

118TH CONGRESS
1ST SESSION

S. 1646

To amend title 28, United States Code, to require the Attorney General to submit an annual report to Congress on gang activity, reporting, investigation, and prosecution, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 17, 2023

Mr. GRASSLEY (for himself and Ms. ROSEN) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 28, United States Code, to require the Attorney General to submit an annual report to Congress on gang activity, reporting, investigation, and prosecution, 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 “Gang Activity Report-
5 ing Act of 2023”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The United States is experiencing an un-
2 precedented surge in violent crime, including an in-
3 crease of more than 30 percent in the rate of mur-
4 ders since 2020.

5 (2) The most recent Department of Justice
6 data regarding gangs and criminal activity, pub-
7 lished in the 2011 National Gang Threat Assess-
8 ment, indicates gangs are responsible for an average
9 of 48 percent of violent crime in the United States.

10 (3) Up-to-date, accurate, and consistent report-
11 ing from the relevant Federal agencies relating to
12 gang activity in the United States is a foundational
13 element in enabling policymakers to enact effective,
14 evidence-based policy that protects the people of the
15 United States from gang activity.

16 **SEC. 3. GANG REPORTING REQUIREMENT.**

17 (a) IN GENERAL.—Chapter 31 of title 28, United
18 States Code, is amended by adding at the end the fol-
19 lowing:

20 **“§ 530E. Report on gang activity, reporting, investiga-**
21 **tion, and prosecution**

22 “(a) REPORT.—

23 “(1) IN GENERAL.—Not later than 150 days
24 after the date of enactment of the Gang Activity Re-
25 porting Act of 2023, and not later than the last day

1 of each fiscal year beginning after the date of enact-
2 ment, the Attorney General shall, in conjunction
3 with the Secretary of Homeland Security and the
4 Director of the Federal Bureau of Investigation,
5 submit to the Committee on the Judiciary of the
6 Senate and the Committee on the Judiciary of the
7 House of Representatives a report on gang activity,
8 reporting, investigation, and prosecution.

9 “(2) CONTENTS.—The report described in
10 paragraph (1) shall include information relating
11 to—

12 “(A) the growth of local, national, and
13 transnational gangs during the 10-fiscal-year
14 period preceding the date on which the report
15 is submitted (referred to in this section as the
16 ‘submission date’)—

17 “(i) with specific numerical data; and

18 “(ii) including changes and trends in
19 gang membership, location, and activities
20 and enterprises;

21 “(B) the tools, methods, or networks gangs
22 are using to commit certain crimes, including—

23 “(i) the extent to which gangs cooper-
24 ate; and

1 “(ii) an assessment of the kinds of
2 crimes on which gangs cooperate;

3 “(C) whether and to what extent State-
4 based reporting issues affect Federal data col-
5 lection and accuracy;

6 “(D) the initiatives the Department of
7 Justice, Department of Homeland Security, and
8 Federal Bureau of Investigation undertook dur-
9 ing the 5-fiscal-year period preceding the sub-
10 mission date to track gang growth and gang ac-
11 tivity and to investigate and prosecute related
12 unlawful activity, including—

13 “(i) the date on which each initiative
14 was undertaken; and

15 “(ii) if applicable, the date on which
16 each initiative was ended, with a detailed
17 explanation as to why the initiative was
18 ended;

19 “(E) the Federal resources allocated by
20 each agency described in subparagraph (D) to
21 investigating, prosecuting, and containing gangs
22 as of the submission date;

23 “(F) gang enforcement statistics from the
24 last fiscal year ending before the submission

1 date, including the quantity, changes, and
2 trends in—

3 “(i) gang-related arrests, including
4 comparisons to gang-related arrests during
5 the 5-fiscal-year period preceding the ap-
6 plicable fiscal year;

7 “(ii) the number of juveniles arrested
8 as a result of gang-related activity; and

9 “(iii) the number of firearms seized by
10 law enforcement agencies during gang en-
11 forcement operations, including the num-
12 ber of firearms seized from juveniles;

13 “(G) the data collection procedures utilized
14 by each agency described in subparagraph (D);
15 and

16 “(H) any changes to data collection proce-
17 dures of an agency described in subparagraph
18 (D) during the 18-month period preceding the
19 submission date, including explanations as to
20 why any procedures were changed.

21 “(b) CLASSIFICATION.—The report submitted under
22 subsection (a), or a portion thereof, may be classified, as
23 determined appropriate by the Attorney General, the Sec-
24 retary of Homeland Security, and the Director of the Fed-
25 eral Bureau of Investigation.”.

1 (b) TECHNICAL AMENDMENT.—The table of sections
2 for chapter 31 of title 28, United States Code, is amended
3 by adding at the end the following:

“530E. Report on gang activity, reporting, investigation, and prosecution.”

