/19/01 Time: 9 a.m./p.m.

TO HARRIET MIERS' OFFICE:

(For staffing: 7/19/01 Time: 9:15 a.m./p.m.)
In final: 1 / 01 Time: a.m./p.m.

*INFO, INCLUDING STENCIL AND DISC, TO PRESS OFFICE:

Date: 8/19/01 Time: 8:00 a.m./p.m.
POSTED: 9/19/01 Time: 8:31 a.m./p.m.

NOTIFICATIONS:

(Person/time) NSC (#____), when appropriate -- Desk Officer;
W.H. Situation Room -- x6-9425.

(Person/time) Ginger Gregory, x6-2230, Legislative Affairs
(for messages to the Congress)

(Person/time) (Other)

(Person/time) (Other)

OTHER INFORMATION:

One Hundred Seventh Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

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(2) Two representatives of the Department of Justice appointed by the Attorney General, one of whom shall serve as one of two Co-chairpersons of the Commission.

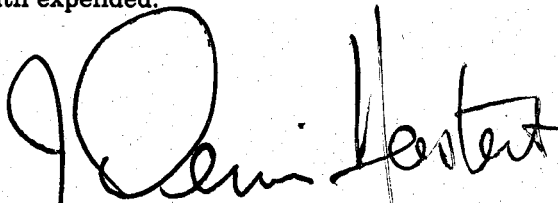
(3) Eleven individuals appointed by the President after receiving recommendations as follows:

THE WHITE HOUSE
SEP 11 2001

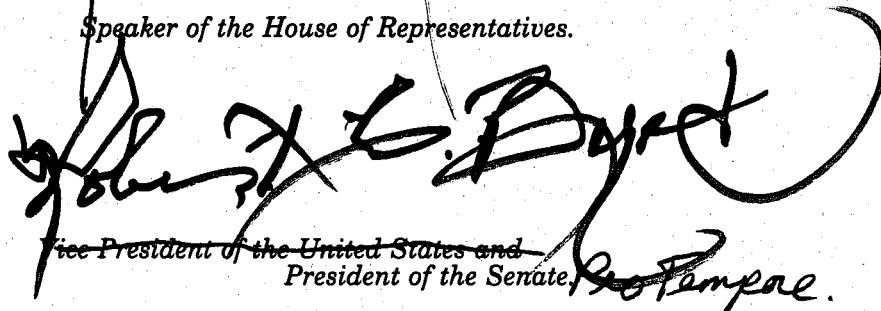
H. R. 2133—4

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$250,000 for the period encompassing fiscal years 2003 and 2004 to carry out this Act, to remain available until expended.

A handwritten signature in black ink, appearing to read "Dennis Hastert".

Speaker of the House of Representatives.

A handwritten signature in black ink, appearing to read "John F. Kennedy".

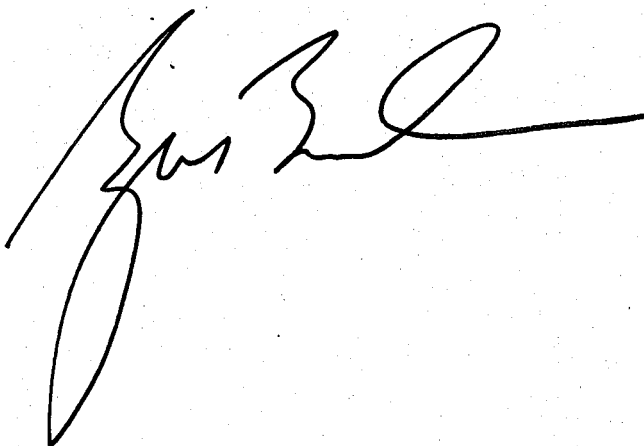
Vice President of the United States and

President of the Senate.

A handwritten signature in black ink, appearing to read "Joe R. Biden".

APPROVED

SEP 18 2001

A handwritten signature in black ink, appearing to read "Bill Clinton".



OFFICE OF THE VICE PRESIDENT
WASHINGTON

September 19, 2001

MEMORANDUM FOR HARRIET MIERS
STAFF SECRETARY

FROM: **JONATHAN BURKS** *by EAT*
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: **Increased Generalized System of Preferences Benefits for
Indonesia**

The Office of the Vice President has reviewed the above-referenced draft and has no comments.

Document No. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01

ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH

Subject: ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DIJULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m.,
TONIGHT. Thanks.

CEA has no comment
DFR

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PMSubject: ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT <i>Comments</i>	☒	☐	HUBBARD <i>NC</i>	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON <i>NC</i>	☒	☐
ROVE <i>NC</i>	☒	☐	LINDSEY <i>OK</i>	☒	☐
BOLTEN	☒	☐	SPELLINGS <i>OK</i>	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE <i>NC</i>	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO <i>OK</i>	☒	☐	DIIULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES <i>NC</i>	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m.,
TONIGHT. Thanks.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 410:16

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

H.R. 2133 would establish the Brown v. Board of Education 50th Anniversary Commission to plan and coordinate activities to commemorate the 50th anniversary of the May 17, 1954, Supreme Court decision in Brown v. Board of Education. The purpose of the Commission is to plan, develop, coordinate, and encourage observances of the anniversary of the Brown decision.

