

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

Ms. HIRONO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COVID-19 HATE CRIMES ACT

Ms. HIRONO. Madam President, on March 29, Vilma Kari was walking to church near Times Square in Manhattan when a man pushed her to the ground and violently assaulted her in broad daylight.

A silent video of the incident captured by a security camera inside a luxury apartment building showed the attack in vivid detail. In it, we can clearly see the assailant pushing Ms. Kari to the ground and kicking her repeatedly in the head and torso before leaving the scene. This video, which has gone viral, is disturbing enough to watch, but it doesn't capture the full picture of what happened. Witnesses to the attack recounted the assailant's repeatedly yelling "You don't belong here" to Ms. Kari—an immigrant from the Philippines who has lived in our country for decades.

Now recovering from multiple injuries, including a broken pelvis, Vilma Kari has become one of the latest victims in a surging wave of hate crimes targeting the Asian-American, Pacific Islander community during the COVID-19 pandemic.

Over the last year, we have seen businesses defaced with anti-Asian graffiti, elders verbally accosted on the street, women assaulted, and eight people murdered in cold blood at Asian-owned businesses in Georgia during unprovoked attacks. All told, people of Asian descent have reported more than 3,800 hate incidents across all 50 States and the District of Columbia.

These attacks are disturbing and horrifying, but they are, in many ways, a predictable and foreseeable outgrowth of the use of racist and inflammatory language, like "Chinese virus," "Wuhan virus," and "Kung flu," to describe the COVID-19 pandemic. Last year, as some political leaders, including the former President, started using this language, the FBI warned of a potential surge in hate crime incidents targeting people of Asian descent.

At the same time, public health experts warned of the danger of singling out the Asian-American community as being responsible for the virus. These warnings proved prophetic. A study recently published by the American Journal of Public Health found there was a dramatic increase in tweets using anti-Asian phrases after the first time the former President tweeted using the hashtag "China virus" on March 16, 2020.

This rise in hate crimes targeting AAPIs over the past year has shown the extent to which this inflammatory rhetoric has normalized racist attitudes toward and the stigmatization of Asian Americans with devastating con-

sequences. The Center for the Study of Hate and Extremism, for example, assessed that, in 16 of the Nation's largest cities, hate crimes targeting AAPIs spiked nearly 150 percent during the pandemic.

The current dramatic rise in hate crimes targeting Asian Americans might be a recent development, but we all know that racism is never far below the surface in our country, sadly. Asian Americans have always been targeted as the "other" in our country—considered the perpetual "foreigner." It is what drove the passage of the Chinese Exclusion Act of 1882 and is what led to the incarceration of 120,000 Japanese Americans during World War II. It is also what drove two Detroit auto-workers, during the height of hysteria about Japan's growing economic strength, to murder a Chinese-American man named Vincent Chin in 1982 because they thought he was Japanese. Outrageously, neither of Vincent's killers received prison time. Nearly 40 years later, we can see clear parallels between the racism that motivated Vincent Chin's murder and the ongoing surge in anti-Asian racism and hate crimes. We can also see the parallels in the wave of activism both unleashed.

Today, the AAPI community is uniting, once again, to confront this epidemic of racism, discrimination, and hate. We are marching, speaking out, and demanding action in cities and States across the country. As part of our activism, we are working to dispel the model minority myth that all Asians are successful and integrated in society. This racist and discriminatory stereotype devalues the struggles and experiences of an extraordinarily diverse community. The AAPI community is comprised of people from more than 48 distinct ethnic groups who speak over 300 languages. Some of these groups have been in this country for over 100 years. Others have grown in size through waves of immigration in recent decades.

Like other communities of color, elements of the AAPI community have traditionally suffered from a variety of health, economic, and other disparities for years, and the COVID-19 pandemic has only made them worse. AAPIs are contracting and dying from COVID-19 at much higher rates than White Americans and at comparable rates with Black and Hispanic Americans.

Our community has suffered too much over the past year from the two epidemics of racism and COVID, and confronting both will continue to present challenges, but it has been a relief to have a President capable of demonstrating care and empathy and who shares our sense of urgency in confronting this wave of hate.

