

Statement of

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Before

**United States House of Representatives
Judiciary Committee**

Hearing

**H.R. 40: Exploring the Path to Reparative Justice in
America**

Concerning

**Reparations as Full Repair and the Need to Pass H.R. 40
Now**

February 17, 2021

I am honored for this opportunity to testify before members of the House Judiciary Committee on the subject of H.R. 40: Exploring the Path to Reparative Justice in America. I am Kamm Howard, Co-Chair of the National Coalition of Blacks for Reparations in America (N'COBRA). N'COBRA is in our 34th year of fighting for reparations for crimes against humanity of people of African descent in the United States.

N'COBRA wants the Committee to know that the HR 40 Commission is long overdue. During the 32 years in which the bill has languished in Congress, many years have been wasted, many lives lost, and untold sorrows of African descendants have continued and abounded. Even the financial loss to this nation in delaying redress since HR 40's first introduction, is calculated to be near \$25 trillion dollar¹ – about 2 or 3 times the cost of any minimally viable reparation's plan. This means America would have gotten a 100% to 200% return on a reparations program if it had taken the steps to do so.

America would in fact be greater today if it had acted correctly at any time in its past. Even still, the opportunity for true greatness can begin with the rightful action of this 117th Congress.

HR 40 proports to establish a Commission to do a comprehensive investigation into the wide scope of harms committed and the range of injuries still being suffered by 44 million Black people in America.

¹ CITI GROUP - CLOSING THE RACIAL INEQUALITY GAPS The Economic Cost of Black Inequality in the U.S. Citi GPS: Global Perspectives & Solutions September 2020

The highest standard of reparations is needed to adequately address over 400 years of atrocities and compounded and concretized injuries that this community endures. No quick fix, no singular action or tweak here or there in existing policy will do. America must engage in full reparations.

Full reparations is **the** international standard for reparations. And N'COBRA declares that there is no rational reason why the highest standard of redress should not be applied to a people harmed by its own government in so many ways and for so many years.

Full reparations have five encompassing areas of repair.

1. Cessation, Assurances and Guarantee of Non-Repetition² – America must cease all continuing wrongful and injurious acts and put in place structures to ensure that they do resurface in “another name” as slavery did during the Jim Crow-Apartheid period.

2. Restitution – the goal here is restoration. Where would we be if it were not for 246 years of stolen labor and accompanying horrors, if not for the multiple periods of multi-billion-dollar plunder post enslavement.? We must be restored.

² Draft Articles on Responsibility of States for Internationally Wrongful Acts adopted by the International Law Commission at its fifty-third session (2001) (extract from the Report of the International Law Commission on the work of its Fifty-third session, Official Records of the General Assembly, Fifty-sixth session, Supplement No. 10 (A/56/10), chp.IV.E.1); Wittman, Nora. 2012. Slavery Reparations Time is Now. Power of Trinity Publishers. Vienna, Austria.

3. Compensation – compensation is obligatory if the damage is not made good by restitution. And it must be “appropriate and proportional “to the gravity of the violations.

4. Satisfaction – here proposals must be offered that focus on the return of our dignity and repair of the injury to our reputation. In addition, full admission of fault, full acceptance of responsibility and a willingness to do whatever it takes to repair the wrongs is the foundation of which satisfaction rests.

5. The final component of full reparations is Rehabilitation – initiatives must be developed that address the negative transgenerational spiritual, emotional, mental, **and** physical effects of the historical traumas of enslavement, Jim Crow apartheid and ongoing racial violence and police terror.

I will conclude with a brief comparison. During the Civil War 200,000 men, 40,000 women, and 20,000 children of African descent aided the Union Army in saving this country from white nationalist hatred and destruction. Afterwards, a very grateful President and Congress quickly acted to reward their service with previously denied acts of justice – issuing Special Field Order # 15 granting 40 acres and a mule and passing strong civil rights legislation and 3 Constitutional Amendments.

In November of last year, as the acts of January 6th proved, Blacks, with our overwhelming vote for the Democratic Party, again saved America from white nationalist hatred and destruction. It is time for this Congress to be as justice-rendering as the Reconstruction Congresses. Passing HR 40 on the way to full reparations is how.

**A Luta Continua - Pamoja Mbilishaka. Asante sana. The Struggle Continues -
Together We Will Be Victorious. Many thanks.**