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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Rev. Joel Osteen, senior pastor of the Lakewood Church in Houston, TX.

The guest Chaplain offered the following prayer:

Let us pray.

Father we receive Your blessings today with grateful hearts, and thank You for the favor that You show us.

As we pray for those who lead our Nation, we ask that You bless this body and those who serve in it. We thank You that these lawmakers serve with honor and integrity, and that You will continue to bless our Nation through them. Give them wisdom that they will make good decisions, courage that they will hold fast to Your truth, and compassion that all should prosper from their laws. We receive Your presence here today, Father, and pray that these lawmakers will remain mindful of You and that they will honor You in everything they do.

In Jesus' Name we pray. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUYE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 26, 2012.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUYE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 1925, which the clerk will report.

The assistant legislative clerk read as follows.

A bill (S. 1925) to reauthorize the Violence Against Women Act of 1994.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

GUEST CHAPLAIN JOEL OSTEEN

Mrs. HUTCHISON. It is my pleasure to be able to introduce our guest Chaplain, Joel Osteen, pastor of Lakewood Church in Houston. He is a native Texan and attended Oral Roberts University in Tulsa, OK.

For 17 years, Pastor Osteen worked behind the scenes for his father John, who founded Lakewood Church in 1959.

In 1999, after his father passed away, Pastor Osteen accepted God's call to service in the church and took over the reins as senior pastor, despite having only preached once in his life.

It was soon clear that this new, young preacher had a natural gift for speaking and was able to personally connect with diverse audiences with the inspirational message of God's love. Since that time, he and his wife and copastor Victoria have led Lakewood through extraordinary growth.

In 2005, the Osteens moved Lakewood Church from its original home in northeast Houston to the former home of the Houston Rockets basketball team. With this space, Pastor Osteen now delivers a message of hope and encouragement to 38,000 people a week, with millions more across the country tuning in on their televisions.

Pastor Osteen has reached millions more as a best-selling author. His first book, ''Your Best Life Now,'' was released in 2004 and remained on the New York Times bestseller list for 2 years.

His most recent book, ''Every Day a Friday,'' offers commonsense advice on how to be happy by applying the principles of God's word to your daily life. Pastor Osteen has spoken throughout the world, and that is what brings him to the Capitol today.

On Saturday the Osteens will lead thousands in what is billed as ''a night of hope'' at Nationals Park in Washington. That message of hope and encouragement is what has attracted me and my family to watch Pastor Osteen on Sunday morning. I have been to his church. He welcomed me and my daughter, Bailey—whose 11th birthday is today—at Lakewood Church 2 years ago, and I got to see this awesome

place that he fills every single Sunday—sometimes more than the Houston Rockets ever did, I have to say.

I do want to say that the Chaplain of the Senate, Dr. Barry Black, who works with us every week in the Senate, with all of our staffs, was wonderful to help in assisting to bring Pastor Osteen to the podium to open our Senate this morning. It is a wonderful Senate tradition that we start our day by thanking God for this wonderful world and also remembering the mantle of leadership and responsibility that is on our shoulders and trying to do the very best we can with that message.

Again, I thank Pastor Osteen and his wife Victoria, who are wonderful people whom I have gotten to know through the years. They have inspired so many of us in our travails of life.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, the Senate is now considering S. 1925, with the time until 11:30 for debate only. The Republicans will control the first 45 minutes and the majority will control the second 45 minutes.

At 11:30 today the Senate will proceed to executive session to consider the Costa and Guaderrama nominations, both nominated to be U.S. district judges for Texas. At noon there will be two votes on the confirmation of these nominations.

Senator MCCONNELL and I are trying to work through a way to proceed on the Violence Against Women Reauthorization Act. I hope to be able to have some announcement around 2 o'clock.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, the Senate is now debating the Violence Against Women Act.

We began debate on this legislation by consent, and we would like to complete action on this legislation also by consent. We have been working to enter into an efficient consent agreement with only a couple of relevant amendments and with very short time agreements for processing them.

