

have become aware of the targeting, but it doesn't stop with Mr. Miller.

As the Washington Post noted: "Lois Lerner, the head of the IRS's tax-exempt organization office, knew about the targeting in 2011; she seemed to say Friday that she learned about it from news reports last year."

These were not the malicious actions of a rogue agent or simply another example of government incompetence; instead, this was a clear, methodical abuse of government power to discriminate against whole groups of Americans simply because of their political beliefs.

Despite their awareness of abuse, officials from the IRS failed time after time to disclose this targeting and little effort was made to end the practice. Even as recently as their admissions on Friday, the IRS continued to engage in coverups and half-truths. In fact, IRS officials seem to go out of their way to deny wrongdoing.

In testimony last year before the House of Representatives, then-IRS Commissioner Douglas Shulman said there was "absolutely no targeting."

After years of neglecting to inform Congress of this practice, the long overdue admission was the result of diligent lawmakers exercising oversight along with a soon-to-be released report from the Treasury Inspector General for Tax Administration.

The time for muted outrage and limp apologies has passed. The American people deserve nothing less than absolute assurance that this practice will not happen again. Those who are responsible must be held accountable and removed from their positions. The policies that enabled this gross abuse of power must be changed immediately.

It is also worth noting the IRS is one of the lead Federal agencies in charge of implementing ObamaCare. It does not appear the IRS is in any condition to implement this highly controversial law, particularly as public trust in this agency continues to plummet.

Just yesterday we learned of another breach of public trust and another potential violation of our First Amendment freedom—the freedom of the press. Press reports indicate the Department of Justice secretly obtained extensive telephone records of reporters and editors for the Associated Press in what the head of the news organization called a "massive and unprecedented intrusion" into how news organizations gather the news. According to the Associated Press's legal counsel, the records obtained included those from reporters working out of the House of Representatives press gallery.

While it is unclear at this point how many reporters were targeted and why, the effect of this data gathering is clear: intimidation of the press and suppression of free speech.

This is unacceptable. A free and unfettered press is vital to any democracy. Moreover, the scope of this information gathering is simply beyond the pale—and likely beyond precedent.

The Attorney General and the President owe the American people answers, and they owe them now. These recent abuses of power by both the IRS and the Department of Justice are just the latest episodes of this executive branch's disturbing pattern of overstepping its lawful powers.

We have seen this in the President's unconstitutional recess appointments. We have seen this in the EPA's disclosure of classified information of cattlemen to activist environmental groups. We have seen this in a lack of forthrightness with our government's response to the attacks on the U.S. consulate in Benghazi.

The result of this methodical government overreach has a powerful chilling effect on citizens. There is no place for that in a democracy. There is no place for that in the United States. The American people deserve a government that jealously guards the liberties of its citizens, not a government that tramples on our basic constitutional rights.

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

The PRESIDING OFFICER (Mr. SCHATZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

WATER RESOURCES DEVELOPMENT ACT

Mrs. BOXER. Mr. President, in the interest of all Senators, and frankly in the interest of the people of this country, we are moving forward on the Water Resources Development Act. The question is, will we be able to clear a list of amendments, some by voice vote, and a further list of more controversial amendments by recorded vote. I am hoping that is the case. Senator VITTER and I hope that is the case, that we can get clearance on these packages of amendments. If we do not, we have to decide whether to invoke cloture, which will bring debate to a close. If we have to go that way, we have to go that way. But I am very optimistic that we can get these amendments cleared because, frankly, almost every Senator here has a stake in this very important legislation.

We have ports that are sometimes on the coast, sometimes they are inland. We have waterways. We have floods in our States. Not all of us but most of us. We have environmental restorations in our States with wetland conservation. We have work to do on our water infrastructure. Our infrastructure in this country has been rated a D-plus. That is not very heartening for the greatest country in the world. We have a weak infrastructure. Frankly, that is not good enough.

I want to read a list of supporters for our legislation. I think what people

will notice is how broad-based the list is. They are either representing workers or businesses, or they are businesses themselves. They are businesses that need to ship products. So let me read this. There are environmental organizations.

The AFL-CIO supports us; the American Association of Port Authorities; the American Concrete Pressure Pipe Association; the American Council of Engineering Companies; the American Farm Bureau Federation; the American Foundry Society; the American Public Works Association; the American Road and Transportation Builders; the American Society of Civil Engineers; the American Soybean Association; Associated Equipment Distributors; Associated General Contractors; Association of Equipment Manufacturers; the Clean Water Construction Coalition; the Concrete Reinforced Steel Institute.

