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SENATE

{ REPORT
104-190

AUTHORIZING THE ALPHA PHI ALPHA FRATERNITY TO ESTABLISH A MEMORIAL TO MARTIN LUTHER KING, JR., IN THE DISTRICT OF COLUMBIA

DECEMBER 19, 1995.—Ordered to be printed

Mr. WARNER, from the Committee on Rules and Administration, submitted the following

REPORT

[To accompany S. 426]

The Committee on Rules and Administration, having considered S. 426, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE AND BACKGROUND OF THE BILL

S. 426 is a bill to authorize the Alpha Phi Alpha Fraternity, the oldest black fraternity in the United States, to establish, without cost to the federal government, a memorial in the District of Columbia and its environs to the late Dr. Martin Luther King, Jr.

Similar bills were introduced in the 100th, 101st, 102nd and 103rd Congresses and were reported favorably by the Committee on Rules and Administration. In the 100th Congress and the 102nd Congress, the bill passed the Senate.

The measure is subject to the provisions of Public Law 99-652, the Commemorative Works Act (40 U.S.C. 1001, et seq.) approved November 14, 1986, which, in order to conserve the limited space available in the District of Columbia and environs, established conditions and criteria for future memorials. Under the Act, work on the memorial, including site selection and approval, could not begin until April 1993, twenty-five years after the death of Dr. King. The twenty-fifth anniversary having been reached, this measure is now fully endorsed by the National Capital Planning Commission.

The floor statement made by Senator Sarbanes when introducing this measure follows:

[From the Congressional Record, Feb. 15, 1995]

Mr. SARBANES. Mr. President, since 1926 this Nation has designated February as the month to honor the contributions of African-Americans and their proud heritage, which has so powerfully enriched our land. As we honor the accomplishments of African-American citizens throughout the country, I wanted to bring to the attention of my colleagues legislation introduced today by myself and the distinguished Senator from Virginia, Senator Warner, to recognize and honor Dr. Martin Luther King, Jr.

As you know, Dr. King's life was one of extraordinary accomplishments and has had a significant and lasting impact on our Nation's history. The legislation Senator Warner and I have introduced today would recognize these accomplishments by authorizing the Alpha Phi Alpha Fraternity, the oldest African-American fraternity in the United States, to establish a monument to Dr. King on Federal land in the District of Columbia. Identical legislation passed the Senate in the 102d Congress with 60 cosponsors, but was unfortunately not passed by the House of Representatives before adjournment sine die.

Pursuant to this proposal, the Alpha Phi Alpha Fraternity of which Dr. King was a member, will coordinate the design and funding of the monument. The bill provides that the monument be established entirely with private contributions at no cost to the Federal Government. The Department of the Interior, in consultation with the National Capital Park and Planning Commission and the Commission on Fine Arts, will select the site and approve the design.

Alpha Phi Alpha was founded in 1906 at Cornell University and has hundreds of chapters across the country and many prominent citizens as members, including the late Supreme Court Justice Thurgood Marshall. Alpha Phi Alpha has strongly endorsed the Martin Luther King, Jr. Memorial project and is committing its considerable human resources to the project's development.

Since 1955, when in Montgomery, AL, Dr. King became a national hero and an acknowledged leader in the civil rights struggle, until his tragic death in Memphis, TN in 1968. Martin Luther King, Jr. made an extraordinary contribution to the evolving history of our Nation. His courageous stands and unyielding belief in the tenet of non-violence reawakened our Nation to the injustice and discrimination which continued to exist 100 years after the Emancipation Proclamation and the enactment of the guarantees of the 14th and 15th amendments to the Constitution.

A memorial to Dr. King erected in the nation's Capital will provide continuing inspiration to all who visit it, and particularly to the thousands of students and young people

who visit Washington, DC ever year. While these young people may have no personal memory of the condition of civil rights in America before Dr. King nor of the struggle in which he was the major figure, they do understand that there is much more that still needs to be done. As Coretta King said so articulately:

“Young people in particular need nonviolent role models like him. In many ways, the Civil Rights movement was a youth movement. Young people of all races, many of whom were jailed, were involved in the struggle, and some give their lives for the cause. Yet none of the youth trained by Martin and his associates retaliated in violence, including members of some of the toughest gangs of urban ghettos in cities like Chicago and Birmingham. This was a remarkable achievement. It has never been done before; it has not been duplicated since.”