This approach is in keeping with how Republicans have handled VAWA in the past. This approach would also allow us to complete the bill today. These relevant amendments would give the Senate the opportunity to strengthen the law, especially in terms of the punishment for those who commit violence against women.

As my friend, the majority leader, noted yesterday, a good way to lower the incidence of violent crime is to incarcerate those who commit it. We could not agree more. We would like the chance to improve the law in that respect.

HONORING OUR ARMED FORCES

CAPTAIN DANIEL H. UTLEY

Mr. MCCONNELL. Mr. President, I rise this morning to acknowledge the loss of an American hero and patriot. It is my sad duty today to report to my colleagues that Kentucky has lost one of our finest heroes in uniform. This particular loss is very personal to me, as I knew this outstanding young man very well.

CPT Daniel H. Utley of the U.S. Army was killed in the North African country of Mali just a few days ago, on April 20, 2012, while on a training mission to help the local citizens combat terrorism. Dan was 33 years old.

For his service to our country, Captain Utley received many medals, awards, and decorations, including the Bronze Star Medal, the Defense Meritorious Service Medal, the Army Commendation Medal, the Joint Service Achievement Medal, the Army Achievement Medal, the Joint Meritorious Unit Award, the National Defense Service Medal, the Afghanistan Campaign Medal with Combat Star, the Global War on Terrorism Expeditionary Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, and the NATO Medal. Captain Utley also received the Basic Parachutist Badge and his Thailand Jump Wings.

Charley Utley, Dan's Father said:

He was a great young man; he was a great son. He always put other people ahead of himself. He did an outstanding job while he was there. He loved being in the Army. He enjoyed what he was doing, and he really thought he was making a difference.

It goes without saying that every man and woman in our Armed Forces is an American of special fortitude and character. But I can personally testify to that truth on behalf of Dan Utley. At my alma mater, the University of Louisville, I was glad to have begun the McConnell Scholars Program, a rigorous and prestigious scholarship program for the finest students in Kentucky that prepares them for a lifetime of leadership and service. Dan was one of the best McConnell Scholars to ever grace the program.

I could not agree more with my good friend, Dr. Gary Gregg, the director of the McConnell Scholars Program, who said of Dan's loss: ''America has lost a rising star.''

Dan was born in Bowling Green, KY, on April 13, 1979. He was raised in Glasgow, KY, and he went to Glasgow High School where he played soccer and was a member of the academic team. He was also a member of Glasgow's First Christian Church.

Dan had a lot of hobbies, but most of them had one thing in common: They did not take place inside four walls or under a roof. ''He loved the outdoors,'' remembers Dan's father, Charlie. ''He loved camping, hiking, biking, jumping out of airplanes, canoeing, kayaking—anything to do with the outdoors.''

Dan graduated from high school in 1997, and he was awarded a McConnell scholarship to attend the University of Louisville.

Dr. Gregg said:

Dan was a workhorse of a McConnell Scholar. There are people who serve for title and glory; Dan was a young man who served in order to serve. When he was an undergraduate, he would volunteer for any cause that came along. He was always trying to help out the underdog. His heart was always bigger than his ego; his compassion for others always outshone his ambition for self. His life was no different in the U.S. Army—what he loved most was serving others in need.

I got to know Dan very well during his time in college, and I came to appreciate what a remarkable young man he was. He was extremely smart. He was also one of the most popular students in the program.

Dan spent one semester in college working in the Kentucky State Legislature, helping to write bills and assisting State senators and representatives with whatever they needed. Dan graduated from the University of Louisville in 2001 with a bachelor's degree with honors in political science. After college, for a time, he enrolled in law school but soon decided, because of his desire to serve, that his path to fulfillment lay in military service.

When I first met Dan, a military career was certainly not at all what I would have expected him to do. But it just goes to show the growth and maturity this young man achieved in such a very short time.

''He was in law school, but after 9/11, he wanted to do something,'' says Charlie Utley. ''He was miserable in law school because he wanted to do something for his country.''

Dan's friend and fellow McConnell Scholar, Connie Wilkinson-Tobbe, agrees and this is what she said:

Dan was ready to live life, and he was probably smarter than everybody sitting in [law school]. That was not stimulating enough for him, and he was ready to do great things.

