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Dr. Martin Luther King, Jr.: Commemorative Works and Other Honors Authorized by Congress

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Summary

Dr. Martin Luther King, Jr. (1929-1968), a prominent African American clergyman and civil rights leader, has been honored by Congress over the years through the enactment of several pieces of legislation to provide for the commemoration of his life, works, and legacy. This report examines the life and works of Dr. King, and the various honors and memorials which Congress has authorized. The report provides the current status of the various projects.

In 1983 Congress enacted legislation to designate the birthday of Dr. King a legal public holiday. This federal holiday has been observed every year since 1986.

Congress, in 1996, authorized the construction of a memorial to Dr. King ("King Memorial") to be located in the Washington, DC area. The project is privately funded. Congress subsequently enacted additional legislation to further this project. The site and design of the King Memorial have been approved, and the fund raising process is underway. Groundbreaking is expected in 2006 and dedication is anticipated in 2008.

In 2000, Congress authorized the placement of a bronze plaque ("plaque") at the Lincoln Memorial to commemorate Dr. King's August 28, 1963 "I Have A Dream" speech. The plaque was unveiled and dedicated on August 22, 2003, and the project is completed. Both the King Memorial and the plaque are/were subject to the Commemorative Works Act which relates to the siting of commemorative works at certain locations in the Washington, DC area.

Most recently, in 2004, Congress authorized the President to award a gold medal on behalf of Congress to Dr. King (posthumously) and his widow, Coretta Scott King, in recognition of their contributions to the civil rights movement. This project is in the medal design stage and no date is projected for the presentation ceremony. The report will be updated as needed.

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Dr. Martin Luther King, Jr.: Commemorative Works and Other Honors Authorized by Congress

Introduction

Over the years, Congress has enacted legislation to provide for the commemoration of the life, works, and legacy of Dr. Martin Luther King, Jr., in several different forms. These memorial projects and honors are separate and independent from each other, and some of the recent memorial/honorary projects are being implemented simultaneously.¹

In 1983 Congress enacted legislation to designate the birthday of Dr. King a legal public holiday. This federal holiday has been observed every year since 1986.²

In 1996 Congress authorized the construction of a memorial to Dr. King (“King Memorial”) in the Washington, DC area. Congress has subsequently enacted additional legislation on this project. The site and the design of the King Memorial have been approved by the appropriate administrative bodies, and the fund raising process is underway.

In 2000, Congress authorized the placement of a bronze plaque at the Lincoln Memorial to commemorate Dr. King’s dynamic August 28, 1963 “I Have A Dream” speech. This plaque was dedicated on August 22, 2003. Both the King Memorial and the plaque are/were subject to the Commemorative Works Act which relates to the siting of commemorative works in the Washington, DC area.

Most recently, in 2004, Congress authorized the President to award a gold medal on behalf of the Congress to Dr. King (posthumously), and to his widow Coretta Scott King, in recognition of their contributions to the civil rights movement. At the current time, this project is in the medal design stage.

This report examines the life and legacy of Dr. King, and the various memorials and honors which Congress has enacted to honor his memory. The current status of each of these memorial projects and honors is summarized in the report.

¹ This report is limited to a discussion of congressionally authorized honors and memorials relating to Dr. King, and does not address state, local, international, or private memorials or honors relating to Dr. King.

² The legislation directed that the holiday be first observed two years after the enactment of the authorizing legislation.

Dr. King: His Life and Legacy³

Dr. Martin Luther King, Jr., (1929-1968), was an African American clergyman and civil rights leader.⁴ While serving as the minister of the Dexter Avenue Baptist Church in Montgomery, Alabama, he led the black boycott (1955-56) of the segregated city bus lines and achieved a significant victory as a civil rights leader when the Montgomery buses began operation on a desegregated basis in 1956.⁵

Dr. King organized the Southern Christian Leadership Conference (SCLC) and served as its first president. He used the SCLC as a means to advance civil rights. His activities, based on nonviolent resistance, led to his arrest on various occasions in the 1950's and 1960's. A protest that Dr. King led in Birmingham, Alabama, in 1963 brought him international attention. He led the August 1963 March on Washington, which was highlighted by his dynamic "I Have A Dream" speech, delivered on the steps of the Lincoln Memorial. This was the first large, integrated civil rights march in the history of the American civil rights movement. In 1964 Dr. King was awarded the Nobel Peace Prize in Oslo, Norway.⁶

