

# CRS Report for Congress

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

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

## Summary

Dr. Martin Luther King Jr. (1929-1968), the 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. In addition, Mrs. Martin Luther King Jr. (Coretta Scott King, 1927-2006) was closely involved in her husband's work. Following his assassination, she carried on his legacy. She has also been recognized and commemorated by Congress. This report provides the current status of these 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. Since then, Congress has regularly passed resolutions recognizing Dr. King's birthday and acknowledging his contributions to the United States and the world. In 1994, Congress passed legislation to fund the King Federal Holiday Commission and to extend its operations. The legislation also established the Martin Luther King Jr. Service Day, which provides service opportunities in conjunction with the King birthday observance.

Congress, in 1996, authorized the construction of a memorial to Dr. King ("King Memorial") to be located in the Washington, DC, area. 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 under way. In 2005, federal matching grants of \$10 million were appropriated for expenses for the King Memorial and an extension of the legislative authorization for the construction of the Memorial. The groundbreaking ceremony occurred on November 13, 2006. Although the actual construction has not commenced, the King Memorial dedication is tentatively scheduled for 2010. At the current time, certain design issues are being resolved.

In 2000, Congress authorized the placement of a bronze 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.

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. The medal has been minted. Mrs. King died on January 31, 2006. Following her death, both the Senate and House passed resolutions expressing condolences and honoring her life and work. It is expected that the medal will be ceremoniously presented to the family of Dr. and Mrs. King in the spring of 2009.

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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.<sup>1</sup> In addition, Congress has also recognized the contributions made by Mrs. Martin Luther King Jr. (Coretta Scott King).

In 1983, Congress approved legislation to designate the birthday of Dr. King a legal public holiday. This federal holiday has been observed every year since 1986.<sup>2</sup>

In 1994, Congress passed legislation to fund the King Federal Holiday Commission and to extend its operations. The legislation also established the Martin Luther King Jr. Service Day, which provides service opportunities in conjunction with the King birthday observance.

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 under way. In 2005, legislation was enacted to appropriate federal matching grants of \$10 million for expenses for the King Memorial and to extend the legislative authorization for the construction of the Memorial. The groundbreaking ceremony was held on November 13, 2006. At the present time, legislation is pending to extend the authorization for construction of the King Memorial to November 12, 2009.<sup>3</sup> Although the actual construction has not commenced, the King Memorial dedication is tentatively scheduled for 2010.

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<sup>1</sup> 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. It is limited to enacted federal legislation. However, it is noted that Dr. King was posthumously awarded the Presidential Medal of Freedom, the nation’s highest civil award, by President Jimmy Carter on July 11, 1977. Mrs. King accepted the Medal.

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

<sup>3</sup> S. 3607, 110<sup>th</sup> Cong., 2d Sess. (2008).

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.<sup>4</sup>

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. The medal has been minted. However, due to the untimely death of Mrs. King on January 31, 2006, plans for the presentation ceremony are uncertain at this time.

In 2006, following the death of Mrs. King on January 31, 2006, both the Senate and the House passed resolutions expressing their condolences and honoring Mrs. King's life.

In the 110<sup>th</sup> Congress, as in prior Congresses, various legislative measures have been enacted to commemorate and honor Dr. King and his work. A House Resolution was passed to encourage the American people to observe his birthday, commemorate his legacy, remember his message, and rededicate themselves to his goal of a free and just United States.<sup>5</sup> A Senate Resolution observed and celebrated the national holiday honoring Dr. King, and it honored his example of nonviolence, courage, compassion, dignity, and public service.<sup>6</sup> The 40<sup>th</sup> anniversary of the assassination of Dr. King was recognized by a House Resolution.<sup>7</sup> This Resolution encouraged all Americans to remember the life and legacy of Dr. King on the 40<sup>th</sup> anniversary of his death; commemorated Dr. King's legacy; and urged American citizens to pursue Dr. King's goal of a free and just United States.