The Supreme Court decision in *Brown v. Board of Education* found that racial segregation in public education violated the 14th Amendment to the Constitution, which guarantees all citizens equal protection of the laws. The decision ended racial segregation in public schools. The enrolled bill would require the Commission to work with the Department of Education to plan and coordinate activities to commemorate the anniversary, including lectures and public awareness campaigns. The Commission also would work with the Brown Foundation for Education Equity, Excellence, and Research and other public or private entities to encourage, plan, develop, and coordinate appropriate observances of the decision.

The Commission would be comprised of 22 members including: (1) two representatives of the Department of Justice (one of whom would serve as a co-chair); (2) two representatives of the Department of Education (one of whom would serve as a co-chair); (3) 11 presidential appointees representing States involved in the *Brown* decision (Delaware, Kansas, South Carolina, Virginia, and Massachusetts); (4) two representatives of the Judicial branch appointed by the Chief Justice of the United States; (5) two representatives each of the Brown Foundation and the NAACP Legal Defense and Education Fund (NAACP-LDEF); and (6) one representative from the *Brown v. Board of Education* National Historic Site. The 11 presidential appointees are to be appointed after receipt of recommendations, as follows: five recommendations by the majority leader of the Senate, five by the Speaker of the House, and one by the Delegate to the House of Representatives from the District of Columbia.

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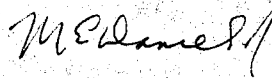
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Director

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WASHINGTON, D.C. 20202

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Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

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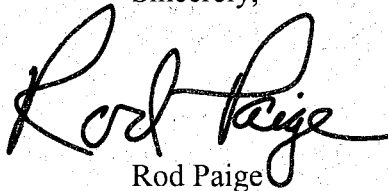
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Sincerely,


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Executive Clerk, Office Of the

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Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

09/18/2001 [H. R. 2133]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PMSubject: ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DIIULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m.,
TONIGHT. Thanks.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 04 10 16

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

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Commission on Civil Rights

No response

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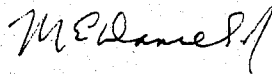
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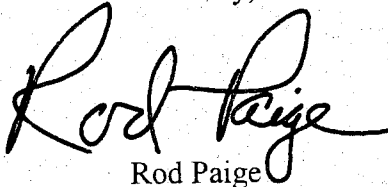
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OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
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Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

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Approval (Signing statement
attached)

Department of Education

Approval

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No response

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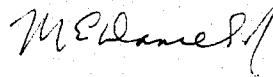
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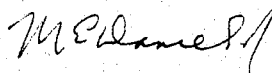
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No response

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H.R. 2133 would establish the Brown v. Board of Education 50th Anniversary Commission to plan and coordinate activities to commemorate the 50th anniversary of the May 17, 1954, Supreme Court decision in Brown v. Board of Education. The purpose of the Commission is to plan, develop, coordinate, and encourage observances of the anniversary of the Brown decision.

The Supreme Court decision in *Brown v. Board of Education* found that racial segregation in public education violated the 14th Amendment to the Constitution, which guarantees all citizens equal protection of the laws. The decision ended racial segregation in public schools. The enrolled bill would require the Commission to work with the Department of Education to plan and coordinate activities to commemorate the anniversary, including lectures and public awareness campaigns. The Commission also would work with the Brown Foundation for Education Equity, Excellence, and Research and other public or private entities to encourage, plan, develop, and coordinate appropriate observances of the decision.

The Commission would be comprised of 22 members including: (1) two representatives of the Department of Justice (one of whom would serve as a co-chair); (2) two representatives of the Department of Education (one of whom would serve as a co-chair); (3) 11 presidential appointees representing States involved in the *Brown* decision (Delaware, Kansas, South Carolina, Virginia, and Massachusetts); (4) two representatives of the Judicial branch appointed by the Chief Justice of the United States; (5) two representatives each of the Brown Foundation and the NAACP Legal Defense and Education Fund (NAACP-LDEF); and (6) one representative from the *Brown v. Board of Education* National Historic Site. The 11 presidential appointees are to be appointed after receipt of recommendations, as follows: five recommendations by the majority leader of the Senate, five by the Speaker of the House, and one by the Delegate to the House of Representatives from the District of Columbia.

The Commission would be authorized to appoint and compensate staff and accept and use gifts or donations. The enrolled bill authorizes appropriations totaling \$250,000 for fiscal years 2003 and 2004 to carry out this Act. The Commission would be required to submit interim reports to Congress that describe the Commission's activities and make recommendations for any legislative or administrative actions deemed appropriate. A final report describing the disposition of funds and property would be required by December 31, 2004. The Commission would terminate on February 1, 2005, and all remaining Commission funds would be deposited in the General Fund of the Treasury.

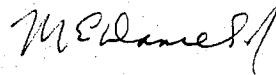
Conclusion and Recommendations

The Department of Education recommends approval of H.R. 2133. Education states that "[e]stablishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our Nation, by developing public education initiatives and coordinating observances."

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We join Education in recommending approval of H.R. 2133, which passed the House by voice vote and the Senate by unanimous consent. Attached for your consideration is a signing statement that is based on the language submitted by the Department of Justice. The statement was reviewed and approved by the Departments of Justice, Education, and the Interior, the Offices of Personnel Management and Government Ethics, the Office of White House Counsel, the Office of the Vice President, and this Office.



Mitchell E. Daniels, Jr.
Director

Enclosures

STATEMENT BY THE PRESIDENT

Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

Consistent with the requirements of the Appointments Clause of the Constitution, we welcome the participation, in an advisory capacity, on the Commission of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the Commission. While the Constitution does not permit them to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the Commission. As I exercise my independent power of appointment for 11 members of the Commission under the Appointments Clause and the legislation, I will welcome as a matter of comity the suggestions of the Congressional leadership for those positions.

