

country. But despite strong bipartisan support in the Senate, Republicans in the House refused to join the efforts to end domestic abuse.

Those partisan delays put women's lives at risk. Thousands have written letters and e-mailed and called to support this legislation. One Nevada woman shared her story of how her partner held a gun to her head and threatened to pull the trigger. She escaped with her life, but many women are not so fortunate. Every year more than 1,000 women are killed by domestic abusers. Since the Violence Against Women Act expired, more than 16 million women have been victimized.

The law is effective. In the two decades since it was enacted, the law has helped millions of women escape their attackers and seek justice. There is obviously much more work to do. I say to my friend Leader CANTOR: It is time for the Republican leaders to stop talking about how much they care about women and start acting to protect women. More than one-third of the women in this country have been the victim of violent sexual assault or stalking. Congress must do everything in its power to help law enforcement officials prevent these terrible crimes and prosecute the perpetrators. Reauthorizing this legislation would help law enforcement improve strategies to prosecute crimes against women. It would provide legal assistance to the victims of violence and funding for shelters to allow women to escape their abusers. It would safeguard youth who are experiencing dating violence and stalking.

Until we fully reauthorize this law, authorities will not have all the tools they need to fight domestic violence. Today—we hope it does not go over until tomorrow—we do not need another day's delay. For the second time in 2 years to protect American women and their children, we hope to take bipartisan action. I hope the House will act quickly to follow suit, as they did not do last year. I trust Leader CANTOR's words that this legislation is a priority. I will not be the only one holding him to his promise he made yesterday, to swiftly reauthorize the Violence Against Women Act. In fact, there will be 160 million American women who are watching and waiting to see if he turns his words into action.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the leadership time is reserved.

#### VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 47, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 47) to reauthorize the Violence Against Women Act of 1994.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, first, I wish to applaud the distinguished leader Senator REID for his statement. He has helped us over and over again to get this bill to the floor. The reason it is here is because of the action of the distinguished majority leader in getting it up here. I was pleased to hear his comments about hopefully finishing this today or tomorrow. Anyway, it should be done soon. This is a landmark law.

The Senate has before it a bill to reauthorize the Violence Against Women Act, a landmark law we enacted that has made a difference in women's lives. By providing new tools and resources to communities all around the country, we have helped bring the crimes of rape and domestic violence out of the shadows. The Federal Government stood with the women of this country and sent the message that we would no longer tolerate their treatment as second-class citizens. Our bill renews and reinforces that commitment.

Ending violence against women is not an easy problem to solve but there is a simple and significant step we can take, right now and without delay. I, again, thank Majority Leader REID for making this unfinished business from the last Congress a priority for the Senate early this year.

Senator CRAPO and I have worked hard to make this bill bipartisan and I am proud that it has more than 60 Senate cosponsors. It also has the support of more than 1,300 local, State and National organizations from around the country that work with victims every day and know just how critical this law has been. I included their most recent letter of support with my remarks on Monday. I, again, thank them for their tireless efforts.

On Monday the Senate voted to proceed to consideration of the Violence Against Women Reauthorization Act. I was disappointed to see that 13 Republican Senators did not vote to proceed to the bill. I do not know why. They did not say.

I worry that there are Senators who do not appreciate the role of the Federal Government in helping improve the lives of Americans. That is what the Violence Against Women Act is intended to do and it is what this law has successfully accomplished for nearly 20 years. This is an example of how the Federal Government can help solve problems in cooperation with State and local communities. The fact is, women are safer today because of this law and there is no excuse not to improve upon it and reauthorize it without delay.

We are working to protect victims—all victims—of domestic and sexual violence. I hope that those who previously opposed our efforts to improve the Violence Against Women Act will join with us and help the Senate send our strong bill to the House of Representatives so that we can get it enacted. Let us not undercut the provi-

sions to help protect Indian women from the serious problems they face.

If anyone needs a reminder of how important government help can be, just think about the way that Federal and local law enforcement worked together earlier this week to rescue Ethan, a 5-year-old kidnapped boy, from an underground bunker in Alabama, where he had been held hostage for almost a week. Ask the family and local law enforcement if they appreciated the help of the FBI, the Defense Department and so many who contributed to the safe return of that innocent victim.

I spent years in local law enforcement and have great respect for the men and women who protect us every day. When I hear Senators say that we should not provide Federal assistance, we should not help officers get the protection they need with bulletproof vests, or that we should not help the families of fallen public safety officers, I strongly disagree. In our Federal system, we can help and when we can, we should help. And that is exactly the opportunity that is before us today. We have the power to help improve the lives of millions of people in this country by renewing and expanding our commitment to end domestic and sexual violence. A recent study from the Centers for Disease Control, CDC, found that more than 24 people per minute are the victims of rape, domestic violence and stalking in this country. We can take action to change that and we must.

I am proud that our bill seeks to support all victims, regardless of their immigration status, their sexual orientation or their membership in an Indian tribe. As I have said countless times on the floor of this chamber, "a victim is a victim is a victim."

I appreciate the administration's support for this legislation and our goal in reaching all victims. In particular, I note the support of the administration in its Statement of Administration Policy for our bipartisan proposal, first developed by the Senate Committee on Indian Affairs, to "bring justice to Native American victims." Three out of five Native women have been assaulted by their spouses or intimate partners. We can no longer idly stand by while this epidemic of abuse continues.

The language in the bill is that which the Senate adopted last April. The best legal views of which I am aware believe these provisions are both constructive and constitutional. We are building on the Tribal Law and Order Act and recognizing tribal authorities with respect to domestic violence in Indian country. No one should be able to get away with domestic violence and rape, not in any community, and not because the victim is a Native American victim in Indian country. I ask unanimous consent that a copy of the Statement of Administration Policy expressing the administration's strong support for this provision and the bill as a whole, be made

part of the RECORD at the end of my statement.

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

(See exhibit 1).

Mr. LEAHY. The bottom line is this: While we have made great strides in reducing domestic and sexual violence, there is more to be done and it is incumbent upon us to act now. The Violence Against Women Reauthorization Act has been carefully considered and debated for more than 2 years. It is time we vote and send this bill to the House of Representatives so that it can be enacted. Let us not undermine the provisions to help protect Indian women and other particularly vulnerable victims from the serious problems they face.

I hope the Senate will come together to reauthorize this needed legislation in a bipartisan manner that represents the finest traditions of the Senate. Domestic and sexual violence knows no political party. Its victims are Republican and Democrat, rich and poor, young and old, gay and straight, male and female. Let us come together now—today—to pass this strong reauthorization of the Violence Against Women Act. Let us show the American people what we can accomplish when we work together.

I yield the floor.

#### EXHIBIT 1

#### STATEMENT OF ADMINISTRATION POLICY

#### S. 47—VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

(Sen. Leahy, D-VT, and 59 cosponsors, Feb. 4, 2013)

The Administration strongly supports Senate passage of S. 47 to reauthorize the Violence Against Women Act (VAWA), a landmark piece of bipartisan legislation that first passed the Congress in 1994 and has twice been reauthorized. VAWA transformed the Nation's response to violence against women and brought critically needed resources to States and local communities to address these crimes.

The Administration is pleased that S. 47 continues that bipartisan progress and targets resources to address today's most pressing issues. Sexual assault remains one of the most underreported violent crimes in the country. The bill provides funding through State grants to improve the criminal justice response to sexual assault and to better connect victims with services. Further, the bill seeks to reduce domestic violence homicides and address the high rates of violence experienced by teens and young adults. Reaching young people through early intervention can break the cycle of violence.

The Administration strongly supports measures in S. 47 that will bring justice to Native American victims. Rates of domestic violence against Native American women are now among the highest in the United States. The bill builds on the Tribal Law and Order Act—which President Obama signed on July 29, 2010—to improve the effectiveness and efficiency of tribal justice systems and also recognize tribal authorities with respect to domestic violence in Indian country. The Administration is pleased that S. 47 recognizes the need to provide protection and services to all victims of abuse and includes proposals to strengthen existing policies that were supported by both Democrats and Republicans last year.

#### RECOGNITION OF THE MINORITY LEADER

Mr. MCCONNELL. Mr. President, I am going to proceed on my leader time.

The PRESIDING OFFICER. The Republican leader is recognized.

#### FINDING ECONOMIC SOLUTIONS

Mr. MCCONNELL. Mr. President, a report this week from Harvard's Institute of Politics reveals just how devastating the President's policies have been for Americans under 30. Despite the fact that most millennials have attended college, only about 60 percent of them have been able to find a job, and half of them are only working part time.

For many young Americans, this suggests the American dream is already drifting out of reach. It should not be this way.

Previous generations of Americans faced great challenges, but until now younger Americans could always expect they would eventually achieve greater prosperity than their parents, and that their children would do even better. Now the opposite appears to be the case. This should be shocking to all of us, especially considering that this generation of young people came into its own in an era of relative peace and prosperity. For many of us, just going to college was a pretty big deal. For today's younger generation, it was the obvious next step.

Many of us watched our parents save diligently for the simplest of luxuries. A lot of today's young people couldn't relate to those stories until now. They grew up in an age of dot-com booms and easy credit.

As college degrees no longer translate into fulfilling careers and as the Obama economy continues its year-long stagnation, much has changed for a generation that once seemed to have everything going for it. Recent figures from the Congressional Budget Office help tell the story. According to CBO, in 2014 the United States will see a sixth consecutive year of 7.5 percent-plus unemployment. The last time the United States jobs picture was that bad, Americans were still huddling around the family radio.

For 2 years, the President has been saying that raising taxes on the rich would solve our problems. Yet CBO notes that while taxes are set to jump above their historic level, the added revenues from taxes that rose due to operation of law last month will mean almost nothing when it comes to dealing with America's long-term fiscal challenges. This is because CBO has also warned that spending, which already exceeds the historic average, will continue its unsustainable climb in the years ahead.

In fact, over the next decade, red ink will spike by trillions to levels unseen in peacetime America. If interest rates go up, as most expect, it will be even harder for young Americans to purchase a home. The CBO warns that if interest payments on our debt skyrocket, it will be even more difficult to guarantee the eventual availability of

Social Security and Medicare for today's graduates. If wages fall as a result of the smaller economy that comes from the government's increased debt payments, then we can be quite certain that today's generation will know less prosperity than their parents do.

These are some of the negative consequences of failing to get spending under control. Things are set to get much worse unless we act quickly.

Has the White House reached out to Republicans to solve these pressing economic and fiscal challenges? I wish. Instead, it has turned once again to gimmicks and tax hikes that only serve to delay solutions. Earlier this week the President even proposed more tax hikes to offset a sequester that he himself proposed and he already signed into law. If he agrees with us there is a smarter way to make these cuts, he should propose it, not just call on others to act.

I will tell you this right now: My constituents in Kentucky and the American people will not accept another tax increase to put off a spending cut that the two parties have already agreed to. We have already agreed to cut this much spending. It is the definition of dysfunction that it might not happen.

This morning I am again calling on the President and his congressional allies to put politics aside at least for once. The election is over. The time to govern is right now, to make divided government work for the American people who chose it. We owe Americans action, not rhetoric. We owe it to the millions of college graduates out of work. We owe it to the strivers who find themselves still living in their parents' basement. They are all counting on us to enact real bipartisan solutions, solutions that can get our economy moving again today and can ensure greater prosperity tomorrow.

Is Washington up to the task? Republicans are, and we are still here ready to work for the President as soon as he is prepared to get down to business.

I yield the floor.

The PRESIDING OFFICER. For the information of the Senate, the time until 12 noon will be equally divided and controlled between the two leaders and their designees.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I come to the floor today to speak about the legislation we are about to discuss here, the Violence Against Women Act.

Before I do, I want to respond to a comment I heard by the Republican leader on the floor right now talking about the impact of sequestration, which is to go into effect March 1 unless Congress acts to replace it with something that is more balanced. Sequestration was never written into law to go into effect. Sequestration was put into law in order for us, Congress, to come together in a bipartisan way to find a balanced solution. That is still the case. I feel very strongly that if Members of Congress, Republicans and

Democrats, can come together with a balanced package that takes into account sequestration causing severe impact to our national defense, to our nondefense programs such as Head Start and education at a time when our economy is very fragile—the impact of the job cuts on that would be very severe. Democrats believe, just as we did throughout this process, if we put forward a balanced replacement that includes revenue, making sure that those wealthy Americans who have done very well and have not had to sacrifice are part of a replacement package that we can move through this Congress, this will ensure, as we put forward a balanced budget approach for the future and work for a long-term deficit stabilization process, we can get past this hurdle.

There is no reason we need to manage crisis by crisis if we can come together on a balanced approach that does include revenue. This is what Americans expect—everybody participates in making sure that our economy gets back on track, we don't just protect the wealthiest, but we ask them to do their part.

I look forward to working with anybody in this body to do this so we don't face the impacts of sequestration that would happen if we don't have that balanced plan.

Speaking about the Violence Against Women Act, which is the order of business today, I come to the floor this morning to continue the efforts that we did start here 9 months ago, efforts that were, in fact, overwhelmingly bipartisan—68 Senators—to finally renew our national commitment to ending domestic violence and reauthorize the Violence Against Women Act. It is a bill that has successfully helped provide life-saving assistance to hundreds of thousands of women and families, and it is a bill that consistently extends protections to new communities of vulnerable Americans each and every time it has been authorized.

I wish to thank Senator LEAHY and Senator CRAPO for making the Violence Against Women Act a priority for reintroduction in the 113th Congress, because there is no reason this critical bill, which has such broad support, should be put on the back burner and delayed further while there are millions of Americans across our country who are excluded from the current law. In fact, for Native, immigrant women, and LGBT individuals, every moment our inclusive legislation to reauthorize VAWA is delayed is another moment they are left without the resources and protection they deserve.

