

Rich, Mike Spahn, Serena Hoy, Bill Dauster, and Gary Myrick.

Most importantly, I thank the many individuals, organizations, and coalitions that have helped with this effort. I thank the Vermonters who have helped inform me and this legislation, Karen Tronsgard-Scott of the Vermont Network to End Domestic and Sexual Violence and Jane Van Buren with Women Helping Battered Women. And I thank all those involved with the National Task Force to End Sexual and Domestic Violence Against Women, American Bar Association Commission on Domestic Violence, Asian & Pacific Islander Institute on Domestic Violence, Break the Cycle, Casa de Esperanza, Futures Without Violence, Jewish Women International, Legal Momentum, National Alliance to End Sexual Violence, National Center for Victims of Crime, National Coalition Against Domestic Violence, National Coalition of Anti-Violence Programs, National Congress of American Indians Taskforce on Violence Against Women, National Council of Jewish Women, National Domestic Violence Hotline, National Network to End Domestic Violence, National Organization of Sisters of Color Ending Sexual Assault, SCEESA, National Resource Center on Domestic Violence, National Sexual Violence Resource Center, Resource Sharing Project of the Iowa Coalition Against Sexual Assault, YWCA USA, Human Rights Campaign, Human Rights Watch, NAACP, Mayors of Los Angeles, New York, and Chicago, the National Sheriff's Association, Federal Law Enforcement Officers Association, FLEOA, National Center for State Courts, National Association of Attorneys General, National Association of Women Judges, Leadership Conference on Civil and Human Rights, National Faith Groups, and so many more for their focus on the victims and their unmet needs.

This is an example of what the Senate can do when we put aside rhetoric and partisanship. I believe that if Senators, Members of the House, Americans from across the country take an honest look at the provisions in our bipartisan VAWA reauthorization bill, they will find them to be commonsense measures that we all can support. Sixty-one Senators have already reached this conclusion. I hope more will join us and the Senate can promptly pass and Congress can promptly enact the Leahy-Crapo Violence Against Women Reauthorization Act.

I thank the bipartisan coalition that has come together on this. Most importantly, the coalition across the political spectrum that is so opposed to violence against women will thank us for passing this bill.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. I yield back all time on our side.

Mrs. HUTCHISON. I yield back time on our side.

The PRESIDING OFFICER. All time has been yielded back.

The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered. The clerk will call the roll.

Mr. KYL. The following Senator is necessarily absent: the Senator from Illinois (Mr. KIRK).

The PRESIDING OFFICER (Mr. FRANKEN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 87 Leg.]

YEAS—68

Akaka	Franken	Murkowski
Alexander	Gillibrand	Murray
Ayotte	Hagan	Nelson (NE)
Baucus	Harkin	Nelson (FL)
Begich	Heller	Portman
Bennet	Hoeven	Pryor
Bingaman	Hutchison	Reed
Blumenthal	Inouye	Reid
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Cantwell	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Coats	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Manchin	Vitter
Coons	McCain	Warner
Corker	McCaskill	Webb
Crapo	Menendez	Whitehouse
Durbin	Merkley	Wyden
Feinstein	Mikulski	

NAYS—31

Barrasso	Grassley	Paul
Blunt	Hatch	Risch
Boozman	Inhofe	Roberts
Burr	Isakson	Rubio
Chambliss	Johanns	Sessions
Coburn	Johnson (WI)	Shelby
Cochran	Kyl	Thune
Cornyn	Lee	Toomey
DeMint	Lugar	Wicker
Enzi	McConnell	
Graham	Moran	

NOT VOTING—1

Kirk

The bill (S. 1925), as amended, was passed.

(The bill will be printed in a future edition of the RECORD.)

Mr. LEAHY. I move to reconsider the vote.

Mr. KERRY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

STOP THE STUDENT LOAN INTEREST RATE HIKE ACT OF 2012—MOTION TO PROCEED

Mr. REID. I now move to proceed to Calendar No. 365, S. 2343.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows: Motion to proceed to S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

CLOTURE MOTION

Mr. REID. I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 365, S. 2343, The Stop the Student Loan Interest Rate Hike Act of 2012.

Harry Reid, Jack Reed, Sheldon Whitehouse, Jeff Merkley, Charles E. Schumer, Kay R. Hagan, Jeanne Shaheen, Robert P. Casey, Jr., Kent Conrad, Sherrod Brown, John F. Kerry, Dianne Feinstein, Mary Landrieu, Barbara Boxer, Patty Murray, Bernard Sanders, Barbara A. Mikulski, Richard J. Durbin.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived, and a vote on the motion to invoke cloture on the motion to proceed to S. 2343 occur at noon on Tuesday, May 8, 2012.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, there are a number of us who wish to speak. I will cede to the Senator from Montana, my senior. So if I could ask unanimous consent that the Senator from Montana speak, then the Senator from Massachusetts, and then—I think the Senator from Louisiana had a request for 1 minute. So if we could allow the Senator from Louisiana to go first, then the Senator from Montana, and then I would follow, and then Senator REED would follow me. So I ask unanimous consent for that order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Ms. LANDRIEU. Mr. President, today, young women from Louisiana, California, and the Washington area are my special guests for Take Our Daughters and Sons to Work Day. We were joined by over 100 young women and men here at the Capitol today with their parents, grandparents, and guardians to participate in work in the Senate.

I want to acknowledge the Ms. Foundation that started the national Take Our Daughters and Sons to Work Day program over 20 years ago. I would like to particularly thank Leader REID and Leader MCCONNELL for opening the Senate floor today for these children.

I ask unanimous consent that the young women's names, as well as the names of those family members or guardians joining them, be printed in the RECORD.

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

Dominique Cravins, from Opelousas, LA, accompanied by her parents, Don and Yvette Cravins; Martine Cruz, from Baton Rouge, LA, accompanied by her mother, Dr. Julie

Morial; Amiya Dawson, from Monroe, LA, accompanied by her mother, Kinya Dawson; Katya and Anya Fontana, from New Orleans, LA, accompanied by their mother, Karen Fontana; Mariah Jones, from Natchitoches, LA, accompanied by their grandfather, Victor Jones and Deloris Jones; Anna Reilly, from Baton Rouge, LA, accompanied by her mother, Jennifer Reilly; Lawren Scott, from Baton Rouge, LA, accompanied by her mother, Jacqueline Scott; Sarah Sternberg, from Los Angeles, CA, accompanied by Morton Friedkin; Grace Strottman, from Washington, DC, accompanied by her parents, Kathleen and Matt Strottman; Hailey Trahan, from Lafayette, LA, accompanied by her mother, Angela Trahan, Gladys and Clayton Arceneaux, and Monique Thierry; and, Caroline and Bailey Watts, from Hammond, LA, accompanied by their great aunt, Grace Eldridge and, their grandmother, Maggie Watts.