We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

H.R. 2133 would establish the Brown v. Board of Education 50th Anniversary Commission to plan and coordinate activities to commemorate the 50th anniversary of the May 17, 1954, Supreme Court decision in Brown v. Board of Education. The purpose of the Commission is to plan, develop, coordinate, and encourage observances of the anniversary of the Brown decision.

The Supreme Court decision in *Brown v. Board of Education* found that racial segregation in public education violated the 14th Amendment to the Constitution, which guarantees all citizens equal protection of the laws. The decision ended racial segregation in public schools. The enrolled bill would require the Commission to work with the Department of Education to plan and coordinate activities to commemorate the anniversary, including lectures and public awareness campaigns. The Commission also would work with the Brown Foundation for Education Equity, Excellence, and Research and other public or private entities to encourage, plan, develop, and coordinate appropriate observances of the decision.

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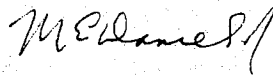
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Mitchell E. Daniels, Jr.
Director

Enclosures

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Consistent with the requirements of the Appointments Clause of the Constitution, we welcome the participation, in an advisory capacity, on the Commission of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the Commission. While the Constitution does not permit them to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the Commission. As I exercise my independent power of appointment for 11 members of the Commission under the Appointments Clause and the legislation, I will welcome as a matter of comity the suggestions of the Congressional leadership for those positions.

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Document No. _____

WHITE HOUSE STAFFING MEMORANDUM

01 SEP 19 PM 6:46

Date: 9-19-01

ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

Subject: ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DIIULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:
Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m.,
TONIGHT. Thanks.

RESPONSE:

Counsel's Office has no comments.

Njt

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PMSubject: ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
ANNIVERSARY COMMISSIONNoel

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
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FLEISCHER	☒	☐	GERSON	☐	☐
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HAWKINS	☒	☐		☐	☐

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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 04 10 15

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
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Sponsors - Rep. Ryun (R) KS and 3 cosponsors

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Approval (Signing statement
attached)

Department of Education

Approval

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No objection

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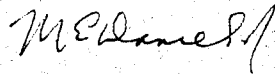
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A handwritten signature in dark ink, appearing to read "M E Daniels Jr", is positioned above the printed name.

Mitchell E. Daniels, Jr.
Director

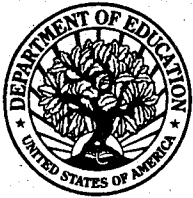
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We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

I am writing in response to your request for my views on enrolled bill H.R. 2133, which would establish a national commission to plan and coordinate the commemoration of the 50th anniversary of the Supreme Court's 1954 decision in Brown v. Board of Education, which outlawed the practice of separate schools for African-American children. I support the enrolled bill and recommend that the President approve it.

The year 2004 will mark the 50th anniversary of this landmark decision, which was an important victory for the civil rights movement and, ultimately, for all Americans. Establishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our nation, by developing public education initiatives and coordinating observances.

I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,

A handwritten signature in black ink, reading "Rod Paige".

Rod Paige

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

09/18/2001 [H. R. 2133]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

One Hundred Seventh Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

To establish a commission for the purpose of encouraging and providing for the commemoration of the 50th anniversary of the Supreme Court decision in *Brown v. Board of Education*.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. FINDINGS.

The Congress finds that as the Nation approaches May 17, 2004, marking the 50th anniversary of the Supreme Court decision in *Oliver L. Brown et al. v. Board of Education of Topeka, Kansas et al.*, it is appropriate to establish a national commission to plan and coordinate the commemoration of that anniversary.

SEC. 2. ESTABLISHMENT.

There is established a commission to be known as the "Brown v. Board of Education 50th Anniversary Commission" (referred to in this Act as the "Commission").

SEC. 3. DUTIES.

In order to commemorate the 50th anniversary of the Brown decision, the Commission shall—

(1) in conjunction with the Department of Education, plan and coordinate public education activities and initiatives, including public lectures, writing contests, and public awareness campaigns, through the Department of Education's ten regional offices; and

(2) in cooperation with the Brown Foundation for Educational Equity, Excellence, and Research in Topeka, Kansas (referred to in this Act as the "Brown Foundation"), and such other public or private entities as the Commission considers appropriate, encourage, plan, develop, and coordinate observances of the anniversary of the Brown decision.

SEC. 4. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed as follows:

(1) Two representatives of the Department of Education appointed by the Secretary of Education, one of whom shall serve as one of two Co-chairpersons of the Commission.

(2) Two representatives of the Department of Justice appointed by the Attorney General, one of whom shall serve as one of two Co-chairpersons of the Commission.

(3) Eleven individuals appointed by the President after receiving recommendations as follows:

(A)(i) The Members of the Senate from each State described in clause (iii) shall each submit the name of one individual from the State to the majority leader and minority leader of the Senate.

(ii) After review of the submissions made under clause (i), the majority leader of the Senate, in consultation with the minority leader of the Senate, shall recommend to the President five individuals, one from each of the States described in clause (iii).

(iii) The States described in this clause are the States in which the lawsuits decided by the Brown decision were originally filed (Delaware, Kansas, South Carolina, and Virginia), and the State of the first legal challenge involved (Massachusetts).

(B)(i) The Members of the House of Representatives from each State described in subparagraph (A)(iii) shall each submit the name of one individual from the State to the Speaker of the House of Representatives and the minority leader of the House of Representatives.

