

UNITED STATES OF AMERICA REPUBLIC

Continental Congress Assembled



PUBLIC LAW 111-23

Amended 4 December 2016

TO ESTABLISH LAWS FOR THE PROTECTION OF CIVIL RIGHTS

Pursuant to the United States of America Republic Constitution Amendment 19, Section 2, Clause 2, wherein it states; *“The United States of America Republic shall make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States of America Republic, or any Department or Officer thereof”*, there shall hereby be designated “Civil Rights” provisions to serve this purpose. This amendment shall go into immediate force.

Introduced as **Senate Joint Resolution 23**, with **34** co-sponsors and as **House Joint Resolution 23** with **34** co-sponsors, a request was delivered before the Continental Congress to honor and therefore establish laws for Citizenship and Expatriation.

The resolution suffered no exclusions, no demands that it became law.

The following Amendment was made to Section 145 (b)(2): wherein the words “(or has ben enrolled)” has been added; and it reads as follows:

(2) any person because of his race, color, religion or national origin and because he is (or has been enrolled)—enrolling in or attending any public school or public college;

The 1st Continental Congress of the United States of America Republic publicly declared 2015 the national "Year of the United States of America Republic". The document known as Public Law **111-23** was signed and passed into law on **4 December 2016** by the following **SIGNATORIES to this Legislative Act in Attendance**;

1. *President, Christopher-Cannon: Bey*
2. *Secretary of State, Ross Woody Jr.: Bey*



3. Attorney General, K-Charles: Bey
4. Treasurer, Kimberly Ware: Bey
5. Recorder of Deeds, Taiwan Smith: Bey
6. Governor, North Carolina, Nasir Ma'at: El
7. Governor, Virginia, Darnell Brown: Bey
8. Lt. Gov. Virginia, Rich Wilson: Bey
9. Governor, Georgia, Mandel Williams: El
10. Lt. Governor, Georgia, Timothy Jackson: El
11. Asst. Governor, Georgia, Christopher Hill: Bey
12. Governor, Missouri, Floyd-Harris: Bey
13. Governor, California, S. Ritter: El
14. Governor, New Jersey, Colin Kytton: El
15. Governor, Ohio, Terry King: Bey
16. Lt. Gov. Ohio, Galen Carson: Bey
17. Asst. Governor, Ohio, Anthony Hammond: Bey
18. Senator, Illinois, Shirlean McMullen: Bey
19. Senator, Illinois, Saadiq: Bey
20. Senator, Illinois, Clayton Ronald-Henderson: El
21. Senator, North Carolina, Hope Ma'at El
22. Senator, Georgia, Ronnell-Gray: Bey
23. Senator, Michigan, George Bond: Bey
24. Senator, Colorado, Kakuyon: El
25. Representative, Colorado, Ajoa: Bey
26. Representative, California, Demeitric Mason: El
27. Vicegerent, Michigan, Damon Lewis: El



28. Vicegerent, Illinois, Andrew Terry: Bey
29. Foreign Affairs Minister, Rafael Vazquez: El
30. Chief Justice, Romulus Dorsey: El
31. Public Minister, William L. Salter III.: El
32. Public Minister, Linda Ann Bashful: El
33. Public Minister, Maurice Reynolds: Bey
34. Vicegerent Commissioner, Leslie Atkins: El

It reads as follows:

Public law 111-23 on 4 December 2016

JOINT RESOLUTION

Authorizing and requesting the President to enact laws:

to proclaim and establish laws for the civil rights of its Nationals and Citizens as per and pursuant to the **Constitution** and **Laws** of the **United States of America Republic**.

