

115TH CONGRESS
1ST SESSION

H. R. 3980

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 HOUSE OF REPRESENTATIVES

OCTOBER 5, 2017

Mr. KRISHNAMOORTHY (for himself, Mr. RASKIN, Mr. HASTINGS, Mr. PAYNE, Mr. BUTTERFIELD, Mr. PALLONE, Mr. EVANS, Ms. CLARKE of New York, Ms. NORTON, Ms. MOORE, Mr. GUTIÉRREZ, Mr. RUSH, Ms. WILSON of Florida, Mr. BLUMENAUER, Mr. CICILLINE, Mr. LOWENTHAL, Ms. KELLY of Illinois, Mr. HUFFMAN, Ms. KAPTUR, Mr. SMITH of Washington, Mr. MCEACHIN, Mrs. DINGELL, Mr. KEATING, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. ENGEL, Mr. NOLAN, Mr. KIHUEN, Mr. RUPPERSBERGER, Mrs. LAWRENCE, Ms. LOFGREN, Mr. MCGOVERN, Mrs. DEMINGS, Mr. CONNOLLY, Mr. YARMUTH, Ms. BROWNLEY of California, Mr. GALLEGO, Mr. TED LIEU of California, Mrs. WATSON COLEMAN, Mr. PERLMUTTER, Mr. GRIJALVA, Mr. CASTRO of Texas, Ms. MAXINE WATERS of California, Ms. SLAUGHTER, Mr. LANGEVIN, Mr. SIRES, Mr. ESPAILLAT, Mr. COHEN, Mr. GARAMENDI, Mr. POLIS, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, and Mr. KHANNA) introduced the following bill; which was 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Hate Crimes Commis-
3 sion Act of 2017”.

4 **SEC. 2. FINDINGS.**

5 The Congress finds as follows:

6 (1) The Federal Bureau of Investigation defines
7 a “hate crime” to be a criminal offense—such as
8 murder, arson, or vandalism—against a person or
9 property motivated in whole or in part by an offend-
10 er’s bias against a race, religion, disability, sexual
11 orientation, ethnicity, gender, or gender identity.

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

15 (3) The Federal Government has had hate
16 crimes statutes since 1968, with the most recent law
17 enacted in 2009.

18 (4) The impact of underreporting on hate
19 crimes statistics hinders hate crimes prevention.

20 (5) According to multiple, nonpartisan studies,
21 hate crimes have increased sharply over the past
22 year, with over 900 new hate incidents reported
23 since November 2016.

24 (6) The U.S. Commission on Civil Rights found
25 that in 2016, there was a 6.7-percent increase in re-

1 reported hate crimes since the prior year, one of the
2 largest one-year increases in over a decade.

3 (7) In May 2017, the FBI found that White su-
4 premacists and rightwing extremist groups were re-
5 sponsible for 49 deaths in 26 incidents between
6 2000 and 2016, the most of any domestic extremist
7 group. The same report found that White suprema-
8 cists and rightwing extremist groups were the larg-
9 est threat of domestic terror, and were likely to con-
10 tinue to pose a lethal threat over the next year.

11 (8) In February 2017, a White supremacist en-
12 tered a bar in Kansas and shot at two Indian men,
13 Srinivas Kuchibhotla and Alok Madasani while
14 shouting racial epithets. Srinivas later died of his in-
15 juries.

16 (9) The nonpartisan Center for the Study of
17 Hate and Extremism documented 55 instances of
18 anti-Semitism between January and March 2017 in
19 New York City alone, a 189-percent increase from
20 the same time period in 2016, and close to 100
21 bomb threats have been received by Jewish Commu-
22 nity Centers and Schools.

23 (10) Since January, there have been at least
24 five attacks on LGBT centers across the country.

1 (11) The White nationalist and neo-Nazi pro-
2 tests in Charlottesville, Virginia, on August 11–13,
3 2017, which resulted in 1 death and 20 injuries
4 from a White nationalist driving his car into a group
5 of counterprotesters, show the need for increased ac-
6 tion to combat hate-based attacks.

7 **SEC. 3. ESTABLISHMENT OF COMMISSION.**

8 (a) ESTABLISHMENT.—There is established the
9 United States Commission on Hate Crimes (hereinafter
10 in this act referred to as the “Commission”).

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

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

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

18 (3) Two members shall be appointed by the
19 Speaker of the House of Representatives.

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

22 (5) Two members shall be jointly appointed by
23 the two appointing officials under paragraphs (1)
24 through (4) who are members of, or caucus with, the
25 Democratic Party.

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

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

9 (8) Not more than six of the members shall be
10 of the same political party.

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

12 The Commission shall investigate the following:

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

17 (2) To the extent that any increase in the com-
18 mission in hate crimes is determined to exist, what
19 factors have contributed to such increase.

20 (3) What policies or actions law enforcement
21 agencies might adopt or engage in to reduce the
22 commission of hate crimes.

23 (4) The impact of underreporting on hate
24 crimes statistics and hate crimes prevention.

1 **SEC. 5. REPORT.**

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

6 **SEC. 6. DEFINITION.**

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

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