In addition to his commitment to civil rights, Dr. King was deeply concerned about poverty and social injustice. His plans for a Poor People's Campaign and March on Washington were interrupted by a trip to Memphis, Tennessee, in support of striking sanitation workers. On April 4, 1968, Dr. King was assassinated by a gunman as he stood on a balcony at the Lorraine Motel in Memphis.⁷

Dr. King authored several books, including *Stride toward Freedom* (1958), *Why We Can't Wait* (1964), and *Where from Here: Chaos or Community?* (1967). He left behind his legacy of striving for racial equality and social justice.⁸

Mrs. Martin Luther King, Jr. (Coretta Scott King) was involved with Dr. King's civil rights activities, ministry, and family commitments. A gifted musician, Mrs. King organized and performed at several concerts benefitting the civil rights movement. Through her efforts, the King Center in Atlanta was established and has preserved the heritage and legacy of Dr. King. The King Center is described as "a

³ This section summarizes some of the highlights of the lives of Dr. and Mrs. King. At the following website: [<http://education.yahoo.com/reference/encyclopedia/entry?id=25974>] there is substantial biographical information and a bibliography.

⁴ See CRS Report RL31180, *Martin Luther King, Jr.: Selected References*, by Tangela G. Roe. This bibliography provides citations to Internet sites, articles in journals and periodicals, books and congressional actions concerning Dr. King's life and involvement in the civil rights movement.

⁵ The website of the Martin Luther King, Jr., National Memorial has substantial biographical information about Dr. King. See [<http://www.mlkmemorial.org/chronology.html>].

⁶ Id.

⁷ The Lorraine Motel is now the National Civil Rights Museum. See [<http://www.civilrightsmuseum.org/about/about.asp>].

⁸ See notes 3 and 5.

living memorial dedicated to the advancement of Dr. Martin Luther King, Jr., the leader of America's greatest nonviolent movement for justice, equality, and peace."⁹ Her autobiography, *My Life with Martin Luther King* (1969), was an acclaimed bestseller. Mrs. King was influential in the establishment of the public holiday honoring Dr. King's birthday and in the congressional authorization of the King Memorial on the federal Mall. Mrs. King and her family have continued to revere the heritage of Dr. King and to further his memory and legacy.

The Martin Luther King, Jr. Federal Holiday¹⁰

Following Dr. King's assassination of April 4, 1968, Representative John Conyers, Jr. introduced the first legislation proposing Dr. King's birthday as a federal holiday on April 8, 1968, four days after Dr. King's assassination.¹¹ Representative Conyers continued to introduce legislation proposing a King federal holiday each subsequent Congress until the enactment of the authorizing legislation in the 98th Congress in 1983. Dr. King is the only American, other than George Washington, to have his birthday designated as a national holiday.¹²

While Dr. King is a hero for many Americans, he remains a controversial and unpopular figure for some others. Some of these controversies surfaced at the time of the consideration of the King federal holiday legislation.¹³

The bill designating Dr. King's birthday as a federal holiday, H.R. 3706,¹⁴ was considered and passed in the House on August 2, 1983,¹⁵ and was passed by the Senate on October 19, 1983. The bill was signed into law by President Ronald Reagan on November 2, 1983.¹⁶ Section 2 of the bill provided that the holiday would first be observed two years after its enactment. Hence, the first federal observance of the King federal holiday was on January 20, 1986. The official observance date is the third Monday in January.¹⁷

⁹ See the website of the King Center at [<http://www.thekingcenter.org/tkc/index.asp>].

¹⁰ See CRS Report 98-301, *Federal Holidays: Evolution and Application*, by Stephen W. Stathis.

¹¹ H.R. 16510, 90th Cong. 2nd Sess. (1968).

¹² For a history of the events leading up to the creation of the holiday, see Martin Luther King Jr.-Creating a Day at [http://martin-luther-king-day.123holiday.net/king_creation.html].

¹³ See Martin Luther King, Jr. Day Timeline at [http://martin-luther-king-day.123holiday.net/king_timeline.html]. See also the website for the King Memorial at [<http://www.mlkmemorial.org/chronology.html>].

¹⁴ 98th Cong., 1st Sess. (1983).

