but with funds that come from corporate malfeasance.

So I appreciate so much these colleagues who have been all involved in so many different ways in this battle to save our Republic.

There is always a powerful force seeking to manipulate the election process to their favor, and it is one of many tools that that powerful group brings to bear. There are the dozens of lawyers who work night and day, being paid hundreds of dollars an hour, to secure power for the powerful. There are the public media campaigns that take tens of millions of dollars to frame issues to try to persuade Americans of their particular viewpoint or to drive a wedge between different groups of Americans. There is that dark money. There are those efforts in State legislatures to block the vote.

I want to just close by reminding us all that the Constitution clearly states that elections for Senators and House Members, this body—Congress—has the ability to pass laws to make sure those elections are fair across this country because every American of any State has a clear stake in the legitimacy of the elections in other States because it is the collective voice here that makes decisions. So this is not only a responsibility provided to us, it is a responsibility that we must fulfill to defend the ballot box, to end gerrymandering violating equal representation, and clear that dark money, polluting and corrupting our campaigns, out of the system forevermore.

Let's get this essential bill, this essential defense of the pulsating heart of our democracy, the ballot box—let's get this bill passed.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CORONAVIRUS

Mr. CORNYN. Mr. President, I am an unabashed optimist. I am a glass-half-full not a glass-half-empty kind of guy, and I tell my staff that I am like the little boy who goes down on Christmas morning and looks under the Christmas tree and finds a pile of manure and wonders where my pony is. That is how much of an optimist I am.

So I am optimistic about our progress made in the war against COVID–19 after this long year that we have all endured. So far, a quarter of Americans over the age of 18 have received at least one dose of the vaccine. More than two-thirds of people over 65 have gotten their first shot. In my State, they have recently said everybody 50 and up can get a shot. Now, very soon, any adult person over the age of 16 will be eligible to get the vaccine. That translates into good news across the board. New cases, deaths, and hospitalizations are all declining. Over the last week, the 7-day positivity rate in Texas dropped to the lowest point since last May.

While we continue to follow the public health guidelines to slow the spread of the virus, it is clear we are moving closer and closer to an eventual end of this pandemic, and there are a million reasons to be optimistic.

Despite the narrative pushed by some, all of this hope isn't the result of just the last couple of months, and it certainly is not the product of the partisan bill that was passed just 2 weeks ago. These efforts have been underway for more than a year now, and we owe a great deal of credit to Operation Warp Speed, the initiative set up by the Trump administration to accelerate the development of vaccines, treatments, and therapeutics.

Last summer, when President Trump speculated that we would have an effective vaccine by the end of the year, he received some serious blowback. One media outlet published a fact check saying it would require nothing short of a ''medical miracle.'' Well, thanks to the leadership of the previous administration, thanks to the great scientists, pharmaceutical companies, and others, that so-called miracle has come true not just once but twice. Both the Pfizer and Moderna vaccines received emergency authorization last year, and Johnson & Johnson's vaccine was authorized last month.

Rather than setting ambitious goals to bring an end to the pandemic, the Biden administration has embraced a different approach. An Associated Press headline in January evaluated the situation pretty well when it said that Biden's early approach is to ''underpromise'' and ''overdeliver.''

Well, in December, President-Elect Biden announced his administration's vaccine goal as 100 million shots in the first hundred days. That announcement came about a week before the first doses of the vaccine were distributed, before we had a real-world test of the processes that had been in the planning stages for months. But it quickly became obvious that we were on a pace to meet that goal before President Biden even took the oath of office on January 20. The week of the inauguration, we averaged 1 million shots a day. On January 20, 1.5 million Americans received the vaccine. One physician and public health expert described the President's goal as a ''disappointingly low bar.'' To no one's surprise, the administration met that goal well ahead of the deadline.

Last week, the President claimed a victory for hitting 100 million vaccines in 58 days. Well, so did he follow up with a new goal, a truly ambitious one that would get us shots in arms even faster? Did he set up a new benchmark to encourage States to make their vaccination efforts more efficient and effective? Well, not yet. Maybe he will. Maybe he will announce a new goal this week. For the sake of our country, I hope he sets the bar high.

Given the fact that we are now vaccinating about 2.5 million Americans per day—a staggering number, really—it is time for the administration to take a truly bold step. The goal here isn't to set a target you are almost certain to meet. After all, you didn't see the previous administration set a target of a successful vaccine by the summer of 2021, which is what many experts believed at the time.

Unfortunately, the underpromise, overdeliver strategy doesn't end with vaccinations. Just look at the President's latest comments about small outdoor gatherings. In the same speech where he tried to take a victory lap for the ''disappointingly low bar'' set for vaccinations, he made a rather confusing promise to the American people.

