

Envoy to Indonesia, and the first presidential candidate from a major party to select a woman, Geraldine Ferraro, as his running mate;

(3) commends Walter Mondale for fighting the good fight, finishing the race, and keeping the faith; and

(4) when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of Walter Mondale.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1449. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table.

SA 1450. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

SA 1451. Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 937, supra; which was ordered to lie on the table.

SA 1452. Mr. LANKFORD (for himself, Mr. INHOFE, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

SA 1453. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1454. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1455. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, supra; which was ordered to lie on the table.

SA 1456. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

SA 1457. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

SA 1458. Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 1449. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the

bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, strike line 18 and insert the following:

United States Code;

(3) include information relating to the race, ethnicity, immigration status, and political affiliation of the alleged perpetrator of a hate crime or incident in the online reporting described in paragraph (1); and

SA 1450. Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, line 12, after "incidents," insert the following: "including establishing criminal penalties for any online reporting of a hate crime that is fraudulent, illegitimate, or retaliatory in nature,".

SA 1451. Ms. KLOBUCHAR (for herself and Ms. MURKOWSKI) submitted an amendment intended to be proposed by her to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ MOTIVE REQUIREMENT FOR HATE CRIMES.

Section 249(c) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (1) through (5) as paragraphs (2) through (6), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following:

"(1) the term 'because of' means that the actual or perceived protected characteristic of the victim was a substantial motivating factor in the offense;".

SA 1452. Mr. LANKFORD (for himself, Mr. INHOFE, and Mr. DAINES) submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 4, between lines 5 and 6, insert the following:

(c) ABORTIONS BASED ON RACE, ETHNICITY, COLOR, NATIONAL ORIGIN, SEX, OR DISABILITY, INCLUDING A CHROMOSOMAL DISORDER.—

(1) REPORTING.—

(A) IN GENERAL.—For the purposes of facilitating expedited review under subsection (a), the Attorney General shall include any abortion committed against an unborn child based on the race, ethnicity, color, national origin, sex, or disability, including a chromosomal disorder, of the unborn child.

(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to create an offense or an additional category of hate crime.

(2) HOLD HARMLESS.—A woman upon whom an abortion is performed based on the race,

ethnicity, color, national origin, sex, or disability, including a chromosomal disorder, of the unborn child may not be prosecuted or held civilly liable on that basis under any provision of Federal law.

SA 1453. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

#### SEC. \_\_\_\_ EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

SA 1454. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end add the following:

#### SEC. \_\_\_\_ EFFECTIVE DATE.

This Act shall take effect on the date that is 4 days after the date of enactment of this Act.

SA 1455. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

On page 1, line 3, strike "4" and insert "5".

SA 1456. Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

#### SEC. 6. PROHIBITION OF FEDERAL FUNDS FOR INSTITUTIONS OF HIGHER EDUCATION THAT DISCRIMINATE AGAINST ASIAN AMERICANS.

Notwithstanding any other provision of law, no institution of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)) may receive any Federal funding if the institution has a policy in place or engages in a practice that discriminates against Asian Americans in recruitment, applicant review, or admissions.

SA 1457. Mr. MCCONNELL submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 4, strike line 11 and all that follows through page 21, line 19 and insert the following:

(1) establish online reporting of hate crimes, and to have online reporting that is

equally effective for people with disabilities as for people without disabilities available in multiple languages as determined by the Attorney General; and

(2) collect data disaggregated by the protected characteristics described in section 249 of title 18, United States Code.

(b) **GUIDANCE RELATING TO COVID-19 PANDEMIC.**—The Attorney General and the Secretary of Health and Human Services, in coordination with the COVID-19 Health Equity Task Force and community-based organizations, shall issue guidance on how to report hate crimes during the COVID-19 pandemic.

#### SEC. 5. JABARA-HEYER NO HATE ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021” or the “Jabara-Heyer NO HATE Act”.

(b) **FINDINGS.**—Congress finds the following:

(1) The incidence of violence known as hate crimes, or crimes motivated by bias, poses a serious national problem.

(2) According to data obtained by the Federal Bureau of Investigation, the incidence of such violence increased in 2019, the most recent year for which data is available.

