

109TH CONGRESS  
1ST SESSION

# H. R. 3506

To establish an Unsolved Crimes Section in the Civil Rights Division of  
the Department of Justice.

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IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

Mr. FILNER (for himself and Mr. THOMPSON of Mississippi) introduced the  
following bill; which was referred to the Committee on the Judiciary

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## A BILL

To establish an Unsolved Crimes Section in the Civil Rights  
Division of the Department of Justice.

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 “Unsolved Civil Rights  
5       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—

1           (1) expeditiously investigate unsolved civil  
2 rights murders, due to the amount of time that has  
3 passed since the murders and the age of potential  
4 witnesses; and

5           (2) provide all the resources necessary to ensure  
6 timely and thorough investigations in the cases in-  
7 volved.

8 **SEC. 3. DEFINITIONS.**

9       In this Act:

10           (1) CHIEF.—The term “Chief” means the Chief  
11 of the Section.

12           (2) CRIMINAL CIVIL RIGHTS STATUTES.—The  
13 term “criminal civil rights statutes” means—

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

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

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

21                   (D) sections 1581 and 1584 of title 18,  
22 United States Code (relating to involuntary ser-  
23 vitude and peonage);

24                   (E) section 901 of the Fair Housing Act  
25 (42 U.S.C. 3631); and

- 1 (F) any other Federal law that—  
2 (i) was in effect on or before Decem-  
3 ber 31, 1969; and  
4 (ii) the Criminal Section of the Civil  
5 Rights Division of the Department of Jus-  
6 tice enforced, prior to the date of enact-  
7 ment of this Act.

8 (3) SECTION.—The term “Section” (except  
9 when used as part of the term “Criminal Section”)  
10 means the Unsolved Crimes Section established  
11 under section 4.

12 **SEC. 4. ESTABLISHMENT OF SECTION.**

13 (a) IN GENERAL.—There is established in the Civil  
14 Rights Division of the Department of Justice an Unsolved  
15 Crimes Section. The Section shall be headed by a Chief  
16 of the Section.

17 (b) RESPONSIBILITY.—

18 (1) IN GENERAL.—Notwithstanding any other  
19 provision of Federal law, the Chief shall be respon-  
20 sible for investigating and prosecuting violations of  
21 criminal civil rights statutes, in each case in which  
22 a complaint alleges that such a violation—

23 (A) occurred not later than December 31,  
24 1969; and

25 (B) resulted in a death.

1           (2) COORDINATION.—After investigating a com-  
2           plaint under paragraph (1), if the Chief determines  
3           that an alleged practice that is a violation of a crimi-  
4           nal civil rights statute occurred in a State, or polit-  
5           ical subdivision of a State, that has a State or local  
6           law prohibiting the practice alleged and establishing  
7           or authorizing a State or local official to grant or  
8           seek relief from such practice or to institute criminal  
9           proceedings with respect to the practice on receiving  
10          notice of the practice, the Chief shall consult with  
11          the State or local official regarding the appropriate  
12          venue for the case involved.

13          (3) REFERRAL.—After investigating a com-  
14          plaint under paragraph (1), the Chief shall refer the  
15          complaint to the Criminal Section of the Civil Rights  
16          Division, if the Chief determines that the subject of  
17          the complaint has violated a criminal civil rights  
18          statute in the case involved but the violation does  
19          not meet the requirements of subparagraph (A) or  
20          (B) of paragraph (1).

21          (c) STUDY AND REPORT.—

22                (1) STUDY.—The Chief shall annually conduct  
23                a study of the cases under the jurisdiction of the  
24                Chief and, in conducting the study, shall determine  
25                the cases—

1           (A) for which the Chief has sufficient evi-  
2           dence to prosecute violations of criminal civil  
3           rights statutes; and

4           (B) for which the Chief has insufficient  
5           evidence to prosecute those violations.

6           (2) REPORT.—Not later than September 30 of  
7           2006 and of each subsequent year, the Chief shall  
8           prepare and submit to Congress a report containing  
9           the results of the study conducted under paragraph  
10          (1), including a description of the cases described in  
11          paragraph (1)(B).

12          (d) AUTHORIZATION OF APPROPRIATIONS.—

13           (1) AUTHORIZATION.—There is authorized to  
14           be appropriated to carry out this section \$5,000,000  
15           for fiscal year 2006 and each subsequent fiscal year.

16           (2) ADDITIONAL APPROPRIATIONS.—Any funds  
17           appropriated under this subsection shall consist of  
18           additional appropriations for the activities described  
19           in this section, rather than funds made available  
20           through reductions in the appropriations authorized  
21           for other enforcement activities of the Department  
22           of Justice.

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