He said:

> If we keep our guard up, stick together, and stick with the science, we can look forward to a Fourth of July that feels a little bit more normal with small groups able to gather for cookouts in backyards.

Well, that was a little bit of a head-scratcher, when President Biden said that he anticipated that everybody who wanted the vaccine could get it by May, and now he is talking about having outdoor gatherings on the Fourth of July.

I can tell you, these small outdoor gatherings have been a part of many Texans' routines for almost all year now. Families and friends have spent time in driveways, backyards, open-air spaces, parks. They follow the public health guidelines to keep themselves and their loved ones safe while managing some sense of normalcy.

The Centers for Disease Control has said it is safe for fully vaccinated individuals to gather not just outdoors but indoors as well. But based on the President's remarks last week, he is trying to frame these gatherings as a reward if things go well over the next few months. If you do everything right, then you might be able to hang out with your family in the backyard in 3 months. Well, the administration's own Centers for Disease Control has already told us that these gatherings are safe. Your current public health guidelines can't also double as a goal for 3½ months from now.

Then there is another big inconsistency between what the experts are telling us and what the administration is doing, and that has to do with reopening schools. Some children have now hit the anniversary mark of virtual learning. Studies have shown consistently that this is having a huge negative impact on America's kids academically, mentally, socially, and emotionally.

We need our schools to reopen, and, of course, we need that to happen safely, which they can. Back in December, then President-Elect Biden seemed to share that goal. He promised to safely reopen the majority of schools within his first hundred days in the White

House, another hundred-day goal. The experts tell us it is not only possible, but it has already been done across the country.

The Centers for Disease Control and Prevention published a report in January that said:

> There has been little evidence that schools have contributed meaningfully to increased community transmission.

In short, the schools are not a breeding ground for COVID–19, and as long as proper precautions are taken, schools can reopen safely. In fact, it has already happened across most of Texas. Nearly two-thirds of Texas schools are fully in-person, and just 3 percent of districts are still fully remote. Two-thirds are fully reopened, and 3 percent are fully remote.

Unfortunately, in this case, the science is at odds with a key supporter of our Democratic colleagues, and that is the teachers unions. For months, teachers unions have fought a safe return to in-person instruction even though the experts and real-world evidence tell us that it is safe. It has gone so far that they have now gotten into some pretty sticky situations.

A leaked post from a private Facebook group for the Los Angeles teachers union warned teachers not to post pictures of their spring break photos because it makes it difficult to argue that it is unsafe to return to school. Well, it is tough to tell parents that it is not safe for their kids to go to school and then turn around and tell teachers it is fine to go on vacation; just don't post pictures. Trusting science and listening to the experts means doing so all the time, not just when it is convenient or politically expedient.

We are seeing progress every day in our fight against COVID–19. That is the light at the end of the tunnel that is getting bigger and brighter, and the question is not if we get there but when. How quickly can we get more vaccines into arms? When will our children—all our children—return safely to the classroom? How long until families can hug one another without fear of spreading the virus to someone they love?

We all know this is a community effort. It is a team effort. It is a personal responsibility effort. Each of us has a role to play in stopping the spread of the virus. But leadership matters too. The goals and benchmarks set by the administration will determine how quickly all of these things can happen. Now is not the time to walk back goals, set low bars, or bow to unions and political supporters. The administration needs to set clear metrics and targets for how we reopen and find our new normal, and these goals should be based on the science and the advice of the experts—nothing less.

So we are getting close to safely crossing the finish line, and we shouldn't let politics or any other consideration slow us down.

I yield the floor.

I would suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT REQUEST—S. 928

Mr. CRUZ. Mr. President, in a moment, I am going to propound a unanimous consent request. But before I do so, I want to make some brief observations.

Earlier this month, Democrats passed their extreme partisan reconciliation bill—a bill that President Biden signed into law. When the Senate was considering the bill, I introduced an amendment to ensure that illegal aliens would not receive the $1,400 taxpayer payments provided in the bill. Every single Democrat in this body voted against that amendment. It failed by a single vote. If even one Senate Democrat had voted for that amendment, it would have passed.

At the time, Senator DURBIN incorrectly told this Chamber that no illegal aliens would receive stimulus checks under this bill. It was clear then, and it is even more clear now, that that statement was very much in error, as even Senator DURBIN has admitted.

Last Thursday, I gave my Democratic colleagues a chance for a do-over, once it became clear that there was a very substantial number of illegal aliens who would be receiving these checks. Unfortunately, the Democrats objected again and put themselves on record that they are just fine with millions of illegal immigrants getting taxpayer stimulus checks.