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

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<sup>4</sup> P.L. 99-652, November 14, 1986, 100 Stat. 3650, as designated by P.L. 103-321, § 2(h), August 26, 1994, 108 Stat. 1795 (Title 40, § 1001 et seq.).

<sup>5</sup> H.Res. 61, 110<sup>th</sup> Cong., 1<sup>st</sup> Sess. (2007).

<sup>6</sup> S.Res. 29, 110<sup>th</sup> Cong., 1<sup>st</sup> Sess. (2007).

<sup>7</sup> H.Res. 1061, 110<sup>th</sup> Cong., 2d Sess. (2008).

## Dr. King: His Life and Legacy<sup>8</sup>

Dr. Martin Luther King Jr. (1929-1968) was an African American clergyman and civil rights leader. 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.<sup>9</sup>

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 1950s and 1960s. 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.<sup>10</sup>

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.<sup>11</sup>

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.

Mrs. Martin Luther King Jr. (Coretta Scott King, 1927-2006) was involved in 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 living memorial dedicated to the advancement of Dr. Martin Luther King, Jr., the leader of America’s greatest nonviolent movement for justice, equality, and

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<sup>8</sup> This section summarizes some of the highlights of the lives of Dr. and Mrs. King. At the following website: [[http://nobelprize.org/nobel\\_prizes/peace/laureates/1964/king-bio.html](http://nobelprize.org/nobel_prizes/peace/laureates/1964/king-bio.html)]; there is substantial biographical information and a bibliography. The website of the Martin Luther King Jr. National Memorial has substantial biographical information about Dr. King. See [<http://www.mlkmemorial.org/>]; go to “The Memorial” and then go to “About Dr. King.” Also see [<http://www.mlkonline.net>] for substantial biographical information and a bibliography.

<sup>9</sup> Id.

<sup>10</sup> Id.

<sup>11</sup> The Lorraine Motel is now the National Civil Rights Museum. See the museum’s website at [<http://www.civilrightsmuseum.org/about/about.asp>].

peace.”<sup>12</sup> 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 died on January 31, 2006.

## The Martin Luther King Jr. Federal Holiday<sup>13</sup>

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.<sup>14</sup> Representative Conyers continued to introduce legislation proposing a King federal holiday each subsequent Congress until the enactment of the authorizing legislation in the 98<sup>th</sup> Congress in 1983. Dr. King is the only American, other than George Washington, to have his birthday designated as a national holiday.<sup>15</sup>

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.<sup>16</sup>

The bill designating Dr. King’s birthday as a federal holiday, H.R. 3706, was considered and passed in the House on August 2, 1983,<sup>17</sup> and was passed by the Senate on October 19, 1983. The bill was signed into law by President Ronald Reagan on November 2, 1983.<sup>18</sup> 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.<sup>19</sup>

Coretta Scott King wrote extensively about the birthday observance. She has written that “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

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<sup>12</sup> See the website of the King Center at [<http://www.thekingcenter.org>].

<sup>13</sup> See CRS Report 98-301, *Federal Holidays: Evolution and Application*, by Stephen W. Stathis.

<sup>14</sup> H.R. 16510, 90<sup>th</sup> Cong. 2<sup>nd</sup> Sess. (1968).

<sup>15</sup> For a history of the events leading up to the creation of the holiday, see Martin Luther King Jr. — Creating a Day, available online from 123Holiday.net at [[http://martin-luther-king-day.123holiday.net/king\\_creation.html](http://martin-luther-king-day.123holiday.net/king_creation.html)].

<sup>16</sup> See Martin Luther King Jr. Day Timeline at [[http://martin-luther-king-day.123holiday.net/king\\_timeline.html](http://martin-luther-king-day.123holiday.net/king_timeline.html)].

<sup>17</sup> H.Rept. 98-314, 98<sup>th</sup> Cong., 1<sup>st</sup> Sess. (1983).