Desiring to eliminate Conspiracy against rights, Deprivation of rights under color of law, discrimination, and hate crimes;

Promoting the protection of religious property and the practice of religious freedoms, including Province protected activities;

WHEREAS, the United States of America Republic, being a perpetual corporation is an autonomous State government lawfully incorporated and chartered for the benefit and protection of “We The Moorish American People”, by its Declaration, National Constitution and By-Laws, and aforementioned Articles;

WHEREAS the United States of America Republic’s official language is the English language,

WHEREAS the Moorish American People have made a unique contribution in shaping the United States of America Republic as a distinctive and blessed nation of people and citizens;

WHEREAS the Moorish American People are a People of deeply-held religious convictions springing from the Holy Scriptures of the Holy Koran of the Moorish Science Temple of America and the Learning, Teachings and Truth of the Holy Prophet Noble Drew Ali. The Holy Prophet Noble Drew Ali led his People back to the Principles and standards of their ancient forefathers’ Free National Principles and Standards.

WHEREAS the Principles of Love, Truth, Peace, Freedom and Justice inspired



concepts of civil government that are contained in our Declaration of Independence and Constitution of the United States of America Republic;

WHEREAS the Moorish American People, are now in great comprehension that, as a Nation of People being Nationwide in scope to achieve peace as well as unity as a single harmonious Nation, there must be uniform Laws for the Nation. The **Constitution** and Laws of the **United States of America Republic** are *"the Rock on which our Republic rests"*;

WHEREAS the history of our Nation clearly illustrates the value of a Nation to be able to create and pass its own Laws are beneficial to a Society to Enforce the Laws of the Nation. This is not to remove or change **The Moorish American People** from voluntarily applying and extending the learning, teachings and truth of the Holy Koran of the Moorish Science Temple of America in the lives of individuals, families, or in their society as a nation of People;

WHEREAS this Nation now faces great challenges that will test this Nation as it has never been tested before; and

WHEREAS that renewing our knowledge of Law, Divine and National and having faith in Our Universal Creator through Holy Scriptures of the Holy Koran of the Moorish Science Temple of America, the Holy Bible and the Great Qu'ran of Mohammed as we honor all the divine Prophets Jesus, Mohammed, Buddha and Confucius. Therefore, the **Constitution and Laws of the United States of America Republic** and knowledge of the aforementioned Holy Scriptures can only strengthen our nation. I, President Christopher H- Cannon: Bey, therefore establish with the consent of the Continental Congress the provisions as the **Laws of the United States of America Republic**:

NOW, THEREFORE, be it Resolved by the Continental Congress of the United States of America Republic in Continental Congress assembled, That the President is authorized and requested to designate the administration of said laws.

LEGISLATIVE HISTORY-PL.111 Res.:23
CONGRESSIONAL RECORD, Vol. 1(2016):

4 December 2016 considered
and passed by the Continental
Congress.



TITLE 1 – CRIMINAL CODE**CHAPTER 12****CIVIL RIGHTS**

<u>Section No.</u>	<u>Description</u>
141.	Conspiracy against rights.
142.	Deprivation of rights under color of law.
143.	Exclusion of jurors on account of race or color.
144.	Discrimination against person wearing uniform of armed forces.
145.	Province protected activities.
146.	Deprivation of relief benefits.
147.	Damage to religious property; obstruction of persons in the free exercise of religious beliefs.
148.	Freedom of access to clinic entrances.
149.	Hate crime acts.



TITLE 1 – CRIMINAL CODE

CHAPTER 12

CIVIL RIGHTS

SECTION §141. Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States of America Republic, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

SECTION §142. Deprivation of rights under color of law

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States of America Republic, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

SECTION §143. Exclusion of jurors on account of race or color

No citizen possessing all other qualifications which are or may be prescribed by law shall be disqualified for service as grand or petit juror in any court of the United States of America Republic, or of any State on account of race, color, or previous condition of servitude; and whoever, being an officer or other person charged with any duty in the selection or summoning of jurors, excludes or fails to summon any citizen for such cause, shall be fined not more than \$5,000.

SECTION §144. Discrimination against person wearing uniform of armed forces

Whoever, being a proprietor, manager, or employee of a theater or other public place of entertainment or amusement in the Province of the U.S.A.R., or in any Territory, or Possession of the United States of America Republic, causes any person wearing the uniform of any of the armed forces of the United States of America Republic to be discriminated against because of that uniform, shall be fined under this title.



