



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 112th CONGRESS, SECOND SESSION

Vol. 158

WASHINGTON, THURSDAY, APRIL 26, 2012

No. 61

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Joel Osteen, senior pastor of the Lakewood Church in Houston, TX.

The guest Chaplain offered the following prayer:

Let us pray.

Father we receive Your blessings today with grateful hearts, and thank You for the favor that You show us.

As we pray for those who lead our Nation, we ask that You bless this body and those who serve in it. We thank You that these lawmakers serve with honor and integrity, and that You will continue to bless our Nation through them. Give them wisdom that they will make good decisions, courage that they will hold fast to Your truth, and compassion that all should prosper from their laws. We receive Your presence here today, Father, and pray that these lawmakers will remain mindful of You and that they will honor You in everything they do.

In Jesus' Name we pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 26, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1925, which the clerk will report.

The assistant legislative clerk read as follows.

A bill (S. 1925) to reauthorize the Violence Against Women Act of 1994.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

GUEST CHAPLAIN JOEL OSTEEN

Mrs. HUTCHISON. It is my pleasure to be able to introduce our guest Chap-

lain, Joel Osteen, pastor of Lakewood Church in Houston. He is a native Texan and attended Oral Roberts University in Tulsa, OK.

For 17 years, Pastor Osteen worked behind the scenes for his father John, who founded Lakewood Church in 1959.

In 1999, after his father passed away, Pastor Osteen accepted God's call to service in the church and took over the reins as senior pastor, despite having only preached once in his life.

It was soon clear that this new, young preacher had a natural gift for speaking and was able to personally connect with diverse audiences with the inspirational message of God's love. Since that time, he and his wife and copastor Victoria have led Lakewood through extraordinary growth.

In 2005, the Osteens moved Lakewood Church from its original home in northeast Houston to the former home of the Houston Rockets basketball team. With this space, Pastor Osteen now delivers a message of hope and encouragement to 38,000 people a week, with millions more across the country tuning in on their televisions.

Pastor Osteen has reached millions more as a best-selling author. His first book, "Your Best Life Now," was released in 2004 and remained on the New York Times bestseller list for 2 years.

His most recent book, "Every Day a Friday," offers commonsense advice on how to be happy by applying the principles of God's word to your daily life. Pastor Osteen has spoken throughout the world, and that is what brings him to the Capitol today.

On Saturday the Osteens will lead thousands in what is billed as "a night of hope" at Nationals Park in Washington. That message of hope and encouragement is what has attracted me and my family to watch Pastor Osteen on Sunday morning. I have been to his church. He welcomed me and my daughter, Bailey—whose 11th birthday is today—at Lakewood Church 2 years ago, and I got to see this awesome

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

S2745

place that he fills every single Sunday—sometimes more than the Houston Rockets ever did, I have to say.

I do want to say that the Chaplain of the Senate, Dr. Barry Black, who works with us every week in the Senate, with all of our staffs, was wonderful to help in assisting to bring Pastor Osteen to the podium to open our Senate this morning. It is a wonderful Senate tradition that we start our day by thanking God for this wonderful world and also remembering the mantle of leadership and responsibility that is on our shoulders and trying to do the very best we can with that message.

Again, I thank Pastor Osteen and his wife Victoria, who are wonderful people whom I have gotten to know through the years. They have inspired so many of us in our travails of life.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the Senate is now considering S. 1925, with the time until 11:30 for debate only. The Republicans will control the first 45 minutes and the majority will control the second 45 minutes.

At 11:30 today the Senate will proceed to executive session to consider the Costa and Guaderrama nominations, both nominated to be U.S. district judges for Texas. At noon there will be two votes on the confirmation of these nominations.

Senator McCONNELL and I are trying to work through a way to proceed on the Violence Against Women Reauthorization Act. I hope to be able to have some announcement around 2 o'clock.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. McCONNELL. Mr. President, the Senate is now debating the Violence Against Women Act.

We began debate on this legislation by consent, and we would like to complete action on this legislation also by consent. We have been working to enter into an efficient consent agreement with only a couple of relevant amendments and with very short time agreements for processing them.

This approach is in keeping with how Republicans have handled VAWA in the past. This approach would also allow us to complete the bill today. These relevant amendments would give the Senate the opportunity to strengthen the law, especially in terms of the punishment for those who commit violence against women.

As my friend, the majority leader, noted yesterday, a good way to lower the incidence of violent crime is to incarcerate those who commit it. We could not agree more. We would like the chance to improve the law in that respect.

HONORING OUR ARMED FORCES

CAPTAIN DANIEL H. UTLEY

Mr. McCONNELL. Mr. President, I rise this morning to acknowledge the loss of an American hero and patriot. It is my sad duty today to report to my colleagues that Kentucky has lost one of our finest heroes in uniform. This particular loss is very personal to me, as I knew this outstanding young man very well.

CPT Daniel H. Utley of the U.S. Army was killed in the North African country of Mali just a few days ago, on April 20, 2012, while on a training mission to help the local citizens combat terrorism. Dan was 33 years old.

For his service to our country, Captain Utley received many medals, awards, and decorations, including the Bronze Star Medal, the Defense Meritorious Service Medal, the Army Commendation Medal, the Joint Service Achievement Medal, the Army Achievement Medal, the Joint Meritorious Unit Award, the National Defense Service Medal, the Afghanistan Campaign Medal with Combat Star, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, and the NATO Medal. Captain Utley also received the Basic Parachutist Badge and his Thailand Jump Wings.

Charley Utley, Dan's Father said:

He was a great young man; he was a great son. He always put other people ahead of himself. He did an outstanding job while he was there. He loved being in the Army. He enjoyed what he was doing, and he really thought he was making a difference.

It goes without saying that every man and woman in our Armed Forces is an American of special fortitude and character. But I can personally testify to that truth on behalf of Dan Utley. At my alma mater, the University of Louisville, I was glad to have begun the McConnell Scholars Program, a rigorous and prestigious scholarship program for the finest students in Kentucky that prepares them for a lifetime of leadership and service. Dan was one of the best McConnell Scholars to ever grace the program.

I could not agree more with my good friend, Dr. Gary Gregg, the director of the McConnell Scholars Program, who said of Dan's loss: "America has lost a rising star."

Dan was born in Bowling Green, KY, on April 13, 1979. He was raised in Glasgow, KY, and he went to Glasgow High School where he played soccer and was a member of the academic team. He was also a member of Glasgow's First Christian Church.

Dan had a lot of hobbies, but most of them had one thing in common: They did not take place inside four walls or under a roof. "He loved the outdoors," remembers Dan's father, Charlie. "He loved camping, hiking, biking, jumping out of airplanes, canoeing, kayaking—anything to do with the outdoors."

Dan graduated from high school in 1997, and he was awarded a McConnell

scholarship to attend the University of Louisville.

Dr. Gregg said:

Dan was a workhorse of a McConnell Scholar. There are people who serve for title and glory; Dan was a young man who served in order to serve. When he was an undergraduate, he would volunteer for any cause that came along. He was always trying to help out the underdog. His heart was always bigger than his ego; his compassion for others always outshone his ambition for self. His life was no different in the U.S. Army—what he loved most was serving others in need.

I got to know Dan very well during his time in college, and I came to appreciate what a remarkable young man he was. He was extremely smart. He was also one of the most popular students in the program.

Dan spent one semester in college working in the Kentucky State Legislature, helping to write bills and assisting State senators and representatives with whatever they needed. Dan graduated from the University of Louisville in 2001 with a bachelor's degree with honors in political science. After college, for a time, he enrolled in law school but soon decided, because of his desire to serve, that his path to fulfillment lay in military service.

When I first met Dan, a military career was certainly not at all what I would have expected him to do. But it just goes to show the growth and maturity this young man achieved in such a very short time.

"He was in law school, but after 9/11, he wanted to do something," says Charlie Utley. "He was miserable in law school because he wanted to do something for his country."

Dan's friend and fellow McConnell Scholar, Connie Wilkinson-Tobbe, agrees and this is what she said:

Dan was ready to live life, and he was probably smarter than everybody sitting in [law school]. That was not stimulating enough for him, and he was ready to do great things.

So in 2003, Dan joined the Army and went through OCS. In almost a decade of Army service, Captain Utley served in many posts, all of them challenging and proof of his skill and talent. He was stationed or deployed in South Korea for 24 months, in Kuwait for 12 months, in Afghanistan for 13 months, and his final deployment in Mali lasted 7 months.

He served in capacities such as tactical communications platoon leader, operations officer while in Kuwait, aide-de-camp for a general in the 160th Signal Brigade, and brigade civil affairs officer in the 101st Airborne. After successfully completing a civil affairs qualifications course, Dan was assigned to F Company, 91st Civil Affairs Battalion, (Airborne), as a team leader.

Let me quote again from Dr. Gregg.

I particularly remember when he called and told me he was being made an aide-de-camp and was going to get a new shoulder holster as part of his job protecting the general he served. It was a position of great honor and he was humbled to have been chosen, but he wanted to talk most about his cool new side arm!

Earlier this year, the news magazine for the U.S. Agency for International Development—*Frontlines*—published an article about America's efforts to combat instability in Mali, one of the poorest countries in the world. The article stated:

"The presence of the terrorist group al-Qaida in the Islamic Maghreb, which has its roots in the Algerian Civil War, now poses a threat of violent extremism" in the country.

That is why the U.S. Army, and specifically Captain Utley, was in Mali in the first place. As a team member of the Department of Defense's Civil Military Support Element, Captain Utley was quoted in this article on the valiant work he and his fellow soldiers were doing just a few months before his tragic death.

