

Public Law 101-275
101st Congress

An Act

Apr. 23, 1990
[H.R. 1048]

To provide for the acquisition and publication of data about crimes that manifest prejudice based on certain group characteristics.

Hate Crime
Statistics Act.
28 USC 534 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) this Act may be cited as the "Hate Crime Statistics Act".

(b)(1) Under the authority of section 534 of title 28, United States Code, the Attorney General shall acquire data, for the calendar year 1990 and each of the succeeding 4 calendar years, about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property.

(2) The Attorney General shall establish guidelines for the collection of such data including the necessary evidence and criteria that must be present for a finding of manifest prejudice and procedures for carrying out the purposes of this section.

(3) Nothing in this section creates a cause of action or a right to bring an action, including an action based on discrimination due to sexual orientation. As used in this section, the term "sexual orientation" means consensual homosexuality or heterosexuality. This subsection does not limit any existing cause of action or right to bring an action, including any action under the Administrative Procedure Act or the All Writs Act.

Research and
development.

(4) Data acquired under this section shall be used only for research or statistical purposes and may not contain any information that may reveal the identity of an individual victim of a crime.

(5) The Attorney General shall publish an annual summary of the data acquired under this section.

Appropriation
authorization.

(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section through fiscal year 1994.

28 USC 534 note.

SEC. 2. (a) Congress finds that—

(1) the American family life is the foundation of American Society,

(2) Federal policy should encourage the well-being, financial security, and health of the American family,

(3) schools should not de-emphasize the critical value of American family life.

(b) Nothing in this Act shall be construed, nor shall any funds appropriated to carry out the purpose of the Act be used, to promote or encourage homosexuality.

Approved April 23, 1990.

LEGISLATIVE HISTORY—H.R. 1048 (S. 419):

HOUSE REPORTS: No. 101-109 (Comm. on the Judiciary).

SENATE REPORTS: No. 101-21 accompanying S. 419 (Comm. on the Judiciary).

CONGRESSIONAL RECORD:

Vol. 135 (1989): June 27, considered and passed House.

Vol. 136 (1990): Feb. 8, considered and passed Senate, amended.

Apr. 3, 4, House concurred in Senate amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):

Apr. 23, Presidential remarks.