

119TH CONGRESS
2^D SESSION

S. 4598

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.

IN THE SENATE OF THE UNITED STATES

MAY 20, 2026

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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 2026”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

8 (1) The Federal Bureau of Investigation (re-
9 ferred to in this section as the “FBI”) defines a

1 hate crime as a criminal offense, such as murder,
2 arson, or vandalism, against a person or property
3 motivated in whole or in part by an offender’s bias
4 against a race, color, national origin, religion, dis-
5 ability, sexual orientation, ethnicity, gender, or gen-
6 der identity.

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

10 (3) Congress has enacted various statutes to
11 address hate crimes since 1968, with the most re-
12 cent statute, the COVID–19 Hate Crimes Act (Pub-
13 lic Law 117–113; 135 Stat. 265), enacted in 2021.

14 (4) In 2024, the FBI reported 11,323 single-
15 bias incidents, involving 13,768 victims.

16 (5) Hate crimes not only damage the individual
17 victim or victims but also traumatize entire commu-
18 nities and erode public confidence in their safety.

19 (6) In 2024—

20 (A) 53.2 percent of victims were targeted
21 because of the offender’s race, ethnicity, or an-
22 cestry bias;

23 (B) 23.5 percent of victims were targeted
24 because of the offender’s religious bias;

1 (C) 17.2 percent of victims were targeted
2 because of the offender's sexual orientation
3 bias;

4 (D) 3.9 percent of victims were targeted
5 because of the offender's gender identity bias;

6 (E) 1.3 percent of victims were targeted
7 because of the offender's disability bias; and

8 (F) 0.9 percent of victims were targeted
9 because of the offender's gender bias.

10 (7) In testimony before the Committee on
11 Homeland Security of the House of Representatives
12 in September 2020, FBI Director Christopher Wray
13 said, "Within the domestic terrorism bucket, the cat-
14 egory as a whole, racially motivated violent extre-
15 mism is, I think, the biggest bucket within that larg-
16 er group. And within the racially motivated violent
17 extremist bucket, people subscribing to some kind of
18 white supremacist-type ideology is certainly the big-
19 gest chunk of that."

20 (8) In August 2012, a shooting at the gurdwara
21 in Oak Creek, Wisconsin, left 6 people dead, and a
22 seventh victim of the shooting succumbed to his in-
23 juries in 2020.

1 (9) In June 2016, a shooting at Pulse, an
2 LGBTQ+ nightclub in Orlando, Florida, left 49
3 people dead and an additional 53 people wounded.

4 (10) In October 2018, a shooting at the Tree
5 of Life synagogue in Pittsburgh, Pennsylvania, left
6 11 people dead.

7 (11) In July 2019, a Hindu priest in New York
8 City was hospitalized after a man attacked him and
9 screamed “this is my neighborhood” during the inci-
10 dent.

11 (12) In August 2019, an assailant entered a
12 Walmart in El Paso, Texas, to target Hispanic im-
13 migrants and left 22 people dead.

14 (13) In November 2020, a woman shouted anti-
15 Muslim slurs and attacked a couple in New York
16 City, leaving one victim needing surgery for facial
17 fractures.

18 (14) In March 2021, a gunman targeted 3 spas
19 across Atlanta, Georgia, killing 8 people, 6 of whom
20 were Asian women.

21 (15) In May 2022, a gunman injured 3 people
22 after entering a Korean-owned business in Dallas,
23 Texas, and firing 13 rounds before fleeing.

24 (16) In May 2022, a gunman targeted a Tops
25 supermarket located in a predominantly Black

1 neighborhood in Buffalo, New York, killing 10 peo-
2 ple and injuring 3 others. Of the 13 victims, 11 were
3 Black.

4 (17) In November 2022, a gunman killed 5 peo-
5 ple and wounded 25 others after opening fire on an
6 LGBTQ+ nightclub in Colorado Springs, Colorado.