In September 2004, Dan married Katie, also an Army officer. They had their wedding in Hawaii. Katie was commissioned through the ROTC Program at the University of Georgia, and is now a captain in the Army with the 82nd Airborne, based out of Fort Bragg, NC.

We are thinking of CPT Dan Utley's loved ones today, especially his wife, CPT Katie M. Utley; his father, Charles L. Utley; his mother, Linda H. Utley; his brother and sister-in-law, Charles L. Utley, II, and Maria; his brother and sister-in-law, Matthew R. Utley and Michelle; his nephews, Matthew Ryan Utley and Mason Robert Utley; his niece, Marleigh Rose Utley; his maternal grandmother, Pauline Haynes; his parents-in-law, Chris and Peggy Michael; his brother-in-law, Matthew Michael; and many other beloved family members and friends.

I also know for a fact many faculty members of the University of Louisville, staff members for the McConnell Center, and current and former McConnell scholars will dearly miss Dan. I certainly will.

I had the honor of watching Dan grow from a teenager to a brave and virtuous man who willingly sacrificed everything to defend his friends and his family and his country. Elaine and I extend our deepest sympathies to all who knew and loved him, and I would ask my Senate colleagues to join me in expressing our respect and gratitude to this fine young man, CPT Daniel H. Utley. Let our work here today serve to ensure our country never forgets the duty he fulfilled by putting on the uniform—or the great sacrifice he made in a country many of us could not even find on a map in order to protect our freedoms here at home.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11:30 a.m. will be for debate only and will be equally divided between the two leaders or their designees, with the Republicans controlling the first 45 minutes and the majority controlling the second 45 minutes.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I want to express my appreciation to the Re-

publican leader for his remarks about Captain Utley. I have had the honor to talk with McConnell scholars on a number of occasions from Louisville. They are such a fine group of people, and I know how deeply our leader feels this loss. I certainly will join him in my expressions to the family.

I recall General Myers, former Chairman of the Joint Chiefs of Staff, when someone suggested soldiers who were injured or lost their lives were victims, saying they are not victims, they are heroes. They committed themselves to serving their country. They believe our country is worthy of defense and they are willing to put their lives on the line for it, and they are heroes. And certainly this captain was.

Mr. MCCONNELL. Mr. President, I wish to thank my friend from Alabama for his kind remarks about this brave young man.

Mr. SESSIONS. I thank the leader.

THE BUDGET

Mr. SESSIONS. Mr. President, this Sunday, April 29, in a few days, will mark the third anniversary of the last time the Democratic-led Senate has passed a budget. Since that date, our Nation has spent \$10.4 trillion while adding \$4.5 trillion to the national debt. And that is how it is that we say nearly 40 cents of every dollar we are spending now is borrowed.

We have accumulated \$10.4 trillion in spending over these years since we have had a budget and we have added \$4.5 trillion to the debt. We are in our fourth consecutive year of trillion-dollar-plus deficits and heading into the fifth year. Prior to these 4 years, the largest deficit we ever had was about \$480 billion. We have more than doubled that every year since.

It is a systemic problem—and not a little problem. The economy coming back would help, no doubt, but it will not put us on a sound path. We have to make some choices. Every person in America now owes, as their share of the national debt, \$45,000—every American. Every man, woman, and child is carrying that amount as their burden as a result of the overspending of this Congress.

For perspective—and we need perspective because the numbers are often hard to grasp—that per-person number is larger than any of the rest of the world, including Greece. Our per-person debt is greater than the per-person debt of Greece. Yet at this time of financial crisis, the majority in the Senate refuses to perform its legally required duty and moral responsibility to produce a budget plan, which is part of the United States Code dating back to 1974 under the Congressional Budget Act. And a budget requires, as under that Act, only 51 votes to pass. It cannot be filibustered. It is given a priority.

In 1974, Congress was obviously disappointed that we were not moving forward effectively with budgets, and a budget is crucial to the financial stability of a nation. That is why they

passed the Congressional Budget Act and ensured that a budget cannot be filibustered in the Senate. It is guaranteed a right to have a vote. It is required to be brought up in committee by April 1 and moved forward by April 15. That is what the statute requires. Unfortunately, it doesn't require that Congress go to jail if it doesn't pass a budget. Or perhaps, as Senator HELLER from Nevada has suggested, maybe Congress ought not to be paid if they do not pass a budget. Maybe that reform would be good for us.

The majority has refused to bring up a budget. They have not even attempted to pass a budget this year, and they refused to do so the last 2 years before this. The absence of a budget is not simply a case of inaction; the Senate majority has pursued a systemic, deliberate, and determined policy—I believe a politically driven policy—to keep a budget off the floor. Why? To attempt to shield its conference from public accountability during this period of financial danger.

The worst possible time not to have a budget, not to have a plan, not to stand up and tell the American people what our financial vision for the country is, would be in a time of deep financial crisis, when we are on an unsustainable path. Yet they are not even willing to present a financial plan for the future of America. And when criticized about it, the White House says one thing, Speaker PELOSI another, the Democratic leader here has another explanation, but none of reasons are coherent or make real sense.

Why? I guess there is no explanation. There can be no justifiable reason why this responsibility is not fulfilled. They say, maybe one day. Maybe it wouldn't pass ultimately. Maybe we wouldn't agree. But the Republican House felt its responsibility to comply with the law, and it has for the last 2 years. They laid out a long-term plan for America that changes our debt course and puts us on a financial path to stability. That is our responsibility. Oh, yes, the Senate called it up here. For what reason? So they could attack it and bring it down, but not to lay out any plan of their own.

When Senator MCCONNELL called up President Obama's budget last year, he said, let's see if you want to vote for that. You voted down the House budget and attacked PAUL RYAN and his colleagues for the historic work they put into drafting their budget. Let's see what you think about your President's budget. It went down 95 to 0. Not a single Member voted for it.

So while government workers have been throwing lavish parties in Las Vegas, President Obama has not been roused to impose managerial discipline on this government. He has yet to call on his party, which is running the Senate, to produce a financial plan. His own budget this year was brought up in the House and didn't receive a single vote. Yet both he and the Senate Democrats continue to call for higher

taxes. They say we must have higher taxes. How can they ask Americans to send more money to Washington when the Senate's majority won't even write a budget; won't even tell them where they are going to spend the money? They just say, send us more. We need more. We are not going to cut spending. Oh, we can't cut spending—that would be terrible—but you need to send us more money, and maybe one day we will pass a budget; maybe not.

The American people shouldn't send one more dime in new taxes to this dysfunctional government. They should say to Washington, you lay out a plan that puts us on a sound financial path, you bring wasteful spending to a conclusion, you quit spending money on Solyndras and hot tubs in Las Vegas, then you talk to me about sending more money. That is what the American people need to say. That is what they are saying. That is what they said in 2010, I thought pretty clearly, but the message has not been received.

National Review's Rich Lowry recently wrote an article in which he refers to Senator CONRAD, our fine Democratic chairman of the Budget Committee. This is what he wrote:

Senator Conrad said it was too hard to pass a budget in an election year.

So that was one of the arguments—well, we don't need to bring up a budget because it is an election year and we don't want to be having a vote before we have to be voted on by the American people. They might not like the way we voted. They might vote us out of office. They might be disappointed in us if they see us actually take tough votes on what we are going to have to do about the future of the Republic.

Mr. Lowry goes on:

But Senate Democrats hadn't passed one in 2011 or 2010, either. This year is a presidential election, 2011 was an off-year, and 2010 was a midterm election. That covers every kind of year there is in Washington. By this standard, the Senate will have an annual excuse not to pass a budget resolution for the rest of time.

I think there is a lot of truth to that. So they can't pass a budget this year because it is an election year. Well, last year wasn't.

So this Sunday, April 29, we will have gone 3 full years since the last time the Senate Democrats have brought a budget to the floor of the Senate—3 years. They won't produce a plan because they are unable to produce a plan. And it is hard, I have to admit. The House has done it, but the Senate seems to be unable to do it. They are unable to unite behind a financial vision for this country that they are willing to go to the American people and advocate for and publicly defend. Now, that is my view of it. Maybe it is unfair, but I don't think so. So they can't put on paper how much they want the government to grow, how much they want to raise taxes, and how much deficit each year they are willing to accept and whether that deficit is going to be brought under control permanently or whether it will continue at the unsustainable rate it is.

There have been a lot of secret meetings and discussions about what might be involved in an agreement that could or could not occur. There has been a lot of talk about that. But what has been carefully avoided is actually letting the American people see the numbers so they can be totaled and we can precisely measure the impact.

Last year our colleagues indicated that we would have a Budget Committee markup on a budget, that they had a plan, and it was going to be Monday, and then it was going to be Tuesday. Then the Democratic conference met, and they laid out some broad outline for it. Then apparently they told Senator CONRAD not to have a budget markup. So we didn't even have anything brought up in the Budget Committee last year as required by the law.

But you could take a look at that budget. It would have increased spending, not reduced spending. It would have increased taxes significantly but would have managed to cut the Defense Department \$900 billion. That is what the outlines of it appear to be. That is a pretty tough budget to go to the American people with—increase spending, increase taxes, and savage the Defense Department. Well, I don't think that was very popular. Maybe politically it was foolish, as Senator REID had said, to bring up such a budget to the American people. Maybe they ought to look at the Ryan budget in the House. It is much more responsible. It reduces spending, even simplifies and lowers taxes, creating a growth environment, and it puts us on a financial path for the next 30 years that anybody who looks at America would say: Wow. They have changed. They have a plan that will get them out of this fix they are in. They have gotten off the path to the waterfall, and they are on a sound course now.