There has been some debate as to the exact number, but, just this week, the Center for Immigration Studies released an economic report that catalogued that we are indeed talking about millions of illegal immigrants who are receiving these checks.

At the same time we were debating this partisan reconciliation bill, the Senate considered another amendment, which I had introduced and Senator CASSIDY had introduced, to prevent the payments from going to criminals currently incarcerated in prison. Again, unfortunately and astonishingly, every single Democrat in this Chamber voted against it. It failed by a single vote. If even one Democrat had demonstrated the common sense to say violent criminals who are currently in prison right now, today, shouldn't be getting $1,400 taxpayer stimulus checks, that amendment would have passed. But every Democrat lined up in a party-line partisan vote to say no.

Today, I am going to give Democrats another chance at a do-over to recognize that that extreme position is a position, frankly, none of us could go home and explain to our constituents without being laughed at, even in the bluest of States. And I am going to give an opportunity in this instance for Democrats to vote on stopping the funds going to criminals currently incarcerated and sending those funds instead to the Crime Victims Fund, a program that is run by the Department of Justice to compensate victims of crime.

So this is a choice the Democrats have: Do you want $1,400 checks going to criminals in prison, or do you want instead to direct those funds to the victims of crime that have suffered at the hands of those criminals?

Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 928, introduced earlier today. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, just two quick points. First, this is not really about prisoners. This is about disrupting payments to families all across the country who need the money to make rent and pay for groceries.

Here is why. The IRS administers the tax system for millions and millions of Americans. The Cruz amendment has the practical effect of keeping these folks who are hurting from getting that check that they are going to use to pay for essentials. That is because their check would be on hold while the IRS sets up the system envisioned by this amendment.

Now, I guess that is what my colleague from Texas wants. After all, he opposed the bill. He opposed these payments from the get-go. So if he passes this amendment, he gets what he wants, but for all those folks who are hurting, their checks are on hold.

The last point I want to make is that it wasn't always this way for Republicans and our colleague from Texas. Republicans were for these payments before they were against them. They voted for two rounds of relief checks going out to all the people who are being discussed here when they controlled the White House and the Senate.

Senator CRUZ voted for the CARES Act. It passed unanimously. There were 44 Republicans for the December relief bill, with no exception like the Senator from Texas wants.

Donald Trump was so happy with the checks going to prisoners that he put his name on them. The only difference between the CARES Act relief checks that Republicans unanimously supported and America Rescue Plan relief checks is the party in the White House.

Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, the Senator from Oregon, I guess, demonstrates the principle that hypocrisy is the tribute that vice pays to virtue, because the Senator from Oregon suggests that somehow payments to people who are not criminals will be delayed if we don't pay criminals in prison. That claim, on the face of it, is absurd.

The Federal prisons are administered by the Bureau of Prisons. Government may not be good at everything, but I feel quite confident that the Federal Government can produce a list of currently incarcerated prisoners. I know the States can.

The IRS, likewise, is perfectly capable of recognizing whether it is mailing checks to prisoners in prison. This is not whether you have ever been convicted of a crime. It is, Are you sending the checks to Sing Sing? If so, don't send it.

The claim that somehow Joe Six-Pack at home is not getting his check because we don't want to send checks to prisoners is demonstrably untrue.

The Senator from Oregon also claims Republicans oppose stimulus checks, when he knows that is simply not the case. As he noted, this body overwhelmingly passed bipartisan COVID relief five times last year. It is only when Senate Democrats took the majority that bipartisan legislation ended because the Democrats decided to push a hard partisan bill instead.

A clean bill providing relief checks would have passed with an overwhelming bipartisan majority in this body, and the Senator from Oregon knows that.

We have now discovered, though, that given a straight-up choice between sending checks to criminals in prison versus sending checks to the victims of crime, Senate Democrats stand with the criminals.

UNANIMOUS CONSENT REQUEST—S. 929

Mr. CRUZ. Mr. President, I am going to suggest an even narrower situation. Perhaps we can't agree on victims of crime. How about murderers?

We just had a hearing in the Senate Judiciary Committee on gun violence. We saw a horrific mass murder in Colorado. Can't we agree that murderers shouldn't get checks—$1,400 stimulus checks—from the taxpayers? Let's take the money going to murderers and put it in the crime victims task force fund instead.

And so, Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 929, introduced earlier today. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from Oregon.

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator is recognized.

Mr. WYDEN. Thank you very much.

Mr. President, there isn't information about this crime or these crimes at the Federal, State, and local levels. So, again, we are back in exactly the same place.

