

117TH CONGRESS
2D SESSION

S. 3508

To posthumously award a congressional gold medal to Constance Baker Motley.

IN THE SENATE OF THE UNITED STATES

JANUARY 13 (legislative day, JANUARY 10), 2022

Mr. BLUMENTHAL (for himself, Mr. SCHUMER, Mr. HEINRICH, Ms. HIRONO, Ms. SMITH, Ms. KLOBUCHAR, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To posthumously award a congressional gold medal to Constance Baker Motley.

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 “Congressional Tribute
5 to Constance Baker Motley Act of 2022”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Constance Baker Motley was born in 1921,
2 in New Haven, Connecticut, the daughter of immi-
3 grants from the Caribbean island of Nevis.

4 (2) In 1943, Constance Baker Motley grad-
5 uated from New York University with a Bachelor of
6 Arts degree in economics.

7 (3) Upon receiving a law degree from Columbia
8 University in 1946, Constance Baker Motley became
9 a staff attorney at the National Association for the
10 Advancement of Colored People Legal Defense and
11 Educational Fund, Inc. (in this Act referred to as
12 the “LDF”), and fought tirelessly for 2 decades
13 alongside Thurgood Marshall and other leading civil
14 rights lawyers to dismantle segregation throughout
15 the United States.

16 (4) Constance Baker Motley was the only fe-
17 male attorney on the LDF legal team that won the
18 landmark desegregation case, *Brown v. Board of*
19 *Education*, 347 U.S. 483 (1954).

20 (5) Constance Baker Motley argued 10 major
21 civil rights cases before the Supreme Court, winning
22 all but one, including the case brought on behalf of
23 James Meredith challenging the refusal of the Uni-
24 versity of Mississippi to admit him.

1 (6) Constance Baker Motley’s only loss before
2 the United States Supreme Court was in *Swain v.*
3 *Alabama*, 380 U.S. 202 (1965), a case in which the
4 Supreme Court refused to proscribe race-based pe-
5 remptory challenges in cases involving African-Amer-
6 ican defendants, and which was later reversed in
7 *Batson v. Kentucky*, 476 U.S. 79 (1986), on
8 grounds that were largely asserted by Constance
9 Baker Motley in the *Swain* case.

10 (7) In 1964, Constance Baker Motley became
11 the first African-American woman elected to the
12 New York State Senate.

13 (8) In 1965, Constance Baker Motley became
14 the first African-American woman, and the first
15 woman, to serve as president of the Borough of
16 Manhattan.

17 (9) Constance Baker Motley, in her capacity as
18 an elected public official in New York, continued to
19 fight for civil rights, dedicating herself to the revital-
20 ization of the inner city and improvement of urban
21 public schools and housing.

22 (10) In 1966, Constance Baker Motley was ap-
23 pointed by President Lyndon B. Johnson as a judge
24 on the United States District Court for the Southern
25 District of New York.

1 (11) The appointment of Constance Baker Mot-
2 ley made her the first African-American woman, and
3 only the fifth woman, appointed and confirmed for
4 a Federal judgeship.

5 (12) In 1982, Constance Baker Motley was ele-
6 vated to Chief Judge of the United States District
7 Court for the Southern District of New York, the
8 largest Federal trial court in the United States.

9 (13) Constance Baker Motley assumed senior
10 status in 1986, and continued serving on the United
11 States District Court for the Southern District of
12 New York with distinction for nearly 2 decades.

13 (14) Constance Baker Motley passed away on
14 September 28, 2005, and is survived by her son,
15 Joel W. Motley III, 3 grandchildren, and nieces and
16 nephews in Connecticut and in other States.

17 (15) September 14, 2021, was the 100th anni-
18 versary of the birth of Constance Baker Motley.

19 **SEC. 3. CONGRESSIONAL GOLD MEDAL.**

20 (a) **PRESENTATION AUTHORIZED.**—The President
21 pro tempore of the Senate and the Speaker of the House
22 of Representatives are authorized to make appropriate ar-
23 rangements for the posthumous presentation, on behalf of
24 Congress, of a gold medal of appropriate design in com-
25 memoration of Constance Baker Motley, in recognition of

1 her enduring contributions and service to the United
2 States.

3 (b) DESIGN AND STRIKING.—For the purpose of the
4 presentation referred to in subsection (a), the Secretary
5 of the Treasury (in this Act referred to as the “Sec-
6 retary”) shall strike a gold medal with suitable emblems,
7 devices, and inscriptions, to be determined by the Sec-
8 retary.

9 **SEC. 4. DUPLICATE MEDALS.**

10 The Secretary may strike and sell duplicates in
11 bronze of the gold medal struck under section 3, at a price
12 sufficient to cover the cost thereof, including labor, mate-
13 rials, dies, use of machinery, and overhead expenses, and
14 the cost of the gold medal.

15 **SEC. 5. NATIONAL MEDALS.**

16 (a) NATIONAL MEDAL.—The medal struck under sec-
17 tion 3 is a national medal for purposes of chapter 51 of
18 title 31, United States Code.

19 (b) NUMISMATIC ITEMS.—For purposes of section
20 5134 of title 31, United States Code, all duplicate medals
21 struck under section 4 shall be considered to be numis-
22 matic items.

1 **SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF**
2 **SALE.**

3 (a) **AUTHORITY TO USE FUND AMOUNTS.**—There is
4 authorized to be charged against the United States Mint
5 Public Enterprise Fund such amounts as may be nec-
6 essary to pay for the cost of the medals struck under this
7 Act.

8 (b) **PROCEEDS OF SALE.**—Amounts received from the
9 sale of duplicate bronze medals under section 4 shall be
10 deposited in the United States Mint Public Enterprise
11 Fund.

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