So I would encourage my colleagues who think there is a legitimate reason not to lay out a plan, not to fight for the future of America, a reason not to advocate for the kinds of changes we all know have to occur—if you think those are not important, then I invite you to come to the floor and dispute what I have said and explain why we don't need to move forward as the law requires us to do.

I don't know how things will happen, but as ranking member of the Budget Committee and seeing the numbers, I know reality is not going to be easily confronted. It is not going to be easy. We are going to have to look at the almost 60 percent of the budget now that is entitlements and interest on the debt. I believe interest on the debt last year was calculated by the Congressional Budget Office to go from \$240 billion to over \$900 billion under the President's budget. These are annual interest payments on the trillions of dollars we now owe in debt—that is unsustainable.

I know it is not going to be easy. I would just say that if we on the Republican side are honored with a majority

in the Senate, we will pass a budget. It will be an absolute duty, as far as I can see, for us to do so. It will be an honest budget. It won't be easy, and the American people may be surprised at what would be required to change the debt and deficit course we are on. But our budget would put us on a path to a financially prosperous America, get us off the road to debt and decline, and put us on a path to growth and prosperity. That is what we have to have.

Until the world's financial community and the American people understand that we are on a good path and not a bad path, we are not going to see the economic growth we should be seeing. And it is through growth and prosperity and more jobs that we will pay more taxes. It will be those actions that will put America on the way to meet the great challenge of our time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin is recognized.

Mr. JOHNSON of Wisconsin. Mr. President, I ask unanimous consent to speak not to exceed 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Wisconsin. Mr. President, I come to the floor today to mark an amazing anniversary. And by amazing, I don't mean good. I mean unbelievable. I mean sad. On Sunday we will mark the anniversary—April 29—of the date where it has been 3 years since the Senate has passed a budget. I know a lot of Americans have heard that date, they have heard the talking point that it has been 1,000-and-umpteenth days since we passed a budget. But it is not a talking point. It is simply unbelievable. It is jaw-dropping. The U.S. Government is the largest financial entity in the world, and it has been operating now for 3 years without a budget. It is a \$3.8 trillion-a-year entity.

I come from the private sector. I am an accountant. When I tell the voters, the citizens of Wisconsin, that the Federal Government hasn't passed a budget, they really are amazed. That is why I call it an amazing anniversary date.

The Senate has not fulfilled a basic responsibility. It is required by law to pass a budget by April 15 of every year. It is a reasonable requirement. It is a reasonable responsibility. The House Republicans have fulfilled their responsibility and have put forward a plan. They have shown the American people what they would do to solve our looming debt and deficit problem. The Senate hasn't.

Why hasn't the majority in the Senate passed a budget? They have all the votes. They have them in the Budget Committee to refer a budget to the floor. They have the votes and they have the number of Members on the floor of the Senate to pass a budget. Why do they refuse? Is it because they have no solutions to our problem or is it that they have a solution, and they simply don't want the American people

to know what it is? "Trust us. We will take care of us." Is it also because they don't want their fingerprints on that solution? They don't want to be held accountable? I think more likely that is the reason we haven't passed a budget here the Senate for 3 years now.

I guess they could claim President Obama's budget is their plan. But the problem with that is President Obama's last two budgets have been so unserious—last year his budget lost in this body of the Senate by a vote of 0 to 97. Not one member of the President's own party gave it a vote. As a matter of fact, not one member of the President's own party was willing to bring that budget to the floor for a vote. Republicans had to do that.

Now this year's budget—3 weeks ago, in the House of Representatives again, the President's budget was brought forward to the House—by a Republican, not a Democrat. It lost 0 to 414. Again, I ask the American people to think about that. Think about what a stunning repudiation that is of leadership. What it really represents is a total abdication of leadership.

The American people deserve better. They deserve far better. They deserve to have a plan. They deserve to have a choice.

The President now has put forward four budgets. He has yet to propose any solution to save Social Security or to save Medicare. Again, the House has provided that plan. They have passed a budget. They have been responsible. Republicans have been willing to be held accountable. That is our job.

It is well past time for the Senate to fulfill its responsibility to bring a budget to the floor—not just vote on one but to work on it and pass one so that we can go to conference and we can reconcile that with the House budget so the United States finally, after 3 years, will start operating under a budget in the next fiscal year.

I know the Budget Control Act sets spending caps. I get that. I get that. Washington is going to make sure it can continue to spend money. But spending money is only half the equation. What is this body going to do in terms of showing the American people what our plan is to live within our means, to get our debt and deficit under control? The American people are waiting.

The result of this embarrassing abdication of responsibility and leadership can be clearly described by a few charts. Let me start going through a couple.

I think most people have seen all kinds of different debt charts. I like this one because it starts in 1987, when our total Federal debt was \$2.3 trillion. If we were to pass President Obama's budget and live by it, in 10 years our total Federal debt would be \$25.9 trillion.

In the Budget Control Act, this body—Congress—gave President Obama the authority to increase our debt limit by \$2.1 trillion. It took us 200

years to incur \$2.3 trillion. We will have blown through that \$2.1 trillion debt ceiling increase in less than 2 years.

Just in case anybody is still confused, we have a spending problem in this Nation. It is not that we take too little from the American people, it is because we spend too much.

I know the American people are frequently subjected to phrases such as "Draconian cuts." I think this proves we are not cutting anything. In 2002 the Federal Government spent \$2 trillion. Last year, or the current fiscal year, it is projected that we will spend \$3.8 trillion. We have virtually doubled spending in just 10 years. And the argument moving forward is, according to President Obama, he would like to spend \$5.8 trillion in the year 2022. The House budget would spend \$4.9 trillion.

Another way of looking at that is 10-year spending. In the 10-year period from 1992 to 2001, the Federal Government spent a total of \$16 trillion. From 2002 to 2011, the Federal Government spent \$28 trillion. Again, the argument moving forward is that President Obama's budget in 10 years would spend \$47 trillion. The House budget proposes spending \$40 trillion. You don't have to be a math major or an engineer to do that math. Both \$40 trillion and \$47 trillion are greater than \$28 trillion. We are not cutting spending, we are just trying to reduce the rate of growth. That is an incredibly important distinction. Don't be misled. We are trying to get our debt and deficit under control.

A couple months ago, President Obama said he had the solution. His Buffett rule was going to stabilize the debt and deficit. Here is a little history. I hope the American people look at this.

President Bush, in his first 4 years in office, ran a total deficit of \$0.8 trillion—\$800 billion. Now, back in Oshkosh, WI, I wasn't happy with that result. I didn't like seeing that deficit spending. His second 4 years didn't improve. He had a total deficit of \$1.2 trillion between the years of 2005 and 2008. Again, I don't think there are very many fiscal conservatives who were happy with that result.

Now President Obama has increased that dramatically. During the 4 years of his administration, the total deficit will be \$5.3 trillion. That is on total spending of about \$14.4 trillion. We are borrowing 37 cents of every \$1 we spend and our debt now exceeds the size of our economy. Again, President Obama's solution? I realize this is hard to see, but he has proposed the Buffett tax. If we were to actually enact that tax over 4 years, it would raise some \$20 billion. I know you cannot see it, but there is a line there. It does not even fill in the marker lines here. It is \$20 billion to solve a \$5,300 billion problem. I am sorry, that is not a serious proposal. It is just class warfare.

Let me show one of the problems President Obama refuses to address:

the looming bankruptcy of our Social Security Program, the program millions of seniors rely on, that Americans plan their retirement around. We hear all too frequently that Social Security is solvent to the year 2035. No, it is not. It is solvent because of an accounting fiction called the trust fund, which is simply government bonds held by the Government. The analogy I use, it is akin to you had \$20 and you spend the \$20 and you write yourself a note and put it in your pocket and say I have \$20. No, you do not, nor does the Federal Government. It has bonds which, by the way, it can print any day of the week, but it has to sell those bonds.

Social Security went cash negative, which means it paid out more in cash benefits than it took in, in cash receipts by 2010—by about \$51 billion. Last year, it was \$46 billion in deficit. Through the year 2035, all this red ink represents \$6 trillion in additional deficit spending in the Social Security fund. It is insolvent. It is bankrupt. It needs to be addressed. This President refuses to address it.

When we project out and we see another \$10 trillion to \$11 trillion in increased spending and debt according to President Obama's budget, I am concerned we are not even fully realizing the other risks involved.

Before I get to this chart, let me mention the first one. If we fail to meet the growth targets President Obama is projecting in his budget by just 1 percent, we add \$3.1 trillion to that 10-year deficit figure. That is a 30-percent increase. I know when they passed the health care law the American people were told—they were hoodwinked into believing it would actually reduce our deficit. It will not. The way they were going to pay for 6 years' worth of spending is with 10 years' worth of receipts and reductions in Medicare. The receipts come in taxes, fees and penalties on, by the way, drug manufacturers, medical device manufacturers, health care plans. I don't know what economics course members of this administration took, but we do not bend down the cost curve by increasing the costs to providers. That is what they were doing for about \$590 billion of that revenue stream to pay for ObamaCare.

The other \$665 billion was going to come out of cuts to Medicare, Medicare Advantage, and Medicaid.

We have not imposed the provider reductions under the SGR fix, the doc fix—about \$208 billion. What makes anybody believe we will actually impose the \$665 billion in savings in Medicare? If we move the 10-year window forward to when ObamaCare kicks in, when the full spending occurs starting about 2016, the total cost of the health care law will not be \$1.1 trillion, it will be \$2.4 trillion, and that is a conservative estimate, not even taking into account millions of employees who will lose their employer-sponsored care and get put into the exchanges at highly subsidized rates. But using a conservative cost figure of \$2.4 trillion and

growth in taxes, fees, and penalties by a reasonable amount, \$816 billion, that leaves a \$1.6 trillion what I am calling deficit risk. How is that going to be filled? Are we going to borrow it or are we going to take it out of Medicare? Somehow I do not think we will be taking it out of Medicare. Somehow I think we will have to borrow it, if we can.