SECTION §145. Province protected activities

(a)(1) Nothing in this section shall be construed as indicating an intent on the part of Congress to prevent any State, any possession or Commonwealth of the United States of America Republic, or the Province of the U.S.A.R., from exercising jurisdiction over any offense over which it would have jurisdiction in the absence of this section, nor shall anything in this section be construed as depriving State and local law enforcement authorities of responsibility for prosecuting acts that may be violations of this section and that are violations of State and local law. No prosecution of any offense described in this section shall be undertaken by the United States of America Republic except upon the certification in writing of the Attorney General, the Deputy Attorney General, the Associate Attorney General, or any Assistant Attorney General specially designated by the Attorney General that in his judgment a prosecution by the United States of America Republic is in the public interest and necessary to secure substantial justice, which function of certification may not be delegated.

(2) Nothing in this subsection shall be construed to limit the authority of Province officers, or a Province grand jury, to investigate possible violations of this section.

(b) Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with—

(1) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

voting or qualifying to vote, qualifying or campaigning as a candidate for elective office, or qualifying or acting as a poll watcher, or any legally authorized election official, in any primary, special, or general election;

participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States of America Republic;

applying for or enjoying employment, or any perquisite thereof, by any agency of the United States of America Republic;

serving, or attending upon any court in connection with possible service, as a grand or petit juror in any court of the United States of America Republic;

participating in or enjoying the benefits of any program or activity receiving Province financial assistance; or

(2) any person because of his race, color, religion or national origin and because he is (or has been enrolled)—enrolling in or attending any public school or public college;

participating in or enjoying any benefit, service, privilege, program, facility or activity provided or administered by any State or subdivision thereof;

applying for or enjoying employment, or any perquisite thereof, by any private employer or any agency of any State or subdivision thereof, or joining or using the services or advantages of any labor organization, hiring hall, or employment agency;

serving, or attending upon any court of any State in connection with possible service, as a grand or petit juror;

traveling in or using any facility of interstate commerce, or using any vehicle, terminal, or facility of any common carrier by motor, rail, water, or air;

enjoying the goods, services, facilities, privileges, advantages, or accommodations of any inn, hotel, motel, or other establishment which provides lodging to transient guests, or of any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility which serves the public and which is principally engaged in selling food or beverages for consumption on the premises, or of any gasoline station, or of any motion picture house, theater, concert hall, sports arena, stadium, or any other place of exhibition or entertainment which serves the public, or of any other establishment which serves the public and (i) which is located within the premises of any of the aforesaid establishments or within the premises of which is physically located any of the aforesaid establishments, and (ii) which holds itself out as serving patrons of such



establishments; or

(3) during or incident to a riot or civil disorder, any person engaged in a business in commerce or affecting commerce, including, but not limited to, any person engaged in a business which sells or offers for sale to interstate travelers a substantial portion of the articles, commodities, or services which it sells or where a substantial portion of the articles or commodities which it sells or offers for sale have moved in commerce; or

(4) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—
participating, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1)(A) through (1)(E) or subparagraphs (2)(A) through (2)(F); or

affording another person or class of persons opportunity or protection to so participate; or

(5) any citizen because he is or has been, or in order to intimidate such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, color, religion or national origin, in any of the benefits or activities described in subparagraphs (1)(A) through (1)(E) or subparagraphs (2)(A) through (2)(F), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate— shall be fined under this title, or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire shall be fined under this title, or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death. As used in this section, the term “participating lawfully in speech or peaceful assembly” shall not mean the aiding, abetting, or inciting of other persons to riot or to commit any act of physical violence upon any individual or against any real or personal property in furtherance of a riot. Nothing in subparagraph (2)(F) or (4)(A) of this subsection shall apply to the proprietor of any establishment which provides lodging to transient guests, or to any employee acting on behalf of such proprietor, with respect to the enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of such establishment if such establishment is located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor as his residence.

