

vote as an amendment, so we know there was support out of the Judiciary Committee for this part of the bill.

As a former prosecutor, I know how important this victim-centered approach can be. Sex trafficking victims are often afraid to talk to law enforcement. It makes sense. They are not sure they are going to help them. Are they going to give them shelter? Are they going to help them turn their lives around and give them a place to sleep? If they don't have this kind of trust, they go back to the pimp and go back to the guy who was giving them money and giving them a place to sleep and probably giving them drugs. If we focus on identifying those victims even though they may not tell us they are being trafficked, then it will help them to come forward, get help, and also to testify against the trafficker, leading to more convictions.

We need to address the needs of the victim and make sure they have the support they need—housing, education, legal issues—to help break this cycle of violence and abuse. We have a great new shelter that opened up in St. Paul this year, and I was proud to be there with Cindy McCain and 180 Degrees—that is what it is called—at Brittany's Place in St. Paul. It provides special services for victims of sex trafficking to help them turn their lives around.

We also need to use the tools available to go after such traffickers. If we cannot get them on the sex trafficking charges, we need to look at money laundering charges or enterprise corruption charges or other charges. While they are not directly related to trafficking, they target traffickers nonetheless. That will be important for law enforcement, and it is the reason State prosecutors are now partnering more with Federal prosecutors.

We need to go after trafficking facilitators. These are people who know what is going on, but they are closing their eyes to it or actually letting it happen. There are some incredible businesses that have gotten out front on this issue. For example, Marilyn Carlson Nelson of Radisson Hotels in Minnesota has done training. There are a number of other hotel chains across our country that are working on this issue. Airlines—Delta, American Airlines, and others—have been doing work in this area, and it is actually exciting because we have businesses willing to say: We are on the frontline. We see when something is going on in our hotel or on our plane, and we are willing to train our employees so they know when to report an incident to law enforcement and stop things from happening on the frontline. This is happening right now in our country.

We passed a similar bill in the House, and we all know we have to make some minor corrections on the Senate side. This is the bill that Senator CORNYN and I originally introduced. We have added some good provisions from Senators Whitehouse and Sessions, as well

as Senator WYDEN and Senator CORNYN, and that is what this package is. It is the kind of legislation we should pass.

Again, the victims of these sex trafficking crimes are not the ones who can figure out how we negotiate in the Senate. There are States that have not yet done anything. They may open their eyes if they know they may get a grant if they change their laws a bit and find the best practices and what is working across the country. We should be focused on those victims and not what is going on here. I am supportive of a lot of these bills that people on our side of the aisle want out of the Judiciary Committee, but they are not in my control. What is in my control is this bill.

I have garnered Republican support and passed a version of it in the House, and all I am asking from my colleagues is to be able to go forward with this bill. It would be sad indeed if we were not able to get this bill through because of Democratic objection.

I plan to ask unanimous consent on this bill. If we are not able to work something out, I will keep at it until this session closes. This bill is named the Stop Exploitation Through Trafficking Act of 2013. I think 2 years is enough time. Two years is enough. A young girl's life was ruined at age 18. We can get this bill done.

I thank the Presiding Officer and yield the floor.

THE PRESIDING OFFICER. The Senator from Maryland.

PROFILING

MR. CARDIN. Mr. President, this week I received several requests from international advocate groups to speak out against the injustice that is taking place in other countries with regard to their judicial system. It is not unusual to get a request in the United States to speak out on those matters.

Journalists are in prison solely because they were doing investigative journalism, human rights activists are in prison just because they felt it was necessary to speak out about the injustice in their society, and there are people who have been arrested, harassed or tortured because they disagree with the government and the judicial system of that country is unable to deal with those types of issues.

They understand that one of America's core values is fairness, inclusion, and equal justice under the law; however, recent events have shown that in the United States we are not where we need to be in regard to our judicial system, and we must do more.

Shortly after the tragic death of Trayvon Martin—an unarmed youth killed by an auxiliary police personnel—I convened a group of activists in Baltimore to try and understand what is happening in our community.