That brings me to our last chart, interest rate risk. I was never concerned, not even for a moment last year during the debt ceiling debate, that the Federal Government was going to default on any of its obligations. We were going to pay Social Security recipients. We were going to pay our soldiers. We were going to meet every obligation of the Federal Government. The day I fear is the true day of reckoning, the day when creditors around the world take a look at the United States and say: You know what, I am not going to loan you any more money or what is more likely to occur is they will say: I will loan you some money but not at these rates.

If we take a look at the history of the borrowing costs of the United States, from 1970 to the year 2000, our average borrowing cost for the Federal Government was 5.3 percent. Over the last 3 years, from 2010 to 2012, our average borrowing costs were about 1.5 percent. That is a difference of 3.8 percent between these two figures. If we just revert to that average—and by the way, back then the United States was a far more creditworthy borrower—our debt-to-GDP ratio ranged somewhere between 45 percent and 67 percent. Currently, our debt-to-GDP ratio exceeds 100 percent. If we revert to that average borrowing cost, that would cost the Federal Government \$600 billion in added interest expense per year. That is 60 percent of the discretionary spending level of \$1.47 trillion this year.

The ACTING PRESIDENT pro tempore. The Senator has consumed 15 minutes.

Mr. JOHNSON. I ask unanimous consent for 2 more minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON. This is the problem. This is a huge problem. It is one that is being ignored because we simply refuse to address it. This body refuses to pass a budget to lay out a plan to fix it; to stabilize one of our primary metrics, a key one—that debt-to-GDP ratio, stabilize that and start bringing it down. The other is the percentage of government in relation to the size of our economy. One hundred years ago that was 2 percent. Last year, it was about 24 percent, which means 24 cents of every \$1 filters through some form of government. I do not find the Federal Government particularly effective or efficient. That is what the private sector does. It is the private sector that creates long-term self-sustaining jobs. It is the private sector we need to rely

on to grow our economy and create jobs.

As to the vision for America, we are going to have a very clear choice on the vision for America, between what this administration wants to do with a government-centered society and what Republicans want to do in terms of an opportunity society led by free people, free enterprise, led by freedom. That is our choice. But until the majority party in the Senate lays out their plan, the American people will not have a plan. They will not understand what the plan is for the other side.

Again, let me close by saying it is well past time for the Senate to fulfill its responsibility and pass a budget.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. How much time do I have remaining?

The ACTING PRESIDENT pro tempore. Close to 14 minutes, approximately 14 minutes.

Mr. MCCAIN. Mr. President, I rise to discuss the Violence Against Women Act and the policies that impact the lives of women. Since its original enactment in 1994, the Violence Against Women Act has been reauthorized twice by unanimous consent, under both Democratic and Republican leadership. The legislation originated out of a necessity for us to respond to the prevalence of domestic violence, sexual violence, and the impact those crimes have on the lives of women.

By and large, the legislation has worked, even though there are outstanding issues, such as spending inefficiencies and needed improvements to oversight. As with most large pieces of legislation, including the Violence Against Women Act Reauthorization, there are debates and philosophical differences about elements of various provisions in the bill. While the Senate should be allowed to debate and ideally resolve these differences, I don't think any of the points of controversy we will discuss are important enough to prevent passage of the legislation. The Violence Against Women Act represents a national commitment to reversing the legacy of laws and social norms that once served to shamefully excuse violence toward women, a commitment that should be maintained.

Whatever differences we might have over particular provisions in the bill, surely we are united in our concern for the victims of violence and our determination to do all we can to prevent violence against the innocent, regardless of gender. I recognize women suffer disproportionately from particular forms of violence and other abuse,

which this legislation is intended to address. I believe it does address it, and that is why I support it. But our motivation to act on their behalf resides in our respect for the rights all human beings possess, male and female, all races, creeds, and ages: to be secure in their persons and property; to be protected by their government from violent harm at the hands of another; to live without threat or fear in the exercise of their God-given rights.

Similarly, whatever our political differences in this body, I trust we all believe we are doing what we think best serves the interests and values of the American people—all the American people. I don't think either party is entitled to speak or act exclusively for one demographic of our population, one class, one race or one gender. The security and prosperity of all Americans is a shared responsibility and each of us discharges it to the best of our ability. We do not have male and female political parties and we do not need to accuse each other of caring less for the concerns of one-half the population than we do for the other half. The truth is, both parties have presided over achievements and increases in opportunity for women. Both parties have nominated women to the Supreme Court. Both parties have had excellent female Secretaries of State. Both parties have had female Presidential and Vice Presidential candidates. Both parties have reauthorized the Violence Against Women Act. Both parties have made progress toward ensuring Americans, male and female, have an equal opportunity to succeed as far as their talents and industry can take them.

That progress has come in the form of many policies, from changes to our Tax Code to changes in education policy, to improvements in workplace environment as well as from changes in cultural attitudes in both the public and the private sector. Do we always agree? Do we always get it right? No, we do not. But I do think there is much for all of us to be proud.

Regrettably—and there is always something to regret in politics—we have seen too many attempts to resolve inequities in our society and ensure all Americans are afforded the same respect for their rights and aspirations misappropriated for the purpose of partisan advantage, which has the perverse effect, of course, of dividing the country in the name of greater fairness and unity.

My friends, this supposed war on women or the use of similarly outlandish rhetoric by partisan operatives has two purposes, and both are purely political in their purpose and effect. The first is to distract citizens from real issues that matter, and the second is to give talking heads something to sputter about when they appear on cable television. Neither purpose does anything to advance the well-being of any American.

I have been fortunate to be influenced throughout my life by the example of strong, independent, aspiring,

and caring women. As a son, brother, husband, father, and grandfather, I think I can claim some familiarity with the contributions women make to the health and progress of our society. I can certainly speak to their beneficial impact on my life and character. But I would never claim to speak for all the women in my family, much less all the women in our country any more than I would venture the same presumption for all men.

To suggest that one group of us or one party speaks for all women or that one group has an agenda to harm women and another to help them is ridiculous, if for no other reason than it assumes a unity of interest, beliefs, concerns, experiences, and ambition among all women that doesn't exist among men or among any race or class. It would be absurd for me to speak for all veterans and wrong of me to suggest that if a colleague who is not a veteran disagrees with my opinion on some issue, he or she must be against all our veterans.

In America, all we can fairly claim to have in common with each other at all times—no matter what gender we are or what demographic we fit—are our rights. As a son, brother, husband, father, and grandfather, I have the same dreams and concerns for all the people in my life. As a public servant, I have the same respect for their rights and the same responsibility to protect them, and I try to do so to the best of my ability.

Thankfully, I believe women and men in our country are smart enough to recognize when a politician or political party resorts to dividing us in the name of bringing us together, it usually means they are either out of ideas or short on resolve to address the challenges of our time. At this time in our Nation's history we face an abundance of hard choices. Divisive slogans and the declaring of phony wars are intended to avoid those hard choices and to escape paying a political price for doing so.

For 38 straight months our unemployment rate has been over 8 percent. Millions of Americans—men and women—cannot find a job. Many have quit looking. Americans don't need another hollow slogan or another call to division and partisanship. They need real solutions to their problems. They are desperate for them.

Americans of both genders are concerned about finding and keeping a good job. Americans of both genders are concerned about the direction of our economy. Women and men are concerned about mounting debt—their own and the Nation's. Women and men are hurt by high gas prices, by the housing crisis, shrinking wages, and the cost of health care. Women and men are concerned about their children's security, their education, their prospects for inheriting an America that offers every mother and father's child a decent chance at reaching their full potential. Leaving these problems unaddressed

indefinitely and resorting to provoking greater divisions among us at a time when we most need unity might not be a war against this or that group of Americans, but it is surely a surrender, a surrender of our responsibilities to the country and a surrender of decency.

Within the tired suggestions that women are singularly focused on one or two issues are the echoes of stale arguments from the past. Women are as variable in their opinions and concerns as men. Those false assertions are rooted in the past stereotypes that prevented women from becoming whatever they wanted to become, slowed our progress, and hurt our country in many ways. The argument is as wrong now as it was then and we ought not to repeat it.

We have only these in common: our equal right to the pursuit of happiness and our shared responsibility to making America an even greater place than we found it. Women and men are no different in their rights and responsibilities. I believe this legislation recognizes that. I don't believe the ludicrous partisan posturing that has conjured up this imaginary war.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, a group of women Senators is here to talk about the Violence Against Women bill, and as my colleague from Arizona was referencing, this is a bill where there has been unity for well over a decade. We have a number of Republican sponsors. We are up to 61 sponsors, men and women, who have come together to say that violence against women is not okay.

The first speaker is the Senator from Maryland, Senator MIKULSKI.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank the gentlelady from Minnesota for her well-known advocacy on this issue. Her advocacy was well known in Minnesota. Her work as a prosecutor brought her in contact with many of these women and making sure they got a fair shake in the system was well known and well appreciated.

I am here to be a strong supporter for the Violence Against Women Act, and I hope this bill passes and that this bill passes today. It is because Senator LEAHY has worked on a bipartisan basis in his committee that we were able to bring out this bill.