Nothing in this section shall be construed so as to deter any law enforcement officer from lawfully carrying out the duties of his office; and no law enforcement officer shall be considered to be in violation of this section for lawfully carrying out the duties of his office or lawfully enforcing ordinances and laws of the United States of America Republic, the Province of the U.S.A.R., any of the several States, or any political subdivision of a State. For purposes of the preceding sentence, the term “law enforcement officer” means any officer of the United States of America Republic, the Province of the U.S.A.R., a State, or political subdivision of a State, who is empowered by law to conduct investigations of, or make arrests because of, offenses against the United States of America Republic, the Province of the U.S.A.R., a State, or a political subdivision of a State.

For purposes of this section, the term “State” includes a State of the United States of America Republic, the Province of the U.S.A.R., and any commonwealth, territory, or possession of the United States of America Republic.

SECTION §146. Deprivation of relief benefits

Whoever directly or indirectly deprives, attempts to deprive, or threatens to deprive any person of any employment, position, work, compensation, or other benefit provided for or made possible in whole or in part by any Act of Congress appropriating funds for



work relief or relief purposes, on account of political affiliation, race, color, sex, religion, or national origin, shall be fined under this title, or imprisoned not more than one year, or both.

SECTION §147. Damage to religious property; obstruction of persons in the free exercise of religious beliefs

(a) Whoever, in any of the circumstances referred to in subsection (b) of this section—intentionally defaces, damages, or destroys any religious real property, because of the religious character of that property, or attempts to do so; or intentionally obstructs, by force or threat of force, any person in the enjoyment of that person’s free exercise of religious beliefs, or attempts to do so; shall be punished as provided in subsection (d).

(b) The circumstances referred to in subsection (a) are that the offense is in or affects interstate or foreign commerce.

(c) Whoever intentionally defaces, damages, or destroys any religious real property because of the race, color, or ethnic characteristics of any individual associated with that religious property, or attempts to do so, shall be punished as provided in subsection (d).

(d) The punishment for a violation of subsection (a) of this section shall be—
if death results from acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, a fine in accordance with this title and imprisonment for any term of years or for life, or both, or may be sentenced to death;
if bodily injury results to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this section, and the violation is by means of fire or an explosive, a fine under this title or imprisonment for not more that 40 years, or both;
if bodily injury to any person, including any public safety officer performing duties as a direct or proximate result of conduct prohibited by this section, results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, a fine in accordance with this title and imprisonment for not more than 20 years, or both; and
in any other case, a fine in accordance with this title and imprisonment for not more than one year, or both.

(e) No prosecution of any offense described in this section shall be undertaken by the United States of America Republic except upon the certification in writing of the Attorney General or his designee that in his judgment a prosecution by the United States of America Republic is in the public interest and necessary to secure substantial justice.

(f) As used in this section, the term “religious real property” means any church, synagogue, mosque, religious cemetery, or other religious real property, including fixtures or religious objects contained within a place of religious worship.

(g) No person shall be prosecuted, tried, or punished for any noncapital offense under this section unless the indictment is found or the information is instituted not later than 7 years after the date on which the offense was committed.

SECTION §148. Freedom of access to clinic entrances

(a) PROHIBITED ACTIVITIES.—Whoever—
by force or threat of force or by physical obstruction, intentionally injures, intimidates or interferes with or attempts to injure, intimidate or interfere with any person because that person is or has been, or in order to intimidate such person or any other person or any class of persons from, obtaining or providing reproductive health services;
by force or threat of force or by physical obstruction, intentionally injures, intimidates or



interferes with or attempts to injure, intimidate or interfere with any person lawfully exercising or seeking to exercise the First Amendment right of religious freedom at a place of religious worship; or intentionally damages or destroys the property of a facility, or attempts to do so, because such facility provides reproductive health services, or intentionally damages or destroys the property of a place of religious worship, shall be subject to the penalties provided in subsection (b) and the civil remedies provided in subsection (c), except that a parent or legal guardian of a minor shall not be subject to any penalties or civil remedies under this section for such activities insofar as they are directed exclusively at that minor.