I must say that what I observed and learned during that discussion was something that should be very inform-

ative to all of us. It was an African-American audience, and they explained to me that if you have a teenaged son in the African-American community, you have to talk to that son about what they need to do in regard to their potential confrontation with police.

It was chilling for me to try to understand the fear that is in our community as to how they have to deal with law enforcement. Law enforcement should be on your side. Yet it sort of ripped me apart to understand how widespread the concern is in minority communities and the widespread number of victims of racial profiling in minority communities. So many families had an example.

There was one young woman who was there, and she told me when she was a young girl she was going to the arena to see a basketball game with her father. Her father was pulled over for no reason other than the color of his skin. He was pulled aside and unable to proceed to the basketball game. It had a huge impact on this young girl at the time and made her think: Is this America? Are these core values we believe in? Is this equal justice under the law?

One of the victims of racial profiling was a young lawyer who was returning home from a funeral he attended. He was stopped by the Maryland State Police solely because of the color of his skin—no other reason. He decided to do something about it. He brought a legal suit against the Maryland State Police Department—Wilkins v. State of Maryland. As a result of that lawsuit, a consent order was entered into where the Maryland State Police committed to stop racial profiling. There were certain practices that had to be established, certain checks that had to be done, certain data that had to be provided, and I believe it became the model example of what law enforcement needs to do to ensure it is not using racial profiling.

I mentioned that case because Robert Wilkins, the young lawyer who brought that case, has been confirmed by the Senate and now sits on the DC Court of Appeals—one of the confirmations we were able to complete in this term of Congress. He is an excellent member of the Court of Appeals for the District.

We get constant reminders of the problems we have in our criminal justice system; for example, the tragic death of Michael Brown in Ferguson, MO. I am a strong supporter of the independence of our judicial branch of government and the grand jury system, but I think all of us understand the frustration when there were no criminal indictments brought in the Trayvon Martin case, the Michael Brown case, and in the most recent case with Eric Garner. He was the unarmed individual who was choked to death in New York.

Unfortunately, there are many more examples where the criminal justice system does not appear to work for equal justice for all.

In Oakland, CA, the NAACP reported that out of the 45 officers involved in

shootings in the city between 2004 and 2008, 37 of those shot were Black, none were White, one-third of the shootings resulted in fatalities, and although weapons were not found in 40 percent of the cases, no officers were charged. No wonder people are losing confidence that we truly do have a system where all of our citizens are treated equally under the law.

I have to point out that the Department of Justice is investigating the circumstances in the Ferguson and Michael Brown case. We will have to wait and see what happens with the Federal investigation, but the initial suspicions in many of these cases were solely because of the color of a person's skin, and that is why the individuals were stopped. They were not stopped because they were observed in criminal activities or because they had specific information about a crime that fit the description of the individual who was stopped. That is profiling and profiling is wrong.

Profiling is when the police target an individual, start an investigation, and do something because of race, religion or national origin. That is wrong. It does not work. If you have specific information about a crime, obviously you can use identifiers to deal with the investigation, and that is appropriate. But if you don't have specific information, then it is profiling, and profiling is just plain wrong. It is un-American. It is not what we believe in. It is not in our core values. It is a waste of resources because it doesn't help solve a problem. It turns communities against law enforcement, and we need communities working with law enforcement if we are going to have the most efficient law enforcement. As we have seen too frequently in recent years in the United States, it can be deadly. Profiling must end.

The Attorney General issued some guidance on profiling today. There were some things in there that I found helpful. For the first time the Justice Department guidelines will cover new categories, such as national origin, gender, gender identity, religion, and sexual orientation, while closing certain loopholes and narrowing some exemptions.

The guide mandates new data collection which makes it easier to track profiling complaints. It is all positive. For the first time we have specific guidelines against profiling, but it only applies to the Federal agencies. We need to act because only we can make it apply not just at the Federal level but at the State and local auxiliaries. We can close all loopholes so we do not allow profiling to take place in America, as we should, and we can give a private right of action so we can have enforcement of the laws that we pass. That is what we should do.