(3) In 1990, Congress enacted the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) to provide the Federal Government, law enforcement agencies, and the public with data regarding the incidence of hate crime. The Hate Crime Statistics Act and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (division E of Public Law 111-84; 123 Stat. 2835) have enabled Federal authorities to understand and, where appropriate, investigate and prosecute hate crimes.

(4) A more complete understanding of the national problem posed by hate crime is in the public interest and supports the Federal interest in eradicating bias-motivated violence referenced in section 249(b)(1)(C) of title 18, United States Code.

(5) However, a complete understanding of the national problem posed by hate crimes is hindered by incomplete data from Federal, State, and local jurisdictions through the Uniform Crime Reports program authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation.

(6) Multiple factors contribute to the provision of inaccurate and incomplete data regarding the incidence of hate crime through the Uniform Crime Reports program. A significant contributing factor is the quality and quantity of training that State and local law enforcement agencies receive on the identification and reporting of suspected bias-motivated crimes.

(7) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal financial assistance to States and local jurisdictions.

(8) Federal financial assistance with regard to certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

(c) **DEFINITIONS.**—In this section:

(1) **HATE CRIME.**—The term “hate crime” means an act described in section 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631).

(2) **PRIORITY AGENCY.**—The term “priority agency” means—

(A) a law enforcement agency of a unit of local government that serves a population of not less than 100,000, as computed by the Federal Bureau of Investigation; or

(B) a law enforcement agency of a unit of local government that—

(i) serves a population of not less than 50,000 and less than 100,000, as computed by the Federal Bureau of Investigation; and

(ii) has reported no hate crimes through the Uniform Crime Reports program in each of the 3 most recent calendar years for which such data is available.

(3) **STATE.**—The term “State” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(4) **UNIFORM CRIME REPORTS.**—The term “Uniform Crime Reports” means the reports authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation that compile nationwide criminal statistics for use—

(A) in law enforcement administration, operation, and management; and

(B) to assess the nature and type of crime in the United States.

(5) **UNIT OF LOCAL GOVERNMENT.**—The term “unit of local government” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(d) **REPORTING OF HATE CRIMES.**—

(1) **IMPLEMENTATION GRANTS.**—

(A) **IN GENERAL.**—The Attorney General may make grants to States and units of local government to assist the State or unit of local government in implementing the National Incident-Based Reporting System, including to train employees in identifying and classifying hate crimes in the National Incident-Based Reporting System.

(B) **PRIORITY.**—In making grants under subparagraph (A), the Attorney General shall give priority to States and units of local government that develop and implement the programs and activities described in subsection (e)(2)(A).

(2) **REPORTING.**—

(A) **COMPLIANCE.**—

(i) **IN GENERAL.**—Except as provided in clause (ii), in each fiscal year beginning after the date that is 3 years after the date on which a State or unit of local government first receives a grant under paragraph (1), the State or unit of local government shall provide to the Attorney General, through the Uniform Crime Reporting system, information pertaining to hate crimes committed in that jurisdiction during the preceding fiscal year.

(ii) **EXTENSIONS; WAIVER.**—The Attorney General—

(I) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to comply with clause (i); and

(II) shall waive the requirements of clause (i) if compliance with that subparagraph by a State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(B) **FAILURE TO COMPLY.**—If a State or unit of local government that receives a grant under paragraph (1) fails to substantially comply with subparagraph (A) of this paragraph, the State or unit of local government shall repay the grant in full, plus reasonable interest and penalty charges allowable by law or established by the Attorney General.

(e) **INFORMATION COLLECTION BY STATES AND UNITS OF LOCAL GOVERNMENT.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **COVERED AGENCY.**—The term “covered agency” means—

(i) a State law enforcement agency; and

(ii) a priority agency.

(B) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(i) a State; or

(ii) a unit of local government that has a priority agency.

