

110TH CONGRESS
1ST SESSION

H. R. 923

To establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights Unit of the Federal Bureau of Investigation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2007

Mr. LEWIS of Georgia (for himself, Mr. HULSHOF, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. RANGEL, Mr. BISHOP of Georgia, Mr. CLYBURN, Mr. BUTTERFIELD, Mrs. MCCARTHY of New York, Mr. HASTINGS of Florida, Mr. FATTAH, Mr. CLEAVER, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CHRISTENSEN, Mr. WATT, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mr. MEEKS of New York, Mr. PAYNE, Ms. WATERS, Mr. JOHNSON of Georgia, Mr. CLAY, Ms. LEE, Mrs. JONES of Ohio, Ms. KILPATRICK, Mr. TOWNS, Mr. SCOTT of Georgia, Mr. ELLISON, Mr. DAVIS of Alabama, Mr. MOORE of Kansas, Ms. WATSON, Ms. CORRINE BROWN of Florida, Mr. WYNN, Ms. MILLENDER-MCDONALD, Ms. MOORE of Wisconsin, Mr. GRIJALVA, Mr. AL GREEN of Texas, Mr. SCHIFF, Mr. SERRANO, Mr. McDERMOTT, Mr. KUCINICH, Mr. JEFFERSON, Mr. MARSHALL, Mr. RUSH, Mr. THOMPSON of Mississippi, Ms. CARSON, Mr. HONDA, Ms. NORTON, Mr. BERMAN, Mr. BECERRA, Ms. SCHAKOWSKY, Ms. WOOLSEY, Mr. NADLER, Mr. BOSWELL, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. COHEN, Mr. MEEK of Florida, Mr. GUTIERREZ, and Ms. CASTOR) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish an Unsolved Crimes Section in the Civil Rights Division of the Department of Justice, and an Unsolved Civil Rights Crime Investigative Office in the Civil Rights

Unit of the Federal Bureau of Investigation, and for other purposes.

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 “Emmett Till Unsolved
5 Civil Rights Crime Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that all authorities with
8 jurisdiction, including the Federal Bureau of Investigation
9 and other entities within the Department of Justice,
10 should—

11 (1) expeditiously investigate unsolved civil
12 rights murders, due to the amount of time that has
13 passed since the murders and the age of potential
14 witnesses; and

15 (2) provide all the resources necessary to ensure
16 timely and thorough investigations in the cases in-
17 volved.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) **CHIEF INVESTIGATOR.**—The term “Chief
21 Investigator” means the Chief Investigator of the
22 Unit.

23 (2) **CRIMINAL CIVIL RIGHTS STATUTES.**—The
24 term “criminal civil rights statutes” means—

1 (A) section 241 of title 18, United States
2 Code (relating to conspiracy against rights);

3 (B) section 242 of title 18, United States
4 Code (relating to deprivation of rights under
5 color of law);

6 (C) section 245 of title 18, United States
7 Code (relating to federally protected activities);

8 (D) sections 1581 and 1584 of title 18,
9 United States Code (relating to involuntary ser-
10 vitude and peonage);

11 (E) section 901 of the Fair Housing Act
12 (42 U.S.C. 3631); and

13 (F) any other Federal law that—

14 (i) was in effect on or before Decem-
15 ber 31, 1969; and

16 (ii) the Criminal Section of the Civil
17 Rights Division of the Department of Jus-
18 tice enforced, prior to the date of enact-
19 ment of this Act.

20 (3) OFFICE.—The term “Office” means the
21 Unsolved Civil Rights Crime Investigative Office es-
22 tablished under section 5.

23 (4) DEPUTY.—The term “Deputy” means the
24 Deputy for the Unsolved Civil Rights Era Crimes
25 Unit.

1 (5) UNIT.—The term “Unit” (except when used
2 as part of the term “Criminal Section”) means the
3 Unsolved Civil Rights Era Crimes Unit established
4 under section 4.

5 **SEC. 4. ESTABLISHMENT OF SECTION IN CIVIL RIGHTS DI-**
6 **VISION.**

7 (a) IN GENERAL.—There is established in the Crimi-
8 nal Section of the Civil Rights Division of the Department
9 of Justice an Unsolved Civil Rights Era Crimes Unit. The
10 Unit shall be headed by a Deputy for the Unsolved Civil
11 Rights Era Crimes Unit.

12 (b) RESPONSIBILITY.—

13 (1) IN GENERAL.—Notwithstanding any other
14 provision of Federal law, and except as provided in
15 section 5, the Deputy shall be responsible for inves-
16 tigating and prosecuting violations of criminal civil
17 rights statutes, in cases in which a complaint alleges
18 that such a violation—

19 (A) occurred not later than December 31,
20 1969; and

21 (B) resulted in a death.

22 (2) COORDINATION.—

23 (A) INVESTIGATIVE ACTIVITIES.—In inves-
24 tigating a complaint under paragraph (1), the

1 Deputy shall coordinate investigative activities
2 with State and local law enforcement officials.

3 (B) VENUE.—After investigating a com-
4 plaint under paragraph (1), or receiving a re-
5 port of an investigation conducted under section
6 5, if the Deputy determines that an alleged
7 practice that is a violation of a criminal civil
8 rights statute occurred in a State, or political
9 subdivision of a State, that has a State or local
10 law prohibiting the practice alleged and estab-
11 lishing or authorizing a State or local law en-
12 forcement official to grant or seek relief from
13 such practice or to institute criminal pro-
14 ceedings with respect to the practice on receiv-
15 ing notice of the practice, the Deputy shall con-
16 sult with the official regarding the appropriate
17 venue for the case involved.

