

I encourage my colleagues to support this important bill.

By Ms. HIRONO (for herself, Mr. SANDERS, Mr. MARKEY, and Mr. BOOKER):

S. 4837. A bill to repeal the Alien Enemies Act, and for other purposes; to the Committee on the Judiciary.

Ms. HIRONO. Mr. President, I rise today to introduce the Neighbors Not Enemies Act. This long overdue legislation would repeal the Alien Enemies Act, one of four laws from 1798 that were collectively known as the Alien and Sedition Acts. These controversial laws were enacted during a period of threatened war and were an attempt to severely limit freedom of speech and press and the rights of noncitizen residents. Of the four laws, only the Alien Enemies Act remains in effect. The Alien Enemies Act allows the President of the United States to “apprehend[], restrain[], secure[] and remove[],” noncitizens without due process during times of war.

In 1941, President Roosevelt used the authority of the Alien Enemies Act to apprehend “alien enemies deemed dangerous to the public health or safety of the United States by the Attorney General or Secretary of War.” These actions allowed for the detention of Japanese, Italian, and Germans as well as confiscation of their property. Then in 1942, Roosevelt expanded on his actions by issuing Executive Order 9066, which authorized the mass removal and incarceration of 120,000 Japanese Americans, both U.S. citizens and noncitizens, during World War II. The internment of Japanese Americans was a shameful act, and it was not until 1988 that the Civil Liberties Act was passed, formally apologizing to Americans of Japanese ancestry and providing reparations of \$20,000 to each surviving victim who was incarcerated during World War II.

During the 2016 election, Donald Trump invoked President Franklin D. Roosevelt’s application of the Alien Enemies Act during World War II when he called for a temporary ban on Muslims entering the United States. Since taking office, President Trump has continued to advance divisive policies and hateful rhetoric that target and demonize Muslim and other minority communities. The President’s cruel anti-immigrant policies have resulted in the separation of children at the border, detention of families with no end in sight, and many more harmful policies that betray the principles and values on which our Nation was built upon.

The President has brought the need to repeal the Alien Enemies Act to the forefront. We must stop his attempts to divide us through intolerance and fear. We must prevent civil and human rights travesties from happening on U.S. soil again. Sadly, we cannot trust the President. The Neighbors Not Enemies Act would help keep our Nation from repeating history in targeting an

entire group of noncitizens for unconstitutional and discriminatory arrest, detention, and deportation. The repeal of the Alien Enemies Act is long overdue, and I call on my colleagues in the United States Senate to swiftly pass the Neighbors Not Enemies Act during the 116th Congress.

I yield the floor.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 750—DESIGNATING THE WEEK OF SEPTEMBER 27, 2020, THROUGH OCTOBER 3, 2020, AS “RELIGIOUS EDUCATION WEEK” TO CELEBRATE RELIGIOUS EDUCATION IN THE UNITED STATES

Mr. GRAHAM (for himself, Mr. CRAMER, Mr. HAWLEY, Mr. CASSIDY, Mrs. LOEFFLER, Mrs. BLACKBURN, Mr. LANKFORD, Mr. SCOTT of South Carolina, Mr. BRAUN, and Mr. DAINES) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 750

Whereas the free exercise of religion is an inherent, fundamental, and inalienable right protected by the First Amendment to the Constitution of the United States;

Whereas the United States has long recognized that the free exercise of religion is important to the intellectual, ethical, moral, and civic development of individuals in the United States, as evidenced by founders of the United States, such as—

(1) Benjamin Franklin, who believed religion to be “uniquely capable of educating a citizenry for democracy”; and

(2) George Washington, who said in his farewell address, “Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports.”;

Whereas religious education is useful for self-development, because it asks students to consider and respond to questions concerning the meaning and purpose of life, engages students in questions about morality and justice, and enables students to identify their values;

Whereas studies like the one published by the International Journal of Mental Health Systems in 2019 have shown that religious education can be “instrumental to improving adolescent mental health” by helping children learn how to make decisions based on morals, promoting less risky choices, and encouraging connectedness within a community, which can enhance self-esteem and well-being;

Whereas religious education fosters respect for other religious groups and individuals generally by acknowledging a source for human dignity and worth;

Whereas the United States Supreme Court found in *Pierce v. Society of Sisters*, 268 U.S. 510 (1925) that the state does not have power “to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.”;

Whereas religious instruction can come from a variety of sources, including sectarian schools and released time programs;

Whereas, according to the National Center for Education Statistics, in 2015, 4,350,000

children in the United States attended sectarian elementary and secondary schools where those children received religious education; and

Whereas the United States Supreme Court held in *Zorach v. Clauson*, 343 U.S. 306 (1952) that State statutes providing for the release of public school students from school to attend religious classes are constitutional, and, as a result, an estimated 540,000 public school students in the United States take advantage of released time programs each year: Now, therefore, be it

*Resolved*, That the Senate—

(1) affirms the importance of religious education in the civic and moral development of the people of the United States;

(2) celebrates the schools and organizations that are engaged in religious instruction of the children of the United States to aid those children in intellectual, ethical, moral, and civic development;

(3) calls on each of the 50 States, each territory, and the District of Columbia to accommodate individuals who wish to be released from public school attendance to attend religious classes; and

(4) designates the week of September 27, 2020, through October 3, 2020, as “Religious Education Week”.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 2681. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4675, to amend the Health Insurance Portability and Accountability Act; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 2681.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4675, to amend the Health Insurance Portability and Accountability Act; which was ordered to lie on the table; as follows:

Beginning on page 21, strike line 23 and all that follows through the item relating to section 198 after line 2 on page 22 and insert the following:

### “SEC. 199. STATE OPT-IN.

“(a) IN GENERAL.—Sections 196, 197, and 198 shall apply only in States that have in effect a law to apply such sections to group health plans and health insurance coverage offered in the State. A State may repeal such a law and terminate the application of such sections in such State.

“(b) SCOPE OF STATE OPT-IN.—A State law described in subsection (a) may apply with respect to all of the requirements under sections 196, 197, and 198, any single requirement under any of such sections, or any combination of requirements under such sections, as determined by the State.

“(c) ENFORCEMENT UNDER ERISA AND IRC.—Subsection (c) of section 715 of the Employee Retirement Income Security Act of 1974 and subsection (c) of section 9815 of the Internal Revenue Code of 1986 shall apply with respect to group health plans and health insurance coverage in a State only to the extent that sections 196, 197, and 198 apply in such State, in accordance with this section.”.

(b) CONFORMING AMENDMENT.—The table of contents under section 1(b) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191) is amended by inserting after the item relating to section 195 the following:

“Sec. 196. Prohibition of pre-existing condition exclusions.