Ms. LANDRIEU. Please join me in welcoming my exceptional guests and their family members or guardians who have accompanied them to the U.S. Senate.

So, again, I thank my Senate colleagues for giving me this opportunity.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I note the Senator from Massachusetts has a very tight schedule and a close timeline to catch a flight overseas. I think it appropriate that I defer to the Senator from Massachusetts. He has a very tight schedule, and I can wait a little longer.

The PRESIDING OFFICER. The Senator from Massachusetts.

#### TRIBUTE TO MARY C. TARR

Mr. KERRY. Mr. President, I am very grateful to my colleague. I was happy to wait, but I am grateful to him. I thank the Senator from Montana, my friend Senator BAUCUS.

I am privileged to work with a lot of extraordinary staff members here in the Senate, as we all are. We often say that none of us is any better than our staff allow us to be. It is rare that I have had somebody on my team who predated my time in the U.S. Senate. I have been here—oh, this is my 28th year now.

Mary Tarr, who I would like to say a few words about, is my office manager, up until today—a veteran staffer of 31 years here in the Senate. She is about to retire and looks forward to going into the grandmother business over the course of these next years, after three decades here.

I think sometimes people miss or are unaware of the difference that an office manager could make in a Senate office. It is hard to quantify sometimes. But without any negative inference to the Senate itself in drawing this analogy, which is sort of a prison-and-inmates analogy, a great manager is a little bit like the character Red in the movie “The Shawshank Redemption.” In that movie, Red is described as the guy who can get stuff, not unlike the sergeant in “Catch 22.” There are these special people who know how to make things appear out of nowhere and make everything work. That is exactly the quality

Mary Tarr has brought to my office over these years—a mix of relationships, building relationships, institutional memory, and a lot of guile at times. And she gets things done. So since the summer of 1997 when she came aboard in my office, Mary has literally been my “Red” in my office.

Over the course of nearly 15 years, no matter what I needed, no matter what the office needed, no matter what we needed to get done, she managed to make that happen. I must say I was very lucky, because I didn’t have the ability to show her any tricks; she taught me the tricks. The reason is that she came to me already a master of Senate procedure. I was privileged to be the fifth U.S. Senator for whom she worked—and for 15 years, I might add. Before me, she split her assignments down the middle between Democrats and Republicans. She worked for PATTY MURRAY and Brock Adams, and she worked for Republicans, including Jim Abner and Charles Percy. She knew this place. She has always loved this place, and she knew pretty much everybody who worked here.

She did all of the things one needs to do to make the trains run on time: kept the records, maintained the office accounts, prepared the budget, kept the payroll, preaudited expenses, ordered supplies, made sure we were in compliance with all the rules, requirements, and procedures, and followed them as they changed, as we tie ourselves in various knots with various requirements we dump on ourselves. She was my liaison with the Senate Sergeant at Arms Office, the Senate Disbursing Office, the Senate Service Department, and the Senate Computer Center—an extraordinary amount of work. She performed the endless tasks that all of us here understand are critical to enabling our offices to be able to work—much more complex than obviously the average citizen ever sees.

She wrote the emergency evacuation manual for my staff after 9/11. She trained the staff on emergency procedures, and she restructured and ran what I think is one of the best intern programs, if not the best internship program, in the U.S. Senate, for which the summer interns at the end of the summer got to have a terrific intern pool party at her home. Office managers all over the Senate constantly consulted her on how to run an effective intern program, and she was always ready to help because she understood how important it was for young interns to have a positive experience. Part of that belief came out of the fact that she was only 17 when she came to work full time for the U.S. Senate— younger, obviously, than some of the interns who come here and work with us.

When I said she could do the impossible, what I was referring to is the fact that she helped me move my office not once but twice, which is an enormous undertaking here in the Senate.

Mary Tarr has worked for the Senate since 1981. In those 31 years, I will tell

my colleagues she has become a fixture on Capitol Hill, well-known by everybody, perhaps legendary with some.

If you needed a room at the last minute to host a function, people would call Mary Tarr—from outside of our office, I might add.

If you needed a desk repaired or a light repaired or air-conditioning work done, mention Mary’s name and people would say: Right away.

Printing? My legislative director told me a story about how he went to get some printing done, and the folks at the Senate Printing Office asked: Did Mary OK this?

Extra ice cream at the great ice cream party we have in May at the Dirksen buffet? She would just say: Go in and ask for the “Mary special,” and they made it.

Everybody seemed to know Mary, from the hundreds of former interns she mentored over the years, who are now working in government or public service, to Bill Gates, who once conveyed a hello from Mary to a former colleague in PATTY MURRAY’s office.

Hundreds of American soldiers, I might add, stationed abroad have received care packages from Mary, the daughter of a wounded Vietnam veteran.

In my Senate offices, I have a shelf of scrapbooks filled with e-mails, letters, and photos from soldiers who have received care packages, Christmas stockings, Easter baskets, and Halloween candy—all of which Mary has organized and shipped year after year. And the words of those soldiers underscore just how important Mary has been to them.

Our former intern, Army 2LT Rory McGovern, wrote:

It always helps to have a piece of home come in the mail.

Army Private Jacob Adkins:

I appreciate the fact that someone who I don’t even know supports me enough to send a care package. You make me proud to serve.

From Marine battalion chaplain Capt. Pat Opp:

Little things go a long way with morale. Send more lemonade—the troops mix it with cold water as the temperature is super hot over here.

Army MAJ James Maloney, upon receiving clothes, school supplies, and personal grooming items to share with a children’s and women’s clinic in Afghanistan, wrote:

It has done wonders for our interaction with the local population.

All of that organized—every time—by Mary Tarr.

One of my favorite e-mails in the scrapbooks comes not from a soldier but from a marine’s mother, Kathy Lavin, whose son Ryan had received one of our care packages. Kathy wrote to tell Mary that she can finally get a good night’s sleep because of the message she just received from Ryan. Ryan wrote:

It’s almost time to take the candle out of the window, mom. I am coming home. I love and miss you.

So how did Mary Tarr come to send a care package to Ryan? So typical of

Mary, she was in Massachusetts attending the funeral of a friend, and while there she went into a shop in Hull to buy gifts for her mother and father, Carolyn and Tom Corbe. Mary chose a Marine Corps kite for her dad, who received a Purple Heart in Vietnam. Ryan's mother was in the shop and asked Mary if she had a marine because of what she was buying. Mary told her she was a Marine Corps brat and the kite was for her father. She asked if Kathy had a marine. When Kathy told her about Ryan, Mary immediately wrote the information down, got his address, and then, seeing her job through—like every single one she has ever undertaken—she stayed in touch with Ryan until he came home.

I personally know how important those packages are, and I will tell you, one of the things I am proudest of is what Mary has done on behalf of her country and certainly those of us who make decisions to send people into combat. And I am proud of her.