(ii) After review of the submissions made under clause (i), the Speaker of the House of Representatives, in consultation with the minority leader of the House of Representatives, shall recommend to the President five individuals, one from each of the States described in subparagraph (A)(iii).

(C) The Delegate to the House of Representatives from the District of Columbia shall recommend to the President one individual from the District of Columbia.

(4) Two representatives of the judicial branch of the Federal Government appointed by the Chief Justice of the United States Supreme Court.

(5) Two representatives of the Brown Foundation.

(6) Two representatives of the NAACP Legal Defense and Education Fund.

(7) One representative of the Brown v. Board of Education National Historic Site.

(b) TERMS.—Members of the Commission shall be appointed for the life of the Commission.

(c) VACANCIES.—A vacancy in the Commission shall be filled in the same manner as the original appointment.

(d) COMPENSATION.—

(1) IN GENERAL.—Members of the Commission shall serve without pay.

(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5, United States Code.

(e) QUORUM.—A majority of members of the Commission shall constitute a quorum.

(f) MEETINGS.—The Commission shall hold its first meeting not later than 6 months after the date of the enactment of this Act. The Commission shall subsequently meet at the call of a Co-chairperson or a majority of its members.

(g) EXECUTIVE DIRECTOR AND STAFF.—The Commission may secure the services of an executive director and staff personnel as it considers appropriate.

SEC. 5. POWERS.

(a) **POWERS OF MEMBERS AND AGENTS.**—Any member or agent of the Commission may, if so authorized by the Commission, take any action which the Commission is authorized to take under this Act.

(b) **GIFTS AND DONATIONS.**—

(1) **AUTHORITY TO ACCEPT.**—The Commission may accept and use gifts or donations of money, property, or personal services.

(2) **DISPOSITION OF PROPERTY.**—Any books, manuscripts, miscellaneous printed matter, memorabilia, relics, or other materials donated to the Commission which relate to the Brown decision, shall, upon termination of the Commission—

(A) be deposited for preservation in the Brown Foundation Collection at the Spencer Research Library at the University of Kansas in Lawrence, Kansas; or

(B) be disposed of by the Commission in consultation with the Librarian of Congress, and with the express consent of the Brown Foundation and the Brown v. Board of Education National Historic Site.

(c) **MAILS.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

SEC. 6. REPORTS.

(a) **INTERIM REPORTS.**—The Commission shall transmit interim reports to the President and the Congress not later than December 31 of each year. Each such report shall include a description of the activities of the Commission during the year covered by the report, an accounting of any funds received or expended by the Commission during such year, and recommendations for any legislation or administrative action which the Commission considers appropriate.

(b) **FINAL REPORT.**—The Commission shall transmit a final report to the President and the Congress not later than December 31, 2004. Such report shall include an accounting of any funds received or expended, and the disposition of any other properties, not previously reported.

SEC. 7. TERMINATION.

(a) **DATE.**—The Commission shall terminate on such date as the Commission may determine, but not later than February 1, 2005.

(b) **DISPOSITION OF FUNDS.**—Any funds held by the Commission on the date the Commission terminates shall be deposited in the general fund of the Treasury.

H. R. 2133—4

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$250,000 for the period encompassing fiscal years 2003 and 2004 to carry out this Act, to remain available until expended.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*



OFFICE OF THE VICE PRESIDENT
WASHINGTON

September 19, 2001

MEMORANDUM FOR HARRIET MIERS
STAFF SECRETARY

FROM: **JONATHAN BURKS** 
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: **Enrolled bill H.R. 2133 – Brown v. Board of
Education 50th Anniversary Commission**

The Office of the Vice President has reviewed the above-referenced draft and suggests the changes marked on the attached copy.

Attachment

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PMSubject: ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
ANNIVERSARY COMMISSION

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HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DIIULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m.,
TONIGHT. Thanks.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 AM 10:16

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

H.R. 2133 would establish the Brown v. Board of Education 50th Anniversary Commission to plan and coordinate activities to commemorate the 50th anniversary of the May 17, 1954, Supreme Court decision in Brown v. Board of Education. The purpose of the Commission is to plan, develop, coordinate, and encourage observances of the anniversary of the Brown decision.

The Supreme Court decision in Brown v. Board of Education found that racial segregation in public education violated the 14th Amendment to the Constitution, which guarantees all citizens equal protection of the laws. ~~The decision ended racial segregation in public schools.~~ The enrolled bill would require the Commission to work with the Department of Education to plan and coordinate activities to commemorate the anniversary, including lectures and public awareness campaigns. The Commission also would work with the Brown Foundation for Education Equity, Excellence, and Research and other public or private entities to encourage, plan, develop, and coordinate appropriate observances of the decision.

The Commission would be comprised of 22 members including: (1) two representatives of the Department of Justice (one of whom would serve as a co-chair); (2) two representatives of the Department of Education (one of whom would serve as a co-chair); (3) 11 presidential appointees representing States involved in the Brown decision (Delaware, Kansas, South Carolina, Virginia, and Massachusetts); (4) two representatives of the Judicial branch appointed by the Chief Justice of the United States; (5) two representatives each of the Brown Foundation and the NAACP Legal Defense and Education Fund (NAACP-LDEF); and (6) one representative from the Brown v. Board of Education National Historic Site. The 11 presidential appointees are to be appointed after receipt of recommendations, as follows: five recommendations by the majority leader of the Senate, five by the Speaker of the House, and one by the Delegate to the House of Representatives from the District of Columbia.