In his first week as President, Joe Biden issued an executive memorandum that condemned racism, xenophobia, and intolerance targeting the AAPI community and directed the Federal Government to actively combat it. In recent weeks, following the brutal

murder of eight people, including six Asian women in Georgia, President Biden took additional action. He announced new investments for research into anti-Asian xenophobia through the National Science Foundation, directed \$50 million in support for victims of hate crimes, and established a COVID-19 equity task force to combat anti-Asian hate.

Members of President Biden's administration have followed his lead. Attorney General Merrick Garland, for example, pledged to prioritize hate crimes enforcement during his confirmation hearing and has taken additional steps to help local law enforcement agencies investigate bias crimes.

Under President Biden's leadership, the executive branch is doing its part. Now it is time for us—it is time for Congress to act.

I am encouraged that in just a few minutes, the Senate will vote to proceed to the COVID-19 Hate Crimes Act on a strong bipartisan vote. This is not a controversial bill. It would focus Federal leadership to investigate and report hateful acts of violence and provide resources for our communities to come together to take a stand against intolerance and hate.

The COVID-19 Hate Crimes Act directs the Attorney General to designate a person whose responsibility it will be to expedite review of anti-Asian hate crimes and report them. It also instructs DOJ to issue guidance to State and local law enforcement on culturally appropriate public education campaigns and on the collection of data on hate crimes or incidents. Such culturally-sensitive, in-language outreach is an important element for strengthening trust and awareness in impacted communities, and it will help overcome established hesitancy to report hate crimes or incidents to law enforcement.

At a time when the AAPI community is under siege, this bill is an important signal that Congress is taking anti-Asian racism and hatred seriously. Significantly, Democrats and Republicans are working together in good faith to come to consensus to pass this bill. For example, I wholeheartedly support a bipartisan amendment from Senators Blumenthal and Moran to attach their NO HATE Act to this bill. Their amendment improves the data collection and reporting of all hate crimes so that we can better understand their prevalence and implement effective policies to prevent them. Senator COLLINS and I are also working on additional language to broaden support for the bill.

The ongoing wave of anti-Asian violence and hate crimes has touched virtually every single member of the AAPI community. We are talking about millions of people in the AAPI community. Many of us are changing our daily routines. Until recently, I usually have my earbuds in, listening to an audio book whenever I leave my apartment to go for a walk. I don't do that now.

An attack on one group in our country is truly an attack on all of us. By passing the COVID-19 Hate Crimes Act, we can come together on a bipartisan basis to show that the U.S. Senate will not be a bystander to the wave of racist, anti-Asian violence in our country. So let's get it done together.

I yield the floor.

VOTE ON MALLORY NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Mallory nomination?

Ms. HIRONO. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 150 Ex.]

YEAS—53

Table listing Senators in support of the Mallory nomination, including Baldwin, Bennet, Blumenthal, Booker, Brown, Cantwell, Cardin, Carper, Casey, Collins, Coons, Cortez Masto, Duckworth, Durbin, Feinstein, Gillibrand, Graham, Hassan, Heinrich, Hickenlooper, Hirono, Kaine, Kelly, King, Klobuchar, Leahy, Lujan, Manchin, Markey, Menendez, Merkley, Murray, Murphy, Ossoff, Padilla, Peters, Portman, Reed, Rosen, Sanders, Schatz, Schumer, Shaheen, Sinema, Smith, Stabenow, Tester, Van Hollen, Warner, Warnock, Warren, Whitehouse, and Wyden.

NAYS—45

Table listing Senators opposing the Mallory nomination, including Barrasso, Blackburn, Blunt, Boozman, Braun, Burr, Capito, Cassidy, Cornyn, Cotton, Cramer, Crapo, Cruz, Daines, Ernst, Fischer, Grassley, Hagerty, Hawley, Hoeven, Hyde-Smith, Inhofe, Johnson, Kennedy, Lankford, Lee, Lummis, Marshall, McConnell, Moran, Murkowski, Paul, Risch, Romney, Rubio, Sasse, Scott (FL), Scott (SC), Shelby, Sullivan, Thune, Toomey, Tuberville, Wicker, and Young.

