

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

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on October 6, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct and executive business meeting.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 6, 2011, at 2:30 p.m.

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

SUBCOMMITTEE ON CHILDREN'S HEALTH AND ENVIRONMENTAL RESPONSIBILITY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Children's Health and Environmental Responsibility of the Committee on Environment and Public Works be authorized to meet during the session of the Senate on October 6, 2011, in Dirksen 406 to conduct a hearing entitled, "Oversight Hearing on Federal Actions to Clean Up Contamination from Legacy Uranium Mining and Milling Operations."

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

WESTERN HEMISPHERE, PEACE CORPS, AND GLOBAL NARCOTICS AFFAIRS SUBCOMMITTEE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on October 6, 2011, at 10:30 a.m., to hold a Western Hemisphere, Peace Corps, and Global Narcotics Affairs subcommittee hearing entitled, "Peace Corps, the Next 50 Years."

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

PRIVILEGES OF THE FLOOR

Mr. RUBIO. Mr. President, I ask unanimous consent that Viviano Bovo, a member of my staff, be granted the privilege of the floor during today's session.

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

AMERICAN JOBS ACT OF 2011— MOTION TO PROCEED

Mr. REID. Mr. President, I now ask unanimous consent that notwithstanding the provisions of rule XXII, I move to proceed to Calendar No. 187, S. 1660.

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

The clerk will report the bill by title. The assistant legislative clerk read as follows:

A bill (S. 1660) to provide tax relief for American workers and businesses, to put workers back on the job while rebuilding and

modernizing America, and to provide pathways back to work for Americans looking for jobs.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the motion.

The 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, hereby move to bring to a close debate on the motion to proceed to Calendar No. 187, S. 1660, the American Jobs Act of 2011.

Harry Reid, Richard J. Durbin, Charles E. Schumer, Sherrod Brown, Robert Menendez, Mark Begich, Barbara Boxer, Debbie Stabenow, Richard Blumenthal, Sheldon Whitehouse, Bernard Sanders, John F. Kerry, Frank R. Lautenberg, Jeff Merkley, Barbara A. Mikulski, Benjamin L. Cardin, Patrick J. Leahy.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived; further that following the vote on passage of S. 1619 on Tuesday, October 11, there be up to 5 minutes equally divided between the two leaders or their designees prior to a vote on the motion to invoke cloture on the motion to proceed to S. 1660.

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

Mr. REID. I now withdraw my motion to proceed.

UNANIMOUS CONSENT AGREE- MENT—H.R. 3080, H.R. 3079, H.R. 3078

Mr. REID. I ask unanimous consent that notwithstanding not having received the following bills from the House: H.R. 3080, H.R. 3079, H.R. 3078, the Senate proceed to their consideration en bloc at a time to be determined by the majority leader after consultation with the Republican leader; that there be up to 12 hours of debate equally divided between the two leaders or their designees; that upon the use or yielding back of that time and the receipt of the papers from the House, the Senate proceed to votes on passage of the bills in the order listed above; finally, that there be no amendments, points of order, or motions in order to any of the bills other than budget points of order and the applicable motions to waive.

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

Mr. REID. Mr. President, I ask unanimous consent that this agreement be modified to ensure that Senator BAUCUS has 20 minutes, that Senator BROWN of Ohio has 1 hour, and that Senator SANDERS has 1 hour.

If the Republicans wish additional time, they can request that.

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

Mr. REID. Mr. President, so that everyone understands, there was some

discussion in my caucus on Tuesday, and I have spoken with the House. I have been given a guarantee from the Speaker that the trade adjustment assistance bill will pass there next week.

UNANIMOUS CONSENT AGREE- MENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Tuesday, October 11, 2011, at 5:30 p.m., the Senate proceed to executive session to consider Calendar No. 250; that there be 2 minutes for debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to a vote, with no intervening action or debate, on Calendar No. 250; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the consent agreement entered into on September 26, 2011, remain in effect and the Senate then resume legislative session.

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

UNITED STATES PAROLE COMMISSION ACT OF 2011

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 2944, which was received from the House and is at the desk.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (H.R. 2944) to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Mr. President, I am pleased that Members of the House from both parties acted quickly to reauthorize the U.S. Parole Commission. I was glad to help move this important measure in the Senate, and am disappointed that we were forced to accept this unnecessary amendment to shorten the bipartisan House bill. Today's amendment wastes valuable time and resources by forcing Congress to reauthorize the Commission again in another 2 years, instead of working toward a more permanent solution.

Although Federal parole was abolished decades ago, the U.S. Parole Commission still has jurisdiction over thousands of offenders in the District of Columbia, as well as some in other parts of the country. Without reauthorization, we faced the risk that offenders would be released early without the proper public safety assessment. I believe that passing this bill promotes public safety and fairness.

I would like to commend Chairman LAMAR SMITH and Ranking Member JOHN CONYERS of the House Judiciary

Committee and Representative BOBBY SCOTT of Virginia and Representative JIM SENSENBRENNER of Wisconsin for joining together to originate this bill and move it through the House Judiciary Committee and the House.

