

criminal cases and have access to post-conviction DNA testing in those cases where the system got it wrong. The Innocence Protection Act became a key component of the Justice for All Act, and is reauthorized in the bill we introduce today.

We know our justice system is imperfect and that innocent people are sometimes convicted, and even sentenced to death. There were 149 people exonerated just last year, the highest number on record. They spent an average of 15 years in prison before their names were cleared. There have been 337 post-conviction DNA exonerations in the United States since 1989. Twenty of them were sentenced to death.

The first person exonerated from a death row crime by DNA evidence was a man named Kirk Bloodsworth. Kirk was a young man just out of the Marines when he was arrested, convicted, and sentenced to death for a heinous crime that he did not commit. Now the Kirk Bloodsworth Post Conviction DNA Testing Grant Program is a cornerstone of the Justice for All Act. This program provides grants to States for testing in cases like Kirk's where someone has been convicted, but where significant DNA evidence was not tested.

This bill expands access to post-conviction DNA testing so that more innocent people will have a chance at the redemption they deserve. For example, this reauthorization will permit individuals to access DNA testing even if they previously waived their right to testing as part of a guilty plea. This change is critical because we know that people sometimes pled guilty or confess to crimes they did not commit. In fact, of the 337 people who have been freed based on DNA evidence, 88 falsely confessed or pled guilty. That is almost 30 percent of DNA exonerations. Had it not been for DNA testing, they would likely still be behind bars, or worse.

The bill also takes steps to encourage prosecutors to search for additional leads when the DNA evidence tested excludes an individual. Under the legislation, the government must run that DNA through the national database to see if it matches someone else in the system who might be the actual perpetrator. Unfortunately, this is not always done. This commonsense measure will increase public safety by getting the true criminals off the street.

Even in cases that do not involve DNA, it is imperative that every criminal defendant, including those who cannot afford a lawyer, receive effective representation. This bill requires the Department of Justice to assist states in developing a proficient system of indigent defense. I know as a former prosecutor, that the system only works as it should when each side is well represented by competent and well-trained counsel. This helps prevent wrongful convictions in the first place.

The Justice for All Reauthorization Act also increases resources for public

forensic laboratories. Prosecutors and police officers depend on the efficient and accurate testing of evidence to solve cases. Putting more resources into forensic testing will also help reduce rape kit backlogs and ensure that survivors of this terrible crime are able to see their cases prosecuted and begin to feel safe again.

This bill further addresses the needs of sexual assault survivors by directing grants to forensic exam programs, prioritizing those that operate in rural areas or provide assistance to underserved populations. Timely access to forensic exams is a critical first step in ensuring perpetrators are held accountable and taken off the streets. We must also ensure that the evidence collected from these exams in the form of rape kits are processed quickly. To help with that effort, the bill also provides support for law enforcement to create evidence tracking systems for rape kits, so their processing can be monitored and accounted for.

Finally, we must ensure that law enforcement and victim services programs have the resources they need to move these cases through our justice system and assist these survivors.

This bill also strengthens some key provisions of the Prison Rape Elimination Act, a bill I strongly supported when it was enacted in 2003. Specifically, changes imposed by this bill will require that states comply with regulations designed to prevent sexual assaults in our jails and prisons or lose Federal grant money. The Department of Justice will work with the states to assist them, but ultimately states will be penalized if they do not act. This bill imposes the true accountability required to eradicate this awful crime.

This reauthorization also expands rights for victims of all crime. It builds upon the success of the Crime Victims' Rights Act by making it easier for crime victims to have an interpreter present during court proceedings and to obtain court-ordered restitution.

I firmly believe that improving our criminal justice system is a priority and a place we should not be afraid to invest additional resources. There are parts of this legislation that I would like to see receive more funding, but this bill, like most legislation, is a compromise. As a result, this bill does reduce the total authorized funding under the Justice for All Act, but I believe it does so responsibly. I also believe that many of the changes advanced by this legislation will help states, communities, and the federal government save money in the long term.

The programs created by the Justice for All Act have had an enormous impact, and it is crucial that we reauthorize and improve them. It has been 12 years since this law was updated, and we must work together to address the challenges currently facing our Nation's justice system.

I thank the many law enforcement and criminal justice organizations that

have helped to pinpoint the needed improvements that this law attempts to solve and I appreciate their ongoing support in seeing it passed.