The Senator from Texas wants to hold up the checks to millions and millions of people in spite of the fact that he voted—he voted earlier—for a system that got the checks to everybody in a timely way. And when you don't have the information about the specific crimes at the Federal, State, and local levels, it becomes impossible to carry out what the Senator from Texas seeks to do. And the net effect is, again, that millions and millions of Americans aren't getting the funds that they need to pay for essentials, rent and groceries.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, you know, it could be hard in these partisan days to know what the truth is. Both sides yell at each other. They insult each other. It is hard to know who is telling the truth.

I ask the folks at home who are listening to this debate to exercise a little bit of common sense. The Senator from Oregon just told you the Federal Government has no idea who are murderers currently in prison. I want to suggest that doesn't make any sense.

I feel quite confident the Department of Justice could produce a list of currently incarcerated murderers in Federal prisons within 24 hours. I am absolutely certain the State of Texas could produce that list. I am confident the State of Connecticut could produce the list of the murderers currently in Connecticut prisons. I am even confident the State of Oregon could produce a list of the murderers convicted of homicide currently incarcerated in the State of Oregon.

The claim that we don't know who the murderers are who are in our prisons serving time for murder—it doesn't pass the laugh test.

UNANIMOUS CONSENT REQUEST—S. 930

Mr. President, so let's see if we could agree in a different area—rapists, those who committed sexual assault.

Again, these are public records and the Department of Justice and every State criminal justice authority have a list of all the rapists. How about let's not send $1,400 checks to rapists? Take the money and give it to the Crime Victims Fund so it can go to victims of rape.

Here is a choice for Democrats: Do you want to send money to the rapists or the victims of sexual assault? This ought to be a hundred-or-nothing choice.

Mr. President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 930, introduced earlier today. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I want to read, specifically, what the IRS has told us, because I gather my colleague would like to just continue this for some time. But here is what the IRS says:

> In the information the IRS receives from the Bureau of Prisons and State prison systems, we do not get the crime for which the person is incarcerated.

So we can have a host more of these amendments, if my colleague wants to do it. But I get why he is so anxious to have his amendment passed—because he was always for keeping people from getting checks, and his amendment, if passed, would put those checks on hold. So that is why I have objected, and we will put this into the record as well.

I object.

The PRESIDING OFFICER (Mr. MARKEY). Objection is heard.

Mr. CRUZ. Mr. President, once again, the Senator from Oregon has said something that is demonstrably false and that he knows is false, which is that he has suggested that I opposed sending stimulus checks to the American citizens, to law-abiding citizens. I not only didn't oppose it, I voted for it. Republicans supported it. He knows that. That is a red herring.

He just read a statement from the IRS Agency saying they get a list of prisoners from the Bureau of Prisons, and he said: But we don't know the crime.

The first unanimous consent request I put before this body is, everyone on that list in the Bureau of Prisons, don't send them a check. That doesn't delay your check. If you are not looking at bars, if you are not in a jail cell that is 5 feet by 10 feet, this doesn't affect you. This only affects criminals currently in prison.

UNANIMOUS CONSENT REQUEST—S. 931

Mr. President, let's try one more time. The Democrats have objected to not sending checks to criminals in prison. The Democrats have objected to not sending checks to murderers in prison. The Democrats have objected to not sending checks to rapists in prison.

Let's try a group that I think may be the lowest of the low, which is child molesters. I spent a lot of years in law enforcement, and I think there is no more horrific offense than those who commit crimes of violence and sexual assault against kids. When I was solicitor general of Texas, the cases where people sexually abused kids I thought should be in Dante's Ninth Circle of Hell.

So here is a chance for some bipartisan agreement. Can't we all agree that the Federal Government shouldn't send $1,400 checks to the child molesters in prison right now for molesting

kids? And before the Senator from Oregon says, ''Who knows who the child molesters are,'' well, the Department of Justice and every State department of justice knows who the child molesters are in their prisons.

Let's take the money that the Democrats want to send to child molesters, and let's take it from the child molesters and give it to the victims of crimes, the kids who have been molested. This is as simple a legislative choice as I can imagine.

Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 931, introduced earlier today. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object, Mr. President.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, once again, our colleague from Texas is offering an idea that would disrupt the system in a way that would keep millions and millions of Americans who are hurting from getting help in a timely way. He has come back with, essentially, one version after another because he thinks that, somehow, this is the kind of sensational idea that will cause people to rally to his side.

I believe what he has been proposing—now, I gather, four times—is so disruptive, so unworkable that it is going to hurt the millions of people whom this Congress wanted to help, and that is what the Senator from Texas has sought to do from the very beginning. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Mr. President, there is an old saying that you don't learn anything from the second kick of a mule.