18 (3) REFERRAL.—After investigating a com-
19 plaint under paragraph (1), or receiving a report of
20 an investigation conducted under section 5, the Dep-
21 uty shall refer the complaint to the Criminal Section
22 of the Civil Rights Division, if the Deputy deter-
23 mines that the subject of the complaint has violated
24 a criminal civil rights statute in the case involved

1 but the violation does not meet the requirements of
2 subparagraph (A) or (B) of paragraph (1).

3 (c) STUDY AND REPORT.—

4 (1) STUDY.—The Deputy shall annually con-
5 duct a study of the cases under the jurisdiction of
6 the Deputy or under the jurisdiction of the Chief In-
7 vestigator and, in conducting the study, shall deter-
8 mine the cases—

9 (A) for which the Deputy has sufficient
10 evidence to prosecute violations of criminal civil
11 rights statutes; and

12 (B) for which the Deputy has insufficient
13 evidence to prosecute those violations.

14 (2) REPORT.—Not later than September 30 of
15 2007 and of each subsequent year, the Deputy shall
16 prepare and submit to Congress a report containing
17 the results of the study conducted under paragraph
18 (1), including a description of the cases described in
19 paragraph (1)(B).

20 **SEC. 5. ESTABLISHMENT OF OFFICE IN FEDERAL BUREAU**
21 **OF INVESTIGATION.**

22 (a) IN GENERAL.—There is established in the Civil
23 Rights Unit of the Federal Bureau of Investigation of the
24 Department of Justice an Unsolved Civil Rights Crime In-

1 vestigative Office. The Office shall be headed by a Deputy
2 Investigator.

3 (b) RESPONSIBILITY.—

4 (1) IN GENERAL.—In accordance with an
5 agreement established between the Deputy Investi-
6 gator and the Deputy, the Deputy Investigator shall
7 be responsible for investigating violations of criminal
8 civil rights statutes, in cases described in section
9 4(b).

10 (2) COORDINATION.—

11 (A) INVESTIGATIVE ACTIVITIES.—In inves-
12 tigating a complaint under paragraph (1), the
13 Deputy Investigator shall coordinate the inves-
14 tigative activities with State and local law en-
15 forcement officials.

16 (B) REFERRAL.—After investigating a
17 complaint under paragraph (1), the Deputy In-
18 vestigator shall—

19 (i) determine whether the subject of
20 the complaint has violated a criminal
21 rights statute in the case involved; and

22 (ii) refer the complaint to the Deputy,
23 together with a report containing the de-
24 termination and the results of the inves-
25 tigation.

1 (C) RESOURCES.—The Federal Bureau of
2 Investigation, in coordination with the Depart-
3 ment of Justice, Civil Rights Division, shall
4 have discretion to re-allocate investigative per-
5 sonnel to jurisdictions to carry out the goals of
6 this section.

7 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) IN GENERAL.—There are authorized to be appro-
9 priated to carry out this Act \$10,000,000 for fiscal year
10 2008 and each subsequent fiscal year through 2017.
11 These funds shall be allocated by the Attorney General
12 to the Unsolved Civil Rights Era Crime Unit of the De-
13 partment of Justice and the Civil Rights Unit of the Fed-
14 eral Bureau of Investigation in order to advance the pur-
15 poses set forth in this Act.

16 (b) ADDITIONAL APPROPRIATIONS.—Any funds ap-
17 propriated under this section shall consist of additional ap-
18 propriations for the activities described in this Act, rather
19 than funds made available through reductions in the ap-
20 propriations authorized for other enforcement activities of
21 the Department of Justice.

22 (c) COMMUNITY RELATIONS SERVICE OF THE DE-
23 PARTMENT OF JUSTICE.—In addition to any amounts au-
24 thorized to be appropriated under title XI of the Civil
25 Rights Act of 1964 (42 U.S.C. 2000h et seq.), there are

1 authorized to be appropriated to the Community Relations
2 Service of the Department of Justice \$1,500,000 for fiscal
3 year 2008 and each subsequent fiscal year, to enable the
4 Service (in carrying out the functions described in title
5 X of such Act (42 U.S.C. 2000g et seq.)) to provide tech-
6 nical assistance by bringing together law enforcement
7 agencies and communities in the investigation of violations
8 of criminal civil rights statutes, in cases described in sec-
9 tion 4(b).

10 **SEC. 7. SUNSET.**

11 Sections 1 through 6 of this Act shall expire at the
12 end of fiscal year 2017.

13 **SEC. 8. AUTHORITY OF INSPECTORS GENERAL.**

14 Title XXXVII of the Crime Control Act of 1990 (42
15 U.S.C. 5779 et seq.) is amended by adding at the end
16 the following:

17 **“SEC. 3703. AUTHORITY OF INSPECTORS GENERAL.**

18 “(a) IN GENERAL.—An Inspector General appointed
19 under section 3 or 8G of the Inspector General Act of
20 1978 (5 U.S.C. App.) may authorize staff to assist the
21 National Center for Missing and Exploited Children—

22 “(1) by conducting reviews of inactive case files
23 to develop recommendations for further investiga-
24 tions; and

25 “(2) by engaging in similar activities.

1 “(b) LIMITATIONS.—

2 “(1) PRIORITY.—An Inspector General may not
3 permit staff to engage in activities described in sub-
4 section (a) if such activities will interfere with the
5 duties of the Inspector General under the Inspector
6 General Act of 1978 (5 U.S.C. App.).

7 “(2) FUNDING.—No additional funds are au-
8 thorized to be appropriated to carry out this sec-
9 tion.”.

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