Today, we rededicate ourselves to building a criminal justice system in which the innocent remain free, the guilty are punished, and all sides have the resources they need to advance justice. Americans deserve a criminal justice system which keeps us safe, ensures fairness, and fulfills the promise of our constitution. This bill will bring us closer to that goal.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 372—CELEBRATING BLACK HISTORY MONTH

Mrs. GILLIBRAND (for herself, Mr. COCHRAN, Mr. REID, Mr. BROWN, Mrs. MCCASKILL, Mrs. MURRAY, Mr. CASEY, Mr. WYDEN, Mr. COONS, Mr. PORTMAN, Mr. WICKER, Ms. KLOBUCHAR, Mr. WARNER, Mr. BOOKER, Mr. CARPER, Mrs. SHAHEEN, Mr. SANDERS, Mr. DURBIN, Mr. REED, Mrs. FEINSTEIN, Mr. FRANKEN, Mr. MERKLEY, Mr. NELSON, Mr. KAINE, Ms. WARREN, Mrs. BOXER, Mr. CARDIN, Mr. BENNETT, Ms. STABENOW, Mr. MARKEY, Ms. AYOTTE, Mr. PERDUE, Mr. BURR, Mr. MORAN, Ms. MURKOWSKI, Mr. PAUL, Mr. SCHUMER, Mr. PETERS, Mr. SCOTT, Mr. TILLIS, Mr. MURPHY, Mr. SESSIONS, Mr. ISAKSON, and Mr. LEAHY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 372

Whereas in 1776, people envisioned the United States as a new nation dedicated to the proposition stated in the Declaration of Independence that "all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness . . .";

Whereas Africans were first brought involuntarily to the shores of America as early as the 17th century;

Whereas African Americans suffered enslavement and subsequently faced the injustices of lynch mobs, segregation, and denial of the basic and fundamental rights of citizenship;

Whereas in 2016, inequalities and injustices in the society of the United States continue to exist;

Whereas in the face of injustices, people of good will and of all races in the United States have distinguished themselves with a commitment to the noble ideals on which the United States was founded and have fought courageously for the rights and freedom of African Americans and others;

Whereas African Americans, such as Lieutenant Colonel Allen Allensworth, Maya Angelou, Arthur Ashe Jr., James Baldwin, James Beckwourth, Clara Brown, Blanche Bruce, Ralph Bunche, Shirley Chisholm, Holt Collier, Frederick Douglass, W. E. B. Du Bois, Ralph Ellison, Medgar Evers, Alex Haley, Dorothy Height, Lena Horne, Charles Hamilton Houston, Mahalia Jackson, Stephanie Tubbs Jones, B.B. King, Martin Luther King, Jr., Thurgood Marshall, Constance Baker Motley, Rosa Parks, Walter Payton, Bill Pickett, Homer Plessy, Bass Reeves,

Hiram Revels, Amelia Platts Boynton Robinson, Jackie Robinson, Aaron Shirley, Sojourner Truth, Harriet Tubman, Booker T. Washington, the Greensboro Four, and the Tuskegee Airmen, along with many others, worked against racism to achieve success and to make significant contributions to the economic, educational, political, artistic, athletic, literary, scientific, and technological advancements of the United States;

Whereas the contributions of African Americans from all walks of life throughout the history of the United States reflect the greatness of the United States;

Whereas many African Americans lived, toiled, and died in obscurity, never achieving the recognition they deserved, and yet paved the way for future generations to succeed;

Whereas African Americans continue to serve the United States at the highest levels of business, government, and the military;

Whereas the birthdays of Abraham Lincoln and Frederick Douglass inspired the creation of Negro History Week, the precursor to Black History Month;

Whereas Negro History Week represented the culmination of the efforts of Dr. Carter G. Woodson, the "Father of Black History", to enhance knowledge of Black history through the *Journal of Negro History*, published by the Association for the Study of African American Life and History, which was founded by Dr. Carter G. Woodson and Jesse E. Moorland;

Whereas Black History Month, celebrated during the month of February, originated in 1926 when Dr. Carter G. Woodson set aside a special period in February to recognize the heritage and achievement of Black people of the United States;

Whereas Dr. Carter G. Woodson stated: "We have a wonderful history behind us. . . . If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else.'";

Whereas since the founding of the United States, the Nation has imperfectly progressed toward noble goals; and

Whereas the history of the United States is the story of people regularly affirming high ideals, striving to reach those ideals but often failing, and then struggling to come to terms with the disappointment of that failure, before committing to trying again: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges that all people of the United States are the recipients of the wealth of history provided by Black culture;

(2) recognizes the importance of Black History Month as an opportunity to reflect on the complex history of the United States, while remaining hopeful and confident about the path ahead;

(3) acknowledges the significance of Black History Month as an important opportunity to commemorate the tremendous contributions of African Americans to the history of the United States;

(4) encourages the celebration of Black History Month to provide a continuing opportunity for all people in the United States to learn from the past and understand the experiences that have shaped the United States; and

(5) agrees that, while the United States began as a divided country, the United States must—

(A) honor the contribution of all pioneers in the United States who have helped to ensure the legacy of the great United States; and

(B) move forward with purpose, united tirelessly as a nation "indivisible, with liberty and justice for all."

