

118TH CONGRESS  
1ST SESSION

# H. R. 999

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

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2023

Mr. COHEN (for himself, Mr. BISHOP of Georgia, Ms. LEE of California, and Ms. TLAIB) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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”.

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

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

1 **“§ 1370. Prohibiting destruction of civil rights memo-**  
2 **rials**

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

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

14 “(2) in the case that such defacement, damage,  
15 or destruction is in an amount that is more than  
16 \$5,000, be fined under this title or imprisoned not  
17 more than 3 years.

18 “(b) CIRCUMSTANCES.—A circumstance described in  
19 this subsection is that—

20 “(1) in committing the offense described in sub-  
21 section (a), the defendant travels or causes another  
22 to travel in interstate or foreign commerce, or uses  
23 the mail or an instrumentality of interstate or for-  
24 eign commerce; or

25 “(2) the structure, plaque, statue, or monument  
26 described in subsection (a) is located on property

1 owned by, or under the jurisdiction of, the Federal  
2 Government.

3 “(c) PROTECTED MEMORIALS.—The following are  
4 protected memorials:

5 “(1) Emmett Till Memorial, Mississippi.

6 “(2) Mississippi Freedom Trail Markers, Mis-  
7 sissippi.

8 “(3) Edmund Pettus Bridge, Alabama.

9 “(4) Birmingham Civil Rights National Monu-  
10 ment, Alabama.

11 “(5) Civil Rights Memorial Center, Memorial to  
12 Peace & Justice, Alabama.

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

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

16 “(8) Harriet Ross Tubman Memorial, Massa-  
17 chusetts.

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

20 “(10) Dr. Martin Luther King Jr. Monument,  
21 Colorado.

22 “(11) Harriet Tubman Underground Railroad  
23 National Monument, Maryland.

24 “(12) African American Civil War Memorial,  
25 Washington, DC.

1           “(13) Freedom Riders National Monument,  
2           Alabama.

3           “(14) African Burial Ground National Monu-  
4           ment, New York.

5           “(15) Charles Young Buffalo Soldiers National  
6           Monument, Ohio.

7           “(16) Reconstruction Era National Park, South  
8           Carolina.

9           “(17) George Washington Carver National  
10          Monument, Missouri.

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

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

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

16          “(e) COVERED EVENTS AND FIGURES.—In this sec-  
17          tion—

18                 “(1) the term ‘covered civil rights figure’ means  
19                 any figure on the list submitted by the United  
20                 States Commission on Civil Rights pursuant to sec-  
21                 tion 3(a) of the Civil Rights Legacy Protection Act;  
22                 and

23                 “(2) the term ‘covered civil rights event’ means  
24                 any event on the list submitted by the United States

1 Commission on Civil Rights pursuant to section 3(a)  
2 of the Civil Rights Legacy Protection Act.”.

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

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

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

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

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

16 (A) memorializes the struggle to secure  
17 equal rights for groups suffering from discrimi-  
18 nation on the basis of race, religion, disability,  
19 gender identity, or sexual orientation during the  
20 Civil Rights Movement and other social move-  
21 ments; and

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

24 (2) COVERED CIVIL RIGHTS FIGURE.—For pur-  
25 poses of developing a list of covered civil rights fig-

1 ures, the United States Commission on Civil Rights  
2 shall include on the list any person who—

3 (A) is known for dedication and advocacy  
4 toward expanding personal civil liberties and  
5 ending racial and other forms of discrimination,  
6 disenfranchisement, and segregation; or

7 (B)(i) worked to secure equal rights for  
8 groups suffering from discrimination on the  
9 basis of race, religion, disability, gender iden-  
10 tity, or sexual orientation during the Civil  
11 Rights Movement and other social movements;  
12 and

13 (ii) has left a positive impression and leg-  
14 acy on a unit of local government, a State, or  
15 the United States.

16 (b) MODIFICATIONS TO LIST.—The United States  
17 Commission on Civil Rights shall review annually and  
18 modify as necessary the list submitted by the Commission  
19 pursuant to (a).

20 (c) PUBLISHING LIST.—The Attorney General shall  
21 ensure that the list submitted by the United States Com-  
22 mission on Civil Rights pursuant to subsection (a), and  
23 any modifications made by the Commission pursuant to

- 1 subsection (b), shall be made available to the public on
- 2 the Department of Justice website.

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