The Commission would be authorized to appoint and compensate staff and accept and use gifts or donations. The enrolled bill authorizes appropriations totaling \$250,000 for fiscal years 2003 and 2004 to carry out this Act. The Commission would be required to submit interim reports to Congress that describe the Commission's activities and make recommendations for any legislative or administrative actions deemed appropriate. A final report describing the disposition of funds and property would be required by December 31, 2004. The Commission would terminate on February 1, 2005, and all remaining Commission funds would be deposited in the General Fund of the Treasury.

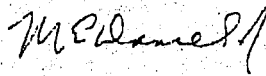
Conclusion and Recommendations

The Department of Education recommends approval of H.R. 2133. Education states that "[e]stablishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our Nation, by developing public education initiatives and coordinating observances."

The Department of Justice has no objection to approval of the bill, but recommends issuance of a signing statement to address a constitutional concern. The statement notes that the Commission would exercise "significant authority" and therefore must be appointed in

conformity with the Appointments Clause of the Constitution. Therefore, the members of the Commission who represent the Judicial branch, Brown Foundation, NAACP-LDEF, and the Brown National Historic Site, who are not so appointed, could serve in an advisory capacity only.

We join Education in recommending approval of H.R. 2133, which passed the House by voice vote and the Senate by unanimous consent. Attached for your consideration is a signing statement that is based on the language submitted by the Department of Justice. The statement was reviewed and approved by the Departments of Justice, Education, and the Interior, the Offices of Personnel Management and Government Ethics, the Office of White House Counsel, the Office of the Vice President, and this Office.



Mitchell E. Daniels, Jr.
Director

Enclosures

STATEMENT BY THE PRESIDENT

Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the ^(U.S. Supreme Court's) most important decisions ~~ever issued by the U.S. Supreme Court~~ -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. ~~Establishing a commission to help celebrate the~~ ^{ing it} decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

Consistent with the requirements of the Appointments Clause of the Constitution, we welcome the participation, in an advisory capacity, on the Commission of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the Commission. While the Constitution does not permit ~~them~~ ^{these representatives} to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the Commission. As I exercise my independent power of appointment for 11 members of the Commission under the Appointments Clause and the legislation, I will welcome as a matter of comity the suggestions of the Congressional leadership for those positions.

We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

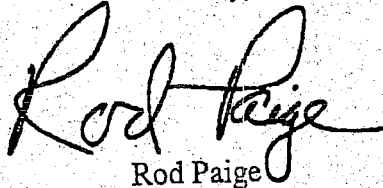
I am writing in response to your request for my views on enrolled bill H.R. 2133, which would establish a national commission to plan and coordinate the commemoration of the 50th anniversary of the Supreme Court's 1954 decision in Brown v. Board of Education, which outlawed the practice of separate schools for African-American children. I support the enrolled bill and recommend that the President approve it.

The year 2004 will mark the 50th anniversary of this landmark decision, which was an important victory for the civil rights movement and, ultimately, for all Americans. Establishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our nation, by developing public education initiatives and coordinating observances.

I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,


Rod Paige

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

09/18/2001 [H. R. 2133]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

Subject: ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DI IULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m., TONIGHT. Thanks.

OK - R&I

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 04:10:15

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

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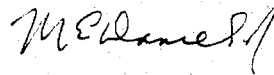
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We join Education in recommending approval of H.R. 2133, which passed the House by voice vote and the Senate by unanimous consent. Attached for your consideration is a signing statement that is based on the language submitted by the Department of Justice. The statement was reviewed and approved by the Departments of Justice, Education, and the Interior, the Offices of Personnel Management and Government Ethics, the Office of White House Counsel, the Office of the Vice President, and this Office.



Mitchell E. Daniels, Jr.
Director

Enclosures

STATEMENT BY THE PRESIDENT

Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

Consistent with the requirements of the Appointments Clause of the Constitution, we welcome the participation, in an advisory capacity, on the Commission of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the Commission. While the Constitution does not permit them to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the Commission. As I exercise my independent power of appointment for 11 members of the Commission under the Appointments Clause and the legislation, I will welcome as a matter of comity the suggestions of the Congressional leadership for those positions.

We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

I am writing in response to your request for my views on enrolled bill H.R. 2133, which would establish a national commission to plan and coordinate the commemoration of the 50th anniversary of the Supreme Court's 1954 decision in Brown v. Board of Education, which outlawed the practice of separate schools for African-American children. I support the enrolled bill and recommend that the President approve it.

The year 2004 will mark the 50th anniversary of this landmark decision, which was an important victory for the civil rights movement and, ultimately, for all Americans. Establishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our nation, by developing public education initiatives and coordinating observances.

I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,

A handwritten signature in black ink, reading "Rod Paige", is positioned below the word "Sincerely,". The signature is fluid and cursive.

Rod Paige

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

09/18/2001 [H. R. 2133]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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01 SEP 19 AM 11:56

David E. Kalbaugh

09/19/2001 11:16:29 AM

Record Type: Record

To: Harriet Miers/WHO/EOP@EOP

cc: G. Timothy Saunders/WHO/EOP@EOP

Subject: Brown v. Board of Education Signing Statement

The traditional White House style when quoting court cases in signing statements is by italicizing them. But if you prefer that they be underlined, we can do that (it would not be wrong to do so). This will be the first time we have quoted a court case in a signing statement during this Administration. Please advise as to your preference. Thank you.