(2) **GRANTS.**—

(A) **IN GENERAL.**—The Attorney General may make grants to eligible entities to assist covered agencies within the jurisdiction of the eligible entity in conducting law enforcement activities or crime reduction programs to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program, including—

(i) adopting a policy on identifying, investigating, and reporting hate crimes;

(ii) developing a standardized system of collecting, analyzing, and reporting the incidence of hate crime; and

(iii) establishing a unit specialized in identifying, investigating, and reporting hate crimes.

(B) **SUBGRANTS.**—A State that receives a grant under subparagraph (A) may award a subgrant to a unit of local government within the State for the purposes under that subparagraph, except that a unit of local government may provide funding from such a subgrant to any law enforcement agency of the unit of local government.

(3) **INFORMATION REQUIRED OF STATES AND UNITS OF LOCAL GOVERNMENT.**—

(A) **IN GENERAL.**—For each fiscal year in which a State or unit of local government receives a grant or subgrant under paragraph (2), the State or unit of local government shall—

(i) collect information from each law enforcement agency that receives funding from the grant or subgrant summarizing the law enforcement activities or crime reduction programs conducted by the agency to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program; and

(ii) submit to the Attorney General a report containing the information collected under clause (i).

(B) **SEMIANNUAL LAW ENFORCEMENT AGENCY REPORT.**—

(i) **IN GENERAL.**—In collecting the information required under subparagraph (A)(i), a State or unit of local government shall require each law enforcement agency that receives funding from a grant or subgrant awarded to the State or unit of local government under paragraph (2) to submit a semi-annual report to the State or unit of local government that includes a summary of the law enforcement activities or crime reduction programs conducted by the agency during the reporting period to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program.

(ii) **CONTENTS.**—In a report submitted under clause (i), a law enforcement agency shall, at a minimum, disclose—

(I) whether the agency has adopted a policy on identifying, investigating, and reporting hate crimes;

(II) whether the agency has developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(III) whether the agency has established a unit specialized in identifying, investigating, and reporting hate crimes;

(IV) whether the agency engages in community relations functions related to hate crime, such as—

(aa) establishing a liaison with formal community-based organizations or leaders; and

(bb) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(V) the number of hate crime trainings for agency personnel, including the duration of the trainings, conducted by the agency during the reporting period.

(4) COMPLIANCE AND REDIRECTION OF FUNDS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), beginning not later than 1 year after the date of this Act, a State or unit of local government receiving a grant or subgrant under paragraph (2) shall comply with paragraph (3).

(B) EXTENSIONS; WAIVER.—The Attorney General—

(i) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to collect the information required under paragraph (3); and

(ii) shall waive the requirements of paragraph (3) for a State or unit of local government if compliance with that subsection by the State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(f) REQUIREMENTS OF THE ATTORNEY GENERAL.—

(1) INFORMATION COLLECTION AND ANALYSIS; REPORT.—In order to improve the accuracy of data regarding the incidence of hate crime provided through the Uniform Crime Reports program, and promote a more complete understanding of the national problem posed by hate crime, the Attorney General shall—

(A) collect and analyze the information provided by States and units of local government under subsection (e) for the purpose of developing policies related to the provision of accurate data obtained under the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) by the Federal Bureau of Investigation; and

(B) for each calendar year beginning after the date of enactment of this Act, publish and submit to Congress a report based on the information collected and analyzed under subparagraph (A).

(2) CONTENTS OF REPORT.—A report submitted under paragraph (1) shall include—

(A) a qualitative analysis of the relationship between—

(i) the number of hate crimes reported by State law enforcement agencies or other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) through the Uniform Crime Reports program; and

(ii) the nature and extent of law enforcement activities or crime reduction programs conducted by those agencies to prevent, address, or otherwise respond to hate crime; and

(B) a quantitative analysis of the number of State law enforcement agencies and other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) that have—

(i) adopted a policy on identifying, investigating, and reporting hate crimes;

(ii) developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(iii) established a unit specialized in identifying, investigating, and reporting hate crimes;

(iv) engaged in community relations functions related to hate crime, such as—

(I) establishing a liaison with formal community-based organizations or leaders; and

(II) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(v) conducted hate crime trainings for agency personnel during the reporting period, including—

(I) the total number of trainings conducted by each agency; and

(II) the duration of the trainings described in subclause (I).