I can't even go through it all, it is such a very long list. There is the National Association of Flood and Storm Management Agencies, the National Governors Association, the National Stone, Sand and Gravel Association, the National Waterways Conference, Inc., the American Institute of Architects, the National Association of Manufacturers, The Nature Conservancy, the U.S. Chamber of Commerce, and the United Brotherhood of Carpenters and Joiners of America. There are more. It is such a long list.

I ask unanimous consent to place this list into the RECORD.

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

NATIONAL ORGANIZATIONS SUPPORTING S.601

AFL-CIO, American Association of Port Authorities, American Concrete Pressure Pipe Association, American Council of Engineering Companies, American Farm Bureau Federation, American Foundry Society, American Public Works Association, American Road and Transportation Builders Association, American Society of Civil Engineers, American Soybean Association, Associated Equipment Distributors, Associated General Contractors of America, Association of Equipment Manufacturers, Clean Water Construction Coalition, Concrete Reinforcing Steel Institute.

Construction Management Association of America, International Federation of Professional and Technical Engineers, International Liquid Terminals Association, International Propeller Club of the United States, International Union of Operating Engineers, Laborers International Union of North America, Management Association for Private Photogrammetric Surveyors (MAPPS), NAIOP, The Commercial Real Estate Development Association, National Association of Flood and Storm Management Agencies, National Governors Association, National Grain and Feed Association, National Ready Mixed Concrete Association, National Retail Federation, National Society of Professional Surveyors (NSPS), National Stone, Sand and Gravel Association, National Waterways Conference, Inc.

Plumbing Manufacturers International, Portland Cement Association, The American Institute of Architects, The Fertilizer Institute, The Nature Conservancy, Transportation Construction Coalition, U.S. Chamber

of Commerce, United Brotherhood of Carpenters and Joiners of America Waterways Council, Inc., National Association of Manufacturers; AASHTO.

Letter signed by 160 organizations to Members of the United States Senate (April 29, 2013)

Mrs. BOXER. The point is this legislation represents jobs. This legislation represents moving products. This legislation represents flood control. This legislation represents fixing our ports, making sure we have some reforms that work well. This makes sure that when the Army Corps sets a project timeline, the resources agencies are in the room. It is very important. I have to say, as this country sees, there is a lot of partisanship going on; this is a bipartisan bill.

The bill made it through the Environment Committee without a single "no" vote. Since then, Senator VITTER and I have been working with all Senators, whether they are on the committee or off the committee, to meet the needs of their States to work with them. I think we have done everything in our power to help every State.

We know the last WRDA bill was 2007. We used to have a WRDA bill every couple years, but everything has gotten so controversial. What happened between then and now is a ban on earmarks. This bill used to be a bill that listed projects. We can't do that anymore. What we have to do is figure out a way to fund the needed projects while averting earmarks.

We did it by saying if there is a completed Corps report then, in fact, the project can go forward. We set up a way for future projects to be handled with the local communities coming forward.

I think we handled that issue well. We focused on flood control, ports, and environmental restoration. We have a piece that deals with the Everglades. If you have never been to the Everglades, it is a national treasure, River of Grass. That is what it is called. It is a magnificent, amazing, fabulous, environment, but it needs to be preserved and protected.

When my spouse and I went there with Senator NELSON, we went down through the Everglades. All of a sudden we see a deer jump up. The deer is actually living on the water on these little berms. It is the most remarkable thing I have ever seen.

We put WIFIA in here based on a program we call TIFIA, which will allow us to help local areas leverage their funds and build these projects more quickly. It goes on and on. We have terrible threats from flooding in places such as Sacramento, for example. We are looking at tens of thousands of Californians at risk and \$7 billion in property. We say, OK, it is time to get that done.

We look at flood protection for the 200,000 residents of Fargo, ND, and Moorhead, MN. They have been fighting rising floodwaters in recent weeks. We will restore the reliability of levees that protect places such as Topeka,

KS. It goes on to Texas. I could name literally every State in the Union that has something at stake.

Mr. SANDERS. Will the Senator yield for a moment?

Mrs. BOXER. I yield to the Senator.

Mr. SANDERS. I thank the Senator from California and the chair of the Environment and Public Works Committee for her work on this important project. I do wish to mention we have in Vermont one small concern that I hope will be addressed in this bill. In Vermont we have suffered through Irene, and it was a devastating experience for many communities in the State and for businesses.