I have introduced legislation that does exactly that—The End Racial Profiling Act, S. 1038. I am proud to have as cosponsors Senators REID, DURBIN, BLUMENTHAL, COONS, HARKIN,

MENENDEZ, STABENOW, LEVIN, MIKULSKI, WARREN, BOXER GILLIBRAND, HIRONO, WYDEN, MURPHY, and WHITEHOUSE.

I am proud to say that in the House of Representatives the lead sponsor is JOHN CONYERS, who has been an iconic figure in the fight for civil rights, H.R. 2851. There are 59 cosponsors on the House bill.

The legislation we authored would provide training and mentoring for police departments so they have what they need. It prohibits all forms of profiling. It provides for data collection. It provides grants to develop best practices. It has broad support, including the support of the Leadership Conference on Civil and Human Rights, ACLU, NAACP, and the Rights Working Group.

America is a beacon of hope for people all around the world. They embrace our core values because they know what America stands for. It stands for every one of us being treated fairly under our laws. I am proud of our values, and I am proud of what we have been able to accomplish as a nation where we can enjoy religious freedom, where people can speak out however they want to about their government.

Let us take care of business first at home and recognize that we are not where we need to be. Recent events where people have lost their lives show how our system is not working and needs to be corrected. One thing we can do is pass the End Racial Profiling Act. As Senator Kennedy said, civil rights is the great unfinished business of America. We can end profiling by passing legislation.

I encourage my colleagues to work with me so we can end profiling and move one step closer to equal justice under the law for all Americans.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. 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. 1352

Mr. TESTER. Mr. President, as we hurry to finish things late in the year, we are running out of time to reauthorize the Native American Housing Assistance and Self-Determination Act, referred to as NAHASDA. This legislation was first passed in 1996 to consolidate Indian housing programs at the Department of Housing and Urban Development. This block grant replaced 14 different housing programs operating in Indian Country. The law has been previously authorized twice in a bipartisan manner.

The housing needs in Indian Country are staggering. A recent GAO report

stated that 5.3 percent of homes on Indian lands lacked complete plumbing. That compares to homes nationwide where less than 1 percent lack plumbing.

Tribal communities also face a serious housing shortage. In some cases, there are up to 20 people living in a single three-bedroom home. That is not by choice, by the way. That is by necessity. These are often extended families with three or four generations under one roof. This is unacceptable. We must do more to honor the trust responsibility the government has to American Indians.

The best tool we have to address this housing shortage is the Indian Housing Block Grant Program authorized by NAHASDA. Not passing this reauthorization places this program in jeopardy, and we should reauthorize it today.

Last year, during Senator CANTWELL's tenure as chair of the Committee on Indian Affairs, she introduced a reauthorization bill. This bill makes a number of positive changes to the law.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 334, S. 1352; that the committee-reported substitute amendment be agreed to; that the bill, as amended, be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Utah.

Mr. LEE. Mr. President, reserving the right to object, I prepared an amendment which is at the desk. The amendment I would like to offer would strike just one provision of this bill which is the reauthorization of the Hawaiian Homes Commission Act from this large reauthorization bill. The Hawaiian Homes Commission Act, in my view, is unconstitutional. It conditions benefits to certain residents of the State of Hawaii on their ancestry; that is, on what race they belong to, like the U.S. Supreme Court, which invalidated similar laws, making membership of a racial group an explicit qualification for certain benefits. I believe this act violates the constitutional guarantee of equal protection. I, therefore, cannot support the reauthorization without an amendment striking that same language. Accordingly, I respectfully request that my distinguished colleague, the senior Senator from Montana, modify his request to adopt my amendment which is at the desk and which would strike section 503.

The PRESIDING OFFICER. Will the Senator so modify his request?

Mr. TESTER. I object to the modification because of this: Setting aside the fact that Senator Inouye was a very good friend of mine, the Native Hawaiian Homelands Act was passed into law some time ago. As Native people, Native Hawaiians have sacrificed