

117TH CONGRESS  
1ST SESSION

# H. R. 1834

To establish a United States Commission on Hate Crimes to study and make recommendations on the prevention of the commission of hate crimes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2021

Mr. KRISHNAMOORTHY (for himself, Ms. MENG, Mr. JEFFRIES, Ms. VELÁZQUEZ, Mr. VAN DREW, Ms. JACKSON LEE, Mrs. CAROLYN B. MALONEY of New York, Mr. SUOZZI, Mr. CÁRDENAS, Mr. KHANNA, Ms. NORTON, Mr. CARSON, Mr. MEEKS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BLUMENAUER, Mrs. DINGELL, Ms. KELLY of Illinois, Ms. SCANLON, Mr. PALLONE, Mr. CICILLINE, and Mr. SEAN PATRICK MALONEY of New York) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To establish a United States Commission on Hate Crimes to study and make recommendations on the prevention of the commission of hate crimes, 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 “Hate Crimes Commis-  
5 sion Act of 2021”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds as follows:

3 (1) The Federal Bureau of Investigation defines  
4 “hate crime” to be a criminal offense—such as mur-  
5 der, arson, or vandalism—against a person or prop-  
6 erty motivated in whole or in part by an offender’s  
7 bias against a race, religion, disability, sexual ori-  
8 entation, ethnicity, gender, or gender identity.

9 (2) Forty-five States and the District of Colum-  
10 bia have statutes criminalizing various types of bias-  
11 motivated violence or intimidation.

12 (3) The Federal Government has implemented  
13 crimes statutes since 1968, with the most recent law  
14 enacted in 2009.

15 (4) In 2019, hate crimes rose by 2.7 percent.

16 (5) In 2019, there were 51 reported deaths  
17 from hate crimes, which is the highest number since  
18 the FBI began reporting on this statistic in the  
19 early 1990s.

20 (6) Hate crimes not only damage the individual  
21 victim or victims, but also traumatize entire commu-  
22 nities and erode public confidence in their safety.

23 (7) In 2019, hate crimes directed at Latinos in-  
24 creased by almost 9 percent from the year before.

25 (8) In 2019, hate crimes based on sexual ori-  
26 entation represented 16.7% of total hate crimes that

1 year, and gender identity based hate crimes rep-  
2 resented 2.7% of total hate crimes, which was an in-  
3 crease from the year before.

4 (9) In a September 2020 House Homeland Se-  
5 curity Committee testimony, FBI Director Chris-  
6 topher Wray said: “Within the domestic terrorism  
7 bucket, the category as a whole, racially motivated  
8 violent extremism is, I think, the biggest bucket  
9 within that larger group. And within the racially mo-  
10 tivated violent extremist bucket, people subscribing  
11 to some kind of White supremacist-type ideology is  
12 certainly the biggest chunk of that.”.

13 (10) The largest increase within the 2019 hate  
14 crime data was found in anti-Semitic hate crimes,  
15 which rose by 14 percent.

16 (11) In August 2019, an assailant entered a  
17 Walmart in El Paso, Texas, to target Hispanics and  
18 left 22 dead.

19 (12) In October 2018, a shooting at the Tree  
20 of Life synagogue in Pittsburgh, Pennsylvania, left  
21 11 dead.

22 (13) In July 2019, a Hindu priest in New York  
23 City was hospitalized after a man attacked him and  
24 screamed “this is my neighborhood” during the inci-  
25 dent.

1           (14) In response to the Coronavirus pandemic,  
2           Asian Americans have suffered an increasing num-  
3           ber of hate crimes. According to Stop AAPI Hate,  
4           2,808 “hate incidents” toward AAPIs were reported  
5           between March and December 2020.

6           (15) In November 2020, a woman shouted anti-  
7           Muslim slurs and attacked a couple in New York  
8           City, leaving one victim needing surgery for facial  
9           fractures.

10          (16) Many hate crimes go unreported. In 2019,  
11          there was a decrease in the number of police agen-  
12          cies providing this data to the FBI, with only 14  
13          percent of police agencies in the country reporting  
14          one or more hate crimes that year.

15          (17) There is a clear need for stronger action  
16          to accurately report and effectively combat hate-  
17          based attacks.

18 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

19          (a) ESTABLISHMENT.—There is established the  
20          United States Commission on Hate Crimes (hereinafter  
21          in this Act referred to as the “Commission”).

22          (b) MEMBERSHIP.—The Commission shall be com-  
23          posed of 12 members. Membership of the Commission  
24          shall be appointed in accordance with the following:

1           (1) Two members shall be appointed by the ma-  
2           jority leader of the Senate.

3           (2) Two members shall be appointed by the mi-  
4           nority leader of the Senate.

5           (3) Two members shall be appointed by the  
6           Speaker of the House of Representatives.

7           (4) Two members shall be appointed by the mi-  
8           nority leader of the House of Representatives.

9           (5) Two members shall be jointly appointed by  
10          the two appointing officials under paragraphs (1)  
11          through (4) who are members of, or caucus with, the  
12          Democratic Party.

13          (6) Two members shall be jointly appointed by  
14          the two appointing officials under paragraphs (1)  
15          through (4) who are members of, or caucus with, the  
16          Republican Party.

17          (7) Not more than 6 members of the Commis-  
18          sion shall be from the law enforcement community  
19          and not more than 6 members of the Commission  
20          shall be of the civil rights community.

21          (8) Not more than 6 of the members shall be  
22          of the same political party.

23 **SEC. 4. DUTIES OF THE COMMISSION.**

24          The Commission shall investigate the following:

1           (1) If there has been an increase in hate crimes  
2 during the period beginning January 1, 2007, and  
3 ending 60 days after the date of enactment of this  
4 Act.

5           (2) To the extent that any increase in the com-  
6 mission of hate crimes is determined to exist, what  
7 factors have contributed to such increase.

8           (3) What policies or actions law enforcement  
9 agencies might adopt or engage in to reduce the  
10 commission of hate crimes.

11           (4) The impact of underreporting on hate  
12 crimes statistics and hate crimes prevention.

13           (5) What community bias prevention responses  
14 are successful and possible through coordination  
15 with nonprofits, local education agencies, and gov-  
16 ernment entities.

17 **SEC. 5. REPORT.**

18           Not later than 1 year after the date of enactment  
19 of this Act, the Commission shall submit a report to Con-  
20 gress and the President setting forth the results of the  
21 investigation under section 4.

22 **SEC. 6. DEFINITION.**

23           In this Act, the term “hate crime” means an offense  
24 under section 249 of title 18, United States Code.

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