

prior to editorial reclassification and renumbering as this section.

§ 41302. Acquisition of statistical data on child abuse

(a) Data acquisition for 1987 and 1988

The Attorney General shall acquire from criminal justice agencies statistical data, for the calendar years 1987 and 1988, about the incidence of child abuse, including child sexual abuse, and shall publish annually a summary of such data.

(b) Modification of uniform crime reporting program

(1) As soon as practicable, but in no case later than January 1, 1989, the Attorney General shall modify the uniform crime reporting program in the Federal Bureau of Investigation to include data on the age of the victim of the offense and the relationship, if any, of the victim to the offender, for types of offenses that may involve child abuse, including child sexual abuse.

(2) The modification, once made, shall remain in effect until the later of—

(A) 10 years after the date it is made; or

(B) such ending date as may be set by the Attorney General.

(Pub. L. 99-401, title I, §105, Aug. 27, 1986, 100 Stat. 906.)

Editorial Notes

CODIFICATION

Section was formerly classified as a note under section 5101 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 41303. Uniform Federal Crime Reporting Act of 1988

(a) Short title

This section may be cited as the “Uniform Federal Crime Reporting Act of 1988”.

(b) Definitions

For purposes of this section, the term “Uniform Crime Reports” means the reports authorized under section 534 of title 28 and administered by the Federal Bureau of Investigation which compiles nationwide criminal statistics for use in law enforcement administration, operation, and management and to assess the nature and type of crime in the United States.

(c) Establishment of system

(1) In general

The Attorney General shall acquire, collect, classify, and preserve national data on Federal criminal offenses as part of the Uniform Crime Reports.

(2) Reporting by Federal agencies

All departments and agencies within the Federal government (including the Department of Defense) which routinely investigate complaints of criminal activity, shall report details about crime within their respective jurisdiction to the Attorney General in a uniform manner and on a form prescribed by the Attorney General. The reporting required by

this subsection shall be limited to the reporting of those crimes comprising the Uniform Crime Reports.

(3) Distribution of data

The Attorney General shall distribute data received pursuant to paragraph (2), not less frequently than annually, to the President, Members of the Congress, State governments, and officials of localities and penal and other institutions participating in the Uniform Crime Reports program.

(4) Interagency coordination

(A) In general

Not later than 90 days after December 21, 2018, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) for the purpose of ensuring successful implementation of paragraph (2).

(B) For report

Not later than 6 months after December 21, 2018, the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) shall provide the Director of the Federal Bureau of Investigation such information as the Director determines is necessary to complete the first report required under paragraph (5).

(5) Annual report by Federal Bureau of Investigation

Not later than 1 year after December 21, 2018, and annually thereafter, the Director of the Federal Bureau of Investigation shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report detailing the efforts of the departments and agencies within the Federal Government to come into compliance with paragraph (2). The report shall contain a list of all departments and agencies within the Federal Government subject to paragraph (2) and whether each department or agency is in compliance with paragraph (2).

(d) Role of Federal Bureau of Investigation

The Attorney General may designate the Federal Bureau of Investigation as the lead agency for purposes of performing the functions authorized by this section and may appoint or establish such advisory and oversight boards as may be necessary to assist the Bureau in ensuring uniformity, quality, and maximum use of the data collected.

(e) Inclusion of offenses involving illegal drugs

The Director of the Federal Bureau of Investigation is authorized to classify offenses involving illegal drugs and drug trafficking as a part I crime in the Uniform Crime Reports.

(f) Authorization of appropriations

There are authorized to be appropriated \$350,000 for fiscal year 1989 and such sums as may be necessary to carry out the provisions of this section after fiscal year 1989.

(g) Effective date

The provisions of this section shall be effective on January 1, 1989.

(Pub. L. 100-690, title VII, § 7332, Nov. 18, 1988, 102 Stat. 4468; Pub. L. 115-393, title IV, § 402, Dec. 21, 2018, 132 Stat. 5274.)