She may be retiring, but she has enormous plans ahead of her. She and her husband Brian are planning to move to Roswell, GA, where her daughter Angela and her husband Daniel live. Mary jokes that Angela and Daniel may be the only two Democrats in the whole town of Roswell, so the arrival of Mary and Brian will double our party's strength there. But Angela is going to have a baby in October, so there is hope even for Roswell yet. Her plan is to babysit her new grandson for a few years, and then eventually she and Brian are going to retire to Florida, where her daughters Chrissy and Lindsay are in college.

No matter where she goes or how far from Capitol Hill, she is always going to be a very special part of the family here, the extended Senate family. She has always represented our Senate well. She is extremely hard working, honest, bright, conscientious, and knowledgeable. She has handled her responsibilities with great dedication. I think she has viewed every challenge as an opportunity to prove herself, and she did that again and again.

So, Mr. President, as she departs my staff today, the principles she represented in her work and the standards she established are going to remain for a long time as a guide to those in our office and here in the Senate, and we say thank you to her for all she has done for our country, the State of Massachusetts, and for me personally. I wish her and Brian and her family the very best as they take on a new chapter in their lives.

Mr. President, again, I thank my colleague from Montana.

The PRESIDING OFFICER. The Senator from Montana.

#### TRIBUTE TO MAUREEN RICE

Mr. BAUCUS. Mr. President, I compliment the Senator from Massachusetts for taking so much time to praise a person who clearly deserves praise, who has worked so hard for him and for the people of Massachusetts and for her

country. Clearly, Mary is an incredible lady.

Mr. President, my "Mary" is Maureen. Maureen, too, is someone who started working for me when she was very young—17 years old. In 1974, 1975—I do not know exactly when—I was hiring people, and this young girl came to my office. I could tell—this young girl knows the meaning of work. She is Catholic, Irish Catholic, and this lady knows the meaning of hard work.

I hired her on the spot. She is my office manager. She is with me even to this date. She is tough. She is smart. She organizes. She is the glue. She is a super lady.

We all have our "Marys." We have our "Maureens." And at this moment, I want to praise Mary and Maureen but also all those who work so hard for us in so many different capacities.

#### REAUTHORIZATION OF THE VIOLENCE AGAINST WOMEN ACT

Mr. President, renowned poet and author Maya Angelou wrote:

History with all its unending pain cannot be outlived, but faced with courage need not be lived again.

I stand here today to once again lend my strong support—I voted for it, as a majority of our colleagues did—for the Violence Against Women Act.

Nearly two decades ago, the Congress underwent an exhaustive investigation on the extent and severity of domestic violence and sexual assault toward women in this country. In hearing after hearing, Senators heard from experts, including prosecutors, victim advocates, and physicians, and real-life stories of women who were the victims of these crimes.

In response, Congress passed the Violence Against Women Act in 1994. This law quite literally changed the culture in our country. It changed how we view and address domestic violence and sexual assault. States across our country began to enact laws to make stalking a crime and strengthened criminal rape statutes. Congress provided States with the resources to train law enforcement and coordinate services related to domestic violence and sexual assault.

Despite the progress we have made, our work is not done. One in every four women will experience domestic violence during her lifetime. In my home State of Montana, 98 people died from domestic violence between 2000 and 2010. These are not simply statistics, they are our mothers, our sisters, our daughters, our friends—they are people close to us.

Since the passage of the Violence Against Women Act, reporting of domestic violence has increased by 51 percent and the rate of nonfatal intimate partner violence against women has decreased by 53 percent.

Congress renewed this critical legislation in the year 2000 and again in 2005. Both measures included improvements, and both of those passed the Senate unanimously.

We are here today to reiterate our commitment to addressing violence

against women, including domestic abuse, sexual assault, dating violence, and stalking.

I was struck recently by the story in the Billings Gazette of Maria Martin. Maria was a victim of partner abuse. In the year 2005, the man she was dating went into a jealous rage. He held her hostage in her own home with a knife to her throat. He also threatened to kill her three daughters. Charges were filed, and this man is now serving a 61-year prison term.

Maria went on to earn her master's degree in rehabilitation and mental health counseling. She now helps others who find themselves in the situation she was in just a few short years ago. Maria told the reporter that programs created under the Violence Against Women Act provided her with the resources and support to overcome her situation. The act helped her to find the courage she needed to see that this painful experience did not have to be lived again—with its counseling, shelter for abused women, and law enforcement counseling for law enforcement so they can be more sensitive to women who are victims of domestic violence.

The bipartisan reauthorization renews grant programs critical to Montana, including those that support law enforcement, victim services, and prevention programs.

The bill consolidates 13 programs, many of which overlap, into 4. This consolidation reduces administrative costs and adds efficiency. Acknowledging the current fiscal realities, the bill, therefore, reduces authorization levels by 17 percent overall. It is more effective, and it costs less.

The bill also makes critical changes to address the pervasive domestic violence occurring in Indian Country.

Native Americans represent about 6 percent of Montana's population—about 6 percent. Yet Native women accounted for over 13 percent of victims reporting domestic violence in my State in the year 2008—more than two times the percentage.

According to the Department of Justice, Native women are 2½ times more likely to be a victim of rape or sexual assault compared with non-Native women. However, it is the Federal courts, not the tribal courts, that have jurisdiction over many of these crimes, including misdemeanor cases. With Federal prosecutors stretched thin, especially in large rural States such as Montana, many cases go uninvestigated and criminals walk free to continue their violence with no repercussions.

Chairman LEAHY's bill carefully crafts a measure to extend concurrent criminal tribal jurisdiction to address the issue of domestic violence and partner abuse occurring in Indian Country. These provisions will give tribal courts narrow jurisdiction to prosecute domestic violence or dating partner violence occurring on tribal land.

The bill, however, provides safeguards to those who might be defendants. It provides safeguards to ensure that the defendant receives all rights guaranteed by the U.S. Constitution. This includes fourth amendment protections against unreasonable search and seizure, fifth amendment privilege against self-incrimination, and sixth amendment right to effective assistance of counsel—all guaranteed in this statute.

Fifty law professors from across the country, including the University of Montana, wrote to Chairman LEAHY in support of these provisions and Congress's constitutional authority to extend tribal jurisdiction. These provisions will begin to address the violence against Native women that "has reached epidemic proportions."

Maya Angelou is right that we cannot erase the past and what happened to Maria and others like her. But Maria's courage is proof that we can change these circumstances for others—to see that no one has to live through this experience.

Maria said—and I will quote her:

I am alive today because I am a strong, intelligent woman. I need to stand up, step out, and be in front of this issue for others who can't or are not able to—yet.

I urge my colleagues to support me in making sure that this act follows through in negotiations with the House and that we get this reauthorization passed that is so important to so many people in our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, after months of working to ensure that the subsidized student loan interest rate does not double this summer, I think we finally have reached a consensus—middle-income families in America cannot afford a huge increase, a doubling in the interest rate on student loans.