NOT VOTING—2

Table listing Senators who did not vote: Rounds and Tillis.

The nomination was confirmed.

The PRESIDING OFFICER (Mr. HICKENLOOPER). The majority whip is recognized.

Mr. DURBIN. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 13, S. 937, a bill to facilitate the expedited review of COVID-19 hate crimes, and for other purposes.

Charles E. Schumer, Mazie K. Hirono, Tammy Duckworth, Richard J. Durbin, Patty Murray, Jeff Merkley, Tammy Baldwin, Elizabeth Warren, Robert Menendez, Bernard Sanders, Kirsten E. Gillibrand, Jacky Rosen, Chris Van Hollen, Ron Wyden, Richard Blumenthal, Amy Klobuchar, Christopher Murphy.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 937, a bill to facilitate the expedited review of COVID-19 hate crimes, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Dakota (Mr. ROUNDS) and the Senator from North Carolina (Mr. TILLIS).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 92, nays 6, as follows:

[Rollcall Vote No. 151 Ex.]

YEAS—92

Table listing Senators in support of the cloture motion, including Barrasso, Bennet, Blackburn, Boozman, Braun, Burr, Capito, Cassidy, Cornyn, Cotton, Cramer, Crapo, Cruz, Daines, Ernst, Fischer, Grassley, Hagerty, Hassan, Heinrich, Hickenlooper, Hirono, Hoeven, Hyde-Smith, Inhofe, Johnson, Kaine, Kelly, Kennedy, King, Klobuchar, Lankford, Leahy, Lee, Lujan, Lummis, Manchin, Markey, McConnell, Menendez, Merkley, Moran, Murkowski, Murphy, Murray, Ossoff, Padilla, Peters, Portman, Reed, Risch, Romney, Rosen, Rubio, Sanders, Sasse, Schatz, Schumer, Scott (FL), Scott (SC), Shaheen, Shelby, Sinema, Smith, Stabenow, Sullivan, Tester, Thune, Toomey, Van Hollen, Warner, Warnock, Warren, Whitehouse, Wicker, Wyden, and Young.

NAYS—6

Table listing Senators opposing the cloture motion: Cotton, Cruz, Hawley, Marshall, Paul, and Tuberville.

NOT VOTING—2

Table listing Senators who did not vote: Rounds and Tillis.

The PRESIDING OFFICER. On this vote, the yeas are 92, the nays are 6.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

LEGISLATIVE SESSION

COVID-19 HATE CRIMES ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Cloture having been invoked, the Senate will proceed to legislative session to consider the motion to proceed to S. 937, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. S. 937, a bill to facilitate the expedited review of COVID-19 hate crimes, and for other purposes.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, Americans were horrified to witness a recent series of mass shootings involving the Asian-American and Pacific Islander community. On March 16, 2021, mass shootings occurred at three spas and massage parlors in the Atlanta metropolitan area. Eight people were killed, six of whom were Asian-American women, and one other person was wounded. The suspect was taken into custody that day and has been charged with multiple counts of murder. The investigation is continuing as to whether the suspect should be additionally charged with hate crimes, if he deliberately targeted Asian Americans with this senseless violence.

Unfortunately, this mass shooting is not an isolated incident in the United States in terms of hate speech, hate crimes, and violence against Asian Americans in our communities. Sadly, some political figures have used the ongoing COVID-19 pandemic to fan the flames of hate by promoting stereotypes, fear, and xenophobia. Irrationally blaming Asian and Asian-American neighbors for the pandemic is simply wrong and reprehensible and can have deadly consequences.

Let us remember that our Asian-American brothers and sisters are an integral part of the United Nations on so many levels. Our immigrant story and our diversity are some of our unique strengths, not weaknesses, of the United States of America.

There are about 23 million Asian Americans and Pacific Islanders in the United States, constituting 7 percent of the population of our country.

There are approximately 2 million Asian-American owned businesses that generate over \$700 billion in annual revenue and employ millions of workers.