So in 2003, Dan joined the Army and went through OCS. In almost a decade of Army service, Captain Utley served in many posts, all of them challenging and proof of his skill and talent. He was stationed or deployed in South Korea for 24 months, in Kuwait for 12 months, in Afghanistan for 13 months, and his final deployment in Mali lasted 7 months.

He served in capacities such as tactical communications platoon leader, operations officer while in Kuwait, aide-de-camp for a general in the 160th Signal Brigade, and brigade civil affairs officer in the 101st Airborne. After successfully completing a civil affairs qualifications course, Dan was assigned to F Company, 91st Civil Affairs Battalion, (Airborne), as a team leader.

Let me quote again from Dr. Gregg.

I particularly remember when he called and told me he was being made an aide-de-camp and was going to get a new shoulder holster as part of his job protecting the general he served. It was a position of great honor and he was humbled to have been chosen, but he wanted to talk most about his cool new side arm!

Earlier this year, the news magazine for the U.S. Agency for International Development—Frontlines—published an article about America's efforts to combat instability in Mali, one of the poorest countries in the world. The article stated:

''The presence of the terrorist group al-Qaida in the Islamic Maghreb, which has its roots in the Algerian Civil War, now poses a threat of violent extremism'' in the country.

That is why the U.S. Army, and specifically Captain Utley, was in Mali in the first place. As a team member of the Department of Defense's Civil Military Support Element, Captain Utley was quoted in this article on the valiant work he and his fellow soldiers were doing just a few months before his tragic death.

In September 2004, Dan married Katie, also an Army officer. They had their wedding in Hawaii. Katie was commissioned through the ROTC Program at the University of Georgia, and is now a captain in the Army with the 82nd Airborne, based out of Fort Bragg, NC.

We are thinking of CPT Dan Utley's loved ones today, especially his wife, CPT Katie M. Utley; his father, Charles L. Utley; his mother, Linda H. Utley; his brother and sister-in-law, Charles L. Utley, II, and Maria; his brother and sister-in-law, Matthew R. Utley and Michelle; his nephews, Matthew Ryan Utley and Mason Robert Utley; his niece, Marleigh Rose Utley; his maternal grandmother, Pauline Haynes; his parents-in-law, Chris and Peggy Michael; his brother-in-law, Matthew Michael; and many other beloved family members and friends.

I also know for a fact many faculty members of the University of Louisville, staff members for the McConnell Center, and current and former McConnell scholars will dearly miss Dan. I certainly will.

I had the honor of watching Dan grow from a teenager to a brave and virtuous man who willingly sacrificed everything to defend his friends and his family and his country. Elaine and I extend our deepest sympathies to all who knew and loved him, and I would ask my Senate colleagues to join me in expressing our respect and gratitude to this fine young man, CPT Daniel H. Utley. Let our work here today serve to ensure our country never forgets the duty he fulfilled by putting on the uniform—or the great sacrifice he made in a country many of us could not even find on a map in order to protect our freedoms here at home.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 11:30 a.m. will be for debate only and will be equally divided between the two leaders or their designees, with the Republicans controlling the first 45 minutes and the majority controlling the second 45 minutes.

The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I want to express my appreciation to the Republican leader for his remarks about Captain Utley. I have had the honor to talk with McConnell scholars on a number of occasions from Louisville. They are such a fine group of people, and I know how deeply our leader feels this loss. I certainly will join him in my expressions to the family.

I recall General Myers, former Chairman of the Joint Chiefs of Staff, when someone suggested soldiers who were injured or lost their lives were victims, saying they are not victims, they are heroes. They committed themselves to serving their country. They believe our country is worthy of defense and they are willing to put their lives on the line for it, and they are heroes. And certainly this captain was.

Mr. MCCONNELL. Mr. President, I wish to thank my friend from Alabama for his kind remarks about this brave young man.

Mr. SESSIONS. I thank the leader.