(g) ALTERNATIVE SENTENCING.—Section 249 of title 18, United States Code, is amended by adding at the end the following:

“(e) SUPERVISED RELEASE.—If a court includes, as a part of a sentence of imprisonment imposed for a violation of subsection (a), a requirement that the defendant be placed on a term of supervised release after imprisonment under section 3583, the court may order, as an explicit condition of supervised release, that the defendant undertake community service directly related to the community harmed by the defendant's offense.”.

**SA 1458.** Mrs. BLACKBURN submitted an amendment intended to be proposed to amendment SA 1445 proposed by Mr. SCHUMER (for Ms. HIRONO (for herself, Ms. COLLINS, Mr. BLUMENTHAL, and Mr. WARNOCK)) to the bill S. 937, to facilitate the expedited review of COVID-19 hate crimes, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 4, strike line 11 and all that follows through page 21, line 19 and insert the following:

(1) establish online reporting of hate crimes, and to have online reporting that is equally effective for people with disabilities as for people without disabilities available in multiple languages as determined by the Attorney General; and

(2) collect data disaggregated by the protected characteristics described in section 249 of title 18, United States Code.

(b) GUIDANCE RELATING TO COVID-19 PANDEMIC.—The Attorney General and the Secretary of Health and Human Services, in coordination with the COVID-19 Health Equity Task Force and community-based organizations, shall issue guidance on how to report hate crimes during the COVID-19 pandemic.

**SEC. 5. JABARA-HEYER NO HATE ACT.**

(a) SHORT TITLE.—This section may be cited as the “Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2021” or the “Jabara-Heyer NO HATE Act”.

(b) FINDINGS.—Congress finds the following:

(1) The incidence of violence known as hate crimes, or crimes motivated by bias, poses a serious national problem.

(2) According to data obtained by the Federal Bureau of Investigation, the incidence of such violence increased in 2019, the most recent year for which data is available.

(3) In 1990, Congress enacted the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) to provide the Federal Government, law enforcement agencies, and the public with data regarding the incidence of hate crime. The Hate Crime Statistics Act and the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (division E of Public Law 111-84; 123 Stat. 2835) have enabled Federal authorities to understand and, where appropriate, investigate and prosecute hate crimes.

(4) A more complete understanding of the national problem posed by hate crime is in the public interest and supports the Federal interest in eradicating bias-motivated violence referenced in section 249(b)(1)(C) of title 18, United States Code.

(5) However, a complete understanding of the national problem posed by hate crimes is hindered by incomplete data from Federal, State, and local jurisdictions through the Uniform Crime Reports program authorized

under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation.

(6) Multiple factors contribute to the provision of inaccurate and incomplete data regarding the incidence of hate crime through the Uniform Crime Reports program. A significant contributing factor is the quality and quantity of training that State and local law enforcement agencies receive on the identification and reporting of suspected bias-motivated crimes.

(7) The problem of crimes motivated by bias is sufficiently serious, widespread, and interstate in nature as to warrant Federal financial assistance to States and local jurisdictions.

(8) Federal financial assistance with regard to certain violent crimes motivated by bias enables Federal, State, and local authorities to work together as partners in the investigation and prosecution of such crimes.

(c) DEFINITIONS.—In this section:

(1) HATE CRIME.—The term “hate crime” means an act described in section 245, 247, or 249 of title 18, United States Code, or in section 901 of the Civil Rights Act of 1968 (42 U.S.C. 3631).

(2) PRIORITY AGENCY.—The term “priority agency” means—

(A) a law enforcement agency of a unit of local government that serves a population of not less than 100,000, as computed by the Federal Bureau of Investigation; or

(B) a law enforcement agency of a unit of local government that—

(i) serves a population of not less than 50,000 and less than 100,000, as computed by the Federal Bureau of Investigation; and

(ii) has reported no hate crimes through the Uniform Crime Reports program in each of the 3 most recent calendar years for which such data is available.

(3) STATE.—The term “State” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(4) UNIFORM CRIME REPORTS.—The term “Uniform Crime Reports” means the reports authorized under section 534 of title 28, United States Code, and administered by the Federal Bureau of Investigation that compile nationwide criminal statistics for use—

(A) in law enforcement administration, operation, and management; and

(B) to assess the nature and type of crime in the United States.

