

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1843
OFFERED BY MR. NADLER OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “COVID–19 Hate
3 Crimes Act”.

4 SEC. 2. REVIEW OF COVID–19 HATE CRIMES.

5 (a) IN GENERAL.—Not later than 7 days after the
6 date of enactment of this Act, the Attorney General shall
7 designate an officer or employee of the Department of
8 Justice whose responsibility during the applicable period
9 shall be to facilitate the expedited review of COVID–19
10 hate crimes and reports of any such crime to Federal,
11 State, local, or Tribal law enforcement agencies.

12 (b) DEFINITIONS.—In this section:

13 (1) APPLICABLE PERIOD.—The term “applica-
14 ble period” means the period beginning on the date
15 on which the officer or employee is designated under
16 subsection (a), and ending on the date that is 1 year
17 after the date on which the emergency period de-
18 scribed in subparagraph (B) of section 1135(g)(1) of

1 the Social Security Act (42 U.S.C. 1320b–5(g)(1))
2 ends, except that the Attorney General may extend
3 such period as appropriate.

4 (2) COVID–19 HATE CRIME.—The term
5 “COVID–19 hate crime” means a crime of violence
6 (as such term is defined in section 16 of title 18,
7 United States Code) or a conspiracy against rights
8 (as described in section 241 of title 18, United
9 States Code) that is motivated by—

10 (A) the actual or perceived race, ethnicity,
11 age, color, religion, national origin, sexual ori-
12 entation, gender, gender identity, or disability
13 of any person; and

14 (B) the actual or perceived relationship be-
15 tween any characteristic described in subpara-
16 graph (A) and the spread of COVID–19.

17 **SEC. 3. GUIDANCE.**

18 (a) GUIDANCE FOR LAW ENFORCEMENT AGEN-
19 CIES.—The Attorney General shall issue guidance for
20 State, local, and Tribal law enforcement agencies, pursu-
21 ant to this Act and other applicable law, on how to—

22 (1) establish online reporting of hate crimes or
23 incidents, and to have online reporting that is equal-
24 ly effective for people with disabilities as for people

1 without disabilities available in multiple languages as
2 determined by the Attorney General;

3 (2) collect data disaggregated by race, ethnicity,
4 age, color, national origin, including primary lan-
5 guage spoken, sexual orientation, gender, gender
6 identity, or disability of the victim and report hate
7 crimes to the public; and

8 (3) expand culturally competent and linguis-
9 tically appropriate public education campaigns, that
10 are equally effective for people with disabilities as
11 for people without disabilities.

12 (b) GUIDANCE RELATING TO COVID-19 PAN-
13 DEMIC.—The Attorney General and the Secretary of
14 Health and Human Services, in coordination with the
15 COVID-19 Health Equity Task Force and community-
16 based organizations, shall issue guidance describing best
17 practices to mitigate racially discriminatory language in
18 describing the COVID-19 pandemic.