For women on tribal lands, the challenges are particularly immense. Often in our very rural areas, on tribal lands, these women live hours and hours away from the nearest Federal prosecutors.

For nontribal members on these lands who perpetrate these violent crimes against the women who are living there, it equates to nothing short of a safe haven for them. It is a place

where they are free from tribal jurisdiction and repeatedly commit horrific acts without being afraid of being brought to justice.

This is an injustice that Deborah Parker, the vice chairwoman of the Tulalip tribes in my home State, spoke to just outside this Chamber last year in an effort to get House Republicans to listen. Through her tears she told a deeply personal story about how not only was she abused as a young girl, but how she then watched family members and friends suffer similar fates. She spoke about how time and again the abusers went unprosecuted, only to repeat the crime over and over. She called herself “a Native American statistic.” Even more sadly, she was right.

In fact, the numbers are staggering. One in three Native women will be raped in her lifetime. One in three. Two in five of them are victims of domestic violence, and they are killed at 10 times the rate of the national average. These shocking statistics aren't isolated to one group of women, as 25 to 35 percent of women in the LGBT community experience domestic violence in relationships. Three in four abused immigrant women never entered the process to obtain legal status, even though they were eligible, because their abuser husbands never filed the paperwork.

It does not need to be this way. I was very proud to be here serving the Senate back in 1994 when we first passed the Violence Against Women Act. Since we took that historic step, VAWA has been a great success in coordinating victims' advocates, social service providers, and law enforcement officials to meet the immediate challenges of combating domestic violence. Along with bipartisan support, this has received praise from law enforcement officers, prosecutors, judges, victim service providers, faith leaders, health care professionals, advocates, and survivors.

VAWA has attained such broad support because it worked. It provides shelter and justice to battered women who need both, and it is the cornerstone of our efforts to combat domestic violence. We can't pick winners and losers on who gets these critical protections, and we cannot afford any further delay, not on this bill.

Just like the last Congress, we all know what it would take to move this bill forward—leadership from Speaker BOEHNER and Leader CANTOR. The fate of the Violence Against Women Act lies squarely on their shoulders. To date they have refused to listen to countless law enforcement and women's groups, as well as moderate voices in their own party who have called on them to pass the Senate's bipartisan and inclusive bill.

In this new Congress, on this newly introduced bipartisan bill, the House Republican leadership faces the same choice and a second chance. They can either appease those on the far right of their caucus, who would turn battered women away from care, or they can

stand with Democrats, moderate Republicans, and the many millions of Americans who believe that who a person loves, where they live, or their immigration status, should not determine whether they are protected from violence in this country.

In fact, in a recent editorial the Seattle Times echoed this same sentiment:

House Republican leaders refused to bring the original Senate bill forward for a vote. They must not squander a second chance to save lives.

I couldn't agree more. Too many women have been left vulnerable while House Republican leaders have played politics. It is time for moderate Republican voices in the House to call upon them to pass this bipartisan Senate bill immediately, because women's lives across the country literally depend on it.

The Senator from Vermont, Mr. LEAHY, has led the charge on this bill. I wish to thank him publicly, as he is on the floor right now, for his work, for the first bill he has put forward for this body to consider. It is time to move on it, and I want him to know how much I truly appreciate all of his efforts in getting this done. This is for all women in this country, for Native American women, whom I have talked about, in particular, who have suffered at the hands of their abusers for so long, and for all of our women in this country, whoever they are, wherever they come from, to know that this Senate in a bipartisan way stands behind them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the Senator for her words. The Senator from Washington State has been a consistent and clear supporter of the Violence Against Women Act. I especially applaud what she said: It should apply to all victims. I have said so many times on this floor, and I sometimes wonder if people hear, but certainly in my experience in law enforcement the police never asked and said, well, we can't help this victim unless they fall into a particular category. They said a victim is a victim is a victim, and a crime is a crime is a crime.

We didn't have the Violence Against Women Act when I and my colleagues around the country were in law enforcement. I cannot help but think of all the deaths that would have been prevented had we had something like this, all the violence that would have been prevented if there had been organizations like some of the actual ones we have in Vermont and other States supported by the Violence Against Women Act that have prevented violence.

I cannot imagine any Member of this body would oppose this law if it affected them or their families. We, as Americans, are all family, so it affects every one of us.

I again thank the Senator from Washington State for her comments.

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

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

Mr. LEAHY. Mr. President, I ask unanimous consent the letters from advocates and faith-based organizations in support of S. 47, the Violence Against Women Act, be printed in the RECORD.

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

NATIONAL ALLIANCE TO  
END SEXUAL VIOLENCE,  
Washington, DC, January 28, 2013.

Hon. PATRICK LEAHY,  
Chairman, Senate Judiciary Committee, U.S.  
Senate, Russell Senate Office Building,  
Washington, DC.

Hon. MICHAEL CRAPO,  
U.S. Senate, Dirksen Senate Office Building,  
Washington, DC.

DEAR CHAIRMAN LEAHY AND SENATOR CRAPO: On behalf of 56 state and territorial sexual assault coalitions and 1300 rape crisis centers, I want to express our sincere gratitude for the introduction of S. 47. The Violence Against Women Act (VAWA) with the SAFER Act included represents the essential and comprehensive legislative package that is necessary to advance this nation's response to the crime of rape and protect and support victims. S. 47 includes critical enhancements to address sexual assault including criminal justice improvements, housing protections, vital direct service and prevention programs, and SAFER's policies to address the rape kit backlog.

We are urging all Senators to stand with sexual assault survivors and support the swift passage of this far-reaching legislation. Sincerely,

MONIKA JOHNSON HOSTLER,  
Board President.

FEBRUARY 4, 2013.

Hon. PATRICK LEAHY,  
Dirksen Senate Office Building, U.S. Senate,  
Washington, DC.

Hon. MICHAEL CRAPO,  
Dirksen Senate Office Building, U.S. Senate,  
Washington, DC.

DEAR SENATOR LEAHY AND SENATOR CRAPO: We, the undersigned sentencing and criminal justice reform organizations, are writing to express our opposition to the inclusion of any mandatory minimum sentencing provisions in S. 47, the Violence Against Women Reauthorization Act of 2013 (VAWA).

We acknowledge that reducing the level of sexual, domestic, and dating violence and stalking directed at victims of violence is a worthwhile objective and an issue of national concern. We recognize and appreciate that many of the proposals contained in S. 47 enjoy broad bipartisan support, as well as the support of the American public. In its current form, S. 47 does not include any mandatory minimum sentences. We think it should remain that way through passage.

We do not believe that including mandatory minimum sentencing provisions for the domestic violence, sexual assault, and stalking offenses in S. 47 would be necessary, appropriate, or cost-effective. In fact, such provisions could be counterproductive in combatting violence. According to the National

Task Force to End Sexual and Domestic Violence Against Women, the threat of a lengthy, mandatory prison sentence for an intimate partner abuser could deter a victim from reporting a crime. Because the victim and offender are often related or in an intimate relationship, many of the crimes included in VAWA will involve complex facts and unique circumstances. Such complicated crimes demand that courts have flexibility to ensure that the sentence fits the crime and the offender, protects victims, and best meets the needs of the family or couple impacted.

Finally, more mandatory minimum sentences would only increase the burdens on and high costs of our already overcrowded federal prison system. A recent Congressional Research Service report shows that mandatory minimums are the primary driver of high prison populations and increasing prison costs. Mandatory minimum sentences are unfair, ineffective, and result in extraordinary costs to American taxpayers.

Accordingly, as the Senate considers S. 47, we strongly urge you to oppose the adoption of any mandatory minimums. Thank you for your leadership on this important issue and for considering our views. Please do not hesitate to contact any of us if you should have any questions.

Sincerely,  
American Civil Liberties Union, Church of Scientology National Affairs Office, Drug Policy Alliance, Families Against Mandatory Minimums, Human Rights Watch, Justice Fellowship, Lawyers' Committee for Civil Rights Under Law, National Association of Criminal Defense Lawyers, National Legal Aid & Defender Association, The Sentencing Project, United Methodist Church, General Board of Church and Society.

LUTHERAN IMMIGRATION  
AND REFUGEE SERVICE,  
Baltimore, MD, February 1, 2013.

Hon. PATRICK J. LEAHY,  
U.S. Senate, Russell Senate Office Building,  
Washington, DC.

Hon. MIKE CRAPO,  
U.S. Senate, Dirksen Senate Office Building,  
Washington, DC.

DEAR SENATOR LEAHY AND SENATOR CRAPO: On behalf of Lutheran Immigration and Refugee Service (LIRS), the national organization established by Lutheran churches in the United States to welcome immigrants and refugees, thank you for reintroducing the bipartisan Violence Against Women Reauthorization Act (VAWA) (S. 47).

As you are aware, there are many cases in which immigration status is used as a tool for abuse, leading victims to remain in abusive relationships and contributing to the underreporting of serious crimes to local enforcement officials. The creation of the U visa in 2000 by Congress to encourage migrant victims to report criminal offenses to officials has been extremely helpful in advancing community safety. The need for U visas is significant. In 2012, U.S. Citizenship and Immigration Services ran out of available U visas over a month prior to the end of the fiscal year. Therefore, the lack of a vital increase in the number of available U visas in S. 47 is extremely disappointing. However, I am encouraged by your commitment to increase the cap on U visas as part of immigration reform legislation.

While I applaud efforts to swiftly move VAWA through both chambers of Congress, I caution against any use of VAWA as a means to expand immigration enforcement provisions of the Immigration and Nationality Act. These changes would be detrimental to the central purpose of VAWA—to address the critical issues of domestic violence, sexual

assault, dating violence, and human trafficking—and should remain outside of the VAWA debate.

LIRS commends your leadership in advancing this bill and we are excited to continue to work with you to ensure the inclusion of provisions to protect vulnerable migrant victims in upcoming legislation. Please contact Brittney Nystrom, LIRS Director for Advocacy with any questions.

Yours in faith,

LINDA J. HARTKE,  
President and CEO,  
Lutheran Immigration and Refugee Service.

OFFICE OF PUBLIC WITNESS, PRESBYTERIAN CHURCH (U.S.A.), COMMISSION, PEACE AND JUSTICE MINISTRY,

Washington, DC, February 1, 2013.

Hon. PATRICK LEAHY,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR LEAHY: In the Presbyterian Church (U.S.A.), we believe that "domestic violence is always a violation of the power God intended for good." We believe that "God the Creator is preeminently a covenant-maker, the One who creates, sustains, and transforms the people of God. Domestic violence and abuse destroys covenants in which people have promised to treat each other with respect and dignity."

Because of these convictions, we strongly support a robust reauthorization of the Violence Against Women Act and we thank you for your leadership in sponsoring S. 47. Further, we wish you to know that we have written to all of your Senate colleagues, asking them to support final passage of this bill, and urging them to oppose any amendments that you have not endorsed.

As you know, VAWA's programs support state, tribal, and local efforts to address the pervasive and insidious crimes of domestic violence, dating violence, sexual assault, and stalking. These programs have made great progress towards reducing the violence, helping victims to be healthy and feel safe and holding perpetrators accountable. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Again, we thank you for your leadership on this important issue and look forward to the bill's passage, so that we can build upon VAWA's successes and continue to enhance our nation's ability to promote an end to this violence, to hold perpetrators accountable, and to keep victims and their families safe from future harm. For our part, we commit to continued ministry with victims and survivors of violence and to do all we can, through our ministries and our advocacy, to end this desperate cycle of violence and brokenness.

We give thanks for your service to our nation and for your leadership on this issue.

Sincerely,  
THE REVEREND J. HERBERT NELSON II,  
Director for Public Witness.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum and ask unanimous consent the time be equally divided.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I wonder if the distinguished Senator from New

Hampshire would yield to me for a moment.

Mrs. SHAHEEN. Always, Mr. President.

Mr. LEAHY. Mr. President, I know the senior Senator from New Hampshire is about to speak regarding the Violence Against Women Act. I would like to take a moment to thank her for all the work she has done in her State and in the Senate to help advance this legislation.

Senator SHAHEEN and I are from rural States. We border each other. The Connecticut River runs down the border between our two States. We have so much in common. We face some of the same difficulties of weather and rural nature, and, of course, in a rural State there is the question of access to transportation. Senator SHAHEEN was the one who brought up, based on her experience in New Hampshire, that women were having trouble getting to crisis centers and courts. Of course, we have a similar challenge in a rural State such as mine. But Senator SHAHEEN worked with the Department of Justice to address this problem. As a result, the Office on Violence Against Women is now allowing rural communities to obtain VAWA grant funding for transportation needs.

A number of the women who are going to be getting this transportation and desperately need it may not know how that came about, but I wish to congratulate Senator SHAHEEN on her successful efforts on behalf of not just women in New Hampshire or Vermont but throughout the country—again, another example of what we are doing with this bill and the necessity to finish this bill. I hope we can finish this today.

I thank the Senator for yielding to me.

Mrs. SHAHEEN. Mr. President, I thank the Senator from Vermont, Mr. LEAHY, both for his kind words and the tremendous leadership he has shown over the years in first passing this legislation and for getting it reauthorized time and again and now, after the bill died in the last Congress because of the unwillingness of the House to act, for his willingness to bring it forward so early in the session so that hopefully we can make sure all of those people who are victims of domestic violence and all of those advocates, the law enforcement community that is working so hard, can have the support they need as a result of this legislation. So I thank Senator LEAHY very much.

One of the reasons I am proud to support this bill is because it takes a truly comprehensive approach to the problem. It supports crisis centers for women and families to provide for immediate needs, such as shelter and counseling.

Last year the New Hampshire Coalition Against Domestic and Sexual Violence reported that they were able to provide shelter for 630 people who needed a place to sleep. Unfortunately, although they helped those 630, they had

to turn away 721 because they didn't have room. So even with the help that is in the Violence Against Women Act, they had to turn away more people than they could help.

