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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

To prohibit the destruction of civil rights memorials, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. COHEN introduced the following bill; which was referred to the Committee
on _____

A BILL

To prohibit the destruction of civil rights memorials, 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 “Civil Rights Legacy
5 Protection Act”.

1 **SEC. 2. PROHIBITION ON DESTRUCTION OF CERTAIN PROP-**
2 **ERTY.**

3 (a) IN GENERAL.—Chapter 65 of title 18, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“§ 1370. Prohibiting destruction of civil rights memo-**
7 **rials**

8 “(a) DESTRUCTION OF PROPERTY.—Whoever, in a
9 circumstance described in subsection (b), intentionally de-
10 faces, damages, or destroys a protected memorial under
11 subsection (c) or any structure, plaque, statue, or monu-
12 ment on public property that commemorates a covered
13 civil rights event or a covered civil rights figure shall—

14 “(1) in the case that such defacement, damage,
15 or destruction is in an amount that is equal to or
16 less than \$5,000, be required to complete up to 300
17 hours of community service, fined under this title, or
18 imprisoned not more than a year; or

19 “(2) in the case that such defacement, damage,
20 or destruction is in an amount that is more than
21 \$5,000, be fined under this title or imprisoned not
22 more than 3 years.

23 “(b) CIRCUMSTANCES.—A circumstance described in
24 this subsection is that—

25 “(1) in committing the offense described in sub-
26 section (a), the defendant travels or causes another

1 to travel in interstate or foreign commerce, or uses
2 the mail or an instrumentality of interstate or for-
3 eign commerce; or

4 “(2) the structure, plaque, statue, or monument
5 described in subsection (a) is located on property
6 owned by, or under the jurisdiction of, the Federal
7 Government.

8 “(c) PROTECTED MEMORIALS.—The following are
9 protected memorials:

10 “(1) Emmett Till Memorial, Mississippi.

11 “(2) Mississippi Freedom Trail Markers, Mis-
12 sissippi.

13 “(3) Edmund Pettus Bridge, Alabama.

14 “(4) Birmingham Civil Rights National Monu-
15 ment, Alabama.

16 “(5) Civil Rights Memorial Center, Memorial to
17 Peace & Justice, Alabama.

18 “(6) Virginia Civil Rights Memorial, Virginia.

19 “(7) Landmark for Peace Memorial in Dr. Mar-
20 tin Luther King Jr. Park, Indiana.

21 “(8) Harriet Ross Tubman Memorial, Massa-
22 chusetts.

23 “(9) National Civil Rights Museum at the Lor-
24 raine Motel, Tennessee.

1 “(10) Dr. Martin Luther King Jr. Monument,
2 Colorado.

3 “(11) Harriet Tubman Underground Railroad
4 National Monument, Maryland.

5 “(12) African American Civil War Memorial,
6 Washington, D.C.

7 “(13) Freedom Riders National Monument,
8 Alabama.

9 “(14) African Burial Ground National Monu-
10 ment, New York.

11 “(15) Charles Young Buffalo Soldiers National
12 Monument, Ohio.

13 “(16) Reconstruction Era National Park, South
14 Carolina.

15 “(17) George Washington Carver National
16 Monument, Missouri.

17 “(18) Medgar and Myrlie Evers National
18 Monument, Mississippi.

19 “(19) Markers on the Civil Rights Trail.

20 “(d) RESTITUTION.—Whoever is convicted of an of-
21 fense under this section shall be ordered to pay restitution.

22 “(e) COVERED EVENTS AND FIGURES.—In this sec-
23 tion—

24 “(1) the term ‘covered civil rights figure’ means
25 any figure on the list submitted by the United

1 States Commission on Civil Rights pursuant to sec-
2 tion 3(a) of the Civil Rights Legacy Protection Act;
3 and

4 “(2) the term ‘covered civil rights event’ means
5 any event on the list submitted by the United States
6 Commission on Civil Rights pursuant to section 3(a)
7 of the Civil Rights Legacy Protection Act.”.

8 (b) TABLE OF SECTIONS.—The table of sections for
9 chapter 65 of title 18, United States Code, is amended
10 by adding at the end the following item:

“1370. Prohibiting destruction of civil rights memorials.”.

11 **SEC. 3. UNITED STATES COMMISSION ON CIVIL RIGHTS.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of enactment of this Act, the United States Commis-
14 sion on Civil Rights shall develop and submit to the Attor-
15 ney General a list of covered civil rights events and covered
16 civil rights figures as follows:

17 (1) COVERED CIVIL RIGHTS EVENT.—For pur-
18 poses of developing a list of covered civil rights
19 events, the United States Commission on Civil
20 Rights shall include on the list any event that—

21 (A) memorializes the struggle to secure
22 equal rights for groups suffering from discrimi-
23 nation on the basis of race, religion, disability,
24 gender identity, or sexual orientation during the

1 Civil Rights Movement and other social move-
2 ments; and

3 (B) left a positive impression on a unit of
4 local government, a State, or the United States.

5 (2) COVERED CIVIL RIGHTS FIGURE.—For pur-
6 poses of developing a list of covered civil rights fig-
7 ures, the United States Commission on Civil Rights
8 shall include on the list any person who—

9 (A) is known for dedication and advocacy
10 toward expanding personal civil liberties and
11 ending racial and other forms of discrimination,
12 disenfranchisement, and segregation; or

13 (B)(i) worked to secure equal rights for
14 groups suffering from discrimination on the
15 basis of race, religion, disability, gender iden-
16 tity, or sexual orientation during the Civil
17 Rights Movement and other social movements;
18 and

19 (ii) has left a positive impression and
20 legacy on a unit of local government, a
21 State, or the United States.

22 (b) MODIFICATIONS TO LIST.—The United States
23 Commission on Civil Rights shall review annually and
24 modify as necessary the list submitted by the Commission
25 pursuant to (a).

1 (c) PUBLISHING LIST.—The Attorney General shall
2 ensure that the list submitted by the United States Com-
3 mission on Civil Rights pursuant to subsection (a), and
4 any modifications made by the Commission pursuant to
5 subsection (b), shall be made available to the public on
6 the Department of Justice website.