Those who were previously opposed or indifferent to our proposal now are in favor of stopping the doubling of the rate. The most prominent, of course, is the former Governor of Massachusetts, Mitt Romney, who said: "I fully support the effort to extend the low interest rate on student loans." I think that is the consensus. It was hard fought. I submitted the legislation to keep the rate at 3.4 percent originally in January. Now we have reached that consensus.

But the debate has now shifted to how do we pay for it. What I have proposed, and am joined by many colleagues, is to close a loophole that has allowed a self-selected few to avoid paying their fair share of payroll taxes.

The alternative proposed on the other side goes to critical health care benefits for lower and middle-income families. It seems to me entirely unfair to try to provide help to middle-income families by taking away their access to health care. For families who are struggling, education and health care

are not something that can be traded one for the other.

Congress should not raise the interest rate on these loans. We have reached that agreement. It is a de facto tax on middle-income families. We have put forward a plan that will avoid the doubling of the interest rate on student loans and will pay for it in a responsible way. We are offering a short-term solution to a long-term problem. But we have to begin. We have to do it quickly. If we do not act before July 1, the interest rate on these loans will double for every loan granted thereafter.

Our proposal is to close a loophole that the General Accounting Service has identified as glaring and, frankly, not substantiated by any need. This loophole involves Subchapter S corporations or S-corps. Immediately, when we say S-corps, we think it must be the local manufacturer or the hardware store and how can we go ahead and impose any further taxes, any further costs on these job creators.

This is not the situation. What is happening is that a very clever and bright group of people have figured out a way to use the S-corp to avoid payroll taxes. It is a small subset of corporations that are doing this, and our proposal is targeted. It is targeted only to those S-corps that derive 75 percent or more of their gross revenue from the services of three or fewer shareholders or where the S-corp is a partner in a professional service business.

Essentially, this is a small group of people who derive 75 percent or more of their gross revenues from providing professional services. It is lawyers, accountants, lobbyists, and folks such as that. The proposal only applies to S-corps or partnerships in the field, where virtually all the earnings are attributable to the performance of services. This is not the local manufacturer, not the local hardware store, not the local dry cleaner or gas station. These are people who perform essentially professional services.

They are avoiding their payroll taxes, and we do not think that should be the case. Furthermore, this proposal exempts S-corp shareholders, partners, and partnerships with modified adjusted gross incomes below \$250,000 for joint filers and \$200,000 for individuals. So it is targeted within this small subgroup of S-corps to an even smaller group, those who are making \$250,000 and above as joint filers or \$200,000 and above as sole filers.

This proposal prevents professional service income from being mischaracterized to avoid employment taxes. However, legitimate passive income—if the S-corp is earning income from rents, from dividends, from interest, and certain other gains, those will be essentially treated as such and will continue to be exempt from payroll taxes.

All we have done is close a glaring loophole, done it in a way in which we do not impact anyone making under

\$200,000, anyone, frankly, who is involved in a corporation whose principal activities are not professional services. I think this is a responsible way to do it. This is a way that can, in fact, respond to the need to responsibly fund this provision for maintaining the student loan interest rate.

The GAO found that in 2003 and 2004 tax years, individuals used this loophole to underreport over \$23 billion in wage income. The median unreported amount was \$20,127. For most students, that would cover tuition. Let me say this again. What the GAO found was that using this device as an S-corp, people were able to transform what normally would be \$20,000 in payroll wages or salaries that would be subject to payroll taxes into a distribution of an S-corp, avoiding payroll taxes.

This is a loophole. There is no other word for it. We are closing it, and we are closing it in a way that is responsible and that will have virtually no impact on the businesses on Main Street USA. In fact, I think if we tried to explain to anyone running the local store that there are some folks out there who were using S-corps to avoid their payroll taxes, they would be, if not shocked, they would, at least, raise objections to that practice, frankly.

So closing this loophole will fully offset the \$5.9 billion cost of this 1-year extension on the interest rate and would make the Tax Code more fair. It is a win-win proposition. In fact, according to Citizens for Tax Justice, in their words, closing this loophole will actually help most small businesses, which are currently subsidizing the minority who abuse it to avoid payroll taxes. So I think this is not only the right thing to do in terms of the policy of not doubling the interest rate on student loans, this is an appropriate way to do it, an appropriate way to pay for it.

Even Governor Romney recognizes that at times S-corps have to pay their fair share. This is a quote from the Boston Herald of January 6, 2008.

"When Mitt Romney became Governor in 2003, Subchapter S corporations that were owned by Massachusetts business trusts were taxed at 5.3 percent. By the time Romney left office, the tax rate on these corporations had climbed to 9.8 percent, with Romney declaring the tax increase to be merely 'closing loopholes.'"

We are urging that the Governor be consistent both in support for avoiding the increase in the student interest rate and closing loopholes in Subchapter S corporations. Both parties must work to find a way to do this. The good news is there is now consensus that it must be done. I am prepared, and I hope my colleagues are prepared to work for a way to pay for it which is fair, which does not take from one middle-class program to offset another middle-class program. We should work together to get this done as soon as we return.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

TRIBUTE TO ANGELA ELSBURY

Mrs. MCCASKILL. Mr. President, I have obviously been very fortunate to have the opportunity to give remarks from my desk on the floor of the Senate several times since the people of Missouri sent me in 2006. I do not think I have ever had a speech that I was going to give that was easier and harder than this speech—easy in that I am talking about someone I love; hard because this person I love is going on to a different place and a brighter future and I am going to miss her terribly.

This person's name is Angela Elsbury, and she has a job that people outside Congress do not fully appreciate. She is called the scheduler. But for anybody who does this work, they appreciate that somehow that title just does not do it justice. I do not know what the right title would be. I can think of several: In charge of my life, hand holder, the nicest person who has to say no, multitasker, mother to the entire office, disciplinarian, jokester.

There are so many things a good scheduler does that make our lives work. Angela came to this work having worked for the Governor in Missouri in a similar capacity. She actually joined my campaign and was one of the first ones through the door. She came from a place that, frankly, had not had a lot of people who were elbow to elbow with Governors and Senators. She came from a small town called Madison, MO. I think there are maybe just north of 500 people who live in Madison.

So not only did she begin the campaign and do a lot at the beginning of the campaign keeping us organized and allowing the schedule to work, she came to Washington and has done remarkable work. Her work is so remarkable that everybody kind of thought it was easy. That is the mark of a very good scheduler because it is the hardest job—the hardest job—in the office.

Not only does she have to put up with the frustration of me when the hours are long and the meetings are back to back and there is not time to get a breath, she has to put up with everyone in Missouri who cannot understand why I cannot be in five places at one time and why it is not possible for me to vote one hour and be in Rolla, MO, the next hour. She does all that with incredible grace and intellect and a smile on her face. She is just a very special person.