In the face of this need, sometimes it is easy to feel discouraged, to wonder whether we can really help at all. But when I speak to the brave women who are survivors who reached out for help to the advocates who have helped them rebuild their shattered lives, I know that we can and we must continue to make a difference.

The Violence Against Women Act helps us do this by providing funding for police officers and prosecutors so abusers are held responsible. Time and again, we have heard from law enforcement that the Violence Against Women Act helps them keep our communities safe and helps stop the cycle of abuse—law enforcement officers such as a detective sergeant in New Hampshire's largest city of Manchester, who is an investigator and a domestic violence advocate.

I brought with me today a chart that gives us a real picture of just how pervasive the problem of domestic violence is.

As we can see in the chart, one in four women in the United States is a victim of domestic violence. Three women are murdered every day by their partners. This has been a very big problem in New Hampshire where half of all murders are domestic violence related.

Maybe the worst statistic on this chart shows that 15 million children are exposed to domestic violence every year. I call this maybe the worst because, in fact, the cycle of domestic violence continues because so many children are exposed every year. They are not able to get out of this cycle. Let's recommit to shielding our children from senseless violence.

Another reason I am proud to support this bill is because it treats all victims equally, and it recognizes that members of the LGBT community are just as deserving of our support as any other survivor of domestic violence. A recent study by the Centers for Disease Control shows us that those in LGBT relationships actually experience higher rates of violence than heterosexual couples. Let's recommit to helping all Americans regardless of whom they love or who has abused them.

Finally, I want to end with a quote from a woman in New Hampshire who sought help at a crisis center that receives funds from VAWA, the Monadnock Center for Violence Prevention. Before she left that shelter—as she was putting her life back together—she told the case managers there:

You all have really made my life worth holding onto and not giving up. Please don't ever give up doing what you do because you truly saved my life.

I think that represents what we hear from so many survivors of domestic violence. Just as we are not going to give up on those survivors, we must not give

up until this legislation is on President Obama's desk and signed into law. There are too many victims who are counting on us.

I certainly urge all of my colleagues in the Senate—as we did in the last session of Congress—to join me in supporting the Violence Against Women Act. I also hope our colleagues in the House will recognize how significant this challenge is and be willing to take up this legislation and get it done so survivors across this country will get the help they need.

Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

The Senator from Indiana.

Mr. COATS. Mr. President, Indiana has a lot in common with Kansas, so I don't mind that label. I have been in the chair and made similar mistakes, so that doesn't bother me. We have a lot of similarities between Indiana and Kansas. We each hope to have a Final Four team in the basketball tournament coming up in the Final Four. We have some competitive teams, so it is a nice blend.

#### THE ECONOMY

I would like to speak about the sequestration issue that is facing us as a Congress in the next few weeks. But, first, let me just say, I returned from the National Prayer Breakfast. Several of our colleagues were there: Senator SESSIONS, a Republican, and Senator PRYOR, a Democrat, representing Alabama and Arkansas, but more importantly they are cochairs of the Senate Prayer Breakfast. They led the effort today. Both the House Prayer Breakfast group, which meets weekly, and the Senate Prayer Breakfast group, which meets weekly, supports and puts together the annual Prayer Breakfast. People from more than 160 countries and all 50 States attended. It is quite a remarkable event.

Beyond the socialization and bringing people together around the issue of faith and prayer, we find in our weekly Prayer Breakfast meetings in the Senate and the House that it is the one time when Republicans and Democrats, Liberals and Conservatives, people of no particular ideology, get together and talk about the common interest on the basis of their faith. It is always very refreshing to do that, and it was a pretty remarkable session this morning.

Senator SCHUMER from New York read from the Old Testament, and our former colleague, Senator Dole from North Carolina, read from the New Testament. Dr. Ben Carson, head of pediatric neurosurgery at Johns Hopkins University—recognized as one of the world's leading pediatric neurosurgeons—spoke to us. I heard him 16 years ago. What a remarkable life story. What a remarkable impact he had on the crowd that was there.

He talked about political correctness and how it is detrimental to the kind of honest, straightforward debate we

need in this country over any range of issues, from our religious beliefs to our political beliefs. He talked about how we need to be willing to be transparent and honest with the people we represent, to speak out about what we believe in and how healthy the debate is even if we come to different positions on separate issues.

That is one of the reasons I have been coming down here virtually every day since the Senate came back into session for the 113th Congress. I come here to talk about what I think is one of the challenges—if not the leading challenge—facing us in this 2-year term. Without question, our fiscal crisis and debt has an impact on our people and on the economy, but more importantly, on our people. This has an effect on the average family in America and the young people coming out of high school and college who are looking for a job. The impact of this more than 4-year economic malaise started with a deep recession. It is now getting to the point where our growth is far below what we need to get everybody back to work and get the economy moving again on a good upward path. We are looking for solutions to the root of our problem. This body, along with the House and the administration, has been dealing with this for well over 2 years. We have been trying to find a solution to get us on the right path to fiscal health. We have taken several steps in that regard, but each step has come up short. There have been several one-step-forward and half-a-step-back efforts, but most of it has simply been pushing it down the road and saving the big debate for another day.

In August 2011 we ended up passing the Budget Control Act, which addressed the debt ceiling at that time. Through that the administration first proposed—President Obama proposed—a measure known as sequestration, which was designed to force the Congress to step up to the plate and deal with the real problem. The real problem is continued deficit spending at a record level that has accumulated year after year.

We are now at the point where the clock is ticking. We have a \$16.5 trillion debt which is up from nearly \$5.5 trillion in just the last 4 years. The math proves and history clearly shows that this is unsustainable. This is the great challenge before this Congress. We need to do what is necessary to get on the right path to fiscal health before it all comes down.

We had a warning shot fired across our bow in 2009 as to the distortions in our economy, and the consequences were grave. We have warning shots being fired every day from virtually across the Atlantic as to what the European Union and the European nations are trying to deal with because they allowed their deficit spending, their debt, and overpromises by politicians to constituents to continue, which simply cannot be fulfilled. Now the bank is running out of money. We

simply don't have the resources to continue to pay the debt, and the interest on the debt gets worse every day that goes by.

So we had this Budget Control Act in 2011 that included an enforcement mechanism called the sequester, which is simply an across-the-board cut. However, the sequester was not an across-the-board cut. It was heavily weighted in cuts to defense. There were exemptions to the major drivers of our debt and deficit, which are the mandatory spending programs.

Let me be straight and say the things we are not supposed to say because it is political suicide: If we don't reform Medicare, Medicaid, and Social Security, it doesn't matter what else we do, we cannot solve this problem. That is the conclusion of just about everyone in this body. More importantly, it is the conclusion of everyone who doesn't have a political stake in mind.

Analysts and economists who look at our fiscal plight and the history of economic performance and nonperformance all come to the same point: We need to address and reform mandatory spending programs. We don't want to impose sacrifice and pain on people; we want to save them from much greater pain down the road. We need to reform programs so they are viable and so that people who are contributing to Social Security and Medicare on every paycheck will be able to receive those benefits when they need them in retirement.

To save those programs and to keep from denying people their hard-earned benefits, we need to take steps and we need to take them sooner rather than later. The Medicare and Social Security trustees keep giving us additional warnings to do it now. It will be less painful than doing it later. It will help keep us from making Draconian cuts to benefits or Draconian increases in taxes that will break the back of the American taxpayer.

Unfortunately, the supercommittee that was formed—six Republicans and six Democrats from each body—was unable to come up with a solution. As a result of that, we have this sequester—across-the-board cuts with certain exceptions—that is to occur soon. It has been delayed once before and now. March 1 is the new date.

We need to step up and put together the big plan that will get us on the path to fiscal health. Republicans in the House of Representatives have been proposing and putting forth their plans, but we have had nothing come out of this body. Unless there is support from both Houses, nothing can be accomplished, and this will fail.

Frankly, we have had a lot of rhetoric coming out of the White House about what we need to do, but we have had no serious attempt to address the part of the equation that needs to be addressed, and that is the excessive spending over the years that we have put into law. As politicians, we have made promises to our constituents over

the years which we know cannot be fulfilled.

It is time we stand up and be honest with the American people. We need to be transparent and basically say: Folks, we have a problem. It is simple math. We cannot continue to borrow \$1 trillion or more a year and be in a sound fiscal position. We have to take some steps to address that problem and that challenge before us.

If we don't begin that process now, we are going to see devastating across-the-board cuts. It will have very detrimental effects on our national defense and national security because it is so heavily weighted to slash those areas.

The major three contributors and drivers of the debt are the entitlement programs: Social Security, Medicare, and Medicaid. If those are not addressed—no matter what else we do here—we cannot solve the problem. Yet the political tendency is to simply pass it along, push it down the road, and get past the next election. It apparently is too politically dangerous to stand up and say these things and be honest with the American people. Well, I think the American people know better and are telling: We are ahead of you. We understand the problem, and we want results. We want you to work together, find a solution to this problem, and put it before us. It is our responsibility to go out and present the plan. But without the President's support, despite his rhetoric—all we hear from the White House is that more taxes will solve the problem. They just got \$630 billion worth of taxes from the fiscal cliff deal. The President's commitment and obsession with taxing the rich and the job creators was fulfilled, and the top percent—the people he described in his campaign and afterward in the negotiations—are now paying higher taxes, but that does not begin to even come close to solving the problem. So what we need to do is be straightforward with what it is we must do and not be afraid of being honest with the American people.

There is now talk about delaying, once again, the sequester. So whether it is the debt limit, whether it is the spending bills, or whether it is the budget, we keep hearing: Push it down the road. Do it some other time. It is too painful to do now. I would suggest the time to do it is now. Even though the sequester is imperfect, even though it imposes more pain and more detriment to one of the essential functions of government; that is, providing for our national security, which is part of the reason I opposed the Budget Control Act, these cuts are going to take place and need to take place if we don't come up with a better solution because it now is the law.

I am pleading with my colleagues: Let's not do this in a way that is not the soundest way to reduce spending and achieve what we need to achieve. By the way, while the sequester, once again, will be an important step forward, it doesn't begin to deal with the



real problem. The real problem is finding the political will and courage to be honest with the American people and pass a fiscal package that will reassure investors, consumers and the world that the United States of America has finally taken the steps necessary to address the cause of our debt and put us on a path to return to fiscal soundness.

I think, given our position in relation to where we are with other nations, this type of package would result in an amazing increase in our economy, get people back to work, and send the message that America can return to its place of leadership in the world because it has gotten their economic house in order. Without that, we will continue to decline, which will have consequences not only for our generation but for generations to come. This also would have potentially dangerous consequences for security around the world because of our inability to lead. It would have serious consequences for young people and for middle-aged people and others who simply want to get back to work. They simply want to get back to a place where they get a paycheck at the end of the week so they can cover the mortgage and save money to send the kids to school and so they can make those necessary payment commitments to lead the kind of life they are aspiring to lead. Without Congress taking action, they are going to continue to live under this cloud of uncertainty about our future and people are going to continue to struggle to find meaningful work.

It all comes down to the individual and to families. It doesn't come down to some accountant's balance sheet. It comes down to the pain and suffering so many people have gone through over the past 4 years and are continuing to encounter because of our lack of responsibility to take the necessary steps to go act.

I am going to keep talking about this. I am going to come to the floor and talk about how we can potentially achieve a much leaner, more effective, and efficient government. I am going to use as a model not just my State but many States with Governors who have had the courage to step forward and do what is necessary to put their State in fiscal balance, in contrast to other States that are doing what we are doing; that is, pushing the tough decisions down the road and trying to deal with it at another time.

As we go through the Federal budget, there are literally hundreds of billions of dollars simply being spent in the wrong place, simply going to programs that are no longer effective and efficient if they ever were in the first place. We are not making priorities in terms of how we spend our money. Senator COBURN and others have been down to this floor talking about egregious examples of overspending, of bloated bureaucracy, talking about programs that perhaps had a value at one point in time but are simply not doing the job anymore and are not nec-

essary. We have been talking about the kinds of things that ought to be done at the State and local level rather than the Federal level. We have been talking about how Congress needs to stop making promises to people that everything we spend is for a vital, national purpose if that isn't the case.

We need to do some serious triage and take a serious look at how we spend taxpayer dollars. We can come up with money to offset necessary programs. We can come up with money to lower the demands so we don't have to continue to go to the American people and say we have to raise your taxes one more time. We have said that too much.

The burden is not tax revenues; the burden is dealing with our spending issue, and part of that has to be dealing with the mandatory spending that is ever driving this deficit and debt.

With that, I yield the floor.

Mr. BEGICH. Mr. President, I request the time to make my statement as required.

The PRESIDING OFFICER. The Senator has that right.

Mr. BEGICH. Mr. President, I come to the floor to speak on the Violence Against Women Act, but before I do that, I wish to say I appreciate the comments of my friend from Indiana. We all want to get this budget under control. We all recognize we have to get it under control not only for today's generation but for multiple generations to come.

During the last few years we have been able to cut almost \$2 trillion of our budgetary costs over the next 10 years, cuts we have been able to accomplish in a bipartisan way but led a lot by this side. Let me remind folks where we are. Four years ago this economy was flat on its back—an economy that didn't have any air in it. It was in a grave situation. But where are we today? We have a 5-year housing start, incredible activity within the automobile industry, with record-high sales going on there. The stock market has doubled in the last 4½ years. Most recently, the CBO—the Congressional Budget Office, a bipartisan office which doesn't show any favoritism to any side—verifies that in 4 years we have cut the annual deficit by 40 percent. I know that is not where it should be yet because we want to balance it, but a 40-percent reduction in the annual deficit is significant.

So we are on the road. Is it a slower road than we would like? Sure, but it is on the road to recovery. It is having a positive impact. As a matter of fact, now the deficit, as the amount compared to our GDP, is cut in half. So we are making some inroads.