This bill was first passed in 1994 under the leadership of our Vice President, then-Senator JOE BIDEN, who is well known for his strong, muscular, robust approach to law enforcement. What he saw was that so many of the victims of crime were women and that they were victims both in streets and neighborhoods. They were also terrible victims in their own home where they were battered and abused. They found that when they came to the judicial

system, they were battered again because they were ignored and had no one to stick up for them and were always told: Oh, it is your fault. What are you doing? JOE BIDEN changed the law, and we worked on a bipartisan basis.

Ever since 1994 we have continually reauthorized this legislation, looking at new needs and new technology and new creative ways of responding to these needs for prevention, intervention, and even prosecution. What we want to do today is pass this legislation that has been refreshed, reformed, and also brings some new approaches.

The chairman of the committee has done an outstanding job and is to be commended. The Violence Against Women Act authorizes two Federal programs for domestic and sexual violence in our communities, the Department of Justice and the Department of Human Resources. The STOP grant is the largest national grant program in the Justice Department. Roughly half of all violence-against-women funds goes to these STOP grants, and they go to every community.

What is it they do? They coordinate community approaches to end violence and sexual assault. They fund victim services such as shelters and the toll-free crisis hotline and fund legal assistance to victims to get court orders to be able to protect themselves from the abuser or from the stalker. They also have training for police officers, prosecutors, and judges so they know how to do a good job. It also helps with grants for victims of child abuse, something I am very familiar with, having been a child abuse social worker, and also important services in terms of rape prevention programs. This is a great bill and it meets a compelling human need.

Since the original Biden legislation, over 1 million women who have called that hotline were desperate, who were fearful for their lives. And when they called that number, they didn't get a busy signal, nobody hung up on them; they got help, and I know that it saved lives. One in four women will be a victim of domestic violence during her lifetime. Sixteen million children are exposed to domestic violence, and also one in six women has experienced attempted or completed rape, and now even men are the subject of rape.

Twenty-five percent of rape crisis centers have waiting lists for advocacy groups. I want to talk about that in more detail. There are 2 million victims of physical and sexual violence each year; 20,000 in Maryland. On average, 1,000 female victims are killed by their abusers and one-third of all female homicides are domestic violence. These are numbers and statistics, but they also represent real people.

We help over 70,000 victims every day through hotlines and services and shelters, but regrettably there is a waiting list. So we need to pass this legislation because it gives us the authorization to be able to help those in need. It meets

these compelling human needs to protect people, and in my own State it has had enormous, positive consequences.

There is something that was developed through the Department of Justice called the lethal index. It means when a police officer goes into a home, he or she has to assess how dangerous it is. Should they yank the kids out? Should they take the abuser and put them in jail or do they call in a social worker to try and intervene? Should they give the family more time, give them family counseling so they can get people off the ledge and out of a violent situation so they are able to work on the long path toward family stability?

Well, my local law enforcement police officers tell me this lethal checklist has been a tremendous tool to being able to assess the level of violence when they are in that home and to know when people are in danger and they have to get them out right that minute. Again, they also know when there is the opportunity for other interventions to be able to help the family. This helps families, it helps police officers, and it helps our community. We need to empower victims to be able to help themselves by providing help in these abusive relationships.

Studies show that victims who use community-based domestic violence services—when they are available—are almost never victims of murder or attempted murder. That is a powerful line that if we had this intervention and prevention we can not only reduce violence but we can reduce homicides as well.

We need to pass this bill because it is crucial to our families, to our communities, and it also shows the country that we are serious about governing and keeping this legislation going.

I want to also comment on some of the other important programs. As I said, I want to talk a little bit about my role. I am an appropriator—and in fact, I will leave shortly to go to a markup. But I have moved the Commerce, Justice, Science spending bill. I worked so closely with the gentlelady from Texas, Senator KAY BAILEY HUTCHISON, also a very strong advocate in the interest of women and protecting women here and around the world. We worked on a bipartisan basis in this year's bill and put money in the Federal checkbook for those STOP grants, for those sexual assault services, for transitional housing grants, and also for other help in our communities. We also took a serious look at the whole issue of forensics.

Forensics is a subject of much debate and unfortunately much backlog. In my bill, in the Commerce, Justice, Science bill, we funded overall in the Department of Justice money to deal with forensic backlogs, but we also paid particular attention to something called the Debbie Smith Act. Let me say this: There are two different bills. There is the Violence Against Women Act and there is the Debbie Smith Act. The Debbie Smith Act was passed be-

cause of a woman named Debbie Smith who was subjected to the most violent, repugnant, despicable acts of violence against her. Working together, what we have done is actually put money in the Federal checkbook to reduce the backlog of DNA evidence. We have ensured that a high percentage of funds also go to labs to be able to deal with samples from crime scenes, databases, and other areas.

Assuming we will debate this rape kit issue at a later time, I wish to thank Senator LEAHY for his advocacy and Senator CORNYN for his sensitivity in wanting to solve the problem. I believe if we can take a minute and keep in our minds as our legislative goal to work together—not who gets credit but who gets help—it is not about who gets credit, it is about who gets help. We want to be able to help those rape victims have the solace and the consolation that their government is on their side, using the best of scientific evidence to make sure we have the right person to ensure the right prosecution to get the right conviction.

Right now, there is a backlog. When Justice gives out their money for forensics, it doesn't always go toward these issues. We can direct it. We can do a good job. Let's come together. Let's iron out our parliamentary differences so we can pass this very important Violence Against Women Act.

I can take what I have done to put money in the Federal checkbook. Let's refresh the Federal law book and, most of all, let's keep our eyes on what we want to do. We want to be able to prevent domestic violence and violence against women, whether it is the stranger who perpetrates danger and commits despicable acts or against women in their own homes. We aim for prevention, intervention, the training of police officers, judges, and courts, and the right prosecutions.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I wish to thank so much the Senator from Maryland for showing such a succinct way of describing such an incredibly complex but important bill.

We have also been joined by the Senator from California who has been a long-time leader on this issue. She was here in Congress, as was the Senator from Maryland, when the initial Violence Against Women Act passed in 1994.

I yield to the Senator from California, Mrs. BOXER.

Mrs. BOXER. Mr. President, I thank the Senator. If the Chair would tell me when I have used 5 minutes and then I will conclude.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

Mrs. BOXER. Mr. President, I wish to thank Senator KLOBUCHAR for her leadership and Senator FEINSTEIN as well. These are the two Democratic women on the Judiciary Committee who have been such leaders on this issue, as well as Senator MURRAY.

I am proud to stand here today to call for the passage of the Violence Against Women Act. This is not a new bill, as has been painstakingly described to all of my colleagues. I can remember so well when then-Senator JOE BIDEN wrote the Violence Against Women Act, and he came to me when I was in the House and asked me to carry it in the House. I was as honored as I am right now.

Yes, it took us a while to pass it, but ever since it has been noncontroversial. For some reason our Republican friends, although we have 61 people as cosponsors, are slowing it down, and it seems to me very clear if they didn't have objections we could pass this by voice vote.

Three women are killed by their abusive partners every single day. I will repeat that: Three women today will be killed by their abusive husbands. For every woman who is killed, there are nine more who are beaten or injured every single day. In the name of those people—in the name of the three women who will be killed today—we should pass this unanimously.

Has the Violence Against Women Act worked? Yes. Incidents of domestic violence have decreased by 53 percent since we passed this law. Why on Earth, when three women are killed every day and nine women are injured, sometimes to the point of almost losing their lives—why on Earth, when a bill has brought down domestic violence by 53 percent, would there be objection? There is no reason whatsoever for objection.

When we go back to the votes on the bill, there are overwhelming votes in favor every time. This year 47 attorneys general signed a bipartisan letter supporting the reauthorization.

I have story after story from home, and I am going to read a couple to my colleagues. A mother in Alameda County with two children had been in a long-term abusive relationship. She separated from her abuser only to be stalked and brutally assaulted by him. She called 9-1-1. She hid the phone during the last beating so the police could hear what was going on. Because of the Violence Against Women Act, she was able to access a Family Justice Center where she received counseling, relocation assistance, and she worked with a deputy DA trained by program grants. She was pressured not to cooperate with the prosecution, but because of the Violence Against Women Act—the investigators had been trained by that act—she overcame her fear. She was protected as she cooperated and gained a strong conviction of her abuser.

That is a case that shows the training works, and the training took place because of the Violence Against Women Act.

This is a story of an immigrant woman in Los Angeles. This happened 2 years ago. She was stabbed 19 times by her boyfriend while she was 3 months pregnant. During her ordeal, her boyfriend drove her from one part of town

to the other, refusing to take her to an emergency room even though she was bleeding profusely. She jumped out of the car, screamed for help, and the abuser fled. Thankfully, she received medical attention. The baby was not lost, she recovered, and because of the Violence Against Women Act she cooperated with the prosecutors. She got a U-visa, and she and her child could move on.

The last case deals with Indian tribes. I know what a fierce advocate the Presiding Officer is in every way for Indian tribes. So I talked to my people back home. According to a 2008 report by the Centers for Disease Control, 39 percent of Native American women will face domestic violence—39 percent. Yesterday, Senator KLOBUCHAR, Senator MURRAY, and I stood next to a woman who is the vice-chair of a tribe in Washington. She, for the first time, spoke out about the abuse she received as a toddler. I don't think Senator KLOBUCHAR and I and Senator MURRAY will ever forget it.

She said: I know how old I was because I remember I was the size of a couch cushion. This woman spoke out about how later on she saw the gang rape of her aunt. Because of the situation with Indian law, if the abuser is not from the tribe—

The ACTING PRESIDENT pro tempore. The Senator has consumed 5 minutes.