¹⁵ H.Rept. 98-314, 98th Cong., 1st Sess. (1983).

¹⁶ P.L. 98-144, Nov. 2, 1983, 97 Stat. 917.

¹⁷ 5 U.S.C. § 6103. The date of Dr. King's actual birthday is January 15, 1929.

Coretta Scott King has written extensively about the birthday observance. “The King Holiday honors the life and contributions of America’s greatest champion of racial justice and equality, the leader who not only dreamed of a color-blind society, but who also led a movement that achieved historic reforms to help make it a reality.”¹⁸

Memorials to Dr. King on the Federal Mall

Two memorials commemorating Dr. King have been authorized by Congress. The King Memorial — planned to be built on the federal Mall — has been planned for many years, and was first authorized in 1996. A bronze plaque placed on the steps of the Lincoln Memorial commemorates Dr. King’s legendary “I Have A Dream” speech delivered on August 28, 1963. Because both of these works are sited on the federal Mall, it is necessary that these memorials comply with the provisions of the Commemorative Works Act, which is summarized below.

The Commemorative Works Act

The Commemorative Works Act (“Act”) establishes standards for the authorization and the siting of commemorative works on lands administered by the National Park Service and the General Services Administration in the District of Columbia and its environs.¹⁹ These lands are designated on a map.²⁰ The Act establishes conditions for the location of memorials to be sited in “Area I” and “Area II,” and establishes a “Reserve” area.²¹ The Act established the National Capital Memorial Commission, whose purpose is to advise on the design and location of commemorative works.²² The Act requires site and design approval for memorials.²³ Criteria are established for the issuance of a construction permit.²⁴

The provisions of the Act may be summarized as follows:

- All memorials in areas administered by the National Park Service and the General Services Administration must be authorized by Congress. Memorial sites and designs must be approved by the

¹⁸ “The Meaning of the Martin Luther King, Jr. Holiday” by Coretta Scott King at [<http://www.thekingcenter.org/holiday/index.asp>].

¹⁹ 40 U.S.C. §§ 8901 to 8908.

²⁰ Id. § 8902(a)(2).

²¹ Generally, Area I is the land of the Mall and Area II is other land in the Washington area administered by the National Park Service and the General Services Administration. The Reserve is the “cross-axis of the Mall, which generally extends from the Capitol to the Lincoln Memorial, and from the White House to the Jefferson Memorial.” (40 U.S.C. §89(a)(3)).

²² 40 U.S.C. § 8904.

²³ Id. § 8905.

²⁴ Id. § 8906.

National Capital Planning Commission, the Commission of Fine Arts, and either the Secretary of the Interior, in the case of the National Park Service land, or the Administrator of the General Services, in the case of GSA land.

- The National Capital Memorial Commission advises the Secretary of the Interior and the Administrator of the General Services on policies regarding commemorative works. The NCPC Chairman is an ex-officio member of this Commission.
- An event or individual cannot be memorialized prior to the twenty-fifth anniversary of the event or the death of the individual.

In addition, military monuments and memorials may only commemorate a war or similar major military conflict or a branch of the Armed Services. Monuments and memorials commemorating lesser conflicts or a unit of the Armed Forces are not permitted.²⁵

The Martin Luther King, Jr. National Memorial

The Alpha Phi Alpha Fraternity (“fraternity”),²⁶ a collegiate social and service organization to which many leaders of the civil rights movement belonged, including Dr. King, has been a driving force in the King Memorial project. The fraternity first considered sponsorship of a national memorial to the memory of Dr. King in January 1984.²⁷

Legislation to authorize the King Memorial was contained in the Omnibus Parks and Public Lands Management Act of 1996.²⁸ The legislation authorized the Secretary of the Interior “to permit the Alpha Phi Alpha Fraternity to establish a memorial on lands under the administrative jurisdiction of the Secretary in the District of Columbia or its environs to honor Martin Luther King, Jr., pursuant to the Commemorative Works Act of 1986.”²⁹ The Memorial is to be established in accordance with the requirements of the Commemorative Works Act.³⁰ The fraternity is solely responsible for accepting contributions and for paying expenses of the Memorial. “No federal funds may be used to pay any expense of the establishment of the memorial.”³¹ If, after payment of all expenses involved in the establishment of the Memorial, there remains a balance of funds received for the establishment of the Memorial, the fraternity is required to transmit the balance to the

²⁵ Id. § 8903(b).