Democrats are not afraid at all to cut the budget where it is necessary, but we need to solve this problem with three types of moves. We have to cut the budget, deal with revenues, and invest in this economy for education, energy, and infrastructure. It is a three-pronged approach. Even if we think we

can do one of these and somehow, magically, a \$16 trillion debt will just vanish overnight is in another world that doesn't exist on this planet.

I appreciate the debate that goes on, but we need to be honest, realistic, and practical in dealing with these budgetary issues, and they will be tough. People will not like all of it. I can see it now at my townhall meetings when I go to them. They will say cut the budget, which we will do—don't get me wrong, we will do that—but then when I go back to my hometown they will say, I didn't actually mean that program. That will be the story.

The fact is we have serious issues with which to deal. So this is not a Democratic issue or a Republican issue. When people come to the floor, we should think about this as an American issue and that we have to resolve this for the right reasons. We have done some exceptional work over the last 4 years, despite the hurdles, the political slogans, and all the other stuff that goes along with it in getting results. A 40-percent reduction in the annual deficit in 4 years is significant. Is it zero? Is it balanced? No; because there have been 40-plus years of not paying attention to the budget.

A lot of us are new around here. As a matter of fact, 60 percent of the Senate is made up of people who haven't been here more than 6 years. I am looking at three Senators on the floor right now. We are here to solve this problem. However, do not be mistaken. We have made progress. The American people should be proud of what we have done. But is it perfect? No. Do we have more work to do? Yes. That is why we are here and that is why we are going to do this with a bipartisan approach.

So I digress from the issue I came to discuss. I like the debates that happen on the floor, and I wish more would happen, but when a Member speaks, I want to make sure all the information is on the table.

I came to speak on an important piece of legislation, the Violence Against Women Act. We debate issues that are important around here, but not too often can we stand on the floor of this Chamber and say our votes are a matter of life and death. In this case, it is absolutely true. This bill saves lives. It is our job to pass it now—today.

The Senate, as we did last year, needs to send a simple and important message that America will not tolerate violence against its women, children, and families. We must do our part to reduce domestic violence and sexual assault. Even though the House has refused to act for over 300 days since we sent the bill over there, we are now in a new session and there is bipartisan support in this Chamber. The VAWA bill passed the Senate with 60 votes last spring and there are at least 60 of us already signed up and cosponsoring this legislation.

We know the reality. The fight to protect women and families from violence is far from over. VAWA was first

passed just 20 years ago and it has not been reauthorized since 2006. The law has made a difference. We know a great deal more about domestic violence than when VAWA was first written. Services for victims have improved. Communities offer safer shelter. Local, State, and Federal laws are stronger. Yet there are still too many awful stories and inexcusable numbers, especially in my home State.

Alaska continues to have some of the worst statistics in the country. Three out of every four Alaskans have experienced domestic or sexual violence or known someone who has. The rate of rape in Alaska is nearly 2½ times the national average, even worse for Alaskan Native women. Child sexual assault in Alaska is almost six times the national average. Out of every 100 adult women in Alaska, nearly 60 have experienced physical or sexual violence or both.

So my colleagues can see why I am standing here today. We need to do something about this not someday, not next year but today.

In one typical day in my State, victim services agencies throughout Alaska serve an average of 464 victims, 114 hotline calls are answered, and 308 people across Alaska attend training sessions offered by local domestic violence and sexual assault programs. Yet people are still turned away because of a lack of funding, a lack of service. On an average day in Alaska, 52 requests for services are not met—basic needs such as transportation, childcare, language translation, counseling and legal representation. The bill before us is critical in ensuring all victims receive the services they need.

I wish to spend just a few more minutes discussing the safety of women and children in Alaska Native and American Indian families. For the sake of our Nation's first peoples, the tribal provisions in this bill need to become law. Yet some of my colleagues on the other side of this Chamber are trying to strip out our expanded authority over domestic violence in Indian Country. Why are we debating this? One out of every three Native American women has suffered rape, physical violence or stalking. Yet some Members want to debate the rights of their abusers. I fully support the tribal provisions in this bill. Yet I must point out that none of the expanded criminal jurisdiction applies to Alaska Native tribes except for one true reservation at the very southern tip of Alaska. Today is not the day to fight that fight, but I will take it up again soon from my seat on the Indian Affairs Committee in the Senate.

Study after study has concluded that the lack of effective local law enforcement in Alaska Native villages contributes to so many problems: increased crime, alcohol and drug abuse, domestic violence, and poor educational achievement. When it comes to protecting those most at risk, Congress must recognize the need for local

control, local responsibility, and local accountability. This bill will take a big step forward today on Indian reservations in the lower 48.

At a later time, we will get to my bill, which I have introduced in the past as the Alaska Safe Families and Villages Act.

My bill would establish small demonstration projects so a handful of federally recognized tribes in Alaska's villages can take action. They would be allowed to address domestic violence and alcohol-related cases within their villages and village boundaries.

Our Native villages are vibrant, resilient communities, and we must answer their calls for help. That includes an "all of the above" approach to combating domestic violence and abuse. The one thing we know for sure is the status quo is not working. It is not just about slogans or feel-good statements. We need to act.

But for now—for today—let's vote on VAWA and get this bill passed. Let's protect women and children and families all over this country. And let's send a strong message to our colleagues in the House, that this time there is no hiding. It is time to get the job done. It is time to put politics aside. Pass this bill and truly save lives.

Thank you, Mr. President. I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I ask the Senator from Iowa, Mr. GRASSLEY, is he in the queue to speak?

Mr. GRASSLEY. For 7 or 8 minutes.

Mr. UDALL of New Mexico. Excuse me?

Mr. GRASSLEY. If I could have 7 or 8 minutes now.

Mr. UDALL of New Mexico. Yes. The Senator is in the queue because Senator BEGICH just spoke. That would be great. I thank the Senator very much. I appreciate it.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, there has long been bipartisan support for the Violence Against Women Act. Too many women are victims of domestic violence, sexual assault, stalking, and dating violence. Federal support for services to these women, and sometimes even men, has been beneficial to our country.

I support many of the provisions in the majority bill. There are consolidations of grants, cyber stalking, rural programs, assistance for individuals with disabilities, older victims, housing protections, and numerous other provisions I wholeheartedly support. There is overwhelming bipartisan support for 98 percent of what is contained in S. 47.

The process on the Violence Against Women Act in the 112th Congress was very disappointing, and I expressed that last year during debate on this issue.

Previously, the Violence Against Women Act was reauthorized unanimously—I mean prior to the debate last year and this year.

When new provisions were added in the past, prior to last year, they were consensus items. The law then was reauthorized by consensus. Something similar could have happened again last year, but it did not. New provisions were forced into the bill. Some of these provisions were controversial. Some raised serious constitutional concerns. But those on the other side of the aisle insisted on these provisions without change and refused any sort of middle ground. It appeared that the debate was more about blame and politics than it was about providing help to women in need.

Last Congress, both the Republican leader and this Senator offered that the Senate consent to striking a provision that violated the Constitution's Origination clause and then we would proceed to conference. Everybody knows that the Constitution's Origination clause says that issues involving raising revenue must start in the other body. Well, this bill raised revenue and, consequently, violated that constitutional provision.

Yet today, S. 47 has removed that provision that raised this blue slip problem in the other body. It does this only a few months after the majority refused to drop it and proceed to conference. What I just said tells you, if it had been done as they are doing it right now, we could have gotten this bill to conference and had something to the President in the last Congress. The willingness of the majority today to eliminate that unconstitutional provision demonstrates that we could have had a bill last year, and that is what I want to express to my colleagues as a terribly disappointing proposition for this Senator.

It is not true that unless S. 47 is passed exactly as is, various groups will be excluded from protection under the law. Current law protects all victims. Vice President BIDEN wrote the current law. Every Member of the Senate who was a Member of this body when the Violence Against Women Act last was reauthorized voted for that bill, which backs up what I have been saying several times during my remarks, that this could have passed last year as a consensus piece of legislation and has passed in other reauthorizations as a consensus piece of legislation.

Neither Vice President BIDEN nor any other Senator passed a discriminatory bill in the past. It is not the case that unless the controversial provisions are accepted exactly as the majority insists, without any compromise whatsoever, that any groups will be excluded.

The key stumbling block to enacting a bill at this time is the provision concerning Indian tribal courts. That provision raises serious constitutional



questions concerning both the sovereignty of tribal courts and the constitutional rights of defendants who would be tried in those tribal courts.

We should focus on providing needed services for Native American women. But S. 47 makes political statements and expounds needlessly on Native American sovereignty. It raises such significant constitutional problems that its passage might actually not accomplish anything at all for Native American women, while at the same time failing to protect the constitutional rights of other American citizens.

Even the respected organization, the Congressional Research Service, has raised constitutional questions about the tribal provisions in this bill. I hope that whatever the Senate might do today, negotiations on these questions will continue. I am confident that if we can reach agreement on these questions, compromises on the other few remaining issues can also be secured, allowing the bill to pass with overwhelming bipartisan support.

So following up on some of the concerns I have raised this morning, I will yet today, if possible, offer a substitute that is much more likely to be accepted by the other body and then get to the President for signature.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL of New Mexico. Mr. President, I rise today to express my support for the Violence Against Women Reauthorization Act. It is important that we are doing this early in the 113th Congress and unfortunate that we have to have this debate again. The Senate passed a nearly identical bill last April—a bill with strong bipartisan support—but the House failed to bring it up for a vote, allowing the law to expire at the end of last year.

Many House Republicans opposed the Senate bill because it expanded VAWA protections to three groups: gays and lesbians, Native Americans, and undocumented immigrants. I support all three of these expansions.

Today I want to again stress how crucial this measure is to Native American women. For the past 19 years, the Violence Against Women Act helped protect Native women from domestic violence, from sexual assault, and from stalking. This historic legislation has strengthened the prosecution of these crimes, and it has provided critical support to the victims.

VAWA has long been bipartisan, with broad support. Democrats, Republicans, law enforcement officers, prosecutors, judges, health professionals, all have supported this legislation. Why? Because it has worked. Since VAWA's passage in 1994, domestic violence has decreased by over 50 percent, and the victims of these crimes have been more willing to come forward, knowing they are not alone, knowing they will get the support they need, knowing that crimes against women will not be tolerated.

Unfortunately, not all women have received the full benefits of the Violence Against Women Act. That is why the tribal provisions now are so important. Native American Women are 2½ times more likely than other U.S. women to be victims of rape. One in three will be sexually assaulted in their lifetimes. And it is estimated that three out of every five Native women will experience domestic violence.

Those numbers are tragic. Those numbers tell a story of great human suffering, of women in desperate situations, desperate for support, and too often we have failed to provide that support. The frequency of violence against Native women is only part of the tragedy. Too often these crimes go unprosecuted and unpunished. Not only is violence inflicted but justice is denied.

Here is the problem: Tribal governments are unable to prosecute non-Indians for domestic violence crimes. They have no authority over these crimes against Native American spouses or partners within their own tribal lands.

Instead, under existing law, these crimes fall exclusively under Federal jurisdiction. But Federal prosecutors have limited resources. They may be located hours away from tribal communities. Non-Indian perpetrators often go unpunished. Yet over 50 percent of Native women are married to non-Indians, and 76 percent of the overall population living on tribal lands is non-Indian.

The result is an escalating cycle of violence. On some tribal lands, the homicide rate for Native women is up to 10 times the national average—10 times the national average. But this starts with small crimes, small acts of violence that may not rise to the attention of a Federal prosecutor.

In 2006 and 2007, U.S. attorneys prosecuted only 45 misdemeanor crimes on tribal lands. For perspective, the Salt River Reservation in Arizona—which is relatively small—reported more than 450 domestic violence cases in 2006 alone. Those numbers are appalling.

Native women should not be abandoned to a jurisdictional loophole. In effect, these women are living in a prosecution-free zone. The tribal provisions in VAWA will provide a remedy.

The bill allows tribal courts to prosecute non-Indians in a narrow set of cases that meet the following specific conditions: The crime must have occurred in Indian country; the crime must be either a domestic violence or dating violence offense or a violation of a protective order; and the non-Indian defendant must reside in Indian country, be employed in Indian country, or be the spouse or intimate partner of a member of the prosecuting tribe.

This bill does not extend tribal jurisdiction to general crimes of violence by non-Indians. It does not apply to crimes between two non-Indians,

crimes between persons with no ties to the tribe. If they do not have any ties to the tribe, it does not apply. Nothing in this provision diminishes or alters the jurisdiction of any Federal or State court.

I know some of my colleagues question whether a tribal court can provide the same protections to defendants that are guaranteed in a Federal or State court. The bill addresses this concern. It provides comprehensive protections to all criminal defendants who are prosecuted in tribal courts, whether or not the defendant is a Native American. Defendants would essentially have the same rights in tribal court as they do in State court. These include, among many others, the right to counsel, the right to a speedy trial, the right to due process, the rights against unreasonable search and seizure, double jeopardy, and self-incrimination. A tribe that does not provide these protections cannot prosecute non-Indians under this provision.

Some have also questioned whether Congress has the authority to expand tribal criminal jurisdiction to cover non-Indians. This issue was carefully considered in drafting the tribal jurisdiction provisions. The Indian Affairs and Judiciary Committees worked closely with the Department of Justice to ensure that the legislation is constitutional.

As a former Federal prosecutor and attorney general of a State with a large Native American population, I know how difficult the legal maze can be for tribal communities. One result of this maze is unchecked crime. In situations where personnel and funding run thin and distances are long, violence often goes unpunished. This legislation will create a local solution for a local problem. Tribes have proven their effectiveness in combating domestic violence committed by Native Americans.