Mrs. BOXER. I will complete my statement in a moment. If an abuser is not from the tribe, there is no recourse—no recourse—in a place where 39 percent of the women will face domestic violence, and we have colleagues on the other side of the aisle who want to exclude people.

I wish to ask a rhetorical question: If a person is walking down the street and sees three people bleeding on the street—one just has to know a little bit about being a Good Samaritan—a person doesn't ask them for their papers, they don't ask them who they are, they don't ask them where they live, they help them.

Anyone on this floor who attempts to take out various groups from this bill is changing the Violence Against Women Act, which has never excluded any group. So let's be clear. Let's pass the bill. Let's get it done.

I will say in closing, tribal chairman Stacy Dixon of the Susanville Indian Rancheria said the improvements in this bill will "bring justice back to Indian country and will equip tribal governments with the needed authority and resources to protect our residents and restore faith in the justice system."

Let's restore faith in the justice system not just for those on tribal lands but for those who live in any part of our lands.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank very much the Senator from

California for those moving remarks and for the very important point that the Violence Against Women Act has never discriminated against people, regardless of who they are, where they live, or how much money they have. I appreciate those remarks, and I think it is at the core of what some of this debate is about.

Overall, I still believe when we are ready to have a number of colleagues from across the aisle on this bill, we will get this done. That is why it is so important that with the work of Senator REID and Senator LEAHY, the chairman of our Judiciary Committee, and Senator CRAPO, who is the leading Republican on this bill, and Senator MIKULSKI, who came and spoke earlier, as well as Senator MURKOWSKI, who joined us the last time we had the group of women Senators—and we have been working diligently on it late into the evening—I am very positive we are going to get this done and get this vote done.

I see we have been joined by the Senator from Washington, Ms. CANTWELL, who has long been a leader on women's issues and has fought for this bill and has been a Member of Congress in the past when it has been reauthorized. So she knows very well that in the past this has not been a partisan bill; that people have come together and worked out whatever differences they have had, and they have been able to pass this important Violence Against Women Act.

So I thank her for being here, and I yield to Senator CANTWELL.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Minnesota for her leadership on this issue and for her great service on the Senate Judiciary Committee. I know she, as a former prosecutor, has provided a great deal of leadership on many issues, but having her voice on this Senate Judiciary Committee has been very important for our country.

I come to the floor to stand with my colleagues who are here, the women of the Senate, to say we are standing up for women across America. We want the reauthorization of the Violence Against Women Act. Today we wish to tell victims of domestic violence that they are not alone. We have to make sure we are giving to local governments and to law enforcement the tools they need to protect victims of domestic violence.

Today we are here with a clear message to victims of domestic violence which is that we will stand with them. We haven't forgotten, and we are not going to let this bill be bogged down in political fighting. We are going to make sure we continue to move ahead. We already have the support of 61 Senators, 47 State attorneys general, and countless law enforcement individuals who are working across the Nation to make sure these victims have an advocate. However, we know there is still

opposition that remains, so I want to make sure we address those concerns today.

For those who oppose the bill, I ask them to look at my State of Washington and the threat of domestic violence. In Washington State, law enforcement receives 30,000 domestic violence calls a year, on average, and on any given day in 2011, domestic violence programs served 1,884 people in Washington State. That is why the Violence Against Women Act is so important. In Washington, it really does save lives.

People such as Carissa, one of my constituents, who was in an abusive relationship, was allowed to flee with her then 3-year-old daughter in 1998. She joined me in Seattle recently to highlight the fact that the programs, shelter, and the assistance in starting a new life helped her escape that life of abuse.

I wish to quote Carissa: "I am standing here alive today because VAWA works." Looking into Carissa's eyes, we know this is not about statistics, and it is not about politics. It is about providing a lifeline to women who want to have a different life.

VAWA also helps crack down on violence against mail order brides. It is a story that we all know too well in the Pacific Northwest. Anastasia King and Susana Blackwell were mail order brides who came to Washington State to start a new life with men they believed loved them. Their lives were brutally cut short when their husbands murdered them. This happened after they had been subject to repeated domestic abuse. That is why, in 2005, I sponsored the International American Broker Regulation Act which became part of the Violence Against Women Act. It empowered more and more fiances to learn if their spouses had a history of violent crime, and it now has become part of the reauthorization that is this bill. It includes enhancements that require marriage broker agencies to provide foreign-born fiances with a record of any domestic violence their potential spouses might have engaged in. That way we can stop the abuse before it begins.

Opponents who say the Violence Against Women Act would create immigration fraud and give funds to those who don't need it should consider the story of Anastasia King and Susana Blackwell. Anastasia's and Susana's lives could have been saved had these provisions and protections been in place. We should not deny immigrant women or trafficking victims resources they need to prevent abuse nor should we create barriers for them to get the safety they need. That is why we need to pass the Violence Against Woman Act.

We also need to make it clear that Native American women will receive protection. Deborah Parker of the Tulalip Tribes came to the Capitol this week to explain why this is so important. Deborah is a tireless champion

for the victims of domestic abuse, and she was here to tell her brave story. She spoke eloquently as to why women need to make sure their perpetrators will be charged.

Consider that 39 percent of American Indian women will endure domestic violence in their lifetimes. Compare that with figures that estimate that 24 percent of all women in the United States will experience domestic violence in their lifetimes. So we need a Violence Against Women Act that will crack down on the domestic violence in tribal communities. This bill gives the tools so we can make sure we go after those offenders.

Some have warned this will trample on the rights of individuals to have due process and full protection. That is not the case. What we are doing is making sure there will be an investigation on reservations of the suspected abuse. I think it is time we address this epidemic that is happening in Indian Country before it escalates more. That is why we need to make sure every woman in America has the rights under the Violence Against Women Act to be protected.

We have a long way to go to root out domestic abuse and violence. But without these tools, such as VAWA, we are not going to achieve our goals. It is time we pass this legislation for people such as Deborah, for people such as Carissa, and to remember the lives of people such as Susana Blackwell and Anastasia King.

Mr. President, I yield the floor.

THE PRESIDING OFFICER (Mr. BEGICH). The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator from Washington very much. Deborah Parker, whom she referenced, did a beautiful job yesterday of explaining exactly what it meant to be a Native American woman and a victim of domestic violence.

As a member of the Judiciary Committee, I can tell you, we have looked hard at all the issues in reauthorizing this bill. We have had a series of hearings and looked at the fact that domestic violence and sexual assault still remain in America, and many of us have worked to build upon the many important improvements the past two VAWA reauthorizations have made in reducing violence.

I would note many things were added—including one of the issues mentioned here today: the U visas—on a bipartisan basis in the 2000 reauthorization. Many of the issues regarding American Indian women were considered in the past. But we are simply building on the past bills. We have worked with our Republican cosponsors to make sure there was a general agreement on any additions that were made to the bill, and they were all made for very good reasons—as we have heard today—to help women who need the help.

But despite these improvements we have seen in the numbers, make no mistake about it, violence against

women is still a problem. A recent survey by the National Network to End Domestic Violence helps to illustrate both the progress we have made as well as the work that is still left to be done.

On just 1 day last year—look at this as a benchmark; 1 day last year: September 15—in the State of Minnesota, 44 Minnesota domestic violence programs reported serving 735 victims in emergency shelters or transitional housing and 670 adults and children through individual counseling, legal advocacy or children's support groups. That is a total of 1,405 victims in 1 day in one State.

On that same day, there were 807 calls to domestic violence hotlines, which provide emergency support, information, safety planning, and resources for victims in danger. That works out to 33 calls per hour in a 24-hour period, and that is in 1 State of the 50 States.

Because of the Violence Against Women Act, on just 1 day last year, all these victims were able to get access to services they may not have been able to get before VAWA. But one other number from that survey caught my eye. In just 1 day, 315 requests for services were unmet. Mr. President, 83 percent of those unmet requests were for housing.

What is the reason for those unmet requests? The Minnesota organizations reported they did not have enough things such as staff, beds, translators or other specialized services. Think about that: In just 1 day, in 1 State, 315 people were unable to get the help they needed. That means we still have work to do.

As I have worked on the reauthorization of VAWA, I have been reminded of how many of my experiences as Hennepin County attorney—that is Minnesota's largest county—are relevant still today. While I was county attorney, I made it a priority of my office to focus on prevention and prosecution of domestic violence cases.

As a prosecutor, I saw upfront how devastating these cases can be.

One case, a woman in Maple Grove, a suburb of the Twin Cities, told her mother and a friend she planned to end her relationship with her abusive boyfriend. She was finally going to break it off, and if something were to happen to her—she said this; she actually said these words to her mom and to her friend—she said: If something happens to me, “he did it.” That was the last day anyone saw her alive.

A fisherman discovered the woman's body months later in the Minnesota River. It was a tragic end to a story of escalating abuse that this young woman had to live through, as she tried to break it off, to a tragic end.

The woman had earlier filed assault charges against her boyfriend, claiming he had put her in a chokehold and pushed her into a coffee table. Her 3-year-old son told his grandmother he found his mother on the floor and that she was sleeping and he could not wake her.

The boyfriend had actually been convicted years earlier for attempted murder in another case with a pattern of domestic abuse. After he got out, he met his new girlfriend—the one who ended up dead in the Minnesota River. In the end, he pleaded guilty to the murder and received a maximum sentence.

I remember another case with a woman who was shot to death by her boyfriend who then killed himself. The man's 12-year-old daughter tried to get into the bedroom, and when she could not get in, she went to a neighbor's house for help. His 19-year-old son was also in the house. The police were called to that residence at least five times in the 2 years before the tragedy.