The first time the Senator from Oregon said that I sought to disrupt stimulus payments, perhaps he did so because he didn't know my views on that topic, but he has since been corrected that I voted for stimulus payments to American citizens in the time of economic crisis and didn't oppose them. So he is now repeatedly stating falsehoods, knowing that they are false.

You know, all of us were there when Joe Biden gave his inauguration speech making a call to unity, making a call to healing, and there was a chance we could have done that. On COVID relief, you don't have to ask theoretically. Last year, when Republicans had control of the Senate, we passed five bipartisan COVID relief bills, coming together with overwhelming bipartisan majorities.

The Democrats decided, when they took control, they didn't want to do that. You want to know just how far out of touch and how radical today's Democratic Party is? We have seen the Democrats now say we will send taxpayer stimulus checks to millions of illegal immigrants. We have seen Democrats say we will send the taxpayer stimulus to criminals in prison. We have seen the Democrats say we will send the taxpayer stimulus checks to murderers in prison. We have seen them say we will send the checks to rapists in prison. And we now just saw them say we will send the checks to child molesters in prison.

It should be the essence of common sense to say don't give this money to violent criminals; give it to victims of crime instead. In a sane world, that would be a hundred-to-nothing proposition.

I challenge any one of you in the brightest of blue States: Go home and explain to your constituents that you refused to take the money from child molesters and give it to the victims of that crime. That is the position of every Democrat in this Chamber because every single Democratic Senator was the deciding vote rejecting the amendment on the floor.

It is unfortunate just how extreme the hard left is right now, but it is far out of touch with the American people, and it has long abandoned any semblance of common sense.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Here is what we are for. We are for making sure that needy people get help to pay for groceries and make rent rather than have one of our colleagues come out with something that is unworkable and disruptive and is going to keep those people from getting help. That is what this debate is all about, something that is unworkable.

I read the direct comment from the IRS with respect to not having the information or getting help to people who are hurting.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Mr. President, the Senator from Oregon suggested that the concern of the Democrats is to get taxpayer funds to needy people. People currently incarcerated are not needy. The Senator from Oregon said we need to help Americans struggling with rent. You know what? People currently incarcerated pay zero in rent. They don't have rent costs.

So the argument of the Democrats is: We don't know who the criminals are who are currently in jail. That does not comport with reality, and any fair-minded person watching this knows that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

STUDENTS FOR FAIR ADMISSIONS V. HARVARD

Mr. KENNEDY. Mr. President, I am sure you have been to Paris. The architect, as you undoubtedly know, who designed the Louvre's iconic glass pyramid was actually an American. He was an Asian American. His name was I.M. Pei. Mr. Pei emigrated from China to the United States in the 1930s.

By the time he passed at the age of 102, he had designed a number of famous buildings. He had done that all across the world, including on U.S. soil, including the John F. Kennedy Presidential Library.

America is proud of Mr. Pei. He is just one of millions of Asian Americans whose talents have helped America continue to be an exceptional nation, a nation made up of exceptional people who take advantage of all of the opportunities that these United States have to offer.

The contributions of individual Asian Americans have helped our country pioneer—and the Presiding Officer knows this—advances in architecture, in medicine, in art, and in technology. But, more than that, Asian Americans are our friends, and they are our neighbors.

The recent murder of Asian-American women in an evil assault in Atlanta was an assault not just on the Atlanta community but on the United States of America. President Biden has correctly denounced these attacks, and he is not alone.

I know the Presiding Officer can join me in this. I condemn these evil murders in the strongest possible terms. No one can justify—no one—the brutal theft of eight lives. Every community—every single one—across our country is grieving for the victims and is grieving for the families.

These victims were all made, they were each made, in God's image, and Americans know that. I also feel the same way about the shooting in Boulder. We all do.

America pioneered government that is based on inalienable rights that God gives each person. God has imbued every man and woman with dignity, and Americans answer that dignity with respect, respect for each individual and their right to make the most of the manifold opportunities our country offers.

Unfortunately, President Biden's rhetoric in defense of the Asian-American community is not altogether matched by respect for the right of Asian Americans to reap the reward of their talent and grit.

The Biden administration, thus far—it has time to correct its course—has shown and did show right out of the gate a determination to stick its head in the sand while some of America's top universities are actively discriminating against Asian Americans.

Last year, as the Presiding Officer knows, the Justice Department sued Yale University. The Justice Department contended that Yale rejected many qualified Asian-American applicants on the basis of race—not on the basis of qualification, on the basis of race.

The decision by the Justice Department came 2 years after several Asian-American organizations filed a complaint with the Department of Justice