But let me reiterate this very important point: Without an act of Congress, tribes cannot prosecute a non-Indian, even if he lives on the reservation, even if he is married to a tribal member. Without this act of Congress, tribes will continue to lack authority.

This legislation will create a local solution for a local problem. Tribes have proven their effectiveness in combating domestic violence committed by Native Americans. But let me reiterate this very important point—without an act of Congress, tribes cannot prosecute a non-Indian. Even if he lives on the reservation, even if he is married to a tribal member. Without this act of Congress, tribes will continue to lack authority.

This bill will also promote other important efforts to protect Native women from an epidemic of domestic violence, with increasing grants for tribal programs to address violence, with support for research on violence against Native women, and also by allowing Federal prosecutors to seek tougher sentences for perpetrators who

strangle or suffocate their spouses or partners.

All of these provisions are about justice. Right now, Native women do not get the justice they deserve. But these are strong women. They, rightly, demand to be heard. They have identified a desperate need and logical solutions. That is why Native women and tribal leaders across the Nation support the Violence Against Women Reauthorization Act and the proposed tribal provisions.

There are many—far too many—stories of violence against Native women, and of the failure to protect them. Stories that should outrage us all. And that could end through local intervention. Local authority that will only be made possible through an act of Congress. We have the opportunity to support such an act in the tribal provisions of VAWA. With this bill we can close a dark and desperate loophole in criminal jurisdiction. Native women have waited too long already for justice. They should not have to wait any longer.

Senator LEAHY had asked that I put tribal statements in the RECORD. I ask unanimous consent to have printed in the RECORD these letters from tribal and other organizations in support of the tribal provision in S. 47, the Violence Against Women Act.

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

OFFICE OF THE GOVERNOR,  
PUEBLO OF TESUQUE,  
Santa Fe, NM, February 5, 2012.

Re Support for S. 47, VAWA Reauthorization  
Hon. PATRICK LEAHY,  
Senate Committee on the Judiciary,  
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Pueblo of Tesuque to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, “inadequate to stop the pattern of escalating violence against Native women.” Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by

all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

“We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . We are not unaware of the prevalence of non-Indian crime on today’s reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh.” *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

MARK MITCHELL,  
Governor.

SAMISH INDIAN NATION,  
Anacortes, WA, February 4, 2012.

Re Support for S. 47, VAWA Reauthorization  
Hon. PATRICK LEAHY,  
Senate Committee on the Judiciary,  
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Samish Indian Nation to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native

women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, “inadequate to stop the pattern of escalating violence against Native women.” Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

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In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

“We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . We are not unaware of the prevalence of non-Indian crime on today’s reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh.” *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank

you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

TOM WOOTEN.

GREAT PLAINS TRIBAL  
CHAIRMAN'S ASSOCIATION,  
Rapid City, SD, February 4, 2013.

Re Support for S. 47, VAWA Reauthorization  
Hon. PATRICK LEAHY,  
Senate Committee on the Judiciary,  
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Great Plains Tribal Chairman's Association to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, "inadequate to stop the pattern of escalating violence against Native women." Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

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In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so

that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

"We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh." *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in ensuring domestic safety for Native women nationwide. We urge you to support and vote for S. 47 when the measure moves to the Senate floor. Thank you for your attention to this matter.

Sincerely,

TEX "RED TIPPED ARROW"

HALL,  
Chairman, Mandan,  
Hidatsa, Arikara  
Nation, Three Affiliated  
Tribes, Chairman,  
Great Plains  
Tribal Chairman's  
Association.

NATIONAL COUNCIL OF JUVENILE  
AND FAMILY COURT JUDGES,  
Reno, NV, February 4, 2013.

Sen. PATRICK LEAHY,  
Chairman, Senate Committee on the Judiciary,  
Washington, DC.

TO THE MEMBERS OF THE U.S. SENATE: On behalf of the National Council of Juvenile and Family Court Judges (NCJFCJ) and its 2,000 members who represent the nation's 30,000 state family and juvenile court judges, I am writing in support of Title IX of S. 47, the bill to reauthorize the Violence Against Women Act. In particular, I am writing to apprise you of the NCJFCJ's strong support for the recognition of tribes' need for and sovereign authority to establish tribal courts to address the epidemic of domestic violence on tribal lands.

On January 21, 2011, the NCJFCJ adopted an organizational policy that states that we recognize tribal courts as equal and parallel systems of justice to the state court systems. We did so because our state court judge members have a strong history of working with tribal courts and are aware of their capacity to adjudicate local cases of domestic violence. Our organization has long supported the efforts of tribal courts to address these crimes, whether these crimes are committed by Indian or non-Indian persons, in order to protect the safety of the victims of these crimes, their family members, and the local community.

In our role as state court judges working alongside tribal lands, we are in a unique position to see the shortcomings of the current system of justice afforded to the tribes through the federal district courts. Currently, only the U.S. Attorneys can prosecute these cases—but they seldom do, because there are not enough U.S. Attorneys to handle these cases and because in many cases the nearest office of the U.S. Attorney is several hundred miles away. The remote locations of many tribal communities create serious obstacles to access for victims of these crimes. They have no way to get to federal court and the federal court has no ca-

capacity to reach out to these geographically distant communities. Yet we know how dangerous domestic violence cases can be, and cannot stand by and let these crimes go unaddressed. Too many lives are at risk; too many victims and children are left to suffer because the only system of justice afforded to them is utterly out of reach.

We believe that the provisions contained in S. 47 create an excellent path for supporting a system of tribal courts that can quickly, appropriately, and fairly respond to the epidemic of domestic violence on tribal lands. We base this belief on the long history NCJFCJ has had in providing training and technical assistance to tribal courts. There is a dedication and willingness on the part of both tribal and state courts to build the best possible system of justice for Native victims of domestic violence. We ask the Senate to recognize the appropriateness of tribal courts' providing protection to their most vulnerable community members. In the interests of justice for all, we ask you to vote for S. 47 so that its tribal provisions can become law.

If you have any questions, we stand ready to answer with whatever information you may need.

Sincerely,

MICHAEL NASH,  
President, National Council of  
Juvenile and Family Court Judges.

SUSANVILLE INDIAN RANCHERIA,  
Susanville, CA, February 4, 2013.

Re Support for S. 47, VAWA Reauthorization  
Hon. PATRICK LEAHY,  
Senate Committee on the Judiciary,  
Washington, DC.

DEAR CHAIRMAN LEAHY: I write on behalf of the Susanville Indian Rancheria to voice our strong support for S. 47, the Violence Against Women Reauthorization Act (VAWA) of 2013. This bill will provide local tribal governments with the long-needed control to combat acts of domestic violence against Native women and children on Indian lands regardless of the status of the offender.

The current justice system in place on Indian lands handcuffs the local tribal justice system. Non-Native men who abuse Native women hide behind these federal laws and court decisions, walking the streets of Indian country free of consequences, while denying justice to Native women and their families.

Nationally, Native women are raped and assaulted at 2.5 times the national average. More than 1 in 3 Native women will be raped in their lifetimes, and more than 3 in 5 will suffer domestic assault. The U.S. Department of Justice (DOJ) has found that the current system of justice, "inadequate to stop the pattern of escalating violence against Native women." Tribal leaders, police officers, and prosecutors have testified to the fact that when misdemeanor acts of domestic and dating violence go unaddressed, offenders become emboldened and feel untouchable, and the beatings escalate, often leading to death or severe physical injury. A National Institute of Justice-funded analysis of death certificates found that, on some reservations, Native women are murdered at a rate more than ten times the national average. S. 47 will crack down on reservation based domestic violence by all offenders at the early stages before violence escalates.

While the problem of violence against Native women is longstanding and broad, the jurisdictional provisions proposed in S. 47, Section 904, are well-reasoned and limited in scope. They extend only to misdemeanor level crimes of domestic and dating violence. They are limited to enforcement of reservation-based crimes involving individuals that

work or live on an Indian reservation and who are in a serious relationship with a tribal citizen from that reservation. S. 47 also provides the full range of constitutional protections to abuse suspects who would be subject to the authority of tribal courts.

In June of 2010, the United States Senate, by unanimous consent, passed the Tribal Law and Order Act (TLOA). On July 27, 2010, the House of Representatives passed the measure under suspension of the rules. The tribal provisions in S. 47 are subject to a more narrow set of crimes, are limited to misdemeanor level punishments, and would provide a broader range of protections to suspects of abuse than those required under TLOA. With such broad support for TLOA, it is troubling that some Members of Congress now claim that the narrowly tailored proposal in S. 47 raises constitutional concerns. Such concerns are unfounded.

In 2004, the U.S. Supreme Court affirmed a similar restoration of tribal government authority through an amendment to the Indian Civil Rights Act. Congress has this authority, and Native women throughout the United States desperately need us to act so that they can be afforded similar access to justice that many others take for granted.

In 1978, the U.S. Supreme Court, in deciding to divest Indian tribes of authority over local reservation-based crimes, made the following statement:

"We recognize that some Indian tribal court systems have become increasingly sophisticated and resemble in many respects their state counterparts. . . . We are not unaware of the prevalence of non-Indian crime on today's reservations which the tribes forcefully argue requires the ability to try non-Indians. But these are considerations for Congress to weigh." *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191, 211 (1978) (emphasis added).

This statement and resulting gaps in criminal jurisdiction on Indian lands have haunted Native women and tribal communities nationwide for more than 35 years. Time has come for Congress to act. S. 47 takes reasonable well-tailored measures to fill the gap in local authority, and will go far in helping to prevent future acts of violence against Native women nationwide. Thank you for again including these vital provisions in your VAWA Reauthorization.

Sincerely,

STACY DIXON,  
Tribal Chairman.

Mr. UDALL of New Mexico. I know my colleague, the Senator from Minnesota, Ms. KLOBUCHAR, is here today—another prosecutor, another Senator who knows the importance of this law. I very much appreciate her hard work in terms of bringing justice to tribal communities and bringing justice to women across this Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I wish to first thank the Senator from New Mexico for his great leadership on this issue. This is a national issue. It is a bipartisan issue. It crosses geographic lines. Those of us who have significant tribal communities know how important these provisions are to this bill.

We tried very hard on the Judiciary Committee to make sure this bill is consistent with the bipartisan work we have done in the past, but we also saw it as an opportunity to consolidate some of the programs to save money

and then to look at areas where we needed to be more sophisticated, where we needed to respond to changing issues in the law. Certainly, the tribal jurisdiction issue was one of those major issues.

I rise today to talk about the importance of this bill. It is a law that has changed the way we think about violence against women in the United States of America. The Violence Against Women Act is one of the great legislative success stories in the criminal area in the last few decades. Since it was first passed in 1994, annual domestic violence rates have fallen by 50 percent. Now, you usually cannot say that about criminal prosecution efforts. I usually do not have that kind of number. But that is what we have—since 1994, a 50-percent difference in domestic violence rates.

People have stopped looking at the issue of domestic violence as a family issue, and they have started treating domestic violence and sexual assault as the serious crimes they are. Last year Minnesota recorded the lowest number of domestic-related deaths since 1991—down from 34 in 2011 to 18. This is in no small part due to the Violence Against Women Act. Women have more access to intervention programs, and they feel more empowered to come forward.

I know in my own county, where I was chief prosecutor for 8 years, thanks to the good work of Paul and Sheila Wellstone, and my predecessor Mike Freeman, we set up one of the most unique domestic violence service centers in the country. It has been a model for the rest of the country. Under my leadership, we also made changes to it to advance it to even higher levels. But the point is that it is a one-stop shop for the victims of domestic violence, so they can come in, see a prosecutor, see a cop, have a place for their kids to play, be able to find a shelter and a place to live, all under one roof instead of walking through the maze of the bureaucracy in the Government Center.

Both prevention and prosecution of domestic violence work were among my top priorities as a prosecutor. I know we have done good work, but there is still a lot of work that needs to be done.

According to a recent survey conducted by the Centers for Disease Control and Prevention, 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in this country. Approximately one in four women has experienced severe physical violence by an intimate partner at some point in her lifetime, and 45 percent of the women killed in the United States are killed by their partner. Every year close to 17,000 people still lose their lives to domestic violence. These statistics mean that sexual assault, domestic violence, and stalking are still problems in America. That is why it is so important that we move quickly to take up this bill.

Just like the two prior authorizations in 2000 and 2006, this bill

strengthens current law and provides solutions to problems that we have learned more about since VAWA first passed in 1994.

The Senate bill continues a tradition of bipartisan sponsorship, with 60 co-sponsors, including 7 Republicans. As we know, last April the Senate approved this bill by a 68-to-31 vote. All 17 women Senators—I see my colleague Senator MURKOWSKI here from Alaska. We thank her for her support and vote for that bill. This truly brought the women of the Senate together to stand up against domestic violence.

What does this bill do that is different from the last bill? Well, it consolidates duplicative programs and streamlines others. It provides greater flexibility for the use of grant money. It has new training requirements for people providing legal assistance to victims. As I mentioned, it takes important steps to address the disproportionately high domestic violence rates in Native American communities.

I am disappointed that we were unable to include the modest increase in U visas for immigrant victims of domestic violence. There were technical objections to including that provision. It was removed in order to improve our chances of getting this bill done once and for all. U visas are an important tool for encouraging victims to come forward. I will press to increase the number of U visas available to victims when we work on the comprehensive immigration reform bill in the spring.

One thing I wish to note about this bill is that it closes many gaps in the current system, ways to improve the current system. There was a bill I introduced with Senator Hutchison to address high-tech stalking, cases where stalkers use technology such as the Internet, video surveillance, and bugging to stalk victims. This is not something we probably would be talking about if I were standing here in 1994, but here in 2013, we know it is an issue. We have seen cases across the Nation of this kind of video surveillance and Internet bugging. In fact, we had a very high profile case involving a high profile newscaster who was willing to come forward and work with House and Senate authors on this bill. We are very pleased to have had the support from the Fraternal Order of Police, Federal Law Enforcement Officers Association, National Sheriffs' Association, and the International Association of Chiefs of Police. They have all endorsed this bill.