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0095	
CONNECTION TEL		66212
CONNECTION ID		
ST. TIME	09/19 11:08	
USAGE T	03'13	
PGS. SENT	8	
RESULT	OK	

Document No. _____

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

Subject: ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
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CALIO	☒	☐	DIIULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m.,
 TONIGHT. Thanks.

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
 Subject: ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DIIULIO	☐	☐
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GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

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RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 410'16

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

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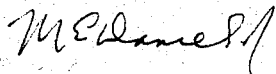
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Mitchell E. Daniels, Jr.
Director

Enclosures

STATEMENT BY THE PRESIDENT

Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

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We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

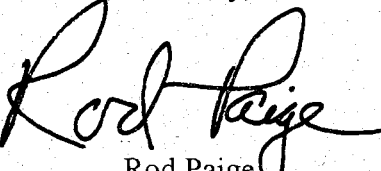
I am writing in response to your request for my views on enrolled bill H.R. 2133, which would establish a national commission to plan and coordinate the commemoration of the 50th anniversary of the Supreme Court's 1954 decision in Brown v. Board of Education, which outlawed the practice of separate schools for African-American children. I support the enrolled bill and recommend that the President approve it.

The year 2004 will mark the 50th anniversary of this landmark decision, which was an important victory for the civil rights movement and, ultimately, for all Americans. Establishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our nation, by developing public education initiatives and coordinating observances.

I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,


Rod Paige

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

09/18/2001 [H. R. 2133]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

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- B. Closed by statute or by the agency which originated the document.
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WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01

ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH

Subject: ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
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BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DI IULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m., TONIGHT. Thanks.

RESPONSE:

legislative affair - ok (forward)

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 410/16

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

H.R. 2133 would establish the Brown v. Board of Education 50th Anniversary Commission to plan and coordinate activities to commemorate the 50th anniversary of the May 17, 1954, Supreme Court decision in Brown v. Board of Education. The purpose of the Commission is to plan, develop, coordinate, and encourage observances of the anniversary of the Brown decision.

The Supreme Court decision in *Brown v. Board of Education* found that racial segregation in public education violated the 14th Amendment to the Constitution, which guarantees all citizens equal protection of the laws. The decision ended racial segregation in public schools. The enrolled bill would require the Commission to work with the Department of Education to plan and coordinate activities to commemorate the anniversary, including lectures and public awareness campaigns. The Commission also would work with the Brown Foundation for Education Equity, Excellence, and Research and other public or private entities to encourage, plan, develop, and coordinate appropriate observances of the decision.

The Commission would be comprised of 22 members including: (1) two representatives of the Department of Justice (one of whom would serve as a co-chair); (2) two representatives of the Department of Education (one of whom would serve as a co-chair); (3) 11 presidential appointees representing States involved in the *Brown* decision (Delaware, Kansas, South Carolina, Virginia, and Massachusetts); (4) two representatives of the Judicial branch appointed by the Chief Justice of the United States; (5) two representatives each of the Brown Foundation and the NAACP Legal Defense and Education Fund (NAACP-LDEF); and (6) one representative from the *Brown v. Board of Education* National Historic Site. The 11 presidential appointees are to be appointed after receipt of recommendations, as follows: five recommendations by the majority leader of the Senate, five by the Speaker of the House, and one by the Delegate to the House of Representatives from the District of Columbia.

The Commission would be authorized to appoint and compensate staff and accept and use gifts or donations. The enrolled bill authorizes appropriations totaling \$250,000 for fiscal years 2003 and 2004 to carry out this Act. The Commission would be required to submit interim reports to Congress that describe the Commission's activities and make recommendations for any legislative or administrative actions deemed appropriate. A final report describing the disposition of funds and property would be required by December 31, 2004. The Commission would terminate on February 1, 2005, and all remaining Commission funds would be deposited in the General Fund of the Treasury.

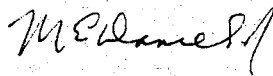
Conclusion and Recommendations

The Department of Education recommends approval of H.R. 2133. Education states that "[e]stablishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our Nation, by developing public education initiatives and coordinating observances."

The Department of Justice has no objection to approval of the bill, but recommends issuance of a signing statement to address a constitutional concern. The statement notes that the Commission would exercise "significant authority" and therefore must be appointed in

conformity with the Appointments Clause of the Constitution. Therefore, the members of the Commission who represent the Judicial branch, Brown Foundation, NAACP-LDEF, and the Brown National Historic Site, who are not so appointed, could serve in an advisory capacity only.

We join Education in recommending approval of H.R. 2133, which passed the House by voice vote and the Senate by unanimous consent. Attached for your consideration is a signing statement that is based on the language submitted by the Department of Justice. The statement was reviewed and approved by the Departments of Justice, Education, and the Interior, the Offices of Personnel Management and Government Ethics, the Office of White House Counsel, the Office of the Vice President, and this Office.

A handwritten signature in dark ink, appearing to read "M. E. Daniels, Jr.", with a stylized flourish at the end.

Mitchell E. Daniels, Jr.
Director

Enclosures

STATEMENT BY THE PRESIDENT

Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

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We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

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The year 2004 will mark the 50th anniversary of this landmark decision, which was an important victory for the civil rights movement and, ultimately, for all Americans. Establishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our nation, by developing public education initiatives and coordinating observances.

I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,

A handwritten signature in black ink, reading "Rod Paige".