(b) **PENALTIES.**—Whoever violates this section shall—

in the case of a first offense, be fined in accordance with this title, or imprisoned not more than one year, or both; and

in the case of a second or subsequent offense after a prior conviction under this section, be fined in accordance with this title, or imprisoned not more than 3 years, or both;

except that for an offense involving exclusively a nonviolent physical obstruction, the fine shall be not more than \$10,000 and the length of imprisonment shall be not more than six months, or both, for the first offense; and the fine shall, notwithstanding, be not more than \$25,000 and the length of imprisonment shall be not more than 18 months, or both, for a subsequent offense; and except that if bodily injury results, the length of imprisonment shall be not more than 10 years, and if death results, it shall be for any term of years or for life.

(c) **CIVIL REMEDIES.**—

(1) **RIGHT OF ACTION.**—

IN GENERAL.—Any person aggrieved by reason of the conduct prohibited by subsection (a) may commence a civil action for the relief set forth in subparagraph (B), except that such an action may be brought under subsection (a)(1) only by a person involved in providing or seeking to provide, or obtaining or seeking to obtain, services in a facility that provides reproductive health services, and such an action may be brought under subsection (a)(2) only by a person lawfully exercising or seeking to exercise the First Amendment right of religious freedom at a place of religious worship or by the entity that owns or operates such place of religious worship.

RELIEF.—In any action under subparagraph (A), the court may award appropriate relief, including temporary, preliminary or permanent injunctive relief and compensatory and punitive damages, as well as the costs of suit and reasonable fees for attorneys and expert witnesses. With respect to compensatory damages, the plaintiff may elect, at any time prior to the rendering of final judgment, to recover, in lieu of actual damages, an award of statutory damages in the amount of \$5,000 per violation.

(2) **ACTION BY ATTORNEY GENERAL OF THE UNITED STATES.**—

IN GENERAL.—If the Attorney General of the United States of America Republic has reasonable cause to believe that any person or group of persons is being, has been, or may be injured by conduct constituting a violation of this section, the Attorney General may commence a civil action in any appropriate United States of America Republic District Court.

RELIEF.—In any action under subparagraph (A), the court may award appropriate relief, including temporary, preliminary or permanent injunctive relief, and compensatory damages to persons aggrieved as described in paragraph (1)(B). The court, to vindicate the public interest, may also assess a civil penalty against each respondent—in an amount not exceeding \$10,000 for a nonviolent physical obstruction and \$15,000 for other first violations; and in an amount not exceeding \$15,000 for a nonviolent physical obstruction and \$25,000 for any other subsequent violation.

(3) **ACTIONS BY STATE ATTORNEYS GENERAL.**—

IN GENERAL.—If the Attorney General of a State has reasonable cause to believe that any person or group of persons is being, has been, or may be injured by conduct constituting a



violation of this section, such Attorney General may commence a civil action in the name of such State, as parens patriae on behalf of natural persons residing in such State, in any appropriate United States of America Republic District Court.

RELIEF.—In any action under subparagraph (A), the court may award appropriate relief, including temporary, preliminary or permanent injunctive relief, compensatory damages, and civil penalties as described in paragraph (2)(B).

(d) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—
to prohibit any expressive conduct (including peaceful picketing or other peaceful demonstration) protected from legal prohibition by the First Amendment to the Constitution;
to create new remedies for interference with activities protected by the free speech or free exercise clauses of the First Amendment to the Constitution, occurring outside a facility, regardless of the point of view expressed, or to limit any existing legal remedies for such interference;

to provide exclusive criminal penalties or civil remedies with respect to the conduct prohibited by this section, or to preempt State or local laws that may provide such penalties or remedies; or to interfere with the enforcement of State or local laws regulating the performance of abortions or other reproductive health services.

(e) DEFINITIONS.—As used in this section:

FACILITY.—The term “facility” includes a hospital, clinic, physician’s office, or other facility that provides reproductive health services, and includes the building or structure in which the facility is located.

INTERFERE WITH.—The term “interfere with” means to restrict a person’s freedom of movement.

INTIMIDATE.—The term “intimidate” means to place a person in reasonable apprehension of bodily harm to him- or herself or to another.

PHYSICAL OBSTRUCTION.—The term “physical obstruction” means rendering impassable ingress to or egress from a facility that provides reproductive health services or to or from a place of religious worship, or rendering passage to or from such a facility or place of religious worship unreasonably difficult or hazardous.