The thing about these jobs is there are days I get worried about our democracy, and then I look at the resumes of the young people, whether it is the great pages who serve us morning, noon, and night in the Chamber or whether it is the amazing people whom I work with in my office. These are people who could go other places in the private sector and make a lot of money. They choose to come here. They are drawn here. They are drawn to their government. They are drawn to public service.

So, as a result, I mean, what do I love about my job? Let me count the ways.

But one of the things I love most is being surrounded by patriotic, intellectual Americans who want to do the right thing and do not care that they have to still live like they are in college, who do not care that the idea of buying a car is a fantasy because it is just too expensive, who do not care that they have to have an hour commute in order to get housing they can afford. They want to be a part of it.

I am surrounded by a team like that, but in the driver's seat, kind of making the car go where it needs to go, and making sure it does not get broken down on the side of the road has been Angela. I am not sure exactly how this car is going to navigate without her. I have a feeling we are going to have a few bumps. There may be an out and out collision. There may be some scrapes and some wailing and some hollering about people who are upset or it does not work.

I do know this, that we always say somebody's shoes are hard to fill. These shoes will be very hard to fill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent that I be permitted to give this speech in full.

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

#### TAXES

Mr. President, I rise today to discuss the impending tax hike which, if allowed to occur, will raise taxes on practically all Americans come Jan 1, 2013. That is only eight months from now. Earlier in February, The Washington Post called the approximately \$500 billion tax hike Taxmageddon, and Federal Reserve Chairman Ben Bernanke described it as a massive fiscal cliff when testifying before Congress.

This tax hike will affect virtually every single federal income tax payer. We must not allow this to happen. America is slowly recovering from one of the greatest recessions in modern history. We remain in a precarious economic situation, with a fragile recovery. It is beyond irresponsible for President Obama to sit idly by and allow this scheduled \$500 billion tax hike to occur.

Congress needs to act now in order to prevent this tax hike on America.

First we need to focus on tax extenders.

Tax Extenders are temporary tax provisions affecting everything from individuals and businesses to charitable giving, energy, and even disaster relief. My colleague from Montana, Senator BAUCUS, and I held a hearing in late January to discuss these tax provisions and the fact that Congress year after year continues to extend these provisions without a thorough review of each provision.

Some of these provisions are worthy of being extended, such as the Research and Development tax credit. I have introduced legislation with the Chair-

man, my friend from Montana, to make this provision permanent. But when it comes to tax extenders, we need to have a real debate, one where the Senate decides which provisions must be extended and which should be allowed to expire.

Second, we need to address the Alternative Minimum Tax, or AMT.

The AMT was initially drafted to provide some type of guarantee that higher-income taxpayers, who owed little or no taxes under the regular income tax due to tax preferences, would still pay some taxes. Yet over time, this tax has grown into a monster potentially ensnaring more and more middle income families every year.

To avoid the consequences of the AMT on the middle class, year after year Congress has patched the AMT. We have indexed the AMT for inflation so that middle income families do not get caught up paying this tax. Not only must we patch the AMT for 2012, we must eliminate the AMT in the long term.

Third, we must focus on death tax reform.

Taxing people's assets upon their death is just plain wrong. The death tax affects thousands of small businesses owners every year. This year alone, it is estimated that 3,600 estates will be affected. In 10 years, approximately 83,200 estates will be hit with this tax according to the Joint Committee on Taxation.

The President likes to talk about how his policies will help small businesses. Well, if current law expires, the number of small business owners who will face the death tax will rise by 900 percent. The number of farmers who will face the death tax will rise by 2,200 percent. That's right—two thousand two hundred percent.

Many individuals work their entire lives to build a business, and they reasonably want to pass that business along to their families. Instead of being rewarded for their work, and the work of their families, this is what they face come January 1, 2013. Uncle Sam will take over 50 percent of their assets—55 percent to be exact.

The survivors of the deceased will be forced to sell land or assets of the business to meet this liability. Let me be clear. Nobody should be forced to sell a single asset in order to meet this arbitrary tax due date. Company assets should not have to be sold to pay taxes. The market should determine when things are bought and sold. That is the best measurement—when a willing Buyer meets a willing Seller and they agree on a price and a time when a company should be sold.

Currently, the law states that there is an exemption equivalent of \$5 million and a tax rate of 35 percent on the remaining estate. In 2013 the exemption equivalent will drop to \$1 million and the top tax rate will be the full 55 percent.

That's a 57 percent increase.

The truth is that we ought to repeal the death tax in its entirety. The whole

thing must go. And I am working hard to make that a reality. Unfortunately, with the current composition of the Senate, that is going to be an uphill climb. Yet at a minimum we must extend the current provisions and keep a tax hike from occurring on these job creators.

Fourth and most importantly, we must extend the tax relief signed into law by President Bush and extended by President Obama.

This may be the most crucial piece of legislation Congress passes this year, if not during the entire 112th Congress. If we allow these cuts to expire as scheduled at the end of the year, almost every federal income tax payer in America will see an increase in their rates. Some will see a rate increase of 9 percent, while others will see a rate increase of 87 percent.

Let's take the average American family of four earning \$50,000. This family will owe an additional tax of \$2,183.

Democrats insist that that is fair.

That is just more people paying more of their fair share.

But to whom? And for what?

What this means in reality is that instead of taxpayers using their \$2,183 to pay for their children's education, save for retirement, buy a new home, or invest in a new business, they will be forking that \$2,183 over to the federal government. And after winding its way through the federal bureaucracy, some pittance of that \$2,183 will be spent on a federal program that too often has zero demonstrated success.

Let's not sugarcoat this.

In the supposed interest of fairness, families will have an additional \$2,183 taken from their wallets in order to serve bigger government.

That is the impact on families and businesses of President Obama's redistributionist agenda.

Looking at this problem more broadly, economists estimate that if these current policies are allowed to expire, the economy could contract by approximately 3 percentage points. That would be a large hit to an economy that is still weak and recovering from the fiscal crisis of 2008. Adding another fiscal crisis by not extending these tax policies definitely won't help and will likely do further damage.

Preventing this tax hike is what we must focus on. Congress should have a laser focus on preventing this looming disaster.

Yet at a time when we should be working to prevent a massive tax increase, President Obama and his Democrat allies are spinning their wheels trying to raise taxes on politically unpopular groups.

These tax hikes are already scheduled to go into effect. Congress doesn't have to do anything and everyone will pay more in taxes come 2013.

That's not a good sign given that some people have called this a do-nothing Senate.

I am sure that some people are tired of the mantra among conservatives

that Democrats want to raise your taxes and Republican's don't.

But we say it because it is true.

At liberal think tanks, their employees go to work every morning and think about how they can raise taxes.