Rod Paige

Withdrawal Marker

The George W. Bush Library

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Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

09/18/2001 [H. R. 2133]

FRC ID:

779

OA Num.:

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NARA Num.:

1456

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 *** TX REPORT ***

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WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH

Subject: ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DI IULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m.,
 TONIGHT. Thanks.

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PMENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
Subject: ANNIVERSARY COMMISSION

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FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

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TONIGHT. Thanks.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 410'16

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

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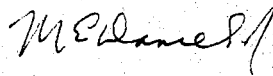
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Mitchell E. Daniels, Jr.
Director

Enclosures

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THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

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Director
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725 17th Street, NW
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I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,

A handwritten signature in black ink, reading "Rod Paige", is positioned below the word "Sincerely,". The signature is fluid and cursive.

Rod Paige

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;

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Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

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09/18/2001 [H. R. 2133]

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 0093
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WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
 Subject: ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
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GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

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ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
HAGIN	☒	☐	MIERS	☐	☐
DANIELS	☒	☐	RICE	☒	☐
BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DIIULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m.,
TONIGHT. Thanks.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 04:10:16

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2133 - Brown v. Board of Education 50th Anniversary
Commission
Sponsors - Rep. Ryun (R) KS and 3 cosponsors

Last Day for Action

September 26, 2001 - Wednesday

Purpose

Establishes a Federal commission to plan and coordinate activities to commemorate the 50th anniversary of the Supreme Court decision in Brown v. Board of Education.

Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

H.R. 2133 would establish the Brown v. Board of Education 50th Anniversary Commission to plan and coordinate activities to commemorate the 50th anniversary of the May 17, 1954, Supreme Court decision in Brown v. Board of Education. The purpose of the Commission is to plan, develop, coordinate, and encourage observances of the anniversary of the Brown decision.

The Supreme Court decision in *Brown v. Board of Education* found that racial segregation in public education violated the 14th Amendment to the Constitution, which guarantees all citizens equal protection of the laws. The decision ended racial segregation in public schools. The enrolled bill would require the Commission to work with the Department of Education to plan and coordinate activities to commemorate the anniversary, including lectures and public awareness campaigns. The Commission also would work with the Brown Foundation for Education Equity, Excellence, and Research and other public or private entities to encourage, plan, develop, and coordinate appropriate observances of the decision.

The Commission would be comprised of 22 members including: (1) two representatives of the Department of Justice (one of whom would serve as a co-chair); (2) two representatives of the Department of Education (one of whom would serve as a co-chair); (3) 11 presidential appointees representing States involved in the *Brown* decision (Delaware, Kansas, South Carolina, Virginia, and Massachusetts); (4) two representatives of the Judicial branch appointed by the Chief Justice of the United States; (5) two representatives each of the Brown Foundation and the NAACP Legal Defense and Education Fund (NAACP-LDEF); and (6) one representative from the *Brown v. Board of Education* National Historic Site. The 11 presidential appointees are to be appointed after receipt of recommendations, as follows: five recommendations by the majority leader of the Senate, five by the Speaker of the House, and one by the Delegate to the House of Representatives from the District of Columbia.

The Commission would be authorized to appoint and compensate staff and accept and use gifts or donations. The enrolled bill authorizes appropriations totaling \$250,000 for fiscal years 2003 and 2004 to carry out this Act. The Commission would be required to submit interim reports to Congress that describe the Commission's activities and make recommendations for any legislative or administrative actions deemed appropriate. A final report describing the disposition of funds and property would be required by December 31, 2004. The Commission would terminate on February 1, 2005, and all remaining Commission funds would be deposited in the General Fund of the Treasury.

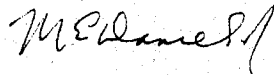
Conclusion and Recommendations

The Department of Education recommends approval of H.R. 2133. Education states that "[e]stablishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our Nation, by developing public education initiatives and coordinating observances."

The Department of Justice has no objection to approval of the bill, but recommends issuance of a signing statement to address a constitutional concern. The statement notes that the Commission would exercise "significant authority" and therefore must be appointed in

conformity with the Appointments Clause of the Constitution. Therefore, the members of the Commission who represent the Judicial branch, Brown Foundation, NAACP-LDEF, and the Brown National Historic Site, who are not so appointed, could serve in an advisory capacity only.

We join Education in recommending approval of H.R. 2133, which passed the House by voice vote and the Senate by unanimous consent. Attached for your consideration is a signing statement that is based on the language submitted by the Department of Justice. The statement was reviewed and approved by the Departments of Justice, Education, and the Interior, the Offices of Personnel Management and Government Ethics, the Office of White House Counsel, the Office of the Vice President, and this Office.

A handwritten signature in dark ink, appearing to read "M. E. Daniels, Jr.", with a stylized flourish at the end.

Mitchell E. Daniels, Jr.
Director

Enclosures

STATEMENT BY THE PRESIDENT

Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

Consistent with the requirements of the Appointments Clause of the Constitution, we welcome the participation, in an advisory capacity, on the Commission of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the Commission. While the Constitution does not permit them to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the Commission. As I exercise my independent power of appointment for 11 members of the Commission under the Appointments Clause and the legislation, I will welcome as a matter of comity the suggestions of the Congressional leadership for those positions.

We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

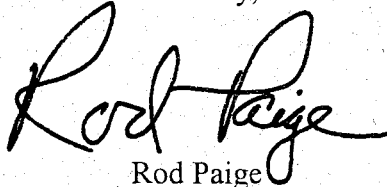
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The year 2004 will mark the 50th anniversary of this landmark decision, which was an important victory for the civil rights movement and, ultimately, for all Americans. Establishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our nation, by developing public education initiatives and coordinating observances.