SENATE RESOLUTION 373—RECOGNIZING THE HISTORICAL SIGNIFICANCE OF EXECUTIVE ORDER 9066 AND EXPRESSING THE SENSE OF THE SENATE THAT POLICIES THAT DISCRIMINATE AGAINST ANY INDIVIDUAL BASED ON THE ACTUAL OR PERCEIVED RACE, ETHNICITY, NATIONAL ORIGIN, OR RELIGION OF THAT INDIVIDUAL WOULD BE A REPETITION OF THE MISTAKES OF EXECUTIVE ORDER 9066 AND CONTRARY TO THE VALUES OF THE UNITED STATES

Ms. HIRONO (for herself, Mr. REID, Mr. DURBIN, Mr. LEAHY, Ms. BALDWIN, Mr. BROWN, Mr. BLUMENTHAL, Ms. CANTWELL, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Mrs. MURRAY, Mr. PETERS, Mr. SCHATZ, Ms. MIKULSKI, Mr. MURPHY, Mr. MARKEY, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 373

Whereas on December 7, 1941, the Imperial Japanese Navy launched a surprise attack against the United States naval base at Pearl Harbor, Hawaii, which led to—

(1) increased prejudice and suspicion toward Japanese Americans; and

(2) calls from civilians and public officials to remove Japanese Americans from the west coast of the United States;

Whereas on February 19, 1942, President Franklin Delano Roosevelt signed Executive Order 9066 (7 Fed. Reg. 1407; relating to authorizing the Secretary of War to prescribe military areas) (referred to in this preamble as "Executive Order 9066"), which led to—

(1) the exclusion of 120,000 Japanese Americans and legal resident aliens from the west coast of the United States; and

(2) the incarceration of United States citizens and lawful permanent residents of Japanese ancestry in incarceration camps during World War II;

Whereas President Gerald Ford formally rescinded Executive Order 9066 in Presidential Proclamation 4417, dated February 19, 1976 (41 Fed. Reg. 7741) (referred to in this preamble as "Presidential Proclamation 4417");

Whereas Presidential Proclamation 4417—

(1) states that Japanese Americans were and are loyal people of the United States who have contributed to the well-being and security of the United States;

(2) states that the issuance of Executive Order 9066 was a grave mistake in United States history; and

(3) resolves that actions such as the actions authorized by Executive Order 9066 shall never happen again;

Whereas in 1980, Congress established the Commission on Wartime Relocation and Internment of Civilians to investigate the circumstances surrounding the issuance of Executive Order 9066;

Whereas in 1983, the Commission on Wartime Relocation and Internment of Civilians issued a report entitled "Personal Justice Denied" in which the Commission on Wartime Relocation and Internment of Civilians concluded that—

(1) the promulgation of Executive Order 9066 was not justified by military necessity; and

(2) the decision to issue Executive Order 9066 was shaped by "race prejudice, war hysteria, and a failure of political leadership";

Whereas on August 10, 1988, the Civil Liberties Act of 1988 (Public Law 100-383; 102 Stat. 903) was enacted—

(1) to apologize for "fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry"; and

(2) to establish the Civil Liberties Public Education Fund, to ensure that "the events surrounding the exclusion, forced removal, and incarceration of civilians and permanent resident aliens of Japanese ancestry will be remembered, and so that the causes and circumstances of this and similar events may be illuminated and understood";

Whereas the terrorist attacks carried out in the United States on September 11, 2001, have led to heightened levels of suspicion and hate crimes, xenophobia, and bigotry directed toward the Arab, Middle Eastern, South Asian, Muslim, Sikh, and Hindu American communities, including—

(1) on August 5, 2012, an attack on the Sikh Temple of Wisconsin in Oak Creek, Wisconsin, which led to several injuries and the death of 6 Sikh Americans; and

(2) on February 10, 2015, the execution-style shooting of 3 Muslim American students in Chapel Hill, North Carolina;

Whereas the terrorist attacks carried out in Paris, France, on November 5, 2015, have led to renewed calls from public officials and figures to register Muslim Americans and bar millions from entering the United States based solely on the religion of those individuals, repeating the mistakes of 1942: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historical significance of February 19, 1942, as the date on which President Franklin Delano Roosevelt signed Executive Order 9066 (7 Fed. Reg. 1407; relating to authorizing the Secretary of War to prescribe military areas) (referred to in this resolving clause as "Executive Order 9066"), which restricted the freedom of Japanese Americans;

(2) recognizes the historical significance of February 19, 1976, as the date on which President Gerald Ford issued Presidential Proclamation 4417 (41 Fed. Reg. 7741), which formally terminated Executive Order 9066;

(3) supports the goals of the Japanese American community in recognizing a National Day of Remembrance to increase public awareness about the unjust measures taken to restrict the freedom of Japanese Americans during World War II;

(4) expresses the sense that the National Day of Remembrance is an opportunity—

(A) to reflect on the importance of upholding justice and civil liberties for all people of the United States; and

(B) to oppose hate, xenophobia, and bigotry;

(5) recognizes the positive contributions that people of the United States of every race, ethnicity, religion, and national origin have made to the United States;

(6) steadfastly confirms the dedication of the Senate to the rights and dignity of all people of the United States; and

(7) expresses the sense that policies that discriminate against any individual based on the actual or perceived race, ethnicity, national origin, or religion of that individual would be—

(A) a repetition of the mistakes of Executive Order 9066; and

(B) contrary to the values of the United States.

Ms. HIRONO. Mr. President, 74 years ago, President Roosevelt signed Executive Order 9066. That order led to the mass internment of nearly 120,000 Japanese Americans. Executive Order 9066 is an example of what can happen when a government acts out of fear.