My friends on the other side of the aisle, knowing that their constituents already feel overtaxed, spend countless hours devising ways to raise taxes in a way that only hits politically unpopular groups.

And the President is devoting his entire reelection campaign toward tax hiking in the interest of fairness.

Here in the Senate, we have already voted twice on my colleague from New Jersey's proposal to raise taxes on oil and gas companies.

First we had hearings in the Senate Finance Committee last year. As I said then, that was nothing more than a dog and pony show. Then leadership brought the bill directly to the floor skipping the process of a markup.

Last week we voted for the silly Buffett Tax.

This is not serious tax policy. The Buffett Tax is a statutory talking point. And not a very good one at that.

First, the President said it was about deficit reduction.

When we pointed out to him that it raised only \$47 billion in revenue over 10-years, a drop in the bucket given the President's trillions in deficit spending, the White House shifted gears.

Now it was about fairness.

But when we pointed out that his redistributionist scheme, if redirected to a lower tax bracket, would only yield an \$11 per family tax rebate, he criticized Republicans for demonizing him as a class warrior.

The President needs to come clean about what the Buffett tax really is.

It is nothing less than a second and even more damaging AMT, one that would force many small business owners and job creators to pay a minimum of 30 percent of their income in tax.

As the Wall Street Journal said on April 10, "The U.S. already has a Buffett rule. The Alternative Minimum Tax that first became law in 1969 . . . The surest prediction in politics is that any tax that starts by hitting the rich ends up hitting the middle class because that is where the real money is."

And what is really rich about the Buffett rule, is that Mr. Buffett would be able to avoid his own Buffett tax.

So what is the President doing? Why, with Taxmageddon around the corner, are President Obama and his liberal allies dithering with these harmful tax increases?

The answer is politics.

President Obama has read the polls. He knows he's in trouble. His approval rating is declining and he does not have a single positive accomplishment to run on for a second term.

The \$800 billion stimulus? A failed policy that hasn't kept the employment rate under 8 percent.

Obamacare? Rejected soundly by the American people as evidenced by the

2010 midterm elections, it might now be rejected by the Supreme Court as one of the biggest unconstitutional boondoggles in our nation's history.

What else does he have?

Absolutely nothing.

His fawning admirers might not know it yet, but Mitt Romney is in the catbird seat.

President Obama long ago lost independents. So he is appealing to all he has left, core left wing supporters, one step from an Occupy Wall Street encampment, who love class warfare.

Before the Buffett rule, Democrats proposed six different pieces of legislation that in one form or another raise taxes on millionaires.

Here they are.

And every one of these bills was focused on raising taxes to pay for more government spending.

Let's not pretend that all of these redistributionist tax plans comprise serious policy.

And let's not forget that every minute Democrats spend goofing around with these plans, is a minute that we do not spend preventing the largest tax increase in American history.

Mr. President, Senate Democrats are fiddling while Rome burns. They have failed to address the deficit. Spending surged 24 percent under President Obama when he took office. All of the tax hikes he and his allies have proposed do little, if anything, to pay down his deficits and debt.

It is time for the Senate leadership to get serious and to focus on making the lives of middle class families easier, not more difficult. The policies from the other side do nothing of the sort. If anything they make them more difficult.

Taxmageddon is coming. The only good news is that Congress can prevent it and extend tax relief for the middle class.

That is where my focus will be for the next 8 months, and I hope that my colleagues will join me in securing the benefits of tax relief for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### THE ECONOMY

Mr. CARPER. Mr. President, I came to the floor today to talk about the actions we took here this week in the Senate to make sure the postal service has a good chance to return to solvency and be relevant in the 21st century and continue to provide a valuable role in providing 7 to 8 million jobs in the United States of America. But I think I will put that on hold for a moment and recall the words of a former President, Harry Truman, who left office not very popular, but in retrospect is regarded as one of the best Presidents of the last century. Harry Truman used to say, the only thing new in the world is the history we forgot or never learned.

I want to go back to a few years in our history and reflect on the words of

the preceding speaker and ask, what can we learn from history? Well, one of the things we can learn from is the last time we actually had a balanced budget in this country, and we had three of them in the last 3 years of the Clinton administration. He became President in the middle of a recession and left our country with the strongest economy of any Nation on Earth, with the most productive workforce, the most revered Nation on Earth. He turned the reins over to a new President, George W. Bush, and gave to him balanced budgets and a strong economy. Eight years later, we had accumulated more debt in those 8 years—from 2001 to 2009—I think than we had in the previous 208 years combined.

President Bush then turned over to President-elect Obama a \$1 trillion deficit and an economy that was in free fall, with the worst recession since the Great Depression. That is where President Obama and Vice President BIDEN—a former colleague and Senator from Delaware—started off in January of 2009. Keep in mind, the last 6 months of 2008, this country lost 2½ million jobs. The first 6 months of 2009, this country lost 2½ million jobs. That is sort of like where they took the hand-off.

I am not trying, and have never attempted, to characterize the comments made by my colleague a few minutes ago, but I think a little history is not a bad thing. Interestingly enough, the balanced budget agreement was negotiated by President Clinton's Chief of Staff Erskine Bowles. That is a name we have heard a lot of in the past year and a half, because he was asked by this President to do a similar kind of thing, to try to negotiate a deficit reduction deal, along with a former Republican Senator from Wyoming, Alan Simpson. The two were asked to head up a commission, with 16 other very smart people. And 11 out of the 18, after working at this for a year, came back and said, here is what we think you should do to take a good \$4 trillion or \$5 trillion out of the deficit over the next 10 years.

The deficit commission, headed by Erskine Bowles and Alan Simpson, simply recommended we do that by working on the spending side and on the revenue side. For every \$3 of deficit reduction on the spending side, they said there would be \$1 of new revenues—not by raising taxes but actually by lowering somewhat the personal income tax rate, the corporate income tax rate, and broadening the base of the income which can be taxed.

That was seen by a lot of people as being a grand compromise. Democrats agreed to compromise on entitlement program reform in an effort to make sure we have Social Security, Medicare, and Medicaid 50, 60, 70, or 100 years from now; and Republicans agreed to compromise on tax reform that actually lowers the rate but allows us to generate new revenue—\$1 of new revenue for every \$3 of spending reductions to achieve deficit reduction.

I think that is a smart plan. Other people have come forward with their plans since, but I think that is the smartest deficit reduction plan, and I think it is a good jobs bill. I hope by the end of the year, when the smoke clears and the elections are over, we will come back to that and use that as maybe our north star to get us back to fiscal responsibility in this Nation.

That is not why I came here tonight, but I thought maybe it was appropriate, on the heels of my friend and colleague, to set the record straight a little bit.