I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,


Rod Paige

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

09/18/2001 [H. R. 2133]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

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WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01

ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH

Subject: ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
BOLTEN	☒	☐	SPELLINGS	☒	☐
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BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
CALIO	☒	☐	DIIULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

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NC

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

6637

Document No. _____

01 SEP 19 11:50

WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01

ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PM

ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH
 Subject: ANNIVERSARY COMMISSION

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
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CALIO	☒	☐	DIJULIO	☐	☐
FLEISCHER	☒	☐	GERSON	☐	☐
GONZALES	☒	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

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Please forward comments directly to Staff Secretary, x62702, no later than 6:00 p.m.,
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September 19, 2001

RESPONSE:

NSC has no comment.

B12
 Condoleezza Rice

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 04:10:16

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

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Last Day for Action

September 26, 2001 - Wednesday

Purpose

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Agency Recommendations

Office of Management and Budget

Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

No objection

Administrative Office of the U.S. Courts

No comment (Informally)

Office of Government Ethics

No comment (Informally)

Office of Personnel Management

No comment (Informally)

Commission on Civil Rights

No response

Discussion

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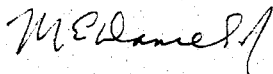
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Mitchell E. Daniels, Jr.
Director

Enclosures

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THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

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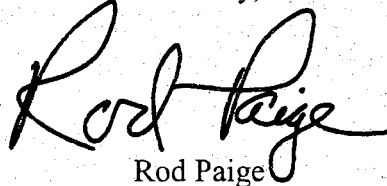
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I urge the President to approve the bill.

Sincerely,


Rod Paige

Withdrawal Marker

The George W. Bush Library

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Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;

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For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

09/18/2001 [H. R. 2133]

FRC ID:

779

OA Num.:

730

NARA Num.:

1456

RESTRICTION CODES

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- P1 National Security Classified Information [(a)(1) of the PRA]
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WHITE HOUSE STAFFING MEMORANDUM

Date: 9-19-01 ACTION / CONCURRENCE / COMMENT DUE BY: 9-19-01 6:00 PMSubject: ENROLLED BILL H.R. 2133 - BROWN V. BOARD OF EDUCATION 50TH ANNIVERSARY COMMISSION

01 SEP 19 01:01

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☐	☐	IRASTORZA	☐	☐
HUGHES	☒	☐	JOHNSON	☒	☐
ROVE	☒	☐	LINDSEY	☒	☐
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BLAKEMAN	☐	☐	CONNAUGHTON	☐	☐
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HAWKINS	☒	☐	_____	☐	☐

REMARKS:

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OK

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

01 SEP 19 410 16

THE DIRECTOR

September 19, 2001

MEMORANDUM FOR THE PRESIDENT

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September 26, 2001 - Wednesday

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Approval (Signing statement
attached)

Department of Education

Approval

Department of Justice

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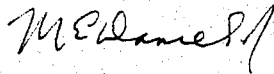
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Mitchell E. Daniels, Jr.
Director

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Today, I sign into law H.R. 2133, to create the "Brown v. Board of Education 50th Anniversary Commission." The Commission will advise the Secretary of Education on activities to help celebrate one of the most important decisions ever issued by the U.S. Supreme Court -- the decision that recognized the constitutional right to freedom from racial discrimination in our public schools. Establishing a commission to help celebrate the decision is particularly appropriate as we work to secure passage by the Congress of the Administration's educational initiatives, so that we leave no child behind.

Consistent with the requirements of the Appointments Clause of the Constitution, we welcome the participation, in an advisory capacity, on the Commission of representatives of the Judiciary; the Brown Foundation for Education Equity, Excellence, and Research; the NAACP Legal Defense and Education Fund; and the Brown v. Board of Education National Historic Site in the activities of the Commission. While the Constitution does not permit them to participate in the performance of executive functions, their advice will be crucial to the effective functioning of the Commission. As I exercise my independent power of appointment for 11 members of the Commission under the Appointments Clause and the legislation, I will welcome as a matter of comity the suggestions of the Congressional leadership for those positions.

We look forward to the national celebration in 2004 of the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education.



THE SECRETARY OF EDUCATION
WASHINGTON, D.C. 20202

September 14, 2001

Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

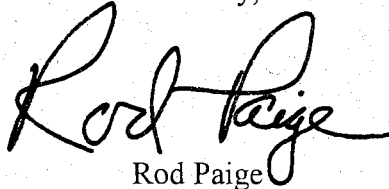
I am writing in response to your request for my views on enrolled bill H.R. 2133, which would establish a national commission to plan and coordinate the commemoration of the 50th anniversary of the Supreme Court's 1954 decision in Brown v. Board of Education, which outlawed the practice of separate schools for African-American children. I support the enrolled bill and recommend that the President approve it.

The year 2004 will mark the 50th anniversary of this landmark decision, which was an important victory for the civil rights movement and, ultimately, for all Americans. Establishing this Commission will give us the opportunity to celebrate and reflect on what this decision has meant for our nation, by developing public education initiatives and coordinating observances.

I am pleased that the bill provides for the substantial involvement of the Department of Education in the Commission's activities and that I would select two of the Commission's members.

I urge the President to approve the bill.

Sincerely,


Rod Paige

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter] - To: Mitchell E. Daniels - From: Daniel J. Bryant	2	09/14/2001	P5;

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RESTRICTION CODES

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- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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