

The John Hope Franklin Presidential Commission and Initiative on Reparatory Justice for People of African Descent in America (African Americans)

The National African American Reparations Commission strongly urges President Obama to seize this moment to issue an **Executive Order** creating **the John Hope Franklin Commission on Reparatory Justice**.

Model Executive Order

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to promote the full repair of people of African descent in the United States, it is hereby ordered as follows:

1. Policy:

- a. The rise of personal racial aggression against African Americans exposes and undergirds the systemic and structural manifestation of centuries of racialized injury, abuse, exploitation and harm directed at and suffered by this community. Today, approaching the 400th anniversary of Africans being forcefully brought to America (2019), the ongoing social and psychological disease of racism still negatively impacts every aspect of African American life and calls on all departments within the federal government to direct their resources to begin the process of full repair of this community.
- b. This nation has courageously attempted to address this issue of reparatory justice head on several times: Special Field Order No, 15, issued by General William T. Sherman that granted land to the newly freed African descendants, , the Freedman's Bureau (Pres. Lincoln) established in 1865, to help newly emancipated Africans adjust to life as freed men and women , the 1967 Kerner Commission (President Johnson) established to investigate the causes of 1967 urban uprisings and provide recommendations for the future , and recently , 1997 the President's Initiative on Race established by former President Bill Clinton, chaired by John Hope Franklin. Each of these efforts sprang from the same conditions leading to the call for the John Hope Franklin Reparatory Justice Commission - conditions that are more entrenched, exacerbated and foreboding. Each of those efforts made important recommendations, however, the failure to fully carry them out has brought us to this point of needing to make yet another call. Millions of lives were denied remedy and millions more added to the rolls of unjust injury.
- c. This initiative will lessen the impetus to deny, shun, obfuscate, ignore or bury evidence that proves all White Americans receive benefits today from those past injurious acts regardless of when they or their ancestors came to this country. This initiative will readily illuminate the facts and conditions that the accumulated injury prohibits African descendants from benefiting from societal benefits at the

same rate as others, but in many cases have a counter effect of intensifying the injury – thus creating the need for targeted policy. This initiative will start a national dialogue on agreed upon global standards of healing as opposed to standards mediated by a history of unjust acts and ill will toward people of African descent in the United States; this initiative will begin the conversation of reparatory justice from the position that there are numerous actions and measures that can be taken to begin the process of repair that do not entail compensation to every African descendant (or that will “bankrupt America because the debt is too huge.” This initiative will affirm that African people have the human right to be repaired from past and ongoing crimes against humanity and that civilized states accept their obligation to restore justice to a people that the State has, in fact, grossly harmed. This initiative will assert the equality of humanity, and will empower progressive leaders to put forth reparative justice legislation, allowing U.S. legislators to align themselves with global policies that have already proactively and willingly began reparative, healing and restorative processes targeted toward their African descended populations. This initiative will position America to be in step with the global community in recognizing 2015 through 2024 as the United Nations’ International Decade of People of African Descent, under the theme, “Recognition, Justice, and Development.”

2. Establishment:

- a. There is hereby established the John Hope Franklin Initiative of Reparatory Justice for People of African Descent (African Americans) (Initiative), to be housed in the Department of Justice. There shall be an Executive Director of the Initiative, to be appointed by the Attorney General of the United States. The Initiative shall be supported by the Interagency Working Group established under subsection (c) of this section and advised by the Commission established under section 3 of this order.
- b. Establish
 - i. Executive Director
- c. Mission and Functions
 - i. The Initiative will assert that the United States is committed to repairing the breach of the social contract it has had with African Americans by enforcing the civil and human rights afforded them by the Constitution and human rights protocols, in particular the right to reparatory justice from centuries of crimes against humanity.
 - ii. The Initiative will complement and reinforce the Executive Order 13621 July 26, 2012, the White House Initiative on Educational Excellence for African Americans and the Historically Black Colleges and Universities Initiative established by Executive Order 13532 of February 26, 2010, and together, they will function to eradicate the diminished opportunities that exist for a high and just quality of life for all people of African descent in America.

- iii. To help set America on a course for full repair and healing the Initiative shall, consistent with applicable national and international law, promote, encourage, and undertake efforts designed to meet the following objectives of full reparatory justice and the International Decade of People of African Descent
 - 1. Cessation of all ongoing injury, not limited to police killings, mass incarceration, and the continued incarceration of Black political prisoners.
 - 2. Reversal of the negative consequences of enslavement and segregation evident in the lack of recognition of the humanity, identity, culture and the generational socio-economic, socio-political and socio-cultural maladjustments to white racism that manifest as dysfunctionality.
 - 3. Creation of compensatory policies that attempt to even the life chances of African Americans in their efforts to build wealth.
 - 4. Creation of meaningful ways that restore the stolen and damaged dignity of people of African descent
 - 5. Establishment of national rehabilitation centers that address the psychological and social debilitating injury of post traumatic slave syndrome in African Americans, with an accompanying educative component of identifying and correcting the pathological racial thought and behavior patterns in non- African Americans directed at African Americans
 - 6. Full active recognition through targeted policy, of the right to equality and non-discrimination
 - 7. Creation, adoption, implementation, and enforcement of effective and appropriate measures that ensures racial justice and retards conditions of life that fosters self-destructive actions among African descendants.
 - 8. Creation of development strategies and anti-poverty measures.
- d. Interagency Working Group
 - i. There is established the Federal Interagency Working Group on Reparatory Justice for African Americans (Working Group), which shall be convened and chaired by the Initiative's Executive Director and shall support the efforts of the Initiative described in subsection (b) of this section.
 - ii. The Working Group shall consist of senior officials from the Department of Justice, the White House Domestic Policy Council, the Department of Housing and Urban Development, the Department of Agriculture, the Department of Commerce, the Department of State, the Department of Labor, the Department of Health and Human Services, the Department of the Interior, the Department of Education and such additional agencies and