This provision, the high-tech stalking provision, is included in the Violence Against Women Act, so we are very happy about that. Again, I believe our laws have to be as sophisticated as those who are breaking them. If they are using the Internet, if they are spying with video cameras through peepholes, we have to be able to respond to that.

I wanted to end by telling a story I told when we first started to consider this bill over a year ago. A year ago,

over the holidays, I went to one of the saddest funerals I ever attended. It was the funeral for Shawn Schneider. He was a Lake City police officer in Minneapolis. I have since gotten to know his widow. He died responding to a domestic violence case. He went up to the door. He had received a call from the 17-year-old victim—the department had. He went up there to that door, and he got shot in the head. His bulletproof vest did not protect him. Nothing protected him. When I was sitting in that church and saw his three little children, including that little girl in her little blue dress covered in stars, I thought to myself at that moment, the victims of domestic abuse are not just one victim. It is an entire family. It is an entire community. So in their honor today, in the honor of those children, I would like us to have strong bipartisan support for the Violence Against Women Act. I believe we can do it.

I ask unanimous consent to have printed in the RECORD these letters from law enforcement and criminal justice organizations in support of S. 47, the Violence Against Women Act.

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

AEQUITAS, THE PROSECUTORS' RESOURCE ON VIOLENCE AGAINST WOMEN,

*Washington, DC, February 4, 2013.*

Hon. PATRICK LEAHY,  
*Chairman, Senate Committee on Judiciary,*  
*Washington, DC.*

Hon. BOB GOODLATTE,  
*Chairman, House Committee on Judiciary,*  
*Washington, DC.*

Hon. CHARLES GRASSLEY,  
*Ranking Member, Senate Committee on Judiciary,*  
*Washington, DC.*

Hon. JOHN CONYERS,  
*Ranking Member, House Committee on Judiciary,*  
*Washington, DC.*

DEAR CHAIRMAN LEAHY, CHAIRMAN GOODLATTE, RANKING MEMBER GRASSLEY AND RANKING MEMBER CONYERS: On behalf of AEQUITAS: The Prosecutors' Resource on Violence Against Women, in support for the Violence Against Women Act's (VAWA) reauthorization. AEQUITAS' mission is to improve the quality of justice in sexual violence, intimate partner violence, stalking, and human trafficking cases by developing, evaluating and refining prosecution practices that increase victim safety and offender accountability.

VAWA has unquestionably improved the nation's justice system response to the devastating crimes of sexual violence, intimate partner violence, and stalking. This critical legislation must be reauthorized to ensure a continued response to these crimes.

Since its original passage in 1994, VAWA has improved the criminal justice system's ability to keep victims safe and hold perpetrators accountable. As a result of this historic legislation, every state has enacted laws making stalking a crime and strengthened criminal rape and sexual assault statutes.

VAWA has undoubtedly had a positive impact on the efforts of prosecutors to hold offenders accountable while supporting victim safety. We urge Congress to reauthorize VAWA to build upon its successes and to expand its ability to improve our response to these crimes, hold perpetrators accountable, and keep victims and their children safe from future harm.

Thank you for your leadership and steadfast commitment to supporting victims of sexual violence, intimate partner violence, and stalking. We look forward to hearing of VAWA's swift reauthorization. If you have any questions, please feel free to contact me. Sincerely,

JENNIFER G. LONG, J.D.,  
*Director.*

—  
AMERICAN PROBATION AND  
PAROLE ASSOCIATION,  
*Lexington, KY, February 1, 2013.*

Senator PATRICK LEAHY,  
*Chairman, Committee on the Judiciary,*  
*Washington, DC.*

Senator MIKE CRAPO,  
*Washington, DC.*

DEAR SENATORS LEAHY AND CRAPO: The American Probation and Parole Association (APPA) represents over 35,000 pretrial, probation, parole and community corrections professionals working in the criminal and juvenile justice systems nationally and come from federal, state, local and tribal jurisdictions. On behalf of our membership and constituents we wholeheartedly support your efforts to have the Violence Against Women Act (VAWA) reauthorized.

The VAWA initiatives have supported state, local and tribal efforts to effectively address the crimes of domestic violence, dating violence, sexual assault and stalking. These efforts have shown great progress and promise towards keeping victims safe and holding perpetrators accountable. The reauthorization of VAWA is critical to maintaining the progress of current initiatives and ensuring comprehensive and effective responses to these crimes in the future for the protection of all victims without consideration of race, ethnicity or sexual orientation.

Domestic violence perpetrators represent a significant proportion of the total population on community supervision. In 2008 there were nearly 86,000 adults on probation for a domestic violence offense in United States, and data from the California Department of Justice indicates that in 2000 approximately 90% of adults convicted of felony domestic violence offenses in that state were sentenced to a period of probation, either alone or coupled with incarceration. Domestic violence offenders are among the most dangerous offenders on community supervision caseloads, and in order to supervise domestic violence offenders effectively, community corrections professionals must receive adequate training.

Since its original passage in 1994, VAWA has been instrumental in increasing our constituents' attention to and understanding of these crimes as well as provided significant assistance in humanizing their responsiveness to victims and improving their practices related to accountability and intervention with perpetrators of these crimes. VAWA has without question been instrumental in developing community supervision practices that keep victims and their families safe from future harm and improved compliance and behavioral change for perpetrators.

We stand ready to assist you throughout the reauthorization process. If you have any questions or require further information or assistance, please feel free to contact me.

Sincerely,

CARL WICKLUND,  
*Executive Director.*

ASSOCIATION OF  
PROSECUTING ATTORNEYS,  
*Washington, DC, February 4, 2013.*

Hon. PATRICK LEAHY,  
*Chairman, Senate Committee on Judiciary,*  
*Washington, DC.*

DEAR CHAIRMAN LEAHY: On behalf of the Association of Prosecuting Attorneys, which represents and supports all prosecutors, I am writing today regarding the Violence Against Women Act's (VAWA) reauthorization. VAWA has improved the criminal justice system's response to the devastating crimes of domestic violence, dating violence, sexual assault and stalking. The reauthorization of this critical legislation ensures a continued response to these crimes.

Since its original passage in 1994, VAWA has dramatically enhanced our nation's response to violence against women. More victims report domestic violence to the police, the rate of non-fatal intimate partner violence against women has decreased by 63%, and VAWA saved nearly \$14.8 billion in net averted social costs in just the first six years.

The reauthorization of VAWA builds upon existing efforts to more effectively combat violence against all victims. The reauthorization of VAWA renews a range of important programs and initiatives for law enforcement to address the various causes and far-reaching consequences of domestic violence, sexual assault, dating violence, and stalking. VAWA Reauthorization will further build upon the successes of these programs by including measures to ensure an increased focus on sexual assault prevention, enforcement, and services; and providing assistance to law enforcement to take key steps to reduce backlogs of rape kits under their control.

VAWA has undoubtedly had a positive impact on the efforts of law enforcement agencies nationwide to keep victims and their children safe and hold perpetrators accountable. Thank you for your leadership and steadfast commitment to supporting victims of domestic violence, dating violence, sexual assault, and stalking. We look forward to hearing of VAWA's swift reauthorization. If you have any questions, feel free to contact me.

Sincerely,

STEVEN JANSEN,  
*Vice President/COO.*

—  
BOARD OF SUPERVISORS,  
COUNTY OF SANTA BARBARA,  
*Santa Barbara, CA, January 31, 2013.*

Hon. PATRICK LEAHY,  
*Chairman, Committee on the Judiciary, U.S.*  
*Senate, Washington, DC.*

DEAR MR. CHAIRMAN: I am writing on behalf of the Santa Barbara County Board of Supervisors to urge you to take action on legislation to reauthorize the Violence Against Women Act (VAWA).

Thank you for introducing S. 47, the Violence Against Women Reauthorization Act. Programs authorized by VAWA have saved lives as well as providing resources and training needed in communities like Santa Barbara County to address these reprehensible crimes, and the Board recognizes the importance of reauthorizing and enhancing the resources provided by this important public safety program.

The Violence Against Women Reauthorization Act would expand the law's focus on sexual assault and help ensure access to services for all victims of domestic and sexual violence. It also responds to these difficult economic times by consolidating programs, focusing on the most effective approaches, and adding accountability measures to ensure that Federal funds are used efficiently and effectively.

The Violence Against Women Act has been successful because it has consistently had

strong bipartisan support for nearly two decades. Please work with the members of your committee to expedite action on S. 47 or similar legislation to reauthorize VAWA.

Sincerely yours,

THOMAS P. WALTERS,  
Washington Representative.

AMERICAN BAR ASSOCIATION,  
Chicago, IL, January 30, 2013.

Hon. PATRICK J. LEAHY,  
U.S. Senate,  
Washington, DC.

Hon. MICHAEL D. CRAPO,  
U.S. Senate,  
Washington, DC.

DEAR SENATORS LEAHY AND CRAPO: On behalf of the American Bar Association (ABA), with nearly 400,000 members across the country, I write to commend your continued bipartisan leadership in the cause of justice and equal rights with the introduction of the Violence Against Women Reauthorization Act of 2013. The ABA strongly supports your effort to renew proven and effective programs that support victims of domestic, sexual, stalking and dating violence and their families.

The ABA has long supported efforts to address domestic, sexual and stalking violence, and we recognize that the legal profession fulfills an important role in addressing these crimes. Since 1994, the ABA's Commission on Domestic & Sexual Violence has also worked to increase access to justice for victims of domestic violence, sexual assault and stalking by mobilizing the legal profession.

In recent years, the ABA has adopted policies that specifically address VAWA reauthorization, including some of the more challenging issues that ultimately proved to be barriers to reauthorization during the last Congress:

February 2010: urging reauthorization and highlighting the need for legislation that "provides services, protection, and justice for underserved and vulnerable victims of violence, including children and youth who are victims or are witnesses to family violence, and victims who are disabled, elderly, immigrant, trafficked, LGBT and/or Indian."

August 2012: urging Congress "to strengthen tribal jurisdiction to address crimes of gender-based violence on tribal lands that are committed by non-Indian perpetrators."

VAWA reauthorization was a legislative priority for the association during the 112th Congress and a focus of our annual grassroots lobbying event, ABA Day 2012, when ABA, state, local, and specialty bar leaders from all 50 states met with members of Congress of both parties on this issue.

VAWA reauthorization remains a priority for the American Bar Association during the 113th Congress. We appreciate your leadership and look forward to working with you to ensure passage of this legislation.

Sincerely,

LAUREL G. BELLWS.

ATTORNEY GENERAL OF MISSOURI,  
Jefferson City, MO, February 6, 2013.

DEAR MEMBERS OF CONGRESS: In 1994, this nation's leaders enacted the Violence Against Women Act ("VAWA"). This landmark piece of legislation put in place a legal framework that better enabled states like Missouri to effectively investigate violent crimes against women, prosecute and punish offenders, and protect victims from further harm. In the decades since VAWA's enactment, Congress has twice voted to reauthorize the law. With each reauthorization, Congress not only strengthened the provisions of the law, it also reaffirmed this country's commitment to support survivors of personal violence and sexual assault. It is time to do so again.

Missouri women and their families rely on the programs and services that VAWA makes possible. For example, non-profit, community, and faith-based organizations use federal funds directed through VAWA's Sexual Assault Services Program to provide vital support to victims of sexual assault. And Missouri prosecutors, police officers, and court personnel participate in training funded through the STOP (Services Training Officers Prosecutors) program, equipping them to better address violent crime against women.

But the work is just beginning. In 2011, over 40,000 incidents of domestic violence were reported in Missouri. Thirty women were killed by their husbands or boyfriends. Missouri women reported more than 1,400 forcible rapes or attempted forcible rapes. And although over 10,000 women in need were able to find a place at a shelter, nearly 20,000 more were turned away.

By reauthorizing VAWA, this Congress will continue the effort undertaken nearly twenty years ago—the effort to eliminate violent crime perpetrated against our mothers, our sisters, our daughters, our neighbors, and our friends. I urge each of you to support this important legislation.

Respectfully,

CHRIS KOSTER,

Attorney General, State of Missouri.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to speak as in morning business.

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

Ms. MURKOWSKI. Mr. President, first I would like to follow my colleague from Minnesota in voicing my support for passage of the Violence Against Women Act. As she noted, I have been a cosponsor of this very important legislation not only this Congress but last. I have urged on multiple occasions that we move forward with reauthorization of this very significant legislation, have urged the House to do the same last year. They failed to do that.

You do not give up when the cause is right. This is far too important to too many around the country. My colleague has cited some of the statistics and the issues and the initiatives she worked on when she was back home in her home State of Minnesota. It is something I think we all share—a concern for the levels of domestic violence within our respective States. In a State such as Alaska where we have so much to be proud of, unfortunately our statistics as they relate to domestic violence are appalling. Appalling.

So anything that we can do, whether it is here in Washington, DC, at the local level, the State level, we must do. We need to act here. So I join not only my colleague from Minnesota but so many who have led the charge here to do right as we work to reauthorize the Violence Against Women Act. I will have an opportunity to speak more on the VAWA reauthorization later.

DECISION BY THE DEPARTMENT OF THE INTERIOR

I wanted to take some time this morning to come to the floor to speak about an issue that has absolutely inflamed me this week. This week I learned that the Fish and Wildlife Service in the Department of the Inte-

rior has made a decision to deny the construction of a single-lane gravel emergency access road through a very, very tiny portion of a national wildlife refuge located on the Alaska Peninsula in southwest Alaska.

