

113TH CONGRESS
1ST SESSION

H. R. 98

To provide a remedy for survivors and descendants of the victims of the
Tulsa, Oklahoma Race Riot of 1921.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2013

Mr. CONYERS introduced the following bill; which was referred to the
Committee on the Judiciary

A BILL

To provide a remedy for survivors and descendants of the
victims of the Tulsa, Oklahoma Race Riot of 1921.

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 “John Hope Franklin
5 Tulsa-Greenwood Race Riot Claims Accountability Act of
6 2013”.

7 **SEC. 2. FINDINGS.**

8 The Congress makes the following findings:

9 (1) In 1921, Greenwood (a community in
10 Tulsa, Oklahoma) was one of the most prosperous

1 African-American communities in the United States.
2 Serving over 8,000 residents, Greenwood’s commer-
3 cial district was known nationally as the “Negro
4 Wall Street”. The community boasted two news-
5 papers, over a dozen churches, and hundreds of Afri-
6 can-American-owned businesses.

7 (2) On the evening of May 31, 1921, the Afri-
8 can-American Greenwood community of Tulsa, Okla-
9 homa was ravaged by a White mob. By the conclu-
10 sion of the riot at midday, June 1, virtually every
11 building in a 42-square-block area of the commu-
12 nity—homes, schools, churches, and businesses—was
13 burned to the ground and thousands were left home-
14 less. Over 1,200 homes were destroyed. Every
15 church, school, and business in Greenwood was set
16 on fire. Approximately 8,000 African-Americans
17 were left homeless and penniless. Unable to rebuild,
18 thousands of residents spent the winter of 1921–
19 1922 in tents.

20 (3) Credible evidence supports the belief that
21 up to 300 African-Americans were killed during the
22 riot. As many victims were buried in unmarked
23 graves, an exact accounting is impossible.

24 (4) In the wake of the White mob destruction
25 of the Greenwood District, a State-convened grand

1 jury officially placed responsibility for the violence
2 on the African-American community, exonerating
3 Whites of all responsibility. Neither the State nor
4 the city undertook any investigations or prosecu-
5 tions, and documents relating to the riot vanished
6 from State archives. Ultimately, no convictions were
7 obtained for the incidents of murder, arson, or lar-
8 ceny connected with the riot.

9 (5) None of the more than 100 contempora-
10 neously filed lawsuits by residents and property own-
11 ers in Greenwood were successful in recovering dam-
12 ages from insurance companies to assist in the re-
13 construction of the community. After the city at-
14 tempted to block their redevelopment efforts, victims
15 were forced to rebuild with their own resources or
16 abandon the community.

17 (6) State and local governments suppressed or
18 ignored issues and claims arising from the 1921 riot,
19 effectively excising it from collective memory, until
20 the Oklahoma Legislature created a commission to
21 study the event in 1997. The commission's February
22 28, 2001, report uncovered new information and de-
23 tailed, for the first time, the extent of involvement
24 by the State and city government in prosecuting and

1 erasing evidence of the riot (Okla. Stat. Tit. 74 Sec-
2 tion 8000.1 (West 2005)).

3 (7) The documentation assembled by the 1921
4 Tulsa Race Riot Commission provides strong evi-
5 dence that some local municipal and county officials
6 failed to take actions to calm or contain the situa-
7 tion once violence erupted and, in some cases, be-
8 came participants in the subsequent violence, and
9 even deputized and armed many Whites who were
10 part of a mob that killed, looted, and burned down
11 the Greenwood area.

12 (8) Based on new information contained in the
13 report, the Greenwood claimants filed suit, pursuant
14 to the laws codified in sections 1981, 1983, and
15 1985 of title 42 of the United States Code and the
16 14th Amendment, seeking damages for the injuries
17 sustained in the riot as a result of the government's
18 involvement. Their claims were dismissed as time
19 barred by the court, and so were not determined on
20 the merits (382 F.3d 1206 (10th Cir. 2004), rehrg
21 en banc denied (with dissent), 391 F.3d 1155 (10th
22 Cir. 2004), cert denied *Alexander v. State of Okla-*
23 *homa*, 544 U.S. 1044 (2005)).

1 **SEC. 3. CAUSE OF ACTION.**

2 (a) IN GENERAL.—Every person who, in connection
3 with the Tulsa, Oklahoma race riot of 1921 and its after-
4 math, acted under color of any statute, ordinance, regula-
5 tion, custom, or usage of the State of Oklahoma to sub-
6 ject, or cause to be subjected, any person to the depriva-
7 tion, on account of race, of any right secured at the time
8 of the deprivation by Oklahoma law, shall be liable to the
9 party injured in a civil action for redress.

10 (b) DEFINITION.—In this section, the term “person”
11 includes the State of Oklahoma.

12 (c) LIMITATION ON COMMENCEMENT OF ACTION.—
13 A civil action under this section may not be commenced
14 later than 5 years after the date of the enactment of this
15 Act.

○