

112TH CONGRESS
1ST SESSION

H. R. 3278

To authorize the Fair Housing Commemorative Foundation to establish a commemorative work on Federal land in the District of Columbia to commemorate the national significance of the fair housing movement in America.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 2011

Ms. NORTON (for herself and Mr. CALVERT) introduced the following bill;
which was referred to the Committee on Natural Resources

A BILL

To authorize the Fair Housing Commemorative Foundation to establish a commemorative work on Federal land in the District of Columbia to commemorate the national significance of the fair housing movement in America.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Housing Memo-
5 rial Authorization Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Although the Declaration of Independence
2 declared that “all men are created equal,” it took a
3 Civil War, constitutional amendments, and genera-
4 tions of the civil rights movements, as well as the
5 work of many other Americans, to pursue the dream
6 of equality for all Americans.

7 (2) In order to address the prevalent discrimi-
8 nation in the housing market, it required a national
9 fair housing movement and bipartisan political lead-
10 ership to secure a national commitment to equality
11 for all to live the American Dream and purchase,
12 rent, or finance a home. The national movement for
13 fair housing rights spanned several decades in the
14 twentieth century and was led by many prominent
15 civil rights, community, legal, and political leaders in
16 our country, among them Thurgood Marshall, Mar-
17 tin Luther King, Jr., President Lyndon Johnson,
18 Senator Edward Brooke, and Senator Everett Dirksen.
19

20 (3) The national movement for fair housing
21 gained prominence with the Supreme Court decision
22 of *Shelley v. Kraemer*, 334 U.S. 1 (1948), which
23 prohibited the enforcement of restrictive covenants
24 on real estate based on race. The movement cul-
25 minated with the enactment of the Fair Housing Act

1 on April 11, 1968, one week after the assassination
2 of Martin Luther King. The Fair Housing Act for-
3 mally prohibited discrimination concerning the sale,
4 rental, and financing of housing based on race,
5 color, religion, and national origin. The Fair Hous-
6 ing Act was later amended to add prohibitions
7 against discrimination in housing based on sex,
8 handicap, and family status. April is celebrated
9 around the country as Fair Housing Month in com-
10 memoration of the fair housing movement.

11 (4) The national significance of the Americans
12 movement for fair housing for people of every race,
13 color, religion, sex, handicap, familial status, and na-
14 tional origin should be perpetuated permanently with
15 a commemorative work in Washington, DC.

16 **SEC. 3. COMMEMORATIVE WORK TO HONOR THE NATIONAL**
17 **SIGNIFICANCE OF THE FAIR HOUSING MOVE-**
18 **MENT.**

19 (a) **AUTHORITY TO ESTABLISH COMMEMORATIVE**
20 **WORK.**—The Fair Housing Commemorative Foundation
21 may establish a commemorative work on Federal land in
22 the District of Columbia and its environs to commemorate
23 the national significance of the movement for fair housing
24 for people of every race, color, religion, sex, handicap, fa-
25 miliary status, and national origin.

1 (b) COMPLIANCE WITH STANDARDS FOR COMMEMO-
2 RATIVE WORKS.—The commemorative work authorized by
3 subsection (a) shall be established in accordance with
4 chapter 89 of title 40, United States Code (commonly
5 known as the “Commemorative Works Act”).

6 (c) USE OF FEDERAL FUNDS PROHIBITED.—Federal
7 funds may not be used to pay any expense of the establish-
8 ment of the commemorative work authorized by subsection
9 (a). The Fair Housing Commemorative Foundation shall
10 be solely responsible for acceptance of contributions for,
11 and payment of the expenses of, the establishment of the
12 commemorative work.

13 (d) DEPOSIT OF EXCESS FUNDS.—If, upon payment
14 of all expenses of the establishment of the commemorative
15 work authorized by subsection (a) (including the mainte-
16 nance and preservation amount provided for in section
17 8906(b), of title 40, United States Code), or upon expira-
18 tion of the authority for the commemorative work under
19 chapter 89 of title 40, United States Code, there remains
20 a balance of funds received for the establishment of that
21 commemorative work, the Fair Housing Commemorative
22 Foundation shall transmit the amount of the balance to
23 the Secretary of the Treasury for deposit in the account
24 provided for in section 8906(b)(1) of such title.

1 **SEC. 4. DEFINITIONS.**

2 For the purposes of this Act, the terms “commemora-
3 tive work” and “the District of Columbia and its envi-
4 rons” have the meanings given to such terms in section
5 8902(a) of title 40, United States Code.

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