It is our hope that the young people who visit this monument will come to understand that it represents not only the enormous contribution of this great leader, but also two very basic principles necessary for the effective functioning of our society—The first is that change, even every fundamental change, is to be achieved through nonviolent means; that this is the path down which we should go as a nation in resolving some of our most difficult problems. The other basic principle is that the reconciliation of the races, the inclusion into the mainstream, of American Life of all its people, is essential to the fundamental health of our Nation.

Mr. President, Martin Luther King, Jr., dedicated his life to achieving equal treatment and enfranchisement for all Americans through nonviolent means. As we continue to celebrate Black History Month—I urge all of my colleagues to join Senator Warner and me in this effort to ensure that the essential principles taught and practiced by Dr. King are never forgotten.

COMMITTEE ACTION

On December 14, 1995, the Committee on Rules and Administration held a markup session on S. 426. The National Capital Memorial Commission provided the Committee with their views on this measure by a letter dated December 14, 1995 and signed by John G. Parsons, Chairman. After discussion, quorum being present, S. 426 was passed by rollcall vote and was ordered reported favorably by the Committee. The letter received from the National Capital Planning Commission is set forth following the record of the rollcall vote.

COMMITTEE ROLLCALL VOTE

In compliance with paragraphs 7 (b) and (c) of rule XXVI of the Standing Rules of the Senate, the record of the rollcall vote in the Committee on Rules and Administration during its consideration of this measure was:

YEAS—12

NAYS—0

McConnell
 Cochran
 Santorum
 Nickles
 Ford
 Pell
 Byrd
 Inouye
 Moynihan
 Dodd
 Feinstein
 Warner

Proxy votes in favor of the bill were submitted by Mr. Hatfield and Mr. Stevens.

A proxy vote in opposition to the bill was submitted by Mr. Helms.

U.S. DEPARTMENT OF THE INTERIOR,
 NATIONAL PARK SERVICE,
Washington, DC, December 14, 1995.

Hon. JOHN WARNER,
Chairman, Committee on Rules and Administration, U.S. Senate,
Washington, DC.

DEAR MR. CHAIRMAN: We are pleased to respond to your request for the views of the National Capital Memorial Commission regarding S. 426, a bill that would authorize the Alpha Phi Alpha Fraternity to erect a memorial to Martin Luther King, Jr., in the District of Columbia.

The National Capital Memorial Commission was established by the Commemorative Works Act in 1986 to review all proposals to erect memorials on Department of the Interior and General Services Administration lands in the District of Columbia and its environs, and to provide its recommendations on these proposals to Committees of Congress. I am happy to provide this report to you, dated July 26, 1995, which states that the Commission echoed its 1993 endorsement of a memorial to Martin Luther King, Jr., and voted unanimously to recommend that the Secretary of the Interior support S. 426.

If there are any questions please contact me or Ms. Nancy Young of my staff.

Sincerely,

JOHN G. PARSONS,
Chairman, National Capital
Memorial Commission.

COST ESTIMATE

In compliance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the Committee does not consider that enactment of S. 426 would entail any cost to the Federal government. The letter received from the Congressional Budget Office is set forth below:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 18, 1995.

Hon. JOHN W. WARNER,
*Chairman, Committee on Rules and Administration, U.S. Senate,
Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 426, a bill to authorize the Alpha Phi Alpha Fraternity to establish a memorial to Martin Luther King, Jr., in the District of Columbia, and for other purposes, as ordered reported by the Senate Committee on Rules and Administration on December 14, 1995. The bill would require the Alpha Phi Alpha Fraternity to establish the memorial in accordance with Public Law 99-652, the Commemorative Works Act, and without the use of federal funds.

CBO estimates that enacting this legislation would result in no significant cost to the federal government and in no cost to state or local governments. Enacting S. 426 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is John R. Righter.

Sincerely,

JUNE E. O'NEILL, *Director.*

REGULATORY IMPACT EVALUATION

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee does not consider that enactment of S. 426 would have any regulatory impact.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of the rule XXVI of the Standing Rules of the Senate, the Committee considers that the bill proposes no changes in existing law.