

Union Calendar No. 120

110TH CONGRESS
1ST SESSION

H. R. 923

[Report No. 110-200]

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. FATAH, 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

JUNE 19, 2007

Additional sponsors: Mr. KENNEDY, Mrs. MALONEY of New York, Ms. SLAUGHTER, Ms. JACKSON-LEE of Texas, Mr. OLVER, Mr. CAPUANO, Ms. CLARKE, Mr. WEINER, Mr. ABERCROMBIE, Mr. SKELTON, Mr. MORAN of Virginia, Mr. HINOJOSA, Mr. McCOTTER, Mr. FARR, Mr. DELAHUNT, Mr. FILNER, Mr. LAMPSON, Mr. MEEHAN, Mr. WEXLER,

Ms. LINDA T. SÁNCHEZ of California, Mr. MILLER of North Carolina,
Mr. SMITH of Texas, Ms. ZOE LOFGREN of California, and Mr. SHERMAN

JUNE 19, 2007

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 8, 2007]

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 of 2007”.*

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

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

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

1 (A) the number of open investigations with-
2 in the Department for violations of criminal
3 civil rights statutes that occurred not later than
4 December 31, 1969;

5 (B) the number of new cases opened pursu-
6 ant to this Act since the previous year's study;

7 (C) the number of unsealed Federal cases
8 charged within the study period, including the
9 case names, the jurisdiction in which the charges
10 were brought, and the date the charges were filed;

11 (D) the number of cases referred by the De-
12 partment to a State or local law enforcement
13 agency or prosecutor within the study period, the
14 number of such cases that resulted in State
15 charges being filed, the jurisdiction in which
16 such charges were filed, the date the charges were
17 filed, and if a jurisdiction declines to prosecute
18 or participate in an investigation of a case so re-
19 ferred, the fact it did so;

20 (E) the number of cases within the study
21 period that were closed without Federal prosecu-
22 tion, the case names of unsealed Federal cases,
23 the dates the cases were closed, and the relevant
24 federal statutes;

1 (F) the number of attorneys who worked, in
2 whole or in part, on any case described in sub-
3 section (b)(1); and

4 (G) the applications submitted for grants
5 under section 5, the award of such grants, and
6 the purposes for which the grant amount were
7 expended.

8 (2) *REPORT.*—Not later than 6 months after the
9 date of enactment of this Act, and each year there-
10 after, the Attorney General shall prepare and submit
11 to Congress a report containing the results of the
12 study conducted under paragraph (1).

13 **SEC. 4. SUPERVISORY SPECIAL AGENT IN THE CIVIL**
14 **RIGHTS UNIT OF THE FEDERAL BUREAU OF**
15 **INVESTIGATION.**

16 (a) *IN GENERAL.*—The Attorney General shall des-
17 ignate a Supervisory Special Agent in the Civil Rights
18 Unit of the Federal Bureau of Investigation of the Depart-
19 ment of Justice.

20 (b) *RESPONSIBILITY.*—

21 (1) *IN GENERAL.*—The Supervisory Special
22 Agent shall be responsible for investigating violations
23 of criminal civil rights statutes that occurred not
24 later than December 31, 1969, and resulted in a
25 death.

1 (2) *COORDINATION.*—*In investigating a com-*
2 *plaint under paragraph (1), the Supervisory Special*
3 *Agent may coordinate the investigative activities with*
4 *State and local law enforcement officials.*

5 **SEC. 5. GRANTS TO STATE AND LOCAL LAW ENFORCEMENT.**

6 (a) *IN GENERAL.*—*The Attorney General may award*
7 *grants to State or local law enforcement agencies for ex-*
8 *penses associated with the investigation and prosecution by*
9 *them of criminal offenses, involving civil rights, that oc-*
10 *curred not later than December 31, 1969, and resulted in*
11 *a death.*

12 (b) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*
13 *authorized to be appropriated \$2,000,000 for each of the*
14 *fiscal years 2008 through 2017 to carry out this section.*

15 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) *IN GENERAL.*—*There are authorized to be appro-*
17 *priated, in addition to any other amounts otherwise author-*
18 *ized to be appropriated for this purpose, to the Attorney*
19 *General \$10,000,000 for each of the fiscal years 2008*
20 *through 2017 for the purpose of investigating and pros-*
21 *ecuting violations of criminal civil rights statutes that oc-*
22 *curred not later than December 31, 1969, and resulted in*
23 *a death. These funds shall be allocated by the Attorney Gen-*
24 *eral to the Deputy Chief of the Criminal Section of the Civil*
25 *Rights Division and the Supervisory Special Agent of the*

1 *Civil Rights Unit of the Federal Bureau of Investigation*
2 *in order to advance the purposes set forth in this Act.*

3 (b) *COMMUNITY RELATIONS SERVICE OF THE DEPART-*
4 *MENT OF JUSTICE.—In addition to any amounts author-*
5 *ized to be appropriated under title XI of the Civil Rights*
6 *Act of 1964 (42 U.S.C. 2000h et seq.), there are authorized*
7 *to be appropriated to the Community Relations Service of*
8 *the Department of Justice \$1,500,000 for fiscal year 2008*
9 *and each subsequent fiscal year, to enable the Service (in*
10 *carrying out the functions described in title X of such Act*
11 *(42 U.S.C. 2000g et seq.)) to provide technical assistance*
12 *by bringing together law enforcement agencies and commu-*
13 *nities in the investigation of violations of criminal civil*
14 *rights statutes, in cases described in section 4(b).*

15 **SEC. 7. DEFINITION OF “CRIMINAL CIVIL RIGHTS STAT-**
16 **UTES”.**

17 *In this Act, the term “criminal civil rights statutes”*
18 *means—*

19 (1) *section 241 of title 18, United States Code*
20 *(relating to conspiracy against rights);*

21 (2) *section 242 of title 18, United States Code*
22 *(relating to deprivation of rights under color of law);*

23 (3) *section 245 of title 18, United States Code*
24 *(relating to federally protected activities);*

1 (4) sections 1581 and 1584 of title 18, United
2 States Code (relating to involuntary servitude and pe-
3 onage);

4 (5) section 901 of the Fair Housing Act (42
5 U.S.C. 3631); and

6 (6) any other Federal law that—

7 (A) was in effect on or before December 31,
8 1969; and

9 (B) the Criminal Section of the Civil Rights
10 Division of the Department of Justice enforced,
11 before the date of enactment of this Act.

12 **SEC. 8. SUNSET.**

13 Sections 2 through 6 of this Act shall cease to have
14 effect at the end of fiscal year 2017.

15 **SEC. 9. AUTHORITY OF INSPECTORS GENERAL.**

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

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

20 “(a) *IN GENERAL.*—An Inspector General appointed
21 under section 3 or 8G of the Inspector General Act of 1978
22 (5 U.S.C. App.) may authorize staff to assist the National
23 Center for Missing and Exploited Children—

1 “(1) *by conducting reviews of inactive case files*
2 *to develop recommendations for further investigations;*
3 *and*

4 “(2) *by engaging in similar activities.*

5 “(b) *LIMITATIONS.—*

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

11 “(2) *FUNDING.—No additional funds are author-*
12 *ized to be appropriated to carry out this section.”.*

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