²⁶ See [http://www.alphaphialpha.net/home/bottom_frame.html].

²⁷ See [<http://www.mlkmemorial.org/chronology.html>].

²⁸ P.L. 104-333, Div. I, Title V, § 508, Nov. 12, 1996, 110 Stat. 4157. See 40 U.S.C. § 8093 (note).

²⁹ P.L. 104-333, § 508(a).

³⁰ Id. § 508(b).

³¹ Id. § 508(c).

Secretary of the Treasury.³² President Clinton signed this legislation into law on November 12, 1996.

Following the enactment of this legislation, the National Capital Memorial Commission (NCMC) voted to recommend an Area I (Mall) location for the siting of the Memorial on January 10, 1998. As required by the Act, this location was affirmed by a Joint Resolution of Congress,³³ which approved the location of the Memorial in Area I on July 16, 1998.³⁴ On December 2, 1999, the NCPC approved a four-acre site adjacent to the Tidal Basin, along with design parameters.³⁵ The location of the Memorial site is a four acre plot on the northeast corner of the Tidal Basin within the view of the Jefferson Memorial and due north of the FDR Memorial.³⁶ On December 2, 1999, a design specification package was completed and the design competition was opened.

The Omnibus Parks Technical Corrections Act of 2000³⁷ made certain nonsubstantive technical corrections to the legislation authorizing the King Memorial.³⁸

On September 12, 2000, the design submitted by the ROMA Design Group of San Francisco, CA, was selected as the winning design. The Commission of Fine Arts voted in favor of the proposed design on April 18, 2002. The King National Memorial Project Foundation (“Foundation”)³⁹ has described the design for the Memorial as follows:

The Memorial is conceived as an engaging landscape experience to convey three fundamental and recurring themes throughout Dr. King’s life — democracy, justice, and hope. Natural elements such as the crescent-shaped-stone wall inscribed with excerpts of his sermons, and public addresses will serve as the living testaments of his visions of America. The centerpiece of the Memorial, the “Stone of Hope,” will feature a 30-foot likeness of Dr. King.⁴⁰

³² Id. § 508(d).

³³ H.J.Res. 113, 105th Cong., 2nd Sess. (1998).

³⁴ P.L. 105-201, July 16, 1998, 112 Stat. 675. For a detailed sequence of the events occurring during the planning and the legislative stages of the Memorial, see [<http://www.mlkmemorial.org/chronology.html>].

³⁵ A earlier Memorial site located in Constitution Gardens was subsequently rejected in favor of the site on the Tidal Basin.

³⁶ For a map of the Memorial site, see [<http://www.mlkmemorial.org/site.html>].

³⁷ P.L. 106-176, Mar. 10, 2000, 114 Stat. 23.

³⁸ Id. § 108 (114 Stat. 26).

³⁹ The Foundation was chartered on May 28, 1998, to oversee the design, fund raising, and construction of the Memorial.

⁴⁰ See [<http://www.mlkmemorial.org/faq.html>].

The Foundation has stated that groundbreaking is anticipated in 2006 with the goal of dedicating the Memorial in 2008.⁴¹ The Foundation estimates that the cost of the Memorial project will be about \$100 million dollars and that \$36 million has currently been raised.⁴² Active fund raising is ongoing, and various corporate sponsors have been secured for the Memorial.⁴³

Legislation enacted in 2003 extended the authority for the construction of the King Memorial. Section 8903(e) of the Commemorative Works Act⁴⁴ placed a seven year limit for the authorization of the legislative authority for the construction of a commemorative work. The original authorizing legislation had been enacted on November 12, 1996, and the seven year period was about to expire. The authorization period was extended to November 12, 2006.⁴⁵

The Commemorative Plaque at the Lincoln Memorial

At the same time that plans were being made for the King Memorial, legislation was enacted to provide for the placement at the Lincoln Memorial of a plaque commemorating the “I Have A Dream” speech. The Secretary of the Interior was directed to install in the area of the Lincoln Memorial a “suitable plaque to commemorate the speech of Martin Luther King, Jr., known as the ‘I Have A Dream’ speech.”⁴⁶ The legislation made the Commemorative Works Act applicable to the design and placement of the plaque. The Secretary was authorized to accept and expend⁴⁷ contributions toward the plaque. Federal funds were allowed to design, procure, or install the plaque.

