



## Summary of Authorities for the Uniform Crime (UCR) Program

### Law Citations

Title 28, United States Code (U.S.C.), § 534(a) and (c)—Requires the FBI to collect and publish UCR data.

- [Anti-Arson Act of 1982](#)—Mandates the addition of Arson as a Part I offense classification to the UCR Program of the FBI’s UCR Program, and authorizes the preparation of a special statistical report for the crime of arson in cooperation with the National Fire Data Center, the results of which must be made public.
- [Uniform Federal Crime Reporting Act of 1988 in the notes to 28 U.S.C. § 534](#)—Requires federal law enforcement participation in the UCR Program and directs the Attorney General to collect crime statistics, which comprise the national UCR Program, from all federal agencies, including the Department of Defense, “that routinely investigate complaints of criminal activity.”
- [Hate Crime Statistics Act of 1990, in the notes to 28 U.S.C. § 534, as amended](#)—Requires the Attorney General to establish guidelines and collect data “about crimes that manifest evidence of prejudice based on race, religion, disability, sexual orientation, or ethnicity, including (where appropriate) the crimes of murder and non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property.”
- [Conference Report on House Report \(H.R.\) 3355 Violent Crime Control and Law Enforcement Act of 1993, Section 15006 Gang Coordination and Information \(b\) Data Collection](#)—Directs the FBI to collect information on incidents of gang violence for inclusion in its annual uniform crime report.
- [Paperwork Reduction Act of 1995, 44 U.S.C. § 3506](#)—Requires governmental agencies to work toward the electronic publication of information.
- [Section 508 of the Rehabilitation Act, 29 U.S.C. § 794 \(d\)\(a\)\(1\)\(A\)\(ii\)](#)—Requires governmental agencies to ensure that individuals with disabilities have access to and use of information and data presented through electronic technology in means comparable to the access and use of the same information and data available to individuals without disabilities.
- [Section 207 \(f\) of the E-Government Act of 2002, 44 U.S.C. § 100, as implemented by the Office of Management and Budget \(OMB\) M-05-04, dated December 17, 2004](#)—Requires that all government agencies improve the methods by which their information, including information on the Internet, is organized, preserved, and made accessible to the public.
- [USA Patriot Improvement and Reauthorization Act of 2005, Public Law 109-177 \(March 9, 2006\) H.R. 3199: Section 307 \(e\) Reporting of Cargo Theft](#)—Requires the Attorney General to collect cargo theft reported by federal, state and local officials as a separate crime category within the UCR Program and to publish those data separately.

- [William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008](#)—Requires the FBI to collect information about offenses of human trafficking and additional information associated with prostitution offenses.
- [Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act \(2009\), Section 4708](#)—Amends the Hate Crime Statistics Act (28 U.S.C. § 534 note) by requiring the Attorney General to also collect data about hate crimes motivated by actual or perceived “gender and gender identity” after “race,” “including data about crimes committed by, and crimes directed against, juveniles.”
- [Trafficking Victims Protection Act of 2017, Public Law 115-393, title IV, Improved Data Collection and Interagency Coordination: Section 402. Crime Reporting \(December 2018\)](#)—Amends the Uniform Federal Crime Reporting Act of 1988 by requiring the Director of the FBI to coordinate with the head of each federal department and agency to ensure their organization’s participation. The amendment also calls for the Director to report annually the compliance status of each federal department and agency to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives, as well as to detail the efforts of each agency to report data.
- [Freedom of Information Act, 5 U.S.C. § 552.](#)—Provides the public the right to request access to records from federal agencies and requires federal agencies to disclose information requested unless it falls under one of nine [exemptions](#), which protect interests concerning personal privacy, national security, and law enforcement.
- [21st Century Integrated Digital Experience Act, Pub. L. No. 115-336, § 3, 132 Stat. 5025 \(2018\) \(codified in the notes of 44 U.S.C. § 3501 \(“Paperwork Reduction Act”\)\)](#).—Requires federal agencies to ensure, to the greatest extent possible, when creating or redesigning a website or digital service that is intended for public use, that any new or redesigned website, web-based form, web-based application, or digital service incorporates several modernized features
- [Privacy Act of 1974, 5 U.S.C. § 552a.](#)—Establishes fair information practices that govern the collection, maintenance, use and dissemination of information about individuals that is maintained in systems of records by federal agencies.

### Attorney General Regulations

- [Title 28 Code of Federal Regulations \(CFR\) 0.85 \(f\)](#), which supplements statutory requirements in [28 U.S.C. § 534](#)—Provides that the Director of the FBI shall “operate a central clearinghouse for police statistics under the Uniform Crime Reporting Program.”

### Memoranda

- [Memorandum to the Director of the FBI from the Executives of the Prevention of Police Killings Conference, dated June 17, 1971](#)—Recommended that the FBI’s UCR Program could collect on a timely basis from the FBI’s field divisions, detailed data on law enforcement officers killed in the line of duty and disseminate them immediately over the National Law Enforcement Telecommunications Network, now called The International Justice and Public Safety Information Sharing Network (Nlets).
- [Memorandum of Agreement \(MOA\) with the Bureau of Justice Statistics \(BJS\) to establish the FBI UCR Data Tool, effective August 2008](#)—The MOA between the FBI and the BJS established an FBI UCR website on the BJS webpage. It documents the responsibilities and functions of the parties with respect to the development,

implementation, and maintenance of the FBI UCR website on the BJS webpage. The FBI entered into the MOA under the authority provided by 28 U.S.C. Section 534 and Title 28 CFR § 0.85. The FBI also relied upon the authority provided in 31 U.S.C. § 1535 and 44 U.S.C. § 3501. The BJS entered into the MOA pursuant to 42 U.S.C. §§ 731-732, which codified its responsibility to “collect, process, analyze and disseminate accurate and timely information on crime and the administration of justice and to assist states and localities to improve criminal justice record-keeping.” The BJS also relied upon the authority provided in 42 U.S.C. § 3788 and 44 U.S.C. § 3501.