The problem we are having now is that we have State regulations which correctly require that culverts be built which can, in fact, deal with the real problems of flooding. Unfortunately, what FEMA is prepared to pay for is inadequate infrastructure—culverts, among other things, that will not address the problem if we have to deal with another problem such as Irene.

This is a very modest proposal. Senator LEAHY and I feel strongly about this issue. I know the chairperson is sympathetic. There appears to be some problems on the other side, and I very much hope we can resolve this.

Mrs. BOXER. Yes. There is an amendment, I would say to my friend through the Chair, on our list that we have agreed to, Senator VITTER and I. There will probably be a vote on this proposal. I will ask my staff is that correct, on the Leahy-Sanders amendment on the culverts if it is on the list.

Mr. SANDERS. I had heard there was some objection on the other side.

Mrs. BOXER. We are trying to work out the objections, but we will have a vote on it if we cannot. We are working on it.

Mr. SANDERS. It is very important to Senator LEAHY and me that be addressed.

Mrs. BOXER. I thank the Senator. We are doing everything in our power. This shows the American people right on the floor of the Senate the way Senators have been working with us. I wish to say to my friend I am so proud he is on the Environment and Public Works Committee and how he has looked after his State. He has some very important things in this bill.

As a matter of fact, his work on the extreme weather title is very important and would allow us to prevent these terrible floods before they start. Yes, we are looking at things such as this in every State. We are trying to do everything in our power to meet every Senator's needs.

Sometimes what happens is it is kind of like that pop-up game. Something pops up over here, and it is OK, but then something else pops up over here. It is the legislative fix we are trying to meet and get to here, the legislative fix so every State feels comfortable.

This is an important bill. There is no other bill that deals with the Everglades. There is no other bill that will

deal with the Chesapeake Bay. There is no other bill that is possible that would allow us to move forward with these important flood control issues, because when we ended earmarks, we had no way to authorize any programs.

This Boxer-Vitter bill is not just an important bill, it is an essential bill. We need to move forward.

The extreme weather title I talked about that Senator SANDERS helped us write will require the corps and the National Academy of Science to jointly evaluate options for reducing risks related to future extreme weather events. Let me say that again. Right now the corps is not authorized to look ahead and say, given the extreme weather we are having, what is it we can do across this country to prepare. This study will give us a roadmap to that.

Without this bill, we don't have it. Without this bill, we have no reforms in the Harbor Maintenance Trust Fund. People are paying good money into the Harbor Maintenance Trust Fund for dredging our ports. Yet the full amount of the Harbor Maintenance Trust Fund is not going for those uses.

We make moves toward capturing more of those funds. The smaller ports have a good title, the Great Lakes, the seaports that are large donors such as Los Angeles and Long Beach make progress. I think it is a win-win. Our bill is certainly not perfect. Every one of us could write it in ways that benefit our States even more, I think there is no question, starting with the chairman of the committee. But we have to deal with everybody's issues, everybody's concerns, everybody's problems.

We support 500,000 jobs in this bill. There are very few bills that come before us that could make that claim.

I think we can show the American people we can work together. We have this one last stage, and we are working so hard.

I wish to say to my staff—who are still working. My staff and Senator VITTER's staff have worked nonstop. I am talking about Saturday, Sunday, last night. They were still in the office at 11 o'clock. I just want to praise them. People don't see that. People don't understand these bills don't magically appear.

Dealing with every Senator, I think everyone knows every one of us has a very strong personality. They truly care about their States and fight for their States. It is tough to try to preserve everyone's rights and everybody's wishes. We have to work with Senator MIKULSKI in a very good way and Senator SHELBY. Senator LANDRIEU has worked hard on this bill, and now she has an amendment we are trying to dispose of. I hope we will get the approval to do that.

Once we finish our work, Congressman SHUSTER, Chairman SHUSTER over in the House, needs to pass a bill or could take up our bill and pass it.

When I read this list to you, I didn't even get to all of the names. This is

one of the broadest coalitions I have ever seen behind any piece of legislation. It is a huge and important coalition. It represents America. It is people who work every day at building the infrastructure, utilizing the infrastructure, and making sure our homes are safe from flooding. The list includes the National Governors Association. It is a rarity to have that kind of a list.

At this point, we are supposed to vote at noon, and we will be back to you with some further comments.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

WATER RESOURCES DEVELOPMENT ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 601, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 601) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 12 noon will be divided and controlled in the usual form.