The plaque project was overseen by the National Park Service, and the provisions of the Commemorative Works Act were complied with. The completed cost of the project was \$8,335, most of which was derived from public funds.⁴⁸ The plaque was installed on the steps of the Lincoln Memorial at the precise location where Dr. King made his speech. The plaque was unveiled and dedicated on August 22, 2003, with the keynote address delivered by Mrs. King. The project is considered completed.

⁴¹ Id.

⁴² Id.

⁴³ Id.

⁴⁴ 40 U.S.C. § 8903(e).

⁴⁵ P.L. 108-125, Nov. 11, 2003, 117 Stat. 1347.

⁴⁶ P.L. 106-365, Oct. 27, 2000, 114 Stat. 1409.

⁴⁷ A technical correction was made in this language to allow the Secretary to “expend contributions.” See P.L. 108-352, § 4, Oct. 21, 2004, 118 Stat. 1395.

⁴⁸ Information obtained from Jeff Taylor, project coordinator, National Park Service.

The Congressional Gold Medal

Congress enacted legislation in 2004 to authorize the President to award a gold medal on behalf of the Congress to Dr. Martin Luther King, Jr. (posthumously) and his widow Coretta Scott King in recognition of their contributions to the United States on behalf of the civil rights movement.⁴⁹

Congress made various findings in the legislation that outline the contributions Dr. and Mrs. King made to the United States and to the civil rights movement. These findings include:

- Dr. and Mrs. King were the first family of the civil rights movement and have distinguished records of public service to the American people and the international community.
- Dr. King preached a doctrine of nonviolent civil disobedience to combat segregation, discrimination, and racial injustice.
- Dr. King led the Montgomery, AL bus boycott to protest the arrest of Rosa Parks and the segregation of the Montgomery bus system.
- Dr. King led the 1963 March on Washington and made his famous “I Have A Dream” speech.
- Dr. King was instrumental in the passage of the Civil Rights Act of 1964 and the Voter Rights Act of 1965.
- Dr. King was assassinated for his beliefs on April 4, 1968.
- Mrs. King entered the civil rights movement in 1955 and played a leading role in the movement.
- While raising four children, Mrs. King worked along with her husband for nonviolent social change and full civil rights for African Americans.
- Mrs. King organized the Freedom Concerts, which increased the awareness and understanding of the Southern Christian Leadership Conference.
- Mrs. King demonstrated composure in sorrow, as she led the nation in mourning her husband after his assassination.
- Following the assassination, Mrs. King directed her energies to developing the Martin Luther King, Jr. Center for Nonviolent Social Change as a memorial to her husband’s life and dream of nonviolent social change and full civil rights for all American.

⁴⁹ P.L. 108-368, Oct. 25, 2004, 118 Stat. 1746.

- Mrs. King led the campaign to establish Dr. King’s birthday as a national holiday.⁵⁰

The legislation directs the Secretary of the Treasury to strike a gold medal with a suitable emblem, devices, and inscriptions, to be determined by the Secretary. The medal is then to be presented to Dr. King (posthumously) and to Mrs. King.⁵¹ The Secretary is directed to strike and sell duplicates in bronze of the gold medal, under regulations as the Secretary may prescribe, at a price sufficient to cover costs.⁵² Funds not to exceed \$30,000 to pay for the costs of the medals are authorized to be charged against the United States Mint Public Enterprise Fund by the legislation. Funds received from the sale of the duplicate bronze medals are to be deposited in to the Fund.⁵³

At the current time, the medal is at the design stage. Staff of the U.S. Mint are conferring with the King Family over design options.⁵⁴ The design will be approved by the King Family and the Secretary. Then a “strike” date (for the minting or “striking” of the medal) will be set for the gold medal and the bronze duplicate medals. It is anticipated that the Secretary will arrange a presentation ceremony in the Rotunda of the U.S. Capitol, at which time the President will formally present the gold medal to Mrs. King.⁵⁵ No dates have been scheduled (or estimated) for either the “strike” date or the official presentation date.

⁵⁰ Id. § 1.

⁵¹ Id. § 2.

⁵² Id. § 3.

⁵³ Id. § 5.

⁵⁴ Information obtained from the office of public affairs and the office of general counsel, U.S. Mint.

⁵⁵ Id.