AMENDMENT NO. 736

Mr. REID. Mr. President, I ask unanimous consent that a Coburn amendment, which is at the desk, be agreed to, the bill, as amended, be read the third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The amendment (No. 736) was agreed to, as follows:

(Purpose: To authorize a 2 year extension of the Parole Commission)

On page 2, line 12, strike “‘27 years’ or ‘27-year period’” and insert “‘26 years’ or ‘26-year period’”.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 2944), as amended, was read the third time and passed.

AMERICAN LEGION AUTHORIZATION

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1639.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1639) to amend title 36, United States Code, to authorize the American Legion under its Federal charter to provide guidance and leadership to the individual departments and posts of the American Legion, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (S. 1639) was read the third time and passed, as follows:

S. 1639

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL POWER OF AMERICAN LEGION UNDER FEDERAL CHARTER.

Section 21704 of title 36, United States Code, is amended—

(1) by redesignating paragraph (5) through (8) as paragraphs (6) through (9), respectively; and

(2) by inserting after paragraph (4) the following new paragraph (5):

“(5) provide guidance and leadership to organizations and local chapters established under paragraph (4), but may not control or otherwise influence the specific activities

and conduct of such organizations and local chapters;”.

EXPRESSING SENATE REGRET

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of and the Senate proceed to S. Res. 201.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 201) expressing the regret of the Senate for the passage of discriminatory laws against the Chinese in America, including the Chinese Exclusion Act.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LEAHY. Mr. President, beginning more than 140 years ago, Congress enacted a series of racist and discriminatory laws directed specifically at persons of Chinese descent. Collectively known as the Chinese Exclusion Laws, these laws remained in force for more than 60 years, and were repealed only as a matter of wartime expediency during World War II. These laws conflicted directly with the fundamental principles of equality and justice upon which our Nation was founded. It is long past time for Congress to affirmatively reject the ignorance and hate that spurred passage of those laws.

S. Res. 201 reflects the Senate’s regret for the passage of those unjust laws, but also affirms our commitment to ensuring that such policies never become law again. I commend the individuals and organizations that have advocated for this important resolution.

The Chinese Exclusion Laws reflected a climate of intolerance and xenophobia that viewed immigrants of Chinese descent as inferior and incapable of assimilating as loyal Americans. Fueled in large part by an economic crisis and fears that Chinese immigrants would take jobs away from other workers, the hostility against Chinese immigrants sometimes turned violent. Through a number of state laws and ordinances in many Western states and several questionable court rulings, Chinese immigrants were systematically deprived of fundamental civil rights and privileges, rights that should be guaranteed to all by our Constitution.

Eventually, political pressure led Congress to prohibit the immigration of all Chinese persons into the United States. The Chinese Exclusion Act of 1882 explicitly banned Chinese immigrants from entering the United States for 10 years, and this ban was renewed and ultimately made permanent by Congress through subsequent enactments. In passing these laws, Congress failed to adhere to our Nation’s basic founding principles that all are created equal, and that all persons deserve basic human and civil rights. Instead,

Congress allowed fear and ignorance to drive our Nation’s immigration policy and, for the first time, to exclude from our country a single group of people based solely on their race.

That was wrong. Ours in a Nation of immigrants and of equality and these laws offended both of those fundamental precepts of America.

While Congress was right to repeal the Chinese Exclusions Laws in 1943, it is important to note that Congress was motivated primarily by the fear that the Japanese would use the racist laws as part of its propaganda campaign to drive a wedge between the U.S. and its Chinese allies. The repeal of the Chinese Exclusions Laws was not accompanied by any genuine sense of regret for the decades of discriminatory policies, or any proclamation by the Congress that it would guard in the future against the type of racism and xenophobia that allowed such laws to pass in the first place. Instead, the exclusion laws were simply supplanted by application of strict race-based quotas that remained in place for more than 20 years. Let us not forget that at the same time that Congress was repealing the Chinese Exclusion Laws, the U.S. Government was imprisoning thousands of loyal Americans of Japanese descent in internment camps throughout the West. Thus, the repeal of the exclusion laws in 1943 can hardly be viewed as a genuine acknowledgement by Congress of the racist nature of its actions. In order to close the book on this series of unjust laws, I urge support of this resolution to express the Senate’s regret, albeit belatedly, for these shameful pieces of legislation.

Going forward, this resolution also reaffirms our commitment to the principles of equality and justice upon which our Nation was founded. I was disappointed that, at the insistence of some anonymous Republicans, the resolution is being stripped by amendment of any reference to the Constitution of the United States. That is inexplicable to me. No one has anyone come forward to take responsibility for this change. It is being done in the shadows, without accountability. I believe that the Chinese Exclusion Laws were incompatible with the spirit, and indeed the text, of our Constitution, our fundamental charter. I challenge whoever felt it necessary to remove the original reference in our resolution to the affront to the Constitution to come forward and explain why they were blocking this resolution unless that change was made.

Contrary to the claims in the 1880s that Chinese immigrants looked, acted, and sounded too different—too foreign—to ever become loyal Americans, we have all witnessed the incredible contributions that Chinese Americans have made to our country. America has come a long way since the days of the Chinese Exclusion Laws. I hope that we all appreciate how our Nation’s diversity makes America better and stronger.