

individual career attorneys at the National Labor Relations Board because of this case.

I have never, in all my years in public office, seen such a brazen and inappropriate interference with the business of an independent agency, and I hope to never see it again. The time and attention that House Republicans have devoted to their attack campaign against the National Labor Relations Board is nothing short of astonishing.

What is even more absurd and shameful is the fact that they claim this attack campaign was intended to save jobs. What saved jobs was the negotiations between the great company, Boeing, and the great union, the machinists union. That is what saved the jobs.

I am mystified by the suggestion by some Republicans that gutting the NLRB would somehow revive our economy. In survey after survey, business leaders agree about what is hurting the economy. It is not government. It is not regulation. It is not the NLRB. It is the lack of consumer demand. Workers don't have enough money to buy things, and the economy won't pick up until they do. Weakening workers' rights and taking away their ability to speak up for fair treatment will only make the problem worse.

Attacking American workers and the agency that protects them is a poor substitute for a real job-creation strategy. Americans know that the National Labor Relations Board is not remotely responsible for our country's economic woes. Incapacitating this agency will not put food on people's tables, help them keep their homes, find jobs, or send their kids to college. It will, however, send a strong message to those few—few—unscrupulous employers who want to take advantage of this bad economy to mistreat hard-working people. Fortunately, that is not the case with Boeing. Without the NLRB, there would be no watchdog, and it would be open season on workers' rights. At a time when decent jobs, good wages, and fair treatment are getting harder and harder to find, this would be a step in the wrong direction for our country.

The National Labor Relations Board is an independent Federal agency charged with an important mission. In fulfilling that mission, the dedicated professionals at the board are doing their jobs as the law intended.

Now it is time for the Republicans in the House and the Senate to do the same. Instead of continuing to pursue this pointless and distracting partisan crusade to dismantle and do away with the National Labor Relations Board, it is time to put this episode behind us. It is time to recognize the NLRB is doing its job, that companies and unions will sit down and work things out and settle things out without the Senate and the House and Governors—and Governors—of other States trying to interfere and make it a political football.

Again, I congratulate the Boeing Company and the International Asso-

ciation of Machinists in doing what is best for America.

Mr. President, I yield the floor.
The PRESIDING OFFICER. The Senator from Nevada.

EXTENDING THE PAYROLL TAX CUT

Mr. HELLER. Mr. President, I thank you for the opportunity to spend a few minutes here on the Senate floor. And I want to thank the previous speaker, Senator MORAN from Kansas, for his timely comments, specifically regarding housing, the ability for small institutions, community banks to be able to produce the capital they need to help these small businesses and these homeowners, but, specifically, for the ability to create jobs. It dovetails into what I want to talk about today; that is, solutions, solutions for the American people.

This week, Congress has an opportunity to come together to help hard-working Americans, those taxpayers, and extend the payroll tax cut holiday. No State needs Congress to put aside political bickering more than the great State of Nevada.

Right now, as a percentage, more Nevadans are looking for jobs than in any other State. Right now, more Nevadans are having difficulty holding on to their homes than in any other State. And right now, more Nevadans are filing for bankruptcy than in any other State.

There was a report released yesterday that named Nevada the toughest place in the country to find a job.

Our No. 1 priority in this Congress should be to turn this economy around and get people working again. Yet here I am standing on the U.S. Senate floor today trying to convince the majority not to raise taxes on small businesses.

I am proud of my State. I am confident that, with the right policies in place, Nevadans can find job opportunities and overcome these difficult times. But in order for that to happen, Congress must put partisanship aside and come together to pass meaningful legislation that benefits Americans who need help in this tough economy and expand opportunities for employers looking to hire.

Extending the payroll tax cut will allow Americans to hold on to wages they worked hard to earn. Under my plan, hard-working American taxpayers will not see a tax increase. Under my plan, we will prevent a tax increase on those already receiving the payroll tax credit. And under my plan, employers can continue to invest in their businesses, so they can grow, expand, and hire more workers without the fear of a tax increase.

