

117TH CONGRESS
1ST SESSION

S. 2862

To prohibit the National Archives and Records Administration from including content warnings alongside founding documents of the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2021

Mr. MARSHALL (for himself, Mr. RISCH, and Mr. BRAUN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To prohibit the National Archives and Records Administration from including content warnings alongside founding documents of the United States, 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 “National Treasures
5 Act of 2021”.

1 **SEC. 2. PROHIBITING NATIONAL ARCHIVES AND RECORDS**
2 **ADMINISTRATION CONTENT WARNINGS.**

3 (a) IN GENERAL.—Chapter 21 of title 44, United
4 States Code, is amended by adding at the end the fol-
5 lowing:

6 **“SEC. 2121. PROHIBITING CONTENT WARNINGS ON FOUND-**
7 **ING FATHERS DOCUMENTS.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) CONTENT WARNING.—The term ‘content
10 warning’ includes any message preceding or attached
11 to a document that identifies or labels the document
12 as dangerous, harmful, anachronistic, or any other
13 term implying harm associated with the document,
14 disparaging the document, assuming malicious in-
15 tent on the part of the authors of the document, or
16 discouraging potential readers from reading the doc-
17 ument.

18 “(2) FOUNDING FATHER OF THE UNITED
19 STATES.—The term ‘Founding Father’ means any
20 individual who—

21 “(A) signed the Declaration of Independ-
22 ence;

23 “(B) served as an officer in the Revolu-
24 tionary War;

25 “(C) attended the Second Continental Con-
26 gress;

1 “(D) attended the Constitutional Conven-
2 tion; or

3 “(E) was granted a charter for one of the
4 original 13 colonies of the United States.

5 “(3) QUALIFYING DOCUMENT.—The term
6 ‘qualifying document’ means any document, text,
7 manuscript, book, letter, pamphlet, government doc-
8 ument, artifact, article of clothing, costume, or item
9 written in whole or in part, once belonging to, or as-
10 sociated with in public display a Founding Father of
11 the United States.

12 “(b) PROHIBITION.—The Archivist shall not—

13 “(1) attach to or associate with any qualifying
14 document written by a Founding Father of the
15 United States any content warning;

16 “(2) display a content warning as part of an ex-
17 hibition of any qualifying document in any public
18 display operated by the Administration;

19 “(3) display a content warning on the website
20 of the Administration or on any other website oper-
21 ated by the Administration; or

22 “(4) make any changes to the rotunda of the
23 Administration or any other space under their juris-
24 diction of the Administration that displays qualifying
25 documents to the public except insofar as changes

1 are necessary for maintenance, routine operations,
2 or repairs.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENT.—

4 The table of sections for chapter 21 of title 44, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

“2221. Prohibiting content warnings on founding fathers documents.”.

