

One Hundred Tenth Congress of the United States of America

AT THE SECOND SESSION

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

An Act

To establish the Commission on the Abolition of the Transatlantic Slave Trade.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Commission on the Abolition of the Transatlantic Slave Trade Act”.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) On March 2, 1807, President Thomas Jefferson signed into law a bill approved by the Congress “An Act to prohibit the importation of slaves into any port or place within the jurisdiction of the United States” (hereinafter in this Act referred to as the “1808 Transatlantic Slave Trade Act”) and made it unlawful “to import or bring into the United States or territories thereof from any foreign kingdom, place or country, any negro, mulatto, or person of colour, with intent to hold, sell, or dispose of such. . .as a slave, or to be held to service or labour”.

(2) Article I, Section 9 of the United States Constitution clearly spelled out that the international slave trade could not be banned before 1808, and it is only on January 1, 1808, that the 1808 Transatlantic Slave Trade Act went into effect.

(3) An Act entitled “An Act to continue in force ‘An act to protect the commerce of the United States, and punish the crime of piracy,’ and also to make further provisions for punishing the crime of piracy”, enacted May 15, 1820, made it unlawful for any citizen of the United States to engage “in the slave trade, or. . ., being of the crew or ship’s company of any foreign ship. . ., seize any negro or mulatto. . .with the intent to make. . .a slave. . .or forcibly bring . . .on board any such ship. . .”.

(4) The transatlantic slave trade entailed the kidnapping, purchase, and commercial export of Africans, mostly from West and Central Africa, to the European colonies and new nations in the Americas, including the United States, where they were enslaved in forced labor between the 15th and mid-19th centuries.

(5) The term “Middle Passage” refers to the horrific part of the transatlantic slave trade when millions of Africans were chained together and stowed by the hundreds in overcrowded ships where they were forced into small spaces for months

without relief as they were transported across the Atlantic Ocean to the Americas.

(6) During the Middle Passage, enslaved Africans resisted their enslavement through non-violent and violent means, including hunger strikes, suicide, and shipboard revolts, the most historically-recognized events taking place on board the *Don Carlos* in 1732 and on board the *Amistad* in 1839.

(7) Scholars estimate that, at a minimum, between 10,000,000 and 15,000,000 Africans survived the Middle Passage, were imported as chattel through customs houses and ports across the Americas, and were sold into slavery.

(8) The thirteenth amendment to the Constitution of the United States recognizes that “Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

(9) The slave trade and the legacy of slavery continue to have a profound impact on social and economic disparity, hatred, bias, racism, and discrimination, and continue to affect people in the Americas, particularly those of African descent.

(10) In 2007, the British Parliament marked the 200th anniversary of the abolition of the slave trade in the former British Empire with plans launched by the Department for Education and Skills which provided joint funding of £910,000 (\$1,800,000) for the Understanding Slavery Initiative, and the Heritage Lottery Fund announced awards of over £20,000,000 (\$40,000,000) for projects to commemorate the anniversary.

(b) PURPOSE.—The purpose of this Act is to establish the Commission on the Abolition of the Transatlantic Slave Trade to—

(1) ensure a suitable national observance of the bicentennial anniversary of the abolition of the transatlantic slave trade by sponsoring and supporting commemorative programs;

(2) cooperate with and assist programs and activities throughout the United States in observance of the bicentennial anniversary of the abolition of the transatlantic slave trade;

(3) assist in ensuring that the observations of the bicentennial anniversary of the abolition of the transatlantic slave trade are inclusive and appropriately recognize the experiences of all people during this period in history;

(4) support and facilitate international involvement in observances of the bicentennial anniversary of the abolition of the transatlantic slave trade; and

(5) study the impact of the transatlantic slave trade on the United States and the Americas.

SEC. 3. ESTABLISHMENT OF COMMISSION.

There is established a commission to be known as the “Commission on the Abolition of the Transatlantic Slave Trade” (referred to in this Act as the “Commission”).

SEC. 4. MEMBERSHIP, DUTIES, AND RELATED MATTERS.

(a) MEMBERSHIP.—

(1) IN GENERAL.—

(A) The Commission shall be composed of 9 members, of whom—

(i) 3 shall be appointed by the Speaker of the House of Representatives;

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(ii) 2 shall be appointed by the majority leader of the Senate;

(iii) 2 shall be appointed by the minority leader of the House of Representatives; and

(iv) 2 shall be appointed by the minority leader of the Senate.

(B) Each appointing authority described in subparagraph (A) shall appoint the initial members of the Commission not later than 30 days after the date of the enactment of this Act.

(2) QUALIFICATIONS.—Members of the Commission shall be individuals with demonstrated expertise or experience in the study and program facilitation on the transatlantic slave trade and the institution of slavery as it relates to the United States and the Americas.