<sup>18</sup> P.L. 98-144, November 2, 1983, 97 Stat. 917.

<sup>19</sup> 5 U.S.C. § 6103. The date of Dr. King’s actual birthday is January 15, 1929.

a color-blind society, but who also led a movement that achieved historic reforms to help make it a reality.”<sup>20</sup>

To implement and enhance the observance of the holiday, Congress enacted legislation to establish a federal commission, the Martin Luther King, Jr. Federal Holiday Commission, to encourage appropriate ceremonies and activities relating to the first observance of the holiday and to provide advice and assistance about the observance of the holiday.<sup>21</sup>

## **The Martin Luther King Jr. Service Day**

The King Holiday and Service Act of 1994<sup>22</sup> authorized appropriations through FY1998 for the King Federal Holiday Commission and extended the operation of the Commission.<sup>23</sup> The membership of the Commission was revised to include the Chief Executive Officer of the Corporation for National and Community Service (“Corporation”). Various administrative changes were made concerning the Commission and its operation.

Most significantly, the legislation established the Martin Luther King Jr. Service Day. It amended section 198 of the National and Community Services Act of 1990 to authorize the Corporation to make grants to eligible entities to carry out service opportunities in conjunction with the birthday observance of Dr. King.<sup>24</sup> Such service opportunities consist of activities that reflect the life and teachings of Dr. King, including, for example, cooperation and understanding among racial and ethnic groups, nonviolent conflict resolution, equal economic and educational opportunities, and social justice. Eligibility and funding requirements were also provided by the legislation.

## **Memorials to Dr. King on the Federal Mall**

Two memorials commemorating Dr. King have been authorized by Congress. The King Memorial — to be built on the federal Mall — has been planned for many years, and was first authorized in 1996. In addition, a bronze plaque placed on the steps of the Lincoln Memorial commemorates Dr. King’s legendary “I Have A

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<sup>20</sup> “The Meaning of the Martin Luther King, Jr. Holiday” by Coretta Scott King at [<http://www.thekingcenter.org/holiday/index.asp>].

<sup>21</sup> P.L. 98-399, August 27, 1984, 98 Stat. 1473.

<sup>22</sup> P.L. 103-304, August 22, 1994, 108 Stat. 1565.

<sup>23</sup> Although authorized through 1998, the Commission ceased operation on September 30, 1996. The business and function of the Commission were assumed by the Martin Luther King Jr. Center for Nonviolent Social Change in Atlanta, GA. See [<http://www.defenselink.mil/news/newsarticle.aspx?id=40496>] for a discussion of the ending of the Commission and the King Center’s assumption of the Commission’s responsibilities.

<sup>24</sup> 42 U.S.C. § 12653(s)(1).



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<sup>25</sup>**

The Commemorative Works Act established standards for authorizing and siting commemorative works on lands administered by the National Park Service and the General Services Administration in the District of Columbia and its environs.<sup>26</sup> These lands are designated on a map.<sup>27</sup> The act established conditions for the location of memorials to be sited in “Area I” and “Area II,” and establishes a “Reserve” area.<sup>28</sup> The act established the National Capital Memorial Commission, whose purpose is to advise on the design and location of commemorative works.<sup>29</sup> The act requires site and design approval for memorials.<sup>30</sup> Criteria are established for the issuance of a construction permit.<sup>31</sup>

## **The Martin Luther King Jr. National Memorial**

The Alpha Phi Alpha Fraternity (“fraternity”),<sup>32</sup> 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.<sup>33</sup>

Legislation to authorize the King Memorial was contained in the Omnibus Parks and Public Lands Management Act of 1996.<sup>34</sup> 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

<sup>25</sup> P.L. 99-652, November 14, 1986, 100 Stat. 3650, as designated by P.L. 103-321, § 2(h), August 26, 1994, 108 Stat. 1795 (Title 40, § 1001 et seq.).

