

117TH CONGRESS
1ST SESSION

S. 728

To facilitate the expedited review of COVID–19 hate crimes, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 11, 2021

Ms. HIRONO (for herself, Ms. DUCKWORTH, Mr. BLUMENTHAL, Mr. BOOKER, Mrs. FEINSTEIN, Mr. Kaine, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MENENDEZ, Mrs. MURRAY, Mr. PADILLA, Ms. ROSEN, Mr. VAN HOLLEN, Ms. CANTWELL, Mr. DURBIN, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To facilitate the expedited review of COVID–19 hate crimes, 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 “COVID–19 Hate
5 Crimes Act”.

6 **SEC. 2. REVIEW OF COVID–19 HATE CRIMES.**

7 (a) IN GENERAL.—Not later than 14 days after the
8 date of enactment of this Act, the Attorney General shall

1 designate an officer or employee of the Department of
 2 Justice whose sole responsibility during the applicable pe-
 3 riod shall be to facilitate the expedited review of COVID-
 4 19 hate crimes and reports of any such crime to Federal,
 5 State, or local law enforcement agencies.

6 (b) DEFINITIONS.—In this section:

7 (1) APPLICABLE PERIOD.—The term “applica-
 8 ble period” means the period beginning on the date
 9 on which the officer or employee is designated under
 10 subsection (a), and ending on the date that is 1 year
 11 after the date on which the emergency period de-
 12 scribed in subparagraph (B) of section 1135(g)(1) of
 13 the Social Security Act (42 U.S.C. 1320b–5(g)(1))
 14 ends, except that the Attorney General may extend
 15 such period as appropriate.

16 (2) COVID–19 HATE CRIME.—The term
 17 “COVID–19 hate crime” means a crime of violence
 18 (as such term is defined in section 16 of title 18,
 19 United States Code) that is motivated by—

20 (A) the actual or perceived race, ethnicity,
 21 age, color, religion, national origin, sexual ori-
 22 entation, gender, gender identity, or disability
 23 of any person; and

24 (B) the actual or perceived relationship to
 25 the spread of COVID–19 of any person because

1 of the characteristic described in subparagraph
2 (A).

3 **SEC. 3. GUIDANCE.**

4 (a) GUIDANCE FOR LAW ENFORCEMENT AGEN-
5 CIES.—The Attorney General shall issue guidance for
6 State and local law enforcement agencies on how to—

7 (1) establish online reporting of hate crimes or
8 incidents, and to have online reporting available in
9 multiple languages as determined by the Attorney
10 General; and

11 (2) expand culturally competent and linguis-
12 tically appropriate public education campaigns, and
13 collection of data and public reporting of hate
14 crimes.

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

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