You might think, well, why is this such a big deal? You have heard me here on the floor or others here in this body have certainly heard me many times advocate on behalf of Alaska and the development of our resources to benefit the people of Alaska, to benefit the country as a whole. This is not a development project I am talking about here today. What I am addressing today is the health and the safety—the safety of the residents of a small Aleutian community located in the Aleutian Islands. These are 748 people who really do not have the audiences so many constituents in Alaska or in other parts of the country enjoy.

They are kind of out of sight, out of mind, if you will. They are not out of sight, out of mind, out of my heart.

One of the most important responsibilities we have as U.S. Senators, as Members of Congress, is to protect the safety of those people we represent.

I wish to tell the story of King Cove, AK, and what is going on. You have seen the picture of the map of Alaska, the big beautiful State. I don't have it superimposed over the rest of the lower 48, because my point today is not to talk about how big we are in comparison to the rest of the Nation as a whole but to put in context what we are talking about here when we talk about the community of King Cove, AK.

You have the Aleutian peninsula here that stretches out approximately 1,000 miles. You might not appreciate the length and scope we are talking about here, but the Aleutian chain is just exactly that.

King Cove is right on the end of this peninsula area in this diagram. It is kind of out there. When I say "kind of out there," there is nothing else around there. There are no roads that connect you to get anywhere when you want to go to "town." Town is Anchorage, AK, probably about 600 miles away, maybe even a little bit longer. It is most likely a \$1,000 airplane ticket to get there. That puts it in context here. This is King Cove, AK.

To put it in a little better context as to what we are speaking about, this is the community of King Cove right on the end of this lagoon, this bay. All the way around the other side of the bay is an area called Cold Bay. Cold Bay was designated during World War II as an air base this country relied on. During the war, they constructed a 10,000-foot runway. It is the second longest runway in the State of Alaska right now, and it is in pretty good shape. It is used as a divert runway. NASA uses it as one of its divert places. It is a pretty good solid airport.

Keep in mind, Cold Bay has about 100, maybe 110 people on a good day who live there. Around here, King Cove is an Aleutian community. It has been



around for maybe 1,000 years, maybe a couple of thousand years. It has been around a long time. The Aleut people have lived in this part of the country for thousands of years. This community now is host to about 748 people, give or take. During the fishing season you might get it up as high as possibly 1,000 people. It is not a booming metropolis by any stretch of the imagination.

King Cove, as you can see, is kind of isolated. There is water all around it. That is fair, that is good. This is a situation where this community is ringed by mountains.

I have a picture here of King Cove. When you look at the location of the water, you see where the mountains are. These are pretty fjord-like. These are not timid and tame mountains. These are the types of mountains that get your attention when you are flying in.

The air strip here for King Cove sits right back up in this area. You need to come through these high mountains on all sides. When the cloud layer is low, as it usually is in this area, there are some issues as to whether you have a safe fly-out range.

There are clouds, not only cross currents that hit as you are coming into the airport, but you also have the downdraft coming off these very strong, very prominent mountains. This type of downdraft causes turbulence that particularly impacts helicopters which might be coming into this community for a rescue.

Again, as you look at the options of getting in and out of King Cove, your airport sits about here. You are rimmed with mountains. You may either fly in up this way or you may fly in and out that way. Either way you cut it, you are moving through very high mountainous terrain with winds on all sides coming from above, clouds coming from below. It is as tricky and as difficult a navigational issue as about anywhere in the State.

Going back to where King Cove sits in the ocean here, weather comes in off the Bering Sea up here and there is weather that comes up from the Gulf of Alaska here. It all kind of comes together right around the Aleutians. The Aleutians are known to be one of the areas, at least in this country, of—excuse the expression, but we call it snotty weather. It is foul weather too many times of the year, not just in the winter.

We saw last month the incident with Shell's vessel trying to move from Unalaska across the Gulf of Alaska during January and encountering seas of up to 40 feet. This is the weather we deal with in Alaska. There are difficult seas, and there are difficult flying situations. Yet there are people who call King Cove home and have for thousands of years.

You might ask why I am spending so much time talking about the weather. It sets the stage for this action the Department of Interior has taken and

why I feel this decision is so wrong-headed, so shortsighted, and so wrong to the people who call this area home.

Talking again about the weather and what it means, when you are in a small community that doesn't have a hospital—you don't have a hospital if there are 748 people. We have an IHS clinic, an Indian Health Service clinic. To provide for health needs is a community health aid, and we might have a PA every now and again, but not always reliably. We actually did have a doctor out in King Cove some years ago. He was there in 2006, and he left after 6 months. We don't have the medical assistance we need. When somebody suffers a heart attack, when a woman has a complication with a pregnancy, it is not as if you can stay there in King Cove and seek medical help.

What happens? They have to get out. Well, how do they get out? They can get out by boat. They can move around by boat from King Cove over to Cold Bay, where we have the second largest runway in the State of Alaska. It seems like a pretty simple situation. The problem is that a boat is about as dangerous oftentimes as flying. What happens is if you have weather this stinky, it raises the waves, making getting a fishing vessel across with a sick person, trying to get them to the dock on Cold Bay side and out of that vessel, a harrowing event.

This is a picture we took from a video which had been taken by the residents of King Cove. It might be difficult to see this, but what you are looking at here is a steel ladder, a ladder going up the side of the dock. It is about a 20-foot area there. Way down at the bottom here you see the base of a fishing vessel. What they are trying to do is to haul a sick, elderly gentleman up this metal ladder in the rain, sleet, and snow that is coming. You have a boat that is pitching and heaving here, with somebody up at the top of the dock ready to pick up this individual underneath their arms and haul them up onto the dock. This is not a condition you want if you are feeling at all poorly. The fishing vessel isn't helping, so maybe we could do something else. Congress back in 2005 said maybe we could put a hovercraft there so it can fly the waters between this point here and Cold Bay over here, because there is a road that can take you right along here and take you across to the water.

The problem was not only the seas wouldn't accommodate, but also the operational costs were through the roof. It made no sense, and the people in King Cove and Cold Bay had acknowledged it was not going to make any sense. They tried it, they were game, but it hasn't worked.

What happened was action needed to be taken because we were seeing too many people whose lives were at risk. We were seeing too many people who were killed trying to get out in an effort to seek the medical help they needed.

At some point in time you say this doesn't work. When you have a way out, and it could be a simple road, why wouldn't we do that to address the life safety of the people who live here?

Back in 1979 and 1980, there were a number of airplane crashes that happened as they were trying to take off and land in King Cove. In 1981 we had a medevac plane go down. We lost a nurse, her helper, the patient, and the medevac's pilot—all killed. They were trying to airlift an individual who had suffered a heart attack. Everybody was killed.

In 2010, there was an airplane crash that occurred well on landing into King Cove. Della Trumble, who has long been an advocate for a solution to help the people of King Cove, was watching that plane land because her daughter was coming home. To be sitting there at the air strip, watching the plane come in to deliver your daughter, knowing the weather is foul, knowing the conditions are sketchy, and then seeing that airplane crash in front of your eyes—fortunately for Della and her daughter, she walked away. Think about that trauma.

In February of 2011, the Coast Guard was forced to dispatch a helicopter out of Kodiak, moving a helicopter from Kodiak over to King Cove. They were trying to transfer a 73-year-old woman who was suffering from chest pains. A few days later the Coast Guard tried and failed to reach King Cove with a helicopter to airlift an 80-year-old woman who was also suffering chest pains. Fortunately, she survived. Two days later, there was another medical airlift that was delayed 6 hours from leaving.

I just received the statistics from the Coast Guard for last year. How many rescue missions did the Coast Guard take on to go into King Cove to help those who needed help—not because the medevacs didn't want to go help or because it was going to be too costly—because the medevacs refused to go in because they will not take those risks.

What do we do? We call on our fabulous Coast Guard to come in and do the job. It was five times last year. It is scary work. The Coast Guard does it, and fortunately nobody was killed last year. How many people need to be killed when you have an option for a road to get you to the second longest runway in the State of Alaska?

Let me share with others what it is we actually did to address this problem. We said this is not acceptable. Five years ago this Congress approved a land exchange. In that exchange the Aleut people and the State of Alaska agreed to give up 56,400 acres of prized waterfowl habitat. They said, okay, we are going to give up 56,000 acres here to add to the Alaska peninsula and Izembek National Wildlife Refuge. We are going to trade this and, in return, the government will give back about 1,800 acres.

Do the quick math on this. This is a 300-to-1 exchange the people agreed to,

and it is even less when we isolate it. We are talking about 206 acres that are at issue—206 acres to allow for construction of a one-lane gravel road that will have no commercial use. This is to be used for emergency access. If someone needs to get out of King Cove because they have some kind of a condition, all they would need to do is drive 20 miles—20 miles. Think about that. We drive 20 miles to get from here to wherever. We drive all the time and we don't think about it. We are talking about 20 miles to save people's lives.

But it is even better than that. Because when we are talking about what we are putting through a refuge, it is about a 10-mile road. I hate to even describe it as a road. It is a one-lane gravel area through this lagoon we are talking about and not for commercial use. We have agreed to this. In exchange for this 10-mile road, we said: We are going to give the Federal Government 56,400 acres to add to a wilderness area. What a deal—what a deal.

I hope you can see this, Mr. President, because it is important to understand what we are talking about. This area in the black is what would be subject to the exchange. This is what is going into the wilderness area. All this, plus other acreage that is not shown on this map, in exchange for these red corridors here—about 206 acres.

So back in 2009 we figured in the Senate and over in the House it was important to address the safety needs of the people of King Cove, and if we could do that by allowing for 10 miles, 11 miles of new road through the Izembek Refuge, we could solve a lot of problems. Again, I reiterate, this road is specifically not allowed to be used for economic development. In the omnibus bill we passed the language is specific: "Primarily for health and safety purposes and only for noncommercial purposes."

There were some who were so concerned we were going to see a volume of traffic going back and forth between this community of 748 people and the 110 people over here and that somehow there was going to be this wild traffic going back and forth that was going to disturb the migratory waterfowl, the birds that come through here, the animals in this refuge area. I think it is important to recognize this is not an area that has never been tracked by man; that has never seen a presence. Again, I will remind my colleagues, this was an Air Force base in World War II. This is the second largest runway in the State. This is an area that has seen traffic through vehicles, ATVs, over the years because of the war.

In this chart, we can see the red tracks here. These are all the areas where all-terrain vehicle use is currently in play, and this has been in play since 2005 to 2008. Then the areas that are kind of red dotted are the predicted ATV vehicle travel corridor. We can see this is all within the Izembek Refuge area, the wilderness area. So it

is not as if this is without any kind of access that is in place.

If we look at this next picture, this is an example of what we are talking about with this proposed road. It is out in the middle of some pretty amazing, sweeping landscape, as we can see. But the road is pretty much a one-lane gravel road. There is not going to be any stuff such as street lights. There are not going to be any dividers, meridians, sidewalks. There will not be any overpasses. This is pretty much what we are talking about here.

This next chart shows the existing trails that are currently within the refuge area. Again, it is pretty much a small, narrow, one-track road. It is not like we are going to be able to pass one another moving through the area.

The last picture I wish to show is a view of what the area looks like. It is amazingly flat. It is surrounded by a lagoon area. It is beautiful, absolutely. But these are roads that are currently in existence in the area now. So what we are talking about doing is adding—adding—about a 10-mile strip that would allow us to connect the roads that exist in Cold Bay to connect to a community that needs to have an emergency way out that is safe. They need to be able to connect to those who are on the other side of this lagoon, and the way to do it is this simple road.

I have mentioned the concern about the waterfowl, and this is why the Secretary of the Interior called me and he said: I listened to the biologists, and the biologists tell me the best way to respect this refuge is to not allow any road, to not allow any road so we can respect the refuge. He listened to the biologists, but the Secretary of the Interior did not listen to the people of Alaska. He did not listen to the people of King Cove. He did not even accept a meeting with them the numerous times they have asked to meet with him. They have flown across country to make their case. But he listened to the biologists because he wants to respect the refuge, and, instead, the lives of these people are not being respected.

If this is the attitude of this Department of Interior—that we are going to respect the animals and we are going to respect the birds, but we are not going to respect the people who live there—then this is the wrong way to be going. This is the wrong way to be going, and I will not stand for it.

I want to make sure we have refuge areas. I want to make sure we have wilderness areas. In this exchange we adopted 5 years ago, we allowed for that. We are putting in place wilderness area—the first new wilderness area designated by Congress in a generation, with 45,456 acres of prime waterfowl habitat added to wilderness in Alaska. But you know what, that is gone. Those lands will not remain in wilderness designation unless this road is permitted because the exchange is then going to be nullified if that road is not going to be built.

We have offered a pretty sweet deal—a 300-to-1 exchange—in exchange for the safety of the people who live there. Anyone who thinks we can't build a one-lane gravel road that will allow for a coexistence between the waterfowl that migrate through there and the people who live there, they have another thing to be thinking about. We will not have a practical impact on the waterfowl in the refuge. While the land exchange involves 206 acres, far less is actually going to be impacted by the construction. It is far less than 1 percent of the refuge. Again, the Federal Government is getting 300 times more land.

It is just inconceivable to me we would not be able to have a resolution that works for both sides. For the Secretary to move forward with a designation that says no road—no road—it is just stunning to me. Some might say it is because it is going to cost us money. There is no cost to the Federal Government. The State of Alaska is going to be building this.

Too many people have died for there to be any legitimate excuse for further delay, and I challenge those officials within the Department of the Interior to come and visit King Cove and don't necessarily come during the good weather—although the people of King Cove would tell us they are not entirely sure when the good weather is—but come and see them. Come and see what we are talking about. I have been there. To Deputy Secretary Hayes' credit, he, too, has been there, and I appreciate that. I appreciate that others have tried and perhaps have not met with success because the weather didn't allow them in because we weren't about to take a risk with them. But at a minimum, the Secretary of the Interior needs to be there. He needs to meet with people—real people, such as Carl Smith, a King Cove elder, an Aleut warrior. He was recognized as one of the amazing veterans. He is an Eskimo Scout with the Territorial Guard. Look these people in the eye and tell them their lives are not worth as much as the lives of the birds, the black brants, that inhabit the area.