These stories are horrifying, and as a prosecutor one never forgets them. For survivors, they stay with them for the rest of their lives. It is stories such as these that make it so obvious that we have more work to do. We need to pass this reauthorization bill and we need to continue to build on the improvements we have made in past reauthorizations. One of the important improvements this reauthorization bill has made comes in the area of stalking. The bill includes a provision I added, along with my cosponsor, Senator KAY BAILEY HUTCHISON of Texas, that will help law enforcement more effectively target high-tech predators because stalking, similar to any of the other crimes recognized in the Violence Against Women Act, is crime that affects victims of every race, age, culture, gender, sexual orientation, and economic status.

The numbers are truly alarming. In just 1 year, 3.4 million people in the United States reported they had been victims of stalking, and 75 percent of those victims reported they had been stalked by someone they knew.

Overall, around 19 million women in the United States have at some point during their lifetime been stalked. The National Center for Victims of Crime estimates that one out of every four stalking victims is stalked through some form of technology.

As the Presiding Officer knows, this is a change. That is why Senator HUTCHISON and I drafted this amendment that basically says the laws have to be updated because law enforcement has to be as sophisticated as the people who are breaking the laws—as the people who were spying on ESPN reporters, as a recent case showed, through little peepholes in their hotel rooms, while they were undressing. That happened, and that case would have been a lot easier if this bill had been changed and updated with the provisions Senator HUTCHISON and I are adding. That victim, that reporter, came forward and asked that this be included in the law, and it is. It is another reason why we have to pass the Violence Against Women Act.

The bill also includes a number of improvements, as was noted by Senator CANTWELL, with respect to a particularly underserved community—

women living in tribal areas. It is a heartbreaking reality that Native American women experience rates of domestic violence and sexual assault that are much higher than the national average. All the bill does in this area—as the Chair knows, representing a State with a high population of Native Americans—is that it simply allows a tribal court to have jurisdiction concurrent with the other courts, with the Federal and State courts. I know changes have been made in the managers' amendment to address the particular concerns of Alaska. This is an incredibly important part of the bill, and I am glad we were able to work with the Republican cosponsors to get this part of the bill updated.

The Violence Against Women Act is an important tool for ending violence against women, but this is not just about women.

I often mention the case of a very sad situation where a man murdered his wife. They were Russian immigrants. They knew no one in town. He murders his wife, takes her body parts in a bag, dumps them off in a river in Missouri, with his 4-year-old kid in the car the entire time.

When they got back to the Twin Cities, he actually confessed to the crime. When they had the funeral for this woman, there were only five people in that Russian church. There was the family who had come over from Russia—the parents and the sister—and there was myself and our domestic violence advocate. That little girl was there too.

The story the family told me was this: The sister of the victim—the sister of the woman who was killed—was her identical twin. The little girl had never met her aunt because she lived in Russia. When they got off that plane from Russia, the little girl ran up to her aunt—who was the identical twin of her dead mother—she ran up to her and hugged her and said, “Mommy, mommy, mommy,” because she thought it was her mother.

It reminds all of us that domestic violence is not just about one victim, it is about a family and it is about a community and it is about a country. That is why we have the opportunity to get this bill done, to put it up for a vote, and reauthorize the Violence Against Women Act—something we have done time and time again on a bipartisan basis. So let's do it again.

Mr. President, I see we have been joined by the Senator from New York, a member of the Judiciary Committee, who has worked so hard on this bill, Senator SCHUMER.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I congratulate my colleague from Minnesota who has the dual experience of being both a prosecutor and a woman who understands how important these issues are. We men try to join in, but women know this so well and so

strongly, whether from their own personal experiences, friends they know or—as in the case of the Senator from Minnesota who has done a great job on this—from their professional experience as well.

I care a lot about this issue. I carried the Violence Against Women Act, the first bill, in 1994. Then-Senator BIDEN put it together in 1992. Senator BOXER carried it when she was elected to the Senate. They asked me to carry it, and we got it passed.

It has changed the world. VAWA has changed the world. It used to be, before VAWA, a woman would show up bloodied and bruised at a police station, and the police officer—who had no training and no knowledge of what to do, not his or her fault—would say: Go home. It is a family matter.

Now, of course, we have laws, we have training, we have shelters, and women are far more protected.

We were much too close, in 1994, to the old rule of thumb that a husband could beat his wife with a stick, provided it was no thicker than his thumb. We are much further away from that because of this law, and it makes a great deal of sense.

But similar to any good and important law that has changed the world, we have to keep updating it. We have to keep learning from what has happened and make it better and stronger and tougher and covering more ground. We need it.

Still, despite VAWA's good acts, in my home State, on Long Island alone, during 2009 and 2010, there were 19,417 cases in which local, county or State police officers were called to the scene of a domestic violence complaint. That is just in two counties in one State in this country.

That is why I am so glad to see Members on both sides of the aisle have finally seen that saving the lives of women is, once again, above politics.

It has been a pleasure, over the years, to work with my colleagues, and I wish to thank Chairman LEAHY and Senator CRAPO for their great leadership. It is truly a bipartisan effort, with 61 cosponsors, and that is how it has been in the past. It has always been bipartisan. It is a tribute not only to Chairman LEAHY but to my female colleagues, many of whom have spoken out this morning and have been constant champions of the Violence Against Women Act.

So this bill should be an easy one. The Violence Against Women Act should be low-hanging fruit. Even in a disputatious Congress, this should pass easily. It passed unanimously—Democrats and Republicans—in 2000 and 2005. Recognizing today's tougher times, as well as the successes with which our past efforts have already been met, Chairman LEAHY and Senator CRAPO cut spending by 20 percent and reduced duplicative programs. So you would not think there would be opposition, but, unfortunately, there has been.

So this fact is clear: It would be unacceptable to show less support now in

2012 for our national commitment to stop violence and abuse and to protect women against this plague than we have over the last 20 years. We should not step backward. We should not halt progress. “Replace” is the operative word. What has been offered is not a substitute or an improvement for the Violence Against Women Act. The so-called alternative would take violence against women and replace it with a different program.

This program has worked. It needs improvements. That is why we are here. But it is has worked. You do not start over for ideological or political reasons. Most notably in the act from my colleagues across the aisle, the word “women” has been taken out of the program that forms the cornerstone of the Violence Against Women Act and the word has been replaced with “victim.” No one here would argue against the principle that all violent crimes, all domestic crimes are tragic and serious. But this so-called substitute negates centuries of women's experience that proves that violence against women, especially violence caused by spouses and partners and family members, is a uniquely pernicious and entrenched practice, one that has not even always been illegal. There was never a rule of thumb that governed the size of a stick that wives would use to beat their husbands. That sums it up in a nutshell. Men were never banned from juries. Men were never banned from police forces and prosecutors' offices. It is this horrific and shameful history to which we responded in 1994 when we first crafted the Violence Against Women Act.

There is another point to be made. Anyone who respects the proper role of the Federal Government in fighting crime should recognize that it is entirely rational for us to limit our police powers and funding in this area to a particular type of crime, one that has civil rights implications, one that has been hard for States and localities to prosecute without special support and training. That is why there is no substitute for the Violence Against Women Act.

There are a number of priorities that have been included in the bill that I have cared a lot about.

First is making sure that sexual assault victims do not have to pay for their own forensic exams. While the last reauthorization took some steps to fix this problem, we go further.

Second, VAWA, having contributed immensely to our understanding and prevention of domestic violence, has been reinvigorated and retargeted at sexual assault crimes. Many aspects of the new bill will improve the reporting, law enforcement training, and victim support.

Third, it expands programs that are available to victims and law enforcement in rural and underserved areas. This is extremely important to upstate New York, which has one of the largest rural populations in the country.

Fourth, as I mentioned, Senator LEAHY and Senator CRAPO should be applauded for including more oversight and accountability for programs in this bill and finding a way to trim the authorization by 20 percent by consolidating programs where it makes sense.

To make the continued need for this bill concrete personal, I would like to point out one massive success story in New York that has been made possible by VAWA. There are many others, but I want to point out one.

On Long Island, thousands of women each year seek help from the Nassau County Coalition Against Domestic Violence. The coalition offers confidential, specialized services for victims of domestic and dating violence, elder abuse, children who witness domestic violence, and sexual assault survivors. They have a 24-hour hotline, group and individual counseling, legal advocacy, Safe Home emergency housing, and various other outreach programs. Without VAWA, these services would be drastically cut back.

Specifically, the coalition receives \$650,000 over 2½ years through a VAWA legal assistance to victims grant, \$38,000 through a VAWA crisis intervention grant, and \$12,000 through a rape advocacy grant. These last two may not sound like large sums of money, but they go a long way toward helping prevent domestic violence and dealing with it when it, unfortunately, happens.

The reauthorization of VAWA is more important than ever. In today's economy, local municipalities, as we know, in New York and throughout the country are slashing their social service budgets and contracts right and left. Without VAWA, many groups such as the Nassau County coalition would be left bereft and all of the good work they have done over the years would no longer be there. Without agencies such as this one, where will a sexually assaulted Levittown woman turn for help? Well, I do not want to find out. I, for one, will do everything in my power to ensure that day never comes by supporting this VAWA, not some new law that has not been tested.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, we are going to be joined here shortly by the Senator from New Hampshire, Mrs. SHAHEEN, but I do want to mention one other aspect.

Many of my colleagues have mentioned the incredibly important role that then-Senator BIDEN, now-Vice President BIDEN played in drafting this first bill in 1994. Well, there was another Senator who played an important role, and he is someone from Minnesota; that is, the late Senator Paul Wellstone, always with his wife Sheila with him at his side working on this important issue. When we lost Paul and Sheila in 2002, Minnesotans lost a tireless champion in Congress; Ameri-

cans lost what was always called—Paul was called “the conscience of the Senate”; and women everywhere lost two powerful voices on domestic violence issues.