#### POSTAL SERVICE REFORM

Ironically, yesterday 62 Senators voted for postal reform legislation. I appreciate the support of the Presiding Officer and other colleagues, Democrat and Republican. But that legislation was almost immediately attacked by some of our Republican friends over in the House of Representatives. Our Presiding Officer knows I am not a real partisan guy; never have been, not while I was Governor or in the many roles I have been privileged to play in Delaware. But our bill was attacked almost immediately by our Republican friends over in the House because it doesn't do this or doesn't do that or whatever the sin might be.

Ironically, we asked, where is your bill? How about let's compare our bill to your bill. They haven't passed a bill. Yet they feel at liberty to take all kinds of shots—and I don't think they are entirely fair shots—at our bill. I had a conversation this afternoon with the chair of the relevant committee in the House and urged him to make sure they actually move a bill and not just criticize what we have done.

There are provisions in our bill I am frankly not happy with, and I am sure there will be provisions in whatever bill the House passes he won't be comfortable with. But at the end of the day, they have to move a bill. They have to say this is what we are for, because we have said this is what we want to have as our negotiating point in conference going forward. So we need the House to do the same thing, sooner rather than later. I am encouraged to hear the House is going to take something up by the middle of May. If they can do it before that, God bless them.

I want to take 5, 6, or 7 minutes to talk a little about what we are trying to do with respect to postal reform. We are trying to rightsize the enterprise, much as the auto industry rightsized itself 3 or 4 years ago coming out of bankruptcy. We are trying to modernize the postal industry and we are also trying to help the postal service—encourage the postal service—to find new ways to use their existing business model—where in every community in America there are 33,000 post offices going to every front door and mailbox in America 5 or 6 days a week—to make more money and raise their revenues, some of the ways they can do that.

Our legislation focuses on that, rightsizing the enterprise given the reduction in mail, the diversion of mail to the electronic media because of Facebook, Twitter, the Internet, or all of the above. We communicate differently than we used to. We have to help them rightsize their enterprise and modernize and find new ways to generate revenues. That is the heart and soul of what we want to do.

How do we do that? As it turns out, by luck, the postal service over the years has overpaid its obligation to the Federal Employees Retirement System by a lot, it turns out by about \$11 billion. There is no argument; they have overpaid the money. The postal service is owed that money by the Federal Employees Retirement System. The postal service wishes to take that money and use that money in two ways: one, to incentivize about 100,000 postal employees who are eligible to retire, to retire; not fire them, not lay them off, but say, look, if you will retire, here is another \$25,000 or if you are close to retirement, here is some credit, but we want you to retire.

Second, the postal service has more mail processing centers than they need. A couple of years ago they had maybe 600 or so. Today they have a few less than 500. They want to get down to about 325 over the next year or two. That would be almost cutting in half the number of mail processing centers around the country. They do not need them, given the volume of mail today. They need mail processing centers, but not as many as they have.

When the postal service closes another 150 or so mail processing centers, some people will not be able to work at those mail processing centers, but the postal service is saying, we will find you other jobs. You can be a letter carrier or work in another part of the postal service. You will not get fired. But we want to encourage those eligible to retire to retire.

The Service also wants to take most of that Federal Employees Retirement System money to pay down their debt to the Treasury. Right now, they have gone on a \$15 billion line of credit. The postal service wants to take most of their Federal Employees Retirement System reimbursement and pay off that debt.

Another thing they wish to do, that a lot of folks around here are real concerned about, is to close some post offices. There is the fear that maybe as many as 3,000 or 4,000 post offices. In rural places around the country, maybe the post office is the center of the town. Folks are concerned their post office will be closed and people will be left without postal service. As it turns out, that will not be the case.

What the postal service is going to do under our bill is to say to communities across the country, we want to offer you a menu of options. We want to offer you a menu of options for different communities, and among that menu of options we want to offer to those communities are these:

No. 1, we are not going to close your post office. We will keep your post office open, but in a place where we are paying the people \$50,000, \$60,000, \$70,000 a year to run a post office that sells \$15,000 worth of stamps, that doesn't make sense. So if the postmaster is eligible to retire, we want to incentivize that postmaster to retire. Let him go off and get his pension, get his benefits, and he could still come back to work on a part-time basis, maybe 2 or 4 or 6 hours a day, and run the post office in that community. If that is what the community wants, that is what they would get.

Some communities might prefer to put the post office in the supermarket or the local drugstore or a convenience store, where it is open not just a few hours a day but open 24/7, maybe. That would be an option for the community. Some communities may have a town-hall and some other State and local businesses that could collocate those with the post office and put them all under one roof and everybody would save some money. So they could share some space.

Another option for some places, maybe Minnesota—we have rural letter carriers in the southern part of Delaware—we could offer people the opportunity for rural mail delivery. They wouldn't have to come in to town to collect their mail in a post office. It would be delivered to wherever they live. The idea is to say to folks in communities that might be adversely affected, you pick from among this menu of options, figure out what works for you. Even vote by mail and pick their favorite choice.

So rightsizing the enterprise, reducing the head count, reducing the number of mail processing centers further by another third, and, finally, ways to provide more cost-effective mail service in communities across the country, though not the heart and soul of what we are trying to do, they are very important.

Let me mention one or two others, if I could. The postal service pays twice for health care for their retirees. I will say that again. The postal service pays twice for the health care of their retirees. They pay under Medicare and they pay under the Federal Employees Health Benefit Plan. Twice. The employees don't get the full benefit of that money, the postal service certainly doesn't get the full benefit of that money. Most companies in this country—big companies and small ones—when their employees retire, a lot of times will continue to provide health care benefits for them until the age of 65. Then at age 65, the company will say to the retiree, we want you to get your primary Medicare, your primary source of health care, and we will provide a wraparound, your Medigap program, to fill in the gaps for you. That is how a lot of companies do it. My wife retired from DuPont. When she turns 65—in about another 30 years, well, maybe a little sooner than that—

Medicare will be her primary source of health care and the company will provide a wraparound for Medigap. What the post office wishes to do is have a similar type of opportunity. In the end, I think the retirees will benefit, the postal service will benefit, and the taxpayers, I think, arguably would benefit. Those are a couple of things that are in our legislation.

Did we pass a perfect bill? By no means. By no means. As I said earlier, there are some things in the bill I don't like. And I hope we can make the bill better in conference. In order to get to conference with the House, the House has to pass a bill. It is not enough for the House to criticize what we have done. We say, what have you done? As it turns out, so far, not much—at least in terms of passing a bill and being able to appoint conferees and see what we can work out here. My hope is they will do that.

My hope is they will do that sooner rather than later, so we can stop saying, well, the postal service lost \$45 million today. They did that yesterday and they are going to do it tomorrow. That is not sustainable. That is not sustainable. They need to be put in a position where they can be successful. We can help them get there. And to the extent the postal service becomes vibrant and solvent, they can support the 7 or 8 million jobs that are tied to and interconnected with the postal service.

With that, Mr. President, I bid you adieu, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from New Mexico.