Americans need jobs desperately. Congress should be focused on policies that create jobs and drive long-term economic growth. The legislation I have proposed allows Congress to responsibly extend the payroll tax cut and treat taxpayers' dollars appropriately.

There is no question Congress should extend the payroll tax cut. Republicans, Democrats, Independents, everyone agrees on that. But we should not do it by turning around and raising taxes on employers everywhere.

Nevadans are looking for jobs. Increasing taxes on small businesses in Nevada is bad economic policy, and taking away the capital they could use to invest makes little sense.

Rather than finding a solution for hard-working Americans, the majority has chosen to go down a path that is engineered purposely to fail. They know there is little chance a tax increase on hard-working American taxpayers and their businesses will pass the Senate, and they know there is no chance their tax increase will pass in the House. So instead of success and reaching bipartisan agreement, the majority has chosen to focus on failure and scoring political points.

Honestly, these are the games the American people are tired of: the "my way or the highway" mentality, proposals that have no chance for success, bickering at the expense of our economy.

We have a divided Congress. That means to ensure 160 million Americans receive an extension of this tax cut, we need to move beyond petty politics of this majority.

As a Senator from the State that is leading the Nation in unemployment, I am particularly disturbed by this determination to play the political game rather than focus on solutions that work for all Americans.

With a little common sense, we can pay for the payroll tax cut without raising taxes on job creators, we can reduce government spending where it is no longer needed, and require the richest Americans to pay higher premiums for Medicare. This will allow us to strengthen and preserve Medicare for those Americans who rely on the program the most. And since my colleagues on the other side of the aisle frequently talk about how the richest Americans should be doing more, I believe this is an approach that both Democrats and Republicans can support.

By voting for this alternative plan, Congress can put political gamesmanship aside and support a workable solution for all Americans. The bipartisan veterans jobs bill, along with the 3-percent withholding bill Congress passed earlier this month, is proof that when Congress has the will to work together, we can find a pathway forward.

My proposal provides Congress with another opportunity to break the political gridlock here in Washington, DC, and vote for a solution that can pass Congress and be signed into law. I am hopeful Congress can work together to extend the payroll tax cut and preserve opportunities for job growth. It is past time Congress put aside politics and focused on policies that work for Nevadans and all Americans already struggling in this difficult economic environment.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

SEXUAL ASSAULT IN THE MILITARY

Ms. KLOBUCHAR. Mr. President, I rise today to speak in regard to the National Defense Authorization Act, and in particular to certain sections of that bill which target a serious but often underaddressed problem facing the men and women of our Armed Services. This is the issue of sexual assault.

I introduced this legislation on this issue in the spring with Senator SUSAN COLLINS, and I remain deeply concerned about the subject.

Many of our colleagues are aware that sexual assault is a persistent problem within our Armed Forces. In fact, reports of trauma have risen in recent years.

In March, the Department of Defense put out its annual report on sexual assault in the military. According to the estimates, there were more than 3,000 reports of sexual assault in the military last year. That includes reports by both male and female victims, exposing attacks perpetrated both by and against members of our military. And those are just the reported attacks. Since the Department of Defense estimates that only 13 percent of victims actually come forward, we can assume the real number of sexual assaults is much higher—upwards of 19,000.

The Department of Veterans Affairs has reported similarly disturbing figures: More than 20 percent of female servicemembers seen at VA medical facilities say they were sexually assaulted or harassed during their service.

Let me make this clear. We know the vast majority of the men and women serving in our military would never be involved in a sexual assault. They have the toughest jobs out there. They are on the front lines every day. But when we have a problem, we cannot put our heads in the sand and pretend it is not happening.

In 2008 alone, VA medical personnel reported nearly half a million encounters with veterans that focused on sexual assault and harassment. Our servicemembers are already dealing with the stress of battle. They are fighting two wars, and they are responding to other conflicts and needs around the globe.

The idea that an American in uniform—who is out there on the front lines, serving our country—may also suffer the physical and emotional trauma of sexual assault is simply unacceptable. It is also unacceptable that the records of that assault would be destroyed.

According to the VA, women who experience sexual assault or sexual harassment in the military have a 59-percent higher risk of developing mental health injuries.