REPRODUCTIVE HEALTH SERVICES.—The term “reproductive health services” means reproductive health services provided in a hospital, clinic, physician’s office, or other facility, and includes medical, surgical, counselling or referral services relating to the human reproductive system, including services relating to pregnancy or the termination of a pregnancy.

STATE.—The term “State” includes a State of the United States of America Republic, the Province of the U.S.A.R., and any commonwealth, territory, or possession of the United States of America Republic.

SECTION §149. Hate crime acts

(a) IN GENERAL.—

(1) OFFENSES INVOLVING ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, OR NATIONAL ORIGIN.—Whoever, whether or not acting under color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person—

shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

death results from the offense; or

the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

(2) OFFENSES INVOLVING ACTUAL OR PERCEIVED RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.—



(A) **IN GENERAL.**—Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (3), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person— shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

death results from the offense; or

the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

(B) **CIRCUMSTANCES DESCRIBED.**—For purposes of subparagraph (A), the circumstances described in this subparagraph are that—

(i) the conduct described in subparagraph (A) occurs during the course of, or as the result of, the travel of the defendant or the victim—

across a State line or national border; or

using a channel, facility, or instrumentality of interstate or foreign commerce;

(ii) the defendant uses a channel, facility, or instrumentality of interstate or foreign commerce in connection with the conduct described in subparagraph (A);

(iii) in connection with the conduct described in subparagraph (A), the defendant employs a firearm, dangerous weapon, explosive or incendiary device, or other weapon that has traveled in interstate or foreign commerce; or

(iv) the conduct described in subparagraph (A)—

interferes with commercial or other economic activity in which the victim is engaged at the time of the conduct; or

otherwise affects interstate or foreign commerce.

OFFENSES OCCURRING IN THE SPECIAL MARITIME OR TERRITORIAL JURISDICTION OF THE UNITED STATES.—Whoever, within the special maritime or territorial jurisdiction of the United States of America Republic, engages in conduct described in paragraph (1) or in paragraph (2)(A) (without regard to whether that conduct occurred in a circumstance described in paragraph (2)(B)) shall be subject to the same penalties as prescribed in those paragraphs.

GUIDELINES.—All prosecutions conducted by the United States of America Republic under this section shall be undertaken pursuant to guidelines issued by the Attorney General, or the designee of the Attorney General, to be included in the United States of America Republic Attorneys' Manual that shall establish neutral and objective criteria for determining whether a crime was committed because of the actual or perceived status of any person.

(b) **CERTIFICATION REQUIREMENT.**—

(1) **IN GENERAL.**—No prosecution of any offense described in this subsection may be undertaken by the United States of America Republic, except under the certification in writing of the Attorney General, or a designee, that—

the State does not have jurisdiction;

the State has requested that the Province Government assume jurisdiction;

the verdict or sentence obtained pursuant to State charges left demonstratively unvindicated the Province interest in eradicating bias-motivated violence; or

a prosecution by the United States of America Republic is in the public interest and necessary to secure substantial justice.

(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to limit the authority of Province officers, or a Province grand jury, to investigate possible violations of this section.

(c) **DEFINITIONS.**—In this section—

the term “bodily injury” has the meaning given such term in section 1365(h)(4) of this title, but



does not include solely emotional or psychological harm to the victim;
the term “explosive or incendiary device” has the meaning given such term in section 132 of this title;
the term “firearm” any gun that take bullets;
the term “gender identity” means actual or perceived gender-related characteristics; and
the term “State” includes the Province of the U.S.A.R., Puerto Rico, and any other territory or possession of the United States of America Republic.

(d) STATUTE OF LIMITATIONS.—

(1) OFFENSES NOT RESULTING IN DEATH.—Except as provided in paragraph (2), no person shall be prosecuted, tried, or punished for any offense under this section unless the indictment for such offense is found, or the information for such offense is instituted, not later than 7 years after the date on which the offense was committed.

(2) DEATH RESULTING OFFENSES.—An indictment or information alleging that an offense under this section resulted in death may be found or instituted at any time without limitation.

{End of Resolution}