7 (18) In response to the COVID–19 pandemic,
8 Asian Americans have suffered an increasing num-
9 ber of hate crimes. According to Stop AAPI Hate,
10 nearly 11,500 “hate incidents” toward Asian Ameri-
11 cans and Pacific Islanders were reported between
12 March 2020 and March 2022.

13 (19) The Anti-Defamation League (commonly
14 known as the “ADL”) annually surveys and reports
15 anti-Semitic hate incidents across the country. In
16 2024, the ADL reported a 344-percent increase in
17 anti-Semitic incidents over the previous 5 years.

18 (20) In the original 2021 Hate Crime Statistics
19 published by the FBI in December 2022, the FBI
20 acknowledged the significant discrepancy in report-
21 ing from local law enforcement agencies as a result
22 of transitioning to the National Incident-Based Re-
23 porting System. Due to the lack of reporting by local
24 enforcement agencies, the FBI acknowledged that

1 the 2021 Hate Crime Statistics cannot be compared
2 reliably across years.

3 (21) In March 2023, the FBI released supple-
4 mental data for the 2021 Hate Crime Statistics con-
5 sisting of data collected through the Summary Re-
6 porting System by local law enforcement agencies.

7 (22) Law enforcement organizations have con-
8 sistently recognized the need to modernize nation-
9 wide crime reporting and related data.

10 (23) There is a clear need for stronger action
11 to accurately report and effectively combat hate-
12 based attacks.

13 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

14 (a) DEFINITION.—In this section, the term “civil
15 rights community” means nonprofit organizations that—

16 (1) engage in documentation, reporting, or
17 analysis of hate crimes or bias-motivated incidents;
18 or

19 (2) provide legal services or public education re-
20 lating to civil rights or discrimination.

21 (b) ESTABLISHMENT.—There is established the
22 United States Commission on Hate Crimes (in this Act
23 referred to as the “Commission”).

24 (c) MEMBERSHIP.—

1 (1) SIZE OF COMMISSION.—The Commission
2 shall be composed of 10 members.

3 (2) APPOINTMENT.—Members of the Commis-
4 sion shall be appointed in accordance with the fol-
5 lowing:

6 (A) Two members shall be appointed by
7 the majority leader of the Senate.

8 (B) Two members shall be appointed by
9 the minority leader of the Senate.

10 (C) Two members shall be appointed by
11 the Speaker of the House of Representatives.

12 (D) Two members shall be appointed by
13 the minority leader of the House of Representa-
14 tives.

15 (E) Two members shall be appointed by
16 the Attorney General.

17 (3) LIMITATIONS.—

18 (A) BACKGROUND.—Not more than 5
19 members of the Commission may be from the
20 law enforcement community and not more than
21 5 members of the Commission may be from the
22 civil rights community.

23 (B) GOVERNMENT OFFICIALS.—A Member
24 of Congress or any other elected Federal, State,

1 or local government official may not serve as a
2 member of the Commission.

3 (4) DEADLINE.—Each member of the Commis-
4 sion shall be appointed not later than 60 days after
5 the date of enactment of this Act.

6 (d) MEETINGS.—

7 (1) FIRST MEETING.—

8 (A) DEADLINE.—The Commission shall
9 hold its first meeting not later than 90 days
10 after the date as of which all members of the
11 Commission have been appointed under sub-
12 section (b)(2).

13 (B) SCHEDULE.—During its first meeting,
14 the Commission shall develop a schedule for
15 completion of the investigation and report re-
16 quired under section 4.

17 (2) SUBSEQUENT MEETINGS.—After the initial
18 meeting of the Commission, the Commission shall
19 meet bimonthly until the Commission terminates
20 under section 5.

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

22 (a) DEFINITION.—In this section, the term “hate
23 crime” means an offense under section 249 of title 18,
24 United States Code.

1 (b) INVESTIGATION.—The Commission shall inves-
2 tigate the following:

3 (1) The factors, including social media and
4 technology, that have contributed to the consistently
5 high rate of hate crime incidents across the United
6 States.

7 (2) Policies or actions that law enforcement
8 agencies might adopt or engage in to reduce the
9 commission of hate crimes.