(3) TERM; VACANCIES.—

(A) TERM.—A member of the Commission shall be appointed for the life of the Commission.

(B) VACANCIES.—

(i) IN GENERAL.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was made.

(ii) PARTIAL TERM.—A member appointed to fill a vacancy on the Commission shall serve for the remainder of the term for which the predecessor of the member was appointed.

(4) MEETINGS.—

(A) IN GENERAL.—The Commission shall meet—

(i) as many times as necessary; or

(ii) at the call of the Chairperson or the majority of the members of the Commission.

(B) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its initial meeting.

(C) NOTICE OF MEETINGS.—All Commission members shall be given reasonable advance notice of all Commission meetings.

(D) APPOINTMENT OF CHAIRPERSON AND EXECUTIVE DIRECTOR.—Not later than 60 days after the date on which all members of the Commission have been appointed, the Commission shall—

(i) designate 1 of the members as Chairperson; and

(ii) select an executive director as described under subsection (d)(2).

(5) VOTING.—

(A) IN GENERAL.—The Commission shall act only on an affirmative vote of a majority of the members of the Commission.

(B) QUORUM.—A majority of the members of the Commission, which includes at least 1 member appointed pursuant to clause (iii) or (iv) of paragraph (1)(A), shall constitute a quorum for conducting business but fewer members may meet or hold hearings.

(b) DUTIES.—

(1) IN GENERAL.—The Commission shall—

(A) plan, develop, and execute programs and activities appropriate to commemorate the bicentennial anniversary of the abolition of the transatlantic slave trade;

(B) facilitate commemoration-related activities throughout the United States;

(C) encourage civic, historical, educational, religious, economic, and other organizations, as well as State and local governments, throughout the United States to organize and participate in anniversary activities to expand the understanding and appreciation of the significance of the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States;

(D) coordinate and facilitate for the public scholarly research on, publication about, and interpretation of, the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States;

(E) assist in the development of appropriate programs and facilities to ensure that the bicentennial anniversary of the abolition of the transatlantic slave trade provides a lasting legacy and long-term public benefit;

(F) support and facilitate marketing efforts for the issuance of a commemorative coin, postage stamp, and related activities for observances;

(G) facilitate the convening of a joint meeting or joint session of the Congress for ceremonies and activities relating to the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States;

(H) promote the sponsorship of conferences, exhibitions, or public meetings concerning the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States;

(I) coordinate and facilitate the sponsorship of high school and collegiate essay contests concerning the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States; and

(J) examine reports of modern-day slavery and human trafficking to raise the public's awareness of these matters and ensure such atrocities do not go unnoticed by the people of the United States.

(2) INITIAL REPORT.—Not later than March 31, 2009, the Commission shall submit to the Congress a report containing a summary of the activities of the Commission for 2008.

(c) POWERS OF THE COMMISSION.—The Commission may—

(1) accept donations and gift items related to the transatlantic slave trade, the institution of slavery, and the significance of slavery to the history of the United States;

(2) appoint such advisory committees as the Commission determines necessary to carry out this Act;

(3) authorize any member or employee of the Commission to take any action that the Commission is authorized to take under this Act;

(4) procure supplies, services, and property, and make or enter into contracts, leases, or other legal agreements, to carry out this Act (except that any contracts, leases, or other legal agreements made or entered into by the Commission shall not extend beyond the date of the termination of the Commission); and

(5) use the United States mails in the same manner and under the same conditions as other Federal agencies.

(d) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS OF THE COMMISSION.—

(A) BASIC PAY.—Members of the Commission shall not receive compensation for the performance of their duties on behalf of the Commission.

(B) TRAVEL EXPENSES.—Upon approval of the Chairperson, a member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular place of business in the performance of their duties on behalf of the Commission.

(2) STAFF.—

(A) IN GENERAL.—The Chairperson of the Commission shall, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform its duties.

(B) EXECUTIVE DIRECTOR.—

(i) QUALIFICATIONS.—The person appointed executive director shall have demonstrated expertise or experience in the study and program facilitation on the transatlantic slave trade and the institution of slavery, particularly as it relates to the United States.

(ii) CONFIRMATION.—The employment of an executive director shall be subject to confirmation by the members of the Commission.

(C) COMPENSATION.—The Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(D) VOLUNTEER AND UNCOMPENSATED SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Commission may accept and use voluntary and uncompensated services as the Commission determines necessary.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(f) NON-APPLICABILITY OF FACA.—Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

SEC. 5. TERMINATION.

(a) **DATE OF TERMINATION.**—The Commission shall terminate on December 31, 2009.

(b) **FINAL REPORT.**—Upon termination, the Commission shall submit to the Congress a report containing—

- (1) a detailed statement of the activities of the Commission;
- and
- (2) a final accounting of the funds received and expended by the Commission.

Speaker of the House of Representatives.

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