Mrs. BOXER. While we discuss how we are going to proceed, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. BOXER. I ask unanimous consent that the time during quorum calls be divided equally.

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

Mrs. BOXER. I note the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

MILITARY SEXUAL ASSAULT

Mrs. HAGAN. Mr. President, I rise today to discuss the sexual assault crisis that is facing our military and the need to act immediately to address this problem.

Last week, the Department of Defense released a report estimating that over 26,000 servicemembers—and this includes men and women—were sexu-

ally assaulted in 2012, and this is up from approximately 19,000 in 2010. This is astounding and totally unacceptable.

Even more alarming is the fact the number of cases actually reported remains just a fraction of the total. Only 13 percent of these cases are actually reported. Let me repeat that: Only 13 percent of assaults were actually reported in 2012.

As a member of the Armed Services Committee and a Senator from North Carolina, home to the third largest military population in the country, I find these statistics appalling. The brave servicemembers who put their lives on the line should not have to worry about their personal safety on bases in the United States and around the world. The men and women who are already tasked with so much, who have vowed to serve and protect our country, should feel they are afforded the same protection in return, but they are not.

The stories I hear from our female servicemembers are astounding. One woman marine was raped by an acquaintance, her fellow marine, in her barracks one night. No one heard her cries for help. The next day she did report the assault to her chain of command. An investigation was launched from there. While that investigation was underway, from June to January, she was heavily alienated by her peers. She was called derogatory names, and her sergeant major even told her the assault was her fault because she must have given her rapist a reason to think it was OK. In the end the official investigation found her claim was “unfounded” because there were no witnesses, and she did not know at the time she should have gone to the hospital and had a rape kit analysis done.

Other servicemembers—women who have served on forward operating bases in Afghanistan—have told me they limit their water intake throughout the day so they do not have to use the latrines in the middle of the night and by doing so put themselves at further risk of being assaulted. No one should ever have to deal with those kinds of concerns, especially when they are already putting their lives on the line to protect our Nation.

The Department of Defense has reported that half of all servicemembers who were victims of sexual assault say they are actually afraid to report out of fear of retaliation or that their confidentiality will not be maintained. Others believe reporting the crime will jeopardize their military career. They fear they would not receive opportunities for advancement—opportunities they have earned through service to our country.

This is just totally unacceptable. The men and women of our Armed Forces deserve far more. We have to deal with this problem once and for all, and I am encouraged the National Defense Authorization Act of 2013 includes specific directives to reduce the alarming number of assaults that take place and often go unreported.

Specifically, these provisions include independent review boards to examine how sexual assault cases are handled, the creation of a special victims unit, ensuring convicted offenders are permanently barred from the military, improving how the military collects data on this topic, and several other needed provisions.

During his confirmation process, Secretary of Defense Chuck Hagel said he was committed to fully implementing these directives, and I urge Secretary Hagel to report to Congress on the progress made as swiftly as possible. I still believe Congress should and must do more. The steps I believe we should consider are, first, the creation of a special victims counsel that would include advocates who can support victims and help them report incidents of sexual assault.

As I mentioned, too many victims do not come forward because they are either afraid of retaliation, they do not believe their confidentiality will be maintained, or they do not have faith in the military justice system. As in the case of the woman I described who had been raped, she did not know she should have had an analysis of rape actually done. These victims advocates would have given her that advice.

Second, we are fortunate in the Senate to have a number of former prosecutors engaged on this issue. Over the last 20 years, they and their colleagues have made great strides in handling sexual assault cases in the civilian world, and I believe we should take the lessons learned from that process to improve the military’s response—lessons including proper training for tackling evidentiary issues and addressing victims’ needs.

Third, commanding officers can overturn verdicts of jury trials, as happened in the Air Force earlier this year. These are commanding officers, they are not appellate judges; they are not legally trained. They should not have the authority to overturn a verdict. I believe we should review that authority as it applies to sexual assault cases, something Defense Secretary Hagel has indicated should be a priority.

Finally, we need to explore whether the present Uniform Code of Military Justice is up to the task of addressing the problem of sexual assault. I believe both the Armed Forces and the cause of justice would be well served by a vigorous debate in Congress on whether sexual assault cases can be effectively handled within the chain of command or whether this process needs to occur independently. Significant overhauls of the Uniform Code of Military Justice should not be approached lightly, but we owe it to our servicemembers to think outside the box and consider all possibilities.

These men and women of our military cannot wait another day, and they should not have to wait another day for this problem to be addressed. I urge my colleagues to join me in taking concrete steps to address this issue and to