THE BUDGET

Mr. SESSIONS. Mr. President, this Sunday, April 29, in a few days, will mark the third anniversary of the last time the Democratic-led Senate has passed a budget. Since that date, our Nation has spent $10.4 trillion while adding $4.5 trillion to the national debt. And that is how it is that we say nearly 40 cents of every dollar we are spending now is borrowed.

We have accumulated $10.4 trillion in spending over these years since we have had a budget and we have added $4.5 trillion to the debt. We are in our fourth consecutive year of trillion-dollar-plus deficits and heading into the fifth year. Prior to these 4 years, the largest deficit we ever had was about $480 billion. We have more than doubled that every year since.

It is a systemic problem—and not a little problem. The economy coming back would help, no doubt, but it will not put us on a sound path. We have to make some choices. Every person in America now owes, as their share of the national debt, $45,000—every American. Every man, woman, and child is carrying that amount as their burden as a result of the overspending of this Congress.

For perspective—and we need perspective because the numbers are often hard to grasp—that per-person number is larger than any of the rest of the world, including Greece. Our per-person debt is greater than the per-person debt of Greece. Yet at this time of financial crisis, the majority in the Senate refuses to perform its legally required duty and moral responsibility to produce a budget plan, which is part of the United States Code dating back to 1974 under the Congressional Budget Act. And a budget requires, as under that Act, only 51 votes to pass. It cannot be filibustered. It is given a priority.

In 1974, Congress was obviously disappointed that we were not moving forward effectively with budgets, and a budget is crucial to the financial stability of a nation. That is why they passed the Congressional Budget Act and ensured that a budget cannot be filibustered in the Senate. It is guaranteed a right to have a vote. It is required to be brought up in committee by April 1 and moved forward by April 15. That is what the statute requires. Unfortunately, it doesn't require that Congress go to jail if it doesn't pass a budget. Or perhaps, as Senator HELLER from Nevada has suggested, maybe Congress ought not to be paid if they do not pass a budget. Maybe that reform would be good for us.

The majority has refused to bring up a budget. They have not even attempted to pass a budget this year, and they refused to do so the last 2 years before this. The absence of a budget is not simply a case of inaction; the Senate majority has pursued a systemic, deliberate, and determined policy—I believe a politically driven policy—to keep a budget off the floor. Why? To attempt to shield its conference from public accountability during this period of financial danger.

The worst possible time not to have a budget, not to have a plan, not to stand up and tell the American people what our financial vision for the country is, would be in a time of deep financial crisis, when we are on an unsustainable path. Yet they are not even willing to present a financial plan for the future of America. And when criticized about it, the White House says one thing, Speaker PELOSI another, the Democratic leader here has another explanation, but none of reasons are coherent or make real sense.

Why? I guess there is no explanation. There can be no justifiable reason why this responsibility is not fulfilled. They say, maybe one day. Maybe it wouldn't pass ultimately. Maybe we wouldn't agree. But the Republican House felt its responsibility to comply with the law, and it has for the last 2 years. They laid out a long-term plan for America that changes our debt course and puts us on a financial path to stability. That is our responsibility. Oh, yes, the Senate called it up here. For what reason? So they could attack it and bring it down, but not to lay out any plan of their own.

When Senator MCCONNELL called up President Obama's budget last year, he said, let's see if you want to vote for that. You voted down the House budget and attacked PAUL RYAN and his colleagues for the historic work they put into drafting their budget. Let's see what you think about your President's budget. It went down 95 to 0. Not a single Member voted for it.

So while government workers have been throwing lavish parties in Las Vegas, President Obama has not been roused to impose managerial discipline on this government. He has yet to call on his party, which is running the Senate, to produce a financial plan. His own budget this year was brought up in the House and didn't receive a single vote. Yet both he and the Senate Democrats continue to call for higher

taxes. They say we must have higher taxes. How can they ask Americans to send more money to Washington when the Senate's majority won't even write a budget; won't even tell them where they are going to spend the money? They just say, send us more. We need more. We are not going to cut spending. Oh, we can't cut spending—that would be terrible—but you need to send us more money, and maybe one day we will pass a budget; maybe not.