<sup>26</sup> 40 U.S.C. §§ 8901 to 8908.

<sup>27</sup> *Id.* § 8902(a)(2).

<sup>28</sup> 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).

<sup>29</sup> 40 U.S.C. § 8904.

<sup>30</sup> *Id.* § 8905.

<sup>31</sup> *Id.* § 8906.

<sup>32</sup> See [<http://www.alpha-phi-alpha.org>].

<sup>33</sup> See [<http://www.mlkmemorial.org>]; go to “The Memorial” and then go to “History of the Memorial.”

<sup>34</sup> P.L. 104-333, Div. I, Title V, § 508, November 12, 1996, 110 Stat. 4157. See 40 U.S.C. § 8093 (note).

District of Columbia or its environs to honor Martin Luther King, Jr., pursuant to the Commemorative Works Act of 1986.”<sup>35</sup> The Memorial is to be established in accordance with the requirements of the Commemorative Works Act.<sup>36</sup> The original legislation provided for the fraternity to be solely responsible for accepting contributions and paying expenses, and explicitly prohibited the use of federal funds.<sup>37</sup> However, this provision was modified by legislation enacted in 2005 that provides for federal matching grants of \$10 million for “necessary expenses” for the Memorial.<sup>38</sup> 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 Secretary of the Treasury.<sup>39</sup> 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,<sup>40</sup> which approved the location of the Memorial in Area I on July 16, 1998.<sup>41</sup> On December 2, 1999, the NCPC approved a four-acre site adjacent to the Tidal Basin, along with design parameters. 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.<sup>42</sup> On December 2, 1999, a design specification package was completed and the design competition was opened.<sup>43</sup>

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”)<sup>44</sup> has described the design for the Memorial as follows:

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<sup>35</sup> P.L. 104-333, § 508(a).

<sup>36</sup> *Id.* § 508(b).

<sup>37</sup> *Id.* § 508(c).

<sup>38</sup> P.L. 109-54, August 2, 2005, 119 Stat. 526, discussed below.

<sup>39</sup> P.L. 104-333, § 508(d).

<sup>40</sup> H.J.Res. 113, 105<sup>th</sup> Cong., 2<sup>nd</sup> Sess. (1998).

<sup>41</sup> 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>]; go to “The Memorial” and then go to “History of the Memorial.”

<sup>42</sup> For a map of the Memorial site, see [<http://www.mlkmemorial.org>]; go to “The Memorial” and then go to “About the Memorial” and then go to “Site Location.”

<sup>43</sup> The Omnibus Parks Technical Corrections Act of 2000 made certain substantive technical corrections to the legislation authorizing the King Memorial. P.L. 106-176, March 10, 2000, 114 Stat. 23.

<sup>44</sup> The Foundation was chartered on May 28, 1998, to oversee the design, fund-raising, and construction of the Memorial.

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.<sup>45</sup>

Legislation enacted in 2003 extended the authority for the construction of the King Memorial. Section 8903(e) of the Commemorative Works Act placed a seven-year limit for the authorization of the legislative authority for the construction of a commemorative work.<sup>46</sup> 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.<sup>47</sup>

Provisions contained in the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006, modified existing legislation.<sup>48</sup> Section 134 of the legislation appropriated \$10 million to the Secretary of the Interior for necessary expenses for the King Memorial. These funds are not available until matched by non-federal contributions received after July 26, 2005, but before November 12, 2008. This legislation modified earlier legislation, discussed above, which specified that all funding was to be derived from private sources. The legislation also extended the authorization for the construction of the Memorial. Legislation is currently pending to extend the authorization for the construction of the Memorial to November 12, 2009.<sup>49</sup>

The groundbreaking ceremony for the Memorial was held on November 13, 2006.<sup>50</sup> The Foundation estimates that the cost of the Memorial project will be about \$120 million.<sup>51</sup> Active fund-raising is ongoing, and various corporate sponsors have been secured for the Memorial.<sup>52</sup> The Foundation has stated that more than \$98 million has been raised.<sup>53</sup> The start of the construction is contingent upon raising

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<sup>45</sup> See [<http://www.mlkmemorial.org>]; go to “Resources” and then go to “Quick Facts About the Memorial.”