- offices as the President may subsequently designate. Senior officials shall be designated by the heads of their respective agencies and offices.
- iii. The Initiative's Executive Director may establish subgroups of the Working Group to focus on different aspects of injury in education, health, housing, criminal justice, economics, and culture or challenges facing particular populations of African Americans
 - e. Administration.
 - i. The Department shall provide funding and administrative support for the Initiative and the Working Group, to the extent permitted by law and within special appropriations. To the extent permitted by law, other agencies and offices represented on the Working Group may detail personnel to the Initiative, to assist the Department in meeting the objectives of this order.
 - ii. Collaboration among White House Initiatives, Commissions and Task Forces. The Initiative may collaborate with other White House Initiatives, Commissions and Task Forces whenever appropriate in light of their shared objectives.
3. The President's John Hope Franklin Commission for Reparatory Justice for People of African Descent (African Americans).
- a. Establishment. There is established in the Department of Justice, the John Hope Franklin Commission of Reparatory Justice for People of African Descent (African Americans). (Commission).
 - b. Commission Mission and Scope. The Commission shall advise the President and the Attorney General on matters pertaining to reparatory justice measures for the African American community, including:
 - i. the development, implementation, and coordination of reparatory justice, projects, programs, policies, and initiatives at the Departments and other Agencies to improve equitable opportunities and outcomes and full repair for African descents;
 - ii. efforts to increase the participation of the African American community and institutions that serve the African American community in reparatory justice outcomes;
 - iii. efforts to engage the philanthropic, business, religious, educational, medical and nonprofit communities in a national dialogue on the mission and objectives of this order, in particular those entities that had a complicit relationship with the injuries incurred and continuing in the African descendant community; and
 - iv. the establishment of partnerships with public, private, philanthropic, and nonprofit stakeholders, in addition to those above, to meet the mission and policy objectives of this order.

The Commission shall meet aggressively, as often as necessary to complete its objectives.

- c. Commission Membership and Chair.
 - i. The Commission shall consist of not more than 25 members appointed by the President. Twelve (12) being selected from four (4) of the leading reparations organizations within the African descendent community, three members each from the National African American Reparations Commission, National Coalition of Blacks for Reparations In America, the National Black United Front and December 12 Movement. The President shall designate one member of the Commission to serve as Chair. The Executive Director of the Initiative shall also serve as the Co-Chair of the Commission and administer the work of the Commission. The Chair of the Commission shall work with the Executive Director to convene regular meetings of the Commission, determine its agenda, and direct its work, consistent with this order.
 - ii. The Commission may include individuals with relevant experience or subject-matter expertise that the President deems appropriate, as well as individuals who may serve as representatives of a variety of sectors, including the education sector, the health sector, commerce, criminal justice, labor organizations, research institutions, the military, corporate and financial institutions, public and private philanthropic organizations, and nonprofit and community-based organizations at the national, State, regional, or local levels.
 - iii. The Executive Director of the Commission and the Executive Directors of the Board and Advisory Commission shall convene at least two joint meetings between the Commission and the Board for the purpose of sharing information and forging collaborative courses of action designed to fulfill their respective missions. Such meetings shall be in addition to other prescribed meetings of the Commission or Board or Advisory Commission.
 - iv. The Executive Director of the Commission shall be a non-voting, *ex officio* member of the Board and Council and shall be the Commission's liaison to the Board and Advisory Commission; and the Executive Directors of the Board and Advisory Commission shall be a non-voting, *ex officio* member of the Commission and shall be the Board's and Advisory Commission's liaison to the Commission.
- d. Commission Administration. The Department shall provide funding and administrative support for the Commission, to the extent permitted and not to exceed \$8 Million. Members of the Commission shall serve without compensation but shall be allowed travel expenses, including *per diem* in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701–5707).
- e. Termination. The John Hope Franklin Commission for Reparatory Justice for People of African Descent (African Americans) shall function for such period as may be necessary but shall terminate December 31, 2016, at which time the work

of the Initiative will continue via a to be created National Reparatory Justice Agency, or unless extended by the next Administration.

f. Collaboration Among Initiatives

4. General Provision. The heads of agencies shall assist and provide information to the Initiative as may be necessary to carry out the functions of the Initiative, consistent with applicable law.