The American people shouldn't send one more dime in new taxes to this dysfunctional government. They should say to Washington, you lay out a plan that puts us on a sound financial path, you bring wasteful spending to a conclusion, you quit spending money on Solyndras and hot tubs in Las Vegas, then you talk to me about sending more money. That is what the American people need to say. That is what they are saying. That is what they said in 2010, I thought pretty clearly, but the message has not been received.

National Review's Rich Lowry recently wrote an article in which he refers to Senator CONRAD, our fine Democratic chairman of the Budget Committee. This is what he wrote:

Senator Conrad said it was too hard to pass a budget in an election year.

So that was one of the arguments—well, we don't need to bring up a budget because it is an election year and we don't want to be having a vote before we have to be voted on by the American people. They might not like the way we voted. They might vote us out of office. They might be disappointed in us if they see us actually take tough votes on what we are going to have to do about the future of the Republic.

Mr. Lowry goes on:

But Senate Democrats hadn't passed one in 2011 or 2010, either. This year is a presidential election, 2011 was an off-year, and 2010 was a midterm election. That covers every kind of year there is in Washington. By this standard, the Senate will have an annual excuse not to pass a budget resolution for the rest of time.

I think there is a lot of truth to that. So they can't pass a budget this year because it is an election year. Well, last year wasn't.

So this Sunday, April 29, we will have gone 3 full years since the last time the Senate Democrats have brought a budget to the floor of the Senate—3 years. They won't produce a plan because they are unable to produce a plan. And it is hard, I have to admit. The House has done it, but the Senate seems to be unable to do it. They are unable to unite behind a financial vision for this country that they are willing to go to the American people and advocate for and publicly defend. Now, that is my view of it. Maybe it is unfair, but I don't think so. So they can't put on paper how much they want the government to grow, how much they want to raise taxes, and how much deficit each year they are willing to accept and whether that deficit is going to be brought under control permanently or whether it will continue at the unsustainable rate it is.

There have been a lot of secret meetings and discussions about what might be involved in an agreement that could or could not occur. There has been a lot of talk about that. But what has been carefully avoided is actually letting the American people see the numbers so they can be totaled and we can precisely measure the impact.

Last year our colleagues indicated that we would have a Budget Committee markup on a budget, that they had a plan, and it was going to be Monday, and then it was going to be Tuesday. Then the Democratic conference met, and they laid out some broad outline for it. Then apparently they told Senator CONRAD not to have a budget markup. So we didn't even have anything brought up in the Budget Committee last year as required by the law.

But you could take a look at that budget. It would have increased spending, not reduced spending. It would have increased taxes significantly but would have managed to cut the Defense Department $900 billion. That is what the outlines of it appear to be. That is a pretty tough budget to go to the American people with—increase spending, increase taxes, and savage the Defense Department. Well, I don't think that was very popular. Maybe politically it was foolish, as Senator REID had said, to bring up such a budget to the American people. Maybe they ought to look at the Ryan budget in the House. It is much more responsible. It reduces spending, even simplifies and lowers taxes, creating a growth environment, and it puts us on a financial path for the next 30 years that anybody who looks at America would say: Wow. They have changed. They have a plan that will get them out of this fix they are in. They have gotten off the path to the waterfall, and they are on a sound course now.

So I would encourage my colleagues who think there is a legitimate reason not to lay out a plan, not to fight for the future of America, a reason not to advocate for the kinds of changes we all know have to occur—if you think those are not important, then I invite you to come to the floor and dispute what I have said and explain why we don't need to move forward as the law requires us to do.

I don't know how things will happen, but as ranking member of the Budget Committee and seeing the numbers, I know reality is not going to be easily confronted. It is not going to be easy. We are going to have to look at the almost 60 percent of the budget now that is entitlements and interest on the debt. I believe interest on the debt last year was calculated by the Congressional Budget Office to go from $240 billion to over $900 billion under the President's budget. These are annual interest payments on the trillions of dollars we now owe in debt—that is unsustainable.