<sup>46</sup> 40 U.S.C. § 8903(e).

<sup>47</sup> P.L. 108-125, November 11, 2003.

<sup>48</sup> P.L. 109-54, August 2, 2005, 119 Stat. 526.

<sup>49</sup> S. 3607, 110<sup>th</sup> Cong. 2d Sess., (2008). The bill was introduced on September 26, 2008 and was referred on that date to the Senate Committee on Energy and Natural Resources.

<sup>50</sup> See [<http://www.mlkmemorial.org>]; go to “Resources” and then go to “Quick Facts About the Memorial.”

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

\$120 million, and the actual construction has not begun. However, the dedication of the Memorial is tentatively scheduled for 2010.<sup>54</sup>

At the present time, revisions are being made to the design for the centerpiece of the Memorial — the “Stone of Hope” — which will feature a 30-foot likeness of Dr. King. The Foundation formed an Exploratory Committee (“Committee”) to locate a source of granite and to identify individuals capable of carrying out the sculptural works.<sup>55</sup> Following an extended international search for granite, the Committee located the desired granite in China. The Committee likewise undertook an international search for a sculptor for the work, and ultimately selected Mr. Lei Yi Xin of China and approved his proposed design. The Committee’s selection was approved by the Board of Directors and the Executive Leadership Cabinet of the Foundation. The Foundation submitted the design to the U.S. Commission of Fine Arts (“Commission”) on February 15, 2007, and it was unanimously approved.<sup>56</sup>

The design process is ongoing, as “the Foundation continues to refine the image of Dr. King on the Stone of Hope.”<sup>57</sup> The media have reported various design changes to the proposed King statue, which include the modification of facial features on the statue and other design changes.<sup>58</sup> The sculptor is in the process of building a full-scale clay model of the sculpture; the various modifications and revisions have occurred as a result of viewing the model and in response to design criticisms raised by the Commission.<sup>59</sup>

On September 18, 2008, the Commission approved the plans for the Memorial. However, some concerns and reservations remained regarding the monumental statue of Dr. King. Additional information concerning the statue was to be provided to the Commission.<sup>60</sup>

## **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’

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<sup>54</sup> Id.

<sup>55</sup> See [<http://www.mlkmemorial.org>]; go to “The Team” and then go to “Sculptor of Record.”

<sup>56</sup> Id.

<sup>57</sup> Id.

<sup>58</sup> Michael E. Ruane, *Architect Requests More Changes to King Statute*, Washington Post, May 19, 2008, at B-1

<sup>59</sup> Id. at B-5.

<sup>60</sup> See [<http://www.mlkmemorial.org>]; go to “News and Media” and then go to “Latest News;” then go to “In the News;” then go to “MLK memorial gets arts panel’s OK, with reservations.”

speech.”<sup>61</sup> The legislation made the Commemorative Works Act applicable to the design and placement of the plaque. The Secretary was authorized to accept and expend contributions toward the plaque.<sup>62</sup> 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.<sup>63</sup> 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.

## The Congressional Gold Medal<sup>64</sup>

Congress approved 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.<sup>65</sup>

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

- 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.

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<sup>61</sup> P.L. 106-365, October 27, 2000, 114 Stat. 1409.

<sup>62</sup> A technical correction was made in this language to allow the Secretary to “expend contributions.” See P.L. 108-352, § 4, October 21, 2004, 118 Stat. 1395.

<sup>63</sup> Information obtained from Jeff Taylor, project coordinator, National Park Service.