Editorial Notes**CODIFICATION**

Section was formerly classified as a note under section 534 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2018—Subsec. (c)(3). Pub. L. 115-393, § 402(1), substituted “not less frequently than annually” for “in the form of annual Uniform Crime Reports for the United States”.

Subsec. (c)(4), (5). Pub. L. 115-393, § 402(2), added pars. (4) and (5).

§ 41304. Family and domestic violence: data collection and reporting**(a) Family violence reporting**

Under the authority of section 534 of title 28, the Attorney General shall require, and include in uniform crime reports, data that indicate—

- (1) the age of the victim; and
- (2) the relationship of the victim to the offender, for crimes of murder, aggravated assault, simple assault, rape, sexual offenses, and offenses against children.

(b) National Crime Survey

The Director of the Bureau of Justice Statistics, through the annual National Crime Survey, shall collect and publish data that more accurately measures the extent of domestic violence in America, especially the physical and sexual abuse of children and the elderly.

(c) Authorization of appropriations

There are authorized to be appropriated in fiscal years 1989, 1990, 1991, and 1992, such sums as are necessary to carry out the purposes of this section.

(Pub. L. 100-690, title VII, § 7609, Nov. 18, 1988, 102 Stat. 4517.)

Editorial Notes**CODIFICATION**

Section was formerly classified as a note under section 534 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

§ 41305. Hate crime statistics

(a) This Act may be cited as the “Hate Crime Statistics Act”.

(b)(1) Under the authority of section 534 of title 28, the Attorney General shall acquire data, for each calendar year, about crimes that manifest evidence of prejudice based on race, gender and gender identity, religion, disability, 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 [5 U.S.C. 551 et seq., 701 et seq.] or the All Writs Act [28 U.S.C. 1651].

(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, including data about crimes committed by, and crimes directed against, juveniles.

(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section through fiscal year 2002.

(Pub. L. 101-275, § 1, Apr. 23, 1990, 104 Stat. 140; Pub. L. 103-322, title XXXII, § 320926, Sept. 13, 1994, 108 Stat. 2131; Pub. L. 104-155, § 7, July 3, 1996, 110 Stat. 1394; Pub. L. 111-84, div. E, § 4708, Oct. 28, 2009, 123 Stat. 2841.)

Editorial Notes**REFERENCES IN TEXT**

This Act, referred to in subsec. (a), is Pub. L. 101-275, Apr. 23, 1990, 104 Stat. 140, which enacted this section and provisions set out as a note under this section.

The Administrative Procedure Act, referred to in subsec. (b)(3), is act June 11, 1946, ch. 324, 60 Stat. 237, which was classified to sections 1001 to 1011 of former title 5 and which was repealed and reenacted as subchapter II (§ 551 et seq.) of chapter 5, and chapter 7 (§ 701 et seq.), of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378. See Short Title note preceding section 551 of Title 5.

The All Writs Act, referred to in subsec. (b)(3), means section 1651 of Title 28, Judiciary and Judicial Procedure, which is popularly known as the “All Writs Act”.

CODIFICATION

Section was formerly classified in a note under section 534 of Title 28, Judiciary and Judicial Procedure, prior to editorial reclassification and renumbering as this section.

AMENDMENTS

2009—Subsec. (b)(1). Pub. L. 111-84, § 4708(a), inserted “gender and gender identity,” after “race.”

Subsec. (b)(5). Pub. L. 111-84, § 4708(b), inserted “, including data about crimes committed by, and crimes directed against, juveniles” after “data acquired under this section”.

1996—Subsec. (b)(1). Pub. L. 104-155, § 7(1), substituted “for each calendar year” for “for the calendar year 1990 and each of the succeeding 4 calendar years”.

Subsec. (c). Pub. L. 104-155, § 7(2), substituted “2002” for “1994”.

1994—Subsec. (b)(1). Pub. L. 103-322 inserted “disability,” after “religion.”