It is not too late. While this decision of the Department of the Interior has been made, the Secretary—or if Secretary Salazar is no longer there, his designee—has a legal obligation under this 2009 act to base a decision on the road on what is deemed the "public interest." Right now it seems to me the Department of the Interior has deemed the public is made up solely of birds and sea otters. My public—my public—is the real human beings who live in King Cove.

So we need to make sure a decision is not based on an incomplete and misleading EIS that concludes, with lives at stake, no action is somehow acceptable. I repeat: No action is absolutely not acceptable.

I am going to end my comments by letting you know what has happened in

some other refuges. It was just a few years ago, we will all remember, when we were transfixed by what was called "the miracle on the Hudson." There was a commercial jetliner that hit a flock of Canadian geese, lost power, and landed in the Hudson River. Through the amazing skills of that pilot, nobody was harmed. But what was the result of that?

The PRESIDING OFFICER. The Senator's time has expired.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent to proceed for 1 additional minute.

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

Ms. MURKOWSKI. What actually happened a couple years after that incident was that USDA's Wildlife Service agents went into the Jamaica Bay Wildlife Refuge, rounded up and killed 751 Canadian geese. The plan was to kill 1,000, but they couldn't catch them fast enough.

Essentially, we see it is OK to kill birds in New York refuges, but we can't inconvenience the birds in Alaska. Maybe geese are less exotic than black brants or maybe it is because Members of this body and their families and friends fly through La Guardia and they worry about that. Well, I worry about the lives of Alaskans. I worry about the people of King Cove, and I am not going to rest on this. The decision that came out of the Department of the Interior was a travesty. It will not be allowed to stand, and I will do everything I can to ensure it does not.

I ask unanimous consent to have printed in the RECORD the editorial from the Fairbanks Daily News-Miner that also opposes the decision of the Department of the Interior, as well as the press accounts I have referred to of the New York geese story.

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

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

[From the Fairbanks Daily News-Miner]  
PREFERRED PATHS: AGENCY RECOMMENDS  
AGAINST KING COVE ROAD

Almost four years ago, the federal administration signed off on a national wilderness act with a provision offering a small, wind-plagued village on the Alaska Peninsula the possibility of future road access to a safer airport. This week, the Obama administration appears poised to snatch that provision back. It should not do so.

The U.S. Fish and Wildlife Service said Tuesday that the federal government should not proceed with a land swap that would allow construction of a road through the Izembek National Wildlife Refuge. That road would allow the community of King Cove access to a 10,000-foot airfield and cross-wind strip at Cold Bay.

The environmental impact statement was required by the legislation authorizing the land swap, the Omnibus Public Land Management Act of 2009. That legislation proposed that about 56,000 acres now owned by the state and the King Cove Native corporation would become official federal wilderness in exchange for rights to build a one-lane road through an isthmus separating Cold

Bay from Izembek Lagoon. Total road acreage: 206.

It was a generous offer from the state and corporation. Yet the U.S. Fish and Wildlife Service could not accept the road.

Roads and trails have provided decades of access from Cold Bay to other parts of lagoon area for hunters and birdwatchers. However, the agency believes a new road connected to the much larger community of King Cove would greatly increase traffic by off-road vehicles. The agency admits this is just an educated guess, though. "It is impossible to quantify the amount of human use (i.e., hunting, fishing, etc.) or illegal off-road vehicle use that would occur adjacent to the road if it is built," it said in response to public comments that raised the issue. "The analysis presented in the EIS was based on previous experience of the authors and reviewed by staff familiar with the area and other areas in rural Alaska."

Other educated guessers could point to areas set aside in Alaska, near far larger communities, where wildlife thrives and off-road trespassers are kept to a minimum.

The agency discounted the value of the state and Native corporation land it would receive in the exchange. It said those lands weren't such critical wildlife habitat as the isthmus, which is a fair statement. It also said no one was likely to do any development soon on the state and Native lands, which also is fair.

Nevertheless, the mere size of the offer, the potential benefits to King Cove and the uncertainty about the real impacts of off-road vehicles should tip the balance in favor of the exchange.

Secretary of the Interior Ken Salazar, who must issue a record of decision on the swap within 30 days, appears already to have accepted the service's assessment of the swap. "After extensive dialogue and exhaustive scientific evaluation," he said in a news release, "the agency has identified a preferred path forward that will ensure this extraordinary refuge and its wilderness are conserved and protected for future generations."

Unfortunately, that preferred path excludes King Cove's preferred path.

FEDERAL AGENTS KILL 750 GEESE FROM JAMAICA BAY WILDLIFE REFUGE NEAR JFK AIRPORT

(By Carly Baldwin and Daniela Bernal)

NEW YORK.—They're back.

Agents with the U.S. Department of Agriculture removed more than 700 Canada geese from Jamaica Bay Wildlife Refuge Monday morning, at the prodding of U.S. Senator Kirsten Gillibrand.

In the hours between 7 a.m. and noon, 711 of the birds, including possibly goslings, were rounded up and put into crates, said Carol Bannerman, with the Animal and Plant Health Inspection Service, a division within the USDA.

They were then drive to a meat processing plant in upstate New York, where the geese will be killed and their meat will be given to food banks upstate, Bannerman told Metro. In the past carbon dioxide has been used to gas the geese to death.

The more than 700 geese rounded up today comes after USDA agents removed 40 geese from a landfill near John F. Kennedy airport two weeks ago, said Bannerman. In total, 751 geese have been removed from area around JFK in the past two weeks.

That leaves only about 750 Canada geese remaining in the federally protected preserve. Before the round-up, there were 1,500 geese in the park, said Gateway National Recreation area spokesman John Warren.

According to Warren, the feds originally called for killing up to 1,000 geese in the

park. But molting season ended before that many could be taken, he said.

Bannerman told Metro there will be no more further cullings planned for this summer.

But today's surprise killing shocked and outraged many New Yorkers.

"I was sick to my stomach," said Brooklynite David Karopkin when he heard of the killings yesterday. Karopkin, 27, runs GooseWatch NYC, which seeks to monitor and record the controversial cullings of geese in the metro area. "New Yorkers have been kept in the dark about what's going on. These operations are done with no transparency, no public approval—for the most part we're told after the fact."

"It's really a disgrace and a shock that New York City's only wildlife and bird sanctuary has been opened up to a wildlife slaughter for no good reason," Edita Birnkrant, the New York director of Friends of Animals, said. "I'm in utter disbelief at the stupidity of some of the people in office."

Gillibrand has been pushing for more than three years to allow agents into the Jamaica Preserve, a 9,000-acre estuary and bird sanctuary that surrounds JFK's runways. The birds are a hazard to planes taking off from JFK and LaGuardia airports, she and others argue.

Just this past April, a Delta jet hit geese when it took off from JFK. The cabin filled with smoke, but the plane made a safe emergency landing.

Gillibrand specifically wanted the geese culled before the end of their June and July molting phase, when the adult birds and goslings cannot fly and can be easily rounded up.

#### GEESE-PLANE STRIKES

The USDA first started removing geese from the NYC area in July of 2004. In the five years before that, there were nine bird strikes on planes at LaGuardia, said Carol Bannerman.

In the five years after 2004, to July of 2009, there have been three bird strikes.

The most famous of which is when geese brought down the "Miracle on the Hudson" flight in January of 2009.

But according to Karopkin, the geese that brought down that flight were migrating from Canada, and did not nest in the metro area.

"So even if you killed every animal in New York City you would not have prevented that crash," he said.

#### A HISTORY OF CULLINGS

Number of geese removed from around the city:

2009	1,276 geese removed and killed
2010	1,676 geese removed and killed
2011	575 geese removed and killed
2012	751 killed so far this year

Source: USDA.

Ms. MURKOWSKI. With that, I yield the floor.

Mrs. HAGAN. Mr. President, I ask unanimous consent that the time until 2 p.m. be equally divided and controlled between the two leaders or their designees; that following the swearing in of our new Senator I be recognized; and that following my remarks Senator FRANKEN be recognized.

The PRESIDING OFFICER (Mr. MERKLEY). Is there objection?

Without objection, it is so ordered.

Mrs. HAGAN. Mr. President, 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.

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

The VICE PRESIDENT. Without objection, it is so ordered.

#### CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the 12:03 Senate a Certificate of Appointment to fill the vacancy created by the resignation of Senator John Kerry of Massachusetts. The certificate, the Chair is advised, is in the form suggested by the Senate. If there is no objection, the reading of the Certificate will be waived and it will be printed in full in the RECORD.

(Applause)

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

#### THE COMMONWEALTH OF MASSACHUSETTS CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the Commonwealth of Massachusetts, I, Deval L. Patrick, the Governor of said Commonwealth, do hereby appoint William "Mo" Cowan a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the resignation of John F. Kerry, is filled by election as provided by law.

Witness: His excellency our governor Deval L. Patrick, and our seal hereto affixed at Boston, Massachusetts this First day of February, in the year of our Lord 2013.

By the governor.

DEVAL L. PATRICK,  
Governor.

WILLIAM FRANCIS GALVIN,  
Secretary of Commonwealth.

(State Seal Affixed.)

#### ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designee will now present himself at the desk, the Chair will administer the oath of office.

The Senator-designee, escorted by Mr. Kerry and Ms. WARREN, advanced to the desk of the Vice President, the oath prescribed by law was administered to him by the Vice President, and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator, and welcome.

(Applause, Senators rising.)

Mrs. HAGAN. I do wish to congratulate the North Carolina native on his new role as a U.S. Senator from Massachusetts.

#### VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013—Continued

Mrs. HAGAN. Mr. President, I am proud to join my colleagues today in support of the Violence Against Women Reauthorization Act of 2013. I do so not just as a Senator but also as the mother of two daughters.

This critical legislation has been held up for far too long, and it is past time for reauthorization. We have a serious responsibility to ensure that women and families are protected.

The rates of violence and abuse in our country are astounding and totally unacceptable. According to a 2010 CDC study, domestic violence affects more than 12 million people each year. Across the United States 15½ million children live in homes in which domestic violence has occurred. In my home State of North Carolina alone, 73 women and children are killed on average every year because of domestic violence.

Let me say that number one more time. Seventy-three women and children are killed every year due to domestic violence. These are alarming statistics, and we must act now to address them.

Since 1994, VAWA programs, and in particular the STOP Program that provides grants for services, training, officers, and prosecutors, have made tremendous progress in helping victims of domestic violence and sexual assault and have transformed our criminal justice system and victim support services.

These grants have assisted law enforcement and prosecutors in tracking down perpetrators and bringing them to justice. They have also saved countless lives and provided needed services to victims of these violent acts.

In one instance in my State a man was on pretrial release after being charged with stalking his wife. Thanks to this STOP grant funding, he was being monitored electronically, and he was caught violating the conditions of his release when he went to his estranged wife's home. The supervising officer was immediately notified of this violation, and police officers found the man with the help of a GPS and arrested him in his estranged wife's driveway. Because of this VAWA program, we had one less victim in my State. This is just one example of how VAWA is protecting women and saving lives.

Title V of this bill includes legislation that I sponsored in the last Congress, the Violence Against Women Health Initiative Act, which updates and improves the health care system's response to domestic violence and sexual assault. My provision is simple: It provides training and education to help the health care professionals respond to violence and abuse. By equipping doctors and nurses to recognize the signs of domestic abuse and make sure they have the training to respond, we can better care for our survivors and prevent future crimes. It also consolidates existing programs to streamline and strengthen the health care system's response to violent crimes.

Since my time in the North Carolina State Senate, I have been dedicated to reducing the backlog of unanalyzed rape kits. This bill includes the bipartisan SAFER Act, which helps fund au-

ditions of untested DNA evidence and reduces this backlog of rape kits.

Before my efforts in the State senate, what used to happen in North Carolina, and continues to happen today in many States, is that a woman would be raped, she would go to the hospital, DNA would be collected and then placed in a box. Then that box would go and sit on a shelf in a police department or in a sheriff's department totally unanalyzed unless the woman could identify who attacked her.

I ask you: What other victims in America have to identify the attacker before authorities will take action? None.

When I first brought this issue to the forefront, I was told there was not enough money for all of these rape kits to be tested. We found that funding in North Carolina. Now with the help of the SAFER Act, our law enforcement agencies will have the ability to track and prioritize their untested DNA evidence to ensure that victims can find their perpetrators and hold them accountable, and we can remove violent criminals from the streets.

Unfortunately, until Congress acts to reauthorize the Violence Against Women Act, the well-being of women across the country hangs in the balance. This bill has never been a partisan football, and there is no reason it should be today. I hope we will pass this bill swiftly and without further disputes. We must ensure this bill's passage for victims of domestic violence, dating violence, sexual assault, and stalking not only in North Carolina but around the country.

Finally, I do want to thank the North Carolina Coalition Against Sexual Assault, the North Carolina Coalition Against Domestic Violence, and North Carolina's State and local law enforcement agencies that have truly been leaders in combating this problem. I applaud them for all the work they have done to reduce and address the incidents of domestic violence and sexual assault, and I am grateful for the work they do every day on the front lines of this issue.

So I am asking my colleagues to join me in moving the Violence Against Women Reauthorization Act through the Senate swiftly and without further delay. Millions of victims across the country are waiting for us to enact this lifesaving legislation, and we simply cannot wait any longer.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, last spring, just before the Senate passed the Violence Against Women Reauthorization Act, I came to the floor to share some words from my late dear friend Sheila Wellstone whose commitment to ending domestic violence is an everlasting source of inspiration to my wife Franni and to me.

I shared with my colleagues something Sheila said, which was this: