

From 2009 to 2011, Todd was a legislative assistant on the staff of Senator Herb Kohl of Wisconsin, handling agriculture and agriculture appropriations for Senator Kohl. He then served as special assistant in the Office of Congressional Relations at the Department of Agriculture, and since 2012, Todd has been senior advisor to the Secretary of Agriculture. In this role, he provides strategic advice and guidance to the Secretary regarding USDA's budget, legislative, and regulatory agenda.

Given Todd's strong personal qualities, experience, and proven abilities, I could not have been happier when I learned that President Obama had chosen him to serve as Assistant Secretary of Agriculture. I look forward to continuing to work with Todd and know that he will do a tremendous job in this new role.

VOTE ON MCCORD NOMINATION

The PRESIDING OFFICER. Under the previous order, if there is no further debate, the question is, Will the Senate advise and consent to the nomination of Michael J. McCord, of Ohio, to be Under Secretary of Defense (Comptroller)?

The nomination was confirmed.

VOTE ON CHU NOMINATION

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the nomination of R. Jane Chu, of Missouri, to be Chairperson of the National Endowment for the Arts?

The nomination was confirmed.

VOTE ON BATTA NOMINATION

The PRESIDING OFFICER. If there is no further debate, the question is, Will the Senate advise and consent to the nomination of Todd A. Batta, of Iowa, to be an Assistant Secretary of Agriculture?

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, with respect to the nominations just confirmed, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session and be in a period of morning business until 1:45 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

The Senator from Michigan.

TAX TREATIES

Mr. LEVIN. Madam President, the unanimous consent proposal that I just made a few moments ago that was objected to by the Senator from Ken-

tucky related to the need of the Senate to take up the ratification of five tax treaties that were approved by the Committee on Foreign Relations on a unanimous voice vote, including a revised U.S.-Switzerland tax treaty that was amended in 2009, with a protocol enabling the United States to obtain more information—more information from Switzerland about U.S. taxpayers with hidden Swiss bank accounts.

We have been trying to close down these offshore tax havens and the way in which they aid and abet American tax avoidance for years. Here we have a tax treaty which will help us get more information about the American taxpayers who are trying to avoid paying their taxes to Uncle Sam, and we get an objection to the ratification, even to taking up the ratification of this treaty.

American taxpayers have had it. I would say have had it up to here, except that will not come across on the record. They have had it with profitable corporations and wealthy individuals avoiding taxes through the use of tax havens, shell companies, and tax avoidance schemes. The American people want us to end it. We ought to legislate an end to it.

By the way, it is long overdue. We ought to close the tax loopholes which are used so the most profitable corporations in this country avoid paying taxes by shifting their intellectual property to shell corporations that they create in tax havens or by other kinds of tax dodging.

We can put an end to it. We can close those tax loopholes. We ought to do it but that is not what should be before us today. What should be before us today but for that objection we had from the Senator from Kentucky, are the tax treaties which have been approved by our Foreign Relations Committee, one of which was signed 4 years ago.

We have all heard about Swiss bank accounts that are used to hide money from Uncle Sam. Back in 2008, in a bipartisan report I issued with then the ranking Republican on the Permanent Subcommittee on Investigations, Norman Coleman, with bipartisan support, we disclosed that UBS, the largest bank in Switzerland, had opened as many as 52,000 bank accounts, with about \$20 billion in assets, for U.S. citizens who had hidden their accounts from our Treasury.

UBS later signed a deferred prosecution agreement with the U.S. Treasury and the Department of Justice in which they admitted helping; that is, aiding and abetting, U.S. clients evade U.S. taxes. We are talking about UBS now. They paid a \$750 million fine. They turned over the names of about 4,700 U.S. clients who had hidden accounts in that bank.

UBS was not alone. Earlier this year in a bipartisan report—this is not a partisan issue—in another bipartisan report that I issued with my current ranking member, Senator MCCAIN, the

Subcommittee showed that Credit Suisse, Switzerland's second largest bank, had been engaged in the same type of aiding and abetting. Credit Suisse had opened about 22,000 Swiss bank accounts for U.S. account holders, with up to \$12 billion in assets, that were undisclosed to U.S. tax authorities. After its wrongdoing was exposed, Credit Suisse pled guilty to facilitating U.S. tax evasion and paid a fine of about \$2.6 billion.

In both those cases, the Swiss banks had quietly sent Swiss bankers to do business on U.S. soil, opening accounts, sometimes in the name of offshore shell corporations, arranging all of that; bringing in cash, by the way, from Switzerland; and slipping account statements between magazine pages to their U.S. clients. In order that there not be anything visible at an airport or wherever, they put the statement of their U.S. account holder in a Sports Illustrated magazine and would hand the magazine to their clients. How surreptitious can you get?

We also heard about how U.S. clients who visited Credit Suisse in Switzerland rode in a secret, remotely controlled elevator to a room with no windows and reviewed documents that were then shredded. Why? Why all of that secrecy and surreptitiousness? They wanted to show those U.S. clients, to dramatize, just how secretly the Swiss banks operate and how those Swiss bank accounts would be hidden from U.S. authorities.

But after years and years of effort, we found out what was going on, and we made it public. Even Switzerland could not defend what its banks were doing.

So in 2009, Switzerland agreed to strengthen the U.S.-Swiss tax treaty to enable us to obtain more information about secret Swiss bank accounts opened by U.S. taxpayers.

It is still not voluminous information which we are going to get under that tax treaty, but it is more information. It would give us a better chance of finding the tax dodgers, those U.S. citizens who try to avoid paying their share of taxes and dumping the tax load on all of their fellow citizens, by the way, who have to pick up the added burden.

So with the existing U.S. treaty—we already have a tax treaty with Switzerland, the one that we want to amend—it requires us to establish something which is very difficult to prove; that is, tax fraud, before Switzerland would hand over the information on U.S. account holders with Swiss bank accounts.

We have treaties with all kinds of countries. No other treaty we have has that standard; that we have to show tax fraud before we can get information from a foreign bank. So the revised tax treaty, approved by the Foreign Relations Committee, again unanimously, would enable the United States to obtain information from Switzerland that "may be relevant" to