Mr. UDALL of New Mexico. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### TRIBUTE TO RUDOLFO ANAYA

Mr. UDALL of New Mexico. Mr. President, it is good to see the Presiding Officer in the chair today and to know that Alaska is well represented having the Senator from Alaska in the chair and presiding over the Senate. I very much appreciate that.

I come to the floor to commend one of New Mexico's most celebrated authors, Rudolfo Anaya. This year marks the 40th anniversary of Professor Anaya's acclaimed novel "Bless Me, Ultima."

This beloved book is an iconic part of Chicano literary history. It has been read by thousands of high school and college students, as well as the general public. It tells the story of a young boy growing up in a small New Mexico town during World War II. "Bless Me, Ultima" is a classic portrait of Chicano culture in a particular time and place, but it also resonates with universal themes: the search for identity, the conflict between good and evil.

Literature expands our horizons. It increases our understanding. As President Kennedy said, "Art establishes the basic human truths which must serve as the touchstone of our judgment."

For 40 years, Rudolfo Anaya's work has explored the human condition. The University of New Mexico organized a reading marathon to commemorate the publication of "Bless Me, Ultima," and I was pleased to take part.

Rudolfo Anaya was born in 1937 in the small New Mexico village of Pastura. He grew up in Santa Rosa and in Albuquerque. When he was only 16, he suffered a terrible accident. His injuries required years of rehabilitation. He has commented on that painful time in his young life and how those events affected his sensibilities as a writer.

He obtained his B.A. and M.A. from the University of New Mexico. "Bless me, Ultima," in 1972, was his debut novel. It was the beginning of a remarkable literary career. He is also the author of "Tortuga," "Zia Summer," and "Albuquerque," among many other works. He was a professor of English at the University of New Mexico from 1974 until his retirement in 1993. Professor Anaya was awarded the National Medal of Arts in 2001. He received the award for his "exceptional contribution to contemporary American literature that has brought national recognition to Chicano traditions, and for his efforts to promote Hispanic writers."

Rudolfo Anaya has been a prolific writer and a dedicated teacher. He has made a lasting contribution to American arts and letters. I am pleased to congratulate him on the 40th anniversary of "Bless Me, Ultima," and I wish him the very best in his future endeavors.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Colorado.

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

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

#### VIOLENCE AGAINST WOMEN ACT

Mr. BENNET. Mr. President, I rise to talk about the importance of the passage of the Violence Against Women Act. As a husband and as a father of three young daughters, this issue is especially personal to me. This piece of legislation provides extremely valuable Federal resources to help victims of domestic and sexual violence rebuild their lives. Whether it comes in the form of an emergency shelter, legal assistance, a crisis hotline or advocacy, this bill provides the assistance that victims need, especially in the most vulnerable time.

Domestic violence, spousal abuse, and sexual assaults represent enormous public policy challenges. Because of

the very personal nature of these crimes, it can be extremely difficult for victims to come forward to get the help they need, let alone call out those who have committed these heinous crimes. But since this bill was first enacted, the annual incidence of domestic violence continues to drop. Additionally, domestic violence reporting has dramatically increased and victims are receiving lifesaving assistance to help them move forward with their lives.

In my home State of Colorado, we continue to make great progress reducing the number of domestic and sexual assaults that occur, but we must continue to do more.

In 2010, the National Center for Injury Prevention and Control published a report which estimated that 451,000 women in Colorado were victims of rape in their lifetime. It also estimated that 897,000 Colorado women were victims of sexual violence other than rape in their lifetime. That same report said 505,000 men had been victims of sexual violence in their lifetime. These statistics are staggering in my view, and they make the case for why we had to pass this bill and continue to strengthen the programs that provide lifesaving services.

The Violence Against Women Act also includes invaluable programs to coordinate community efforts to respond to incidents of domestic and sexual violence by training police officers, judges, and other members of the criminal justice system. The legal system in our country is already stretched so thin. The resources provided by this bill will help law enforcement and court officials track down and bring to justice those who commit these crimes.

In my opinion, we can't do enough to get these criminals off the streets. For instance, we need to ensure that we support protection and prevention services such as training judges and police officers on how to identify and respond to abusive situations. We can significantly decrease domestic violence fatalities and the number of displaced families if we have better trained officers in our legal system and health and human services arena.

Finally, I wish to thank Chairman LEAHY for his tireless efforts to move this critical piece of legislation forward, as well as Senators MURRAY and KLOBUCHAR for their continued leadership on behalf of women and children all across the Nation. With a big bipartisan vote today in the Senate, we came together to make sure the Violence Against Women Act was passed.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 263, 502, 566, 567, 572, 624, 653, 654, 656, 657, 658, 659, 666, 667, 668, 669, 670, 671, 672, 673, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, and all nominations placed on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Jane D. Hartley, of New York, to be a Member of the Board of Directors of the Corporation for National and Community Service for a term expiring October 6, 2014.

DEPARTMENT OF STATE

Adam E. Namm, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Ecuador.

DEPARTMENT OF AGRICULTURE

Michael T. Scuse, of Delaware, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

Michael T. Scuse, of Delaware, to be a Member of the Board of Directors of the Commodity Credit Corporation.

DEPARTMENT OF DEFENSE

Mark William Lippert, of Ohio, to be an Assistant Secretary of Defense.

IN THE ARMY

The following named officer for appointment as the Chief of Engineers/Commanding General, United States Army Corps of Engineers, and appointment to the grade indicated in the United States Army while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3036:

To be lieutenant general

Lt. Gen. Thomas P. Bostick

NATIONAL INSTITUTE OF BUILDING SCIENCES

James T. Ryan, of Utah, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2013.

James Timberlake, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2014.

Mary B. Verner, of Washington, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2012.

Mary B. Verner, of Washington, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2015.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2012.

Susan A. Maxman, of Pennsylvania, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2015.

POSTAL REGULATORY COMMISSION

Tony Hammond, of Missouri, to be a Commissioner of the Postal Regulatory Commission for the remainder of the term expiring October 14, 2012.

MERIT SYSTEMS PROTECTION BOARD

Mark A. Robbins, of California, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2018.

NATIONAL BOARD FOR EDUCATION SCIENCES

Adam Gamoran, of Wisconsin, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

Judith D. Singer, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2014.

Hirokazu Yoshikawa, of Massachusetts, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

David James Chard, of Texas, to be a Member of the Board of Directors of the National Board for Education Sciences for a term expiring November 28, 2015.

NATIONAL SCIENCE FOUNDATION

Bonnie L. Bassler, of New Jersey, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2016.

DEPARTMENT OF EDUCATION

Deborah S. Delisle, of South Carolina, to be Assistant Secretary for Elementary and Secondary Education, Department of Education.

IN THE AIR FORCE

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Donald S. Wenke

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Burton M. Field

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Bruce A. Litchfield

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Charles R. Davis

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Salvatore A. Angelella