10 (3) The impact of underreporting on hate
11 crimes statistics and hate crimes prevention.

12 (4) Ways to improve hate crimes reporting and
13 ensure full and complete participation in the Na-
14 tional Incident-Based Reporting System by local law
15 enforcement agencies, including by identifying any
16 barriers that may deter such reporting.

17 (5) Bias prevention efforts and responses to
18 hate crimes that are successful and possible through
19 coordination with nonprofit organizations, local edu-
20 cation agencies, and government entities.

21 (6) The prevalence and rise of online hate crime
22 incidents.

23 (c) REPORT.—Not later than 1 year after the date
24 as of which all members of the Commission have been ap-
25 pointed under section 3(c)(2), the Commission shall pub-

1 lish and submit to Congress and the President a report
2 that sets forth the results of the investigation conducted
3 under subsection (b) of this section, including rec-
4 ommendations for—

5 (1) actions Federal agencies can take to help
6 improve hate crimes reporting by local law enforce-
7 ment agencies, as described in subsection (b)(4); and

8 (2) bias prevention efforts and responses to
9 hate crimes, as described in subsection (b)(5).

10 (d) INFORMATION FROM FEDERAL AGENCIES AND
11 OTHER ENTITIES.—Any department, agency, bureau,
12 board, commission, office, or other instrumentality of the
13 United States shall directly provide to the Commission,
14 upon request, any documents, statistical data, or other in-
15 formation the Commission determines necessary to carry
16 out its duties under this Act.

17 **SEC. 5. SUNSET.**

18 The Commission shall terminate on the date that is
19 90 days after the date on which the Commission publishes
20 and submits to Congress and the President the report
21 under section 4(c).

22 **SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE AUDIT.**

23 (a) DEFINITIONS.—In this section:

24 (1) DIRECTOR.—The term “Director” means
25 the Director of the Federal Bureau of Investigation.

1 (2) ZERO-REPORTING AGENCY.—The term
2 “zero-reporting agency” means any State, local, or
3 Tribal law enforcement agency that reports zero
4 hate crimes in a calendar year to the National Inci-
5 dent-Based Reporting System of the Federal Bureau
6 of Investigation.

7 (b) AUDIT.—Not later than 1 year after the date of
8 enactment of this Act, the Comptroller General of the
9 United States shall conduct an audit of the hate crime
10 data collected by the Federal Bureau of Investigation.

11 (c) CONTENTS OF AUDIT.—In conducting the audit
12 under subsection (b), the Comptroller General shall—

13 (1) assess the methodologies and procedures
14 used by the Federal Bureau of Investigation to col-
15 lect and verify hate crime data; and

16 (2) evaluate the accuracy of the data described
17 in paragraph (1) by conducting a comparative anal-
18 ysis with other relevant hate crime data sources,
19 which may include—

20 (A) data collected by civil rights organiza-
21 tions serving communities frequently targeted
22 by hate crimes; and

23 (B) data collected by the Bureau of Justice
24 Statistics through the National Crime Victim-
25 ization Survey.

1 (d) REPORT.—Not later than 180 days after com-
2 pleting the audit under subsection (b), the Comptroller
3 General shall submit to Congress a report containing—

4 (1) the findings of the audit, including rec-
5 ommendations to improve the accuracy, complete-
6 ness, and reliability of hate crime data received
7 through the National Incident Bias Reporting Sys-
8 tem, which may include the use of automated sys-
9 tems to identify anomalies in the collected hate
10 crime data such as—

11 (A) a State, local, or Tribal law enforce-
12 ment agency classifying as a zero-reporting
13 agency for consecutive years; and

14 (B) hate crime data reporting patterns
15 from a law enforcement agency that are statis-
16 tically inconsistent with hate crime data report-
17 ing patterns observed in other comparable re-
18 porting agencies; and

19 (2) the response of the Federal Bureau of In-
20 vestigation to the findings of the audit detailing any
21 actions that the Bureau has taken or planned to
22 take to improve the accuracy and oversight of hate
23 crime data reporting.

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