Sexual trauma does not just hurt the victims. It can also take a huge toll on

the soldiers who serve by their sides. It has been shown to severely undermine military cohesion, team morale, and overall force effectiveness.

The Department of Defense is well aware of this problem, and over the years it has taken some positive steps to address it.

For example, the Pentagon has created positions for personnel specially trained to handle reports of sexual trauma. It has improved counseling services for victims. And it has implemented new training procedures for commanders. But despite these important improvements, the Defense Department continues to fall short in one very key area: ensuring the lifelong preservation of victims' records from reports of sexual assault.

As a former prosecutor, I know firsthand how important it is to preserve the data connected to crimes like sexual assault. That is why I am so troubled by the gaps we have seen at the Defense Department.

As of now, there is no coordinated, cross-service policy for ensuring the preservation of medical records and other information that is related to sexual assault. In this day and age, it seems a little crazy. Some of the branches have 5 years; some of them have 10 years. There is no policy, and many of these records are destroyed. These are records of sexual assault.

Across the board, these policies—or lack thereof—are bleak. In a significant number of cases of sexual assault, the data is destroyed within 1 year. It is simply shredded.

The problems this can cause for servicemembers are extensive. Within 1 year, the servicemember loses the proof that he or she experienced a sexual assault connected to their military service.

As a prosecutor, if you have someone who is maybe accused of a crime—or maybe no one followed through on it, and then later they go on and they commit an actual crime and there is a trial—you want to be able to access the records from the past.

Also, for the individual victim, it means they no longer have access to the evidence necessary for pursuing criminal action against their perpetrator.

It also means if the victim experiences depression or any other ailment, either mental or physical, relating to the assault, they may not be able to prove it was caused during their service, meaning they will not be able to seek VA disability benefits.

There are far too many examples of this out there—of servicemembers being denied compensation from the VA for disabilities caused by military sexual assault. There are far too many examples of servicemembers who have been told to “find a witness.” And when there are no witnesses, they have been told to “get their attackers to attest to the assault.” This is not the way we should be treating our servicemembers.

This year, my office was contacted by a group of Minnesota women veterans—veterans of all ages—who have bonded together to share their stories of sexual assault and to advocate for stronger protections from the Department of Defense and the VA.

These women signed up to serve. They performed well and honorably. And if in the course of their service, they experience an assault—an assault that would not have been experienced if they had not volunteered—then we owe them the basic decency of keeping their records. That is all we are talking about here.

We have appreciated that the Department of Defense is open to it, that the leaders of this bill are working with us on this issue.

I originally introduced this bill with Senator COLLINS, Senator MURKOWSKI, and Senator MCCASKILL. We were able to get 23 cosponsors on this bill, including every single woman in the U.S. Senate.

The Support for Survivors Act also is endorsed by several key veterans service organizations, including the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans, and the Iraq and Afghanistan Veterans of America, as well as the Servicewomen's Action Network.

The Support for Survivors Act is straightforward. Quite simply, it requires the Department of Defense to ensure lifelong storage of all documents connected with reports of sexual assault and sexual harassment in the military, while also maintaining full privacy for those involved.

Likewise, the purpose and motivation of this legislation is also pretty simple. It is about supporting our veterans.

I have always believed that when we ask men and women to sacrifice for us in defense of our Nation, we make them a promise that we are going to give them the support when they come home. As Abraham Lincoln said: We need to care for those who have borne the battle.

Well, protecting our servicemembers' personal records, protecting their rights is just about that. This week, Senators are considering a critically important bill, the National Defense Authorization Act. I am happy to say this year the Defense authorization bill already includes a significant majority of the provisions of my Support for Survivors Act.

This summer, the Senate Armed Services Committee saw fit to address the issue of military sexual assault during its markup of the bill. I am grateful for the time and effort my colleagues have invested in reviewing this issue. Already, the National Defense Authorization Act requires the Department of Defense to collaborate with the Department of Veterans Affairs in developing a comprehensive policy for ensuring retention and access to sexual assault records.

Importantly, the bill ensures protection of the privacy of the records. It