(5) UNIT OF LOCAL GOVERNMENT.—The term “unit of local government” has the meaning given the term in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251).

(d) REPORTING OF HATE CRIMES.—

(1) IMPLEMENTATION GRANTS.—

(A) IN GENERAL.—The Attorney General may make grants to States and units of local government to assist the State or unit of local government in implementing the National Incident-Based Reporting System, including to train employees in identifying and classifying hate crimes in the National Incident-Based Reporting System.

(B) PRIORITY.—In making grants under subparagraph (A), the Attorney General shall give priority to States and units of local government that develop and implement the programs and activities described in subsection (e)(2)(A).

(2) REPORTING.—

(A) COMPLIANCE.—

(i) IN GENERAL.—Except as provided in clause (ii), in each fiscal year beginning after the date that is 3 years after the date on which a State or unit of local government first receives a grant under paragraph (1), the State or unit of local government shall provide to the Attorney General, through the

Uniform Crime Reporting system, information pertaining to hate crimes committed in that jurisdiction during the preceding fiscal year.

(i) **EXTENSIONS; WAIVER.**—The Attorney General—

(I) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to comply with clause (i); and

(II) shall waive the requirements of clause (i) if compliance with that subparagraph by a State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(B) **FAILURE TO COMPLY.**—If a State or unit of local government that receives a grant under paragraph (1) fails to substantially comply with subparagraph (A) of this paragraph, the State or unit of local government shall repay the grant in full, plus reasonable interest and penalty charges allowable by law or established by the Attorney General.

(e) **INFORMATION COLLECTION BY STATES AND UNITS OF LOCAL GOVERNMENT.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **COVERED AGENCY.**—The term “covered agency” means—

- (i) a State law enforcement agency; and
- (ii) a priority agency.

(B) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

- (i) a State; or
- (ii) a unit of local government that has a priority agency.

(2) **GRANTS.**—

(A) **IN GENERAL.**—The Attorney General may make grants to eligible entities to assist covered agencies within the jurisdiction of the eligible entity in conducting law enforcement activities or crime reduction programs to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program, including—

- (i) adopting a policy on identifying, investigating, and reporting hate crimes;
- (ii) developing a standardized system of collecting, analyzing, and reporting the incidence of hate crime; and
- (iii) establishing a unit specialized in identifying, investigating, and reporting hate crimes.

(B) **SUBGRANTS.**—A State that receives a grant under subparagraph (A) may award a subgrant to a unit of local government within the State for the purposes under that subparagraph, except that a unit of local government may provide funding from such a subgrant to any law enforcement agency of the unit of local government.

(3) **INFORMATION REQUIRED OF STATES AND UNITS OF LOCAL GOVERNMENT.**—

(A) **IN GENERAL.**—For each fiscal year in which a State or unit of local government receives a grant or subgrant under paragraph (2), the State or unit of local government shall—

(i) collect information from each law enforcement agency that receives funding from the grant or subgrant summarizing the law enforcement activities or crime reduction programs conducted by the agency to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program; and

(ii) submit to the Attorney General a report containing the information collected under clause (i).

(B) **SEMIANNUAL LAW ENFORCEMENT AGENCY REPORT.**—

(i) **IN GENERAL.**—In collecting the information required under subparagraph (A)(i), a State or unit of local government shall re-

quire each law enforcement agency that receives funding from a grant or subgrant awarded to the State or unit of local government under paragraph (2) to submit a semi-annual report to the State or unit of local government that includes a summary of the law enforcement activities or crime reduction programs conducted by the agency during the reporting period to prevent, address, or otherwise respond to hate crime, particularly as those activities or programs relate to reporting hate crimes through the Uniform Crime Reports program.