<sup>64</sup> See CRS Report RL30076, *Congressional Gold Medals 1776-2008*, by Stephen W. Stathis.

<sup>65</sup> Id. at 19-21 for current legislative procedures. See P.L. 108-368, October 25, 2004, 118 Stat. 1746.

- 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 Americans.
- Mrs. King led the campaign to establish Dr. King's birthday as a national holiday.<sup>66</sup>

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, and 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.<sup>67</sup> 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.<sup>68</sup>

During May and June 2005, the design staff of the U.S. Mint conferred with Mrs. King and her family concerning the design of the medal.<sup>69</sup> Mrs. King and the King family were actively involved in the design process, and a preliminary design was agreed upon. Then the design was submitted for review to the U.S. Commission of Fine Arts and the Citizens Coinage Advisory Committee ("review committees"), as required by law.<sup>70</sup>

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<sup>66</sup> P.L. 108-368, October 25, 2004, 118 Stat. 1746, § 1.

<sup>67</sup> *Id.* § 3.

<sup>68</sup> *Id.* § 5.

<sup>69</sup> Information obtained from Jean Gentry, Deputy Chief Counsel, U.S. Mint.

<sup>70</sup> 31 U.S.C. § 5135.

In the fall of 2005, comments were received from the review committees, and a design proposal package was forwarded to the Secretary.<sup>71</sup> The Secretary approved the design without change, which is substantially the design previously approved by the King family.<sup>72</sup>

The congressional gold medal was minted in early 2006. Preliminary plans had been made to organize a presentation ceremony around the time of the national observance of Dr. King's birthday, January 16, 2006. However, because of concerns over Mrs. King's health, the ceremony was postponed.<sup>73</sup>

Because of Mrs. King's untimely death on January 31, 2006, the ceremonial presentation plans are uncertain. Precedent indicates that Congress may schedule a posthumous presentation at some later date,<sup>74</sup> with the presentation possibly being made to the family of Dr. and Mrs. King. However, at this date, plans are uncertain.<sup>75</sup> The congressional gold medal remains in the vault of the U.S. Mint.<sup>76</sup>

## Legislation Honoring Coretta Scott King

Following Mrs. King's death on January 31, 2006, both the Senate and the House passed resolutions honoring her life and expressing condolences. S.Res. 362 outlined Mrs. King's life and her many contributions to Dr. King's work and legacy, her own work on behalf of the civil rights movement, and condolences and sympathies to the family of Mrs. King.<sup>77</sup> H.Res. 655 also set out the highlights of Mrs. King's life and works and honored her life and accomplishments and "her contributions as a leader in the struggle for civil rights...."<sup>78</sup> It also expressed the condolences of the House to the King family.

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<sup>71</sup> See CRS Report RL30076, *Congressional Gold Medals 1776-2008*, by Stephen W. Stathis, under "Design and Casting of Gold Medals."

<sup>72</sup> Information obtained from Jean Gentry, Deputy Chief Counsel, U.S. Mint.

<sup>73</sup> *Id.*

<sup>74</sup> *Id.* Many of the medals have been presented posthumously. For example, Mother Teresa of Calcutta died prior to her medal presentation ceremony (1997).

<sup>75</sup> Information obtained from Jean Gentry, Deputy Chief Counsel, U.S. Mint. It is expected that the medal will be ceremoniously presented to the surviving King family members at some future date, possibly by the spring of 2009. Information reconfirmed by staff of Senator Carl Levin (October 30, 2008). Dr. and Mrs. King were survived by their four children: Yolanda Denise King, Martin Luther King, III, Dexter Scott King, and the Rev. Bernice Albertine King, and other family members. Yolanda Denise King died on May 15, 2007.

<sup>76</sup> Information obtained from Clifford Northrup, Director of Legislative Affairs, U.S. Mint.

<sup>77</sup> 109<sup>th</sup> Cong., 2d Sess. (2006).

<sup>78</sup> *Id.*