I went back through the transcripts and looked at some of the speeches Senator Wellstone gave, before his tragic plane crash, about domestic violence and some of the things he said. Here are some. Of course, I would never do justice to him as he stood on the floor, but he said things like this. He said:

We can no longer stand by and say that it is someone else's problem. What are we waiting for? Too many have spoken with their voices and with their lives, and this violence must end.

He also said this:

Once upon a time we used to say it is nobody's business. We do not believe that any longer.

Paul and Sheila passionately believed that domestic violence was not just a law enforcement issue, it was an issue about civil rights, justice, and human dignity. Paul often talked about his brother Stephen, who struggled with mental illness his entire life, and he took up that cause because he knew no one was there for Stephen, no one else would speak for him. And he felt the same way about domestic violence.

We honor their memory—Paul and Sheila—by carrying on their work today.

I wish to highlight some of the more remarkable efforts to bring this issue out of the shadows which the Wellstones made.

Senator Wellstone began work on issues of domestic violence when he was elected to the Senate in 1990. As one can tell from the whole course of his political career, violence against women was always an issue close to his heart. In fact, Senator Wellstone dedicated his own salary increases each year to battered women's shelters in Minnesota and introduced a number of bills strengthening protections for women.

To Senator Wellstone, family violence could no longer be dismissed as a “family issue.” That is why he made a commitment to read into the CONGRESSIONAL RECORD the names and stories of all Minnesota women and children killed at the hands of spouses, boyfriends, and fathers. In one 1995 floor speech, he had six stories to tell, some so horrifying that he refused to share the full details in the Chamber.

In 1993 Paul and Sheila found an especially impactful way to bring their message to Washington. In collaboration with the Silent Witness Initiative, Paul and Sheila brought 27 life-size silhouettes to the rotunda of the Russell Office Building. Each one of the silhouettes represented one Minnesota woman murdered in an act of domestic violence. You think about this now, and you might be used to seeing these things. You might be used to seeing quilts that have been made with each

square to a victim of domestic violence or silhouettes or other things that go around the country. But at that time, back in 1993, that was unique. It was something people were not talking about. The Wellstones felt it was their duty to bring that forward, as did then-Senator BIDEN and Senator LEAHY and other people who were involved in this issue.

So many of the women Senators who spoke today—Senator MIKULSKI, Senator HUTCHISON, who I see has joined us on the floor—on a bipartisan basis, they all came together and said that we must get this done.

Again, Senator Wellstone understood as well as anybody that this was an issue that had too long been ignored and found a way to bring the story to his colleagues in the Senate. Paul and Sheila may no longer be with us, but their legacy lives on. The Sheila Wellstone Institute continues its work by promoting awareness of violence against women and ensuring that ending this problem remains a national priority.

The Wellstones' sons Mark and David have also continued the work their parents began through their nonprofit Wellstone Alliance. Among many other things, Wellstone Action and Mark Wellstone in particular worked hard to ensure that the Violence Against Women Act was reauthorized in 2006.

As we look today for a potential vote on the Violence Against Women Act, I would like my fellow Senators to remember these words Senator Wellstone spoke many years ago.

He said:

We can no longer stand by and say it is someone else's problem. What are we waiting for? Too many have spoken with their voices and their lives, and this violence must end.

We all know we can no longer stand by and say it is someone else's problem. We cannot let our own differences, minor though they be, on various provisions get in the way of the fact that this has always been a bipartisan bill, that this bill has 60 cosponsors, that this bill was led by Senator LEAHY and Senator CRAPO from the very beginning, a Democrat and a Republican working together.

This is the time to pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I came to the floor yesterday to talk about the important work on this bill that has been done by Senators on both sides. Republicans and Democrats agree that we should reauthorize the Violence Against Women Act and that we should have the very best legislative product possible. This should be done with input from both parties. That is what our Chamber does. We deliberate and then we produce legislation.

Yesterday I was talking to the chairman of the Judiciary Committee, talking about what his bill does, and I want to say clearly today that the amendment I am producing with Senator

GRASSLEY and many other cosponsors builds on the sentiments the chairman expressed yesterday.

It seems very simple to me that what the Republicans are asking is that our substitute, which has many cosponsors—we believe it improves on the underlying bill. And one amendment by Senator CORNYN adds much to the bill, helping to get the backlog of these rape kits put forward so that we can stop people who are perpetrating these crimes from being out loose doing it again, when we have the proof that has not yet been tested because of the backlog.

There are some things that can be done to improve this bill. Senator MIKULSKI and I worked together on funding the Justice Department. In our bill, we do add to the capability for the Justice department to give the grants that would make that backlog smaller. Senator CORNYN's amendment even improves upon that. So what is not to like about two other approaches that would add to this bill so that we can get this bill passed—or one version of it—go to conference with the House, and really address the issues?

No one is arguing that we should not pass a Violence Against Women Act. The question is, Can we make it even better? And if so, why not? Why not have the kind of debate that we have on this floor that does that? So I think it is important that we produce the best possible product.

Yesterday the chairman spoke repeatedly about a victim is a victim is a victim. He spoke about how the police never ask if the victim is a Republican or a Democrat, is the victim gay or straight, but that a victim is a victim. And I have—

The PRESIDING OFFICER. The Senator will suspend. We have a previous order we need to read.

EXECUTIVE SESSION

NOMINATION OF GREGG JEFFREY COSTA TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS

NOMINATION OF DAVID CAMPOS GUADERRAMA TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas; David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas.

The PRESIDING OFFICER. Under the previous order, there will be 30

minutes of debate equally divided in the usual form.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I believe under the regular order I would be recognized now, and then Senator GRASSLEY would be recognized. But I understand the Senator from Texas needs more time; is that right?

Mrs. HUTCHISON. Yes.

Mr. LEAHY. We are not on VAWA now; we are on the nominations. Under the regular order, I am to speak for 15 minutes and then Senator GRASSLEY for 15 minutes. How much more time does the Senator from Texas need?

Mrs. HUTCHISON. Mr. President, I believe perhaps the—

The PRESIDING OFFICER. The Senator from Vermont is correct on the order.

Mrs. HUTCHISON. Mr. President, did the other side go over the allotted time on VAWA?

The PRESIDING OFFICER. They did not. The Senator from Texas was actually speaking on their time.

The Senator from Vermont is recognized under the order.

Mr. LEAHY. How much time does the Senator need?

Mrs. HUTCHISON. I would like to have up to 5 minutes to finish the debate on the VAWA bill, and then I do have remarks in support of the two judgments that will be voted on at noon.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senator from Texas be given 5 minutes out of the Republicans' time now to finish the VAWA statement, and that we then go back to my time on the judges. I assume that the Republican side would be glad to have the rest of the time on the judges.

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mrs. HUTCHISON. Mr. President, I want to make sure everyone knows that the Republicans have an addition to the Violence Against Women Act that we think will strengthen it.

For instance, there are a couple of additions from what we talked about yesterday. We got a letter today from the National Center for Missing and Exploited Children. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN,
Alexandria, VA, April 26, 2012.

Hon. KAY BAILEY HUTCHISON,
Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: As you know, the National Center for Missing & Exploited Children (NCMEC) addressed the issue of sentencing for federal child pornography crimes in our testimony before the Senate Judiciary Committee in March 2011. The 1.4 million reports to NCMEC's CyberTipline, the Congress-

sionally-authorized reporting mechanism for online crimes against children, indicate the scope of the problem. These child sex abuse images are crime scene photos that memorialize the sexual abuse of a child. Those who possess them create a demand for new images, which drives their production and, hence, the sexual abuse of more child victims to create the images.

Despite the heinous nature of this crime, the federal statute criminalizing the possession of child pornography has no mandatory minimum sentence. This, combined with the advisory nature of the federal sentencing guidelines, allows judges to impose light sentences for possession. Congress passed mandatory minimum sentences for the crimes of receipt, distribution, and production of child pornography. We don't believe that Congress intended to imply that possession of child pornography is less serious than these other offenses. NCMEC feels strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have previously testified, child protection measures must also include the ability to locate non-compliant registered sex offenders—offenders who have been convicted of crimes against children yet fail to comply with their registration duties. The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if they had the authority to serve administrative subpoenas in order to obtain Internet subscriber information to help determine the fugitives' physical location and apprehend them.

Thank you for your efforts to protect our nation's children.

Sincerely,

ERNIE ALLEN,
President and CEO.

Mrs. HUTCHISON. Mr. President, this letter says that they strongly support two provisions in our substitute bill. It says we have a mandatory minimum for protection of child pornography, and they feel strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, a reasonable mandatory minimum for this offense would be in order.

I stated yesterday, about a situation where a judge gave a 1-day sentence to an individual who was in possession of hundreds of images and videos of 8- to 10-year-old girls being raped. Really, 1 day? Mr. President, this is America. I can't even imagine that would be the case.

Our amendment strengthens the underlying bill by saying we would have a mandatory minimum of 1 year. My goodness, I think that is a minimum this body would want to adopt.

We also want to make sure we can locate registered sex offenders who abscond. The letter we have put into the RECORD says law enforcement's efforts would be greatly enhanced if they had the authority to determine the fugitives' physical location and apprehend them. Here are two stories, and our bill would strengthen the ability to help these situations.

Johnny Burgos was convicted in New York for rape and assault of a minor. Following his release from prison, he registered as a sex offender in New