(ii) **CONTENTS.**—In a report submitted under clause (i), a law enforcement agency shall, at a minimum, disclose—

(I) whether the agency has adopted a policy on identifying, investigating, and reporting hate crimes;

(II) whether the agency has developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(III) whether the agency has established a unit specialized in identifying, investigating, and reporting hate crimes;

(IV) whether the agency engages in community relations functions related to hate crime, such as—

(aa) establishing a liaison with formal community-based organizations or leaders; and

(bb) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(V) the number of hate crime trainings for agency personnel, including the duration of the trainings, conducted by the agency during the reporting period.

(4) **COMPLIANCE AND REDIRECTION OF FUNDS.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), beginning not later than 1 year after the date of this Act, a State or unit of local government receiving a grant or subgrant under paragraph (2) shall comply with paragraph (3).

(B) **EXTENSIONS; WAIVER.**—The Attorney General—

(i) may provide a 120-day extension to a State or unit of local government that is making good faith efforts to collect the information required under paragraph (3); and

(ii) shall waive the requirements of paragraph (3) for a State or unit of local government if compliance with that subsection by the State or unit of local government would be unconstitutional under the constitution of the State or of the State in which the unit of local government is located, respectively.

(f) **REQUIREMENTS OF THE ATTORNEY GENERAL.**—

(1) **INFORMATION COLLECTION AND ANALYSIS; REPORT.**—In order to improve the accuracy of data regarding the incidence of hate crime provided through the Uniform Crime Reports program, and promote a more complete understanding of the national problem posed by hate crime, the Attorney General shall—

(A) collect and analyze the information provided by States and units of local government under subsection (e) for the purpose of developing policies related to the provision of accurate data obtained under the Hate Crime Statistics Act (Public Law 101-275; 28 U.S.C. 534 note) by the Federal Bureau of Investigation; and

(B) for each calendar year beginning after the date of enactment of this Act, publish and submit to Congress a report based on the information collected and analyzed under subparagraph (A).

(2) **CONTENTS OF REPORT.**—A report submitted under paragraph (1) shall include—

(A) a qualitative analysis of the relationship between—

(i) the number of hate crimes reported by State law enforcement agencies or other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) through the Uniform Crime Reports program; and

(ii) the nature and extent of law enforcement activities or crime reduction programs conducted by those agencies to prevent, address, or otherwise respond to hate crime; and

(B) a quantitative analysis of the number of State law enforcement agencies and other law enforcement agencies that received funding from a grant or subgrant awarded under paragraph (2) that have—

(i) adopted a policy on identifying, investigating, and reporting hate crimes;

(ii) developed a standardized system of collecting, analyzing, and reporting the incidence of hate crime;

(iii) established a unit specialized in identifying, investigating, and reporting hate crimes;

(iv) engaged in community relations functions related to hate crime, such as—

(I) establishing a liaison with formal community-based organizations or leaders; and

(II) conducting public meetings or educational forums on the impact of hate crime, services available to hate crime victims, and the relevant Federal, State, and local laws pertaining to hate crime; and

(v) conducted hate crime trainings for agency personnel during the reporting period, including—

(I) the total number of trainings conducted by each agency; and

(II) the duration of the trainings described in subclause (I).

(g) **ALTERNATIVE SENTENCING.**—Section 249 of title 18, United States Code, is amended by adding at the end the following:

“(e) **SUPERVISED RELEASE.**—If a court includes, as a part of a sentence of imprisonment imposed for a violation of subsection (a), a requirement that the defendant be placed on a term of supervised release after imprisonment under section 3583, the court may order, as an explicit condition of supervised release, that the defendant undertake community service directly related to the community harmed by the defendant’s offense.”.

## NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHARLES E. GRASSLEY, intend to object to proceeding to the nomination of Samantha Power, of Massachusetts, to be Administrator of the United States Agency for International Development, dated April 21, 2021.

Mr. GRASSLEY. Mr. President, I intend to object to any unanimous consent request relating to the nomination of Samantha Power to be director of the United States Agency for International Development (USAID) (PN 114).

Throughout the 116th Congress, I conducted an investigation that found that a non-profit organization transferred funds to an entity known as the Islamic Relief Agency (ISRA). This entity had been sanctioned by the Treasury Department for helping funnel funds to terrorists and terrorist organizations including Osama Bin Laden. During this investigation we came across redacted State Department emails that imply that, while she was