I know it is not going to be easy. I would just say that if we on the Republican side are honored with a majority in the Senate, we will pass a budget. It will be an absolute duty, as far as I can see, for us to do so. It will be an honest budget. It won't be easy, and the American people may be surprised at what would be required to change the debt and deficit course we are on. But our budget would put us on a path to a financially prosperous America, get us off the road to debt and decline, and put us on a path to growth and prosperity. That is what we have to have.

Until the world's financial community and the American people understand that we are on a good path and not a bad path, we are not going to see the economic growth we should be seeing. And it is through growth and prosperity and more jobs that we will pay more taxes. It will be those actions that will put America on the way to meet the great challenge of our time.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin is recognized.

Mr. JOHNSON of Wisconsin. Mr. President, I ask unanimous consent to speak not to exceed 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Wisconsin. Mr. President, I come to the floor today to mark an amazing anniversary. And by amazing, I don't mean good. I mean unbelievable. I mean sad. On Sunday we will mark the anniversary—April 29—of the date where it has been 3 years since the Senate has passed a budget. I know a lot of Americans have heard that date, they have heard the talking point that it has been 1,000-and-umpteen days since we passed a budget. But it is not a talking point. It is simply unbelievable. It is jaw-dropping. The U.S. Government is the largest financial entity in the world, and it has been operating now for 3 years without a budget. It is a $3.8 trillion-a-year entity.

I come from the private sector. I am an accountant. When I tell the voters, the citizens of Wisconsin, that the Federal Government hasn't passed a budget, they really are amazed. That is why I call it an amazing anniversary date.

The Senate has not fulfilled a basic responsibility. It is required by law to pass a budget by April 15 of every year. It is a reasonable requirement. It is a reasonable responsibility. The House Republicans have fulfilled their responsibility and have put forward a plan. They have shown the American people what they would do to solve our looming debt and deficit problem. The Senate hasn't.

Why hasn't the majority in the Senate passed a budget? They have all the votes. They have them in the Budget Committee to refer a budget to the floor. They have the votes and they have the number of Members on the floor of the Senate to pass a budget. Why do they refuse? Is it because they have no solutions to our problem or is it that they have a solution, and they simply don't want the American people

to know what it is? ''Trust us. We will take care of us.'' Is it also because they don't want their fingerprints on that solution? They don't want to be held accountable? I think more likely that is the reason we haven't passed a budget here the Senate for 3 years now.

I guess they could claim President Obama's budget is their plan. But the problem with that is President Obama's last two budgets have been so unserious—last year his budget lost in this body of the Senate by a vote of 0 to 97. Not one member of the President's own party gave it a vote. As a matter of fact, not one member of the President's own party was willing to bring that budget to the floor for a vote. Republicans had to do that.

Now this year's budget—3 weeks ago, in the House of Representatives again, the President's budget was brought forward to the House—by a Republican, not a Democrat. It lost 0 to 414. Again, I ask the American people to think about that. Think about what a stunning repudiation that is of leadership. What it really represents is a total abdication of leadership.

The American people deserve better. They deserve far better. They deserve to have a plan. They deserve to have a choice.

The President now has put forward four budgets. He has yet to propose any solution to save Social Security or to save Medicare. Again, the House has provided that plan. They have passed a budget. They have been responsible. Republicans have been willing to be held accountable. That is our job.

It is well past time for the Senate to fulfill its responsibility to bring a budget to the floor—not just vote on one but to work on it and pass one so that we can go to conference and we can reconcile that with the House budget so the United States finally, after 3 years, will start operating under a budget in the next fiscal year.

I know the Budget Control Act sets spending caps. I get that. I get that. Washington is going to make sure it can continue to spend money. But spending money is only half the equation. What is this body going to do in terms of showing the American people what our plan is to live within our means, to get our debt and deficit under control? The American people are waiting.

The result of this embarrassing abdication of responsibility and leadership can be clearly described by a few charts. Let me start going through a couple.

I think most people have seen all kinds of different debt charts. I like this one because it starts in 1987, when our total Federal debt was $2.3 trillion. If we were to pass President Obama's budget and live by it, in 10 years our total Federal debt would be $25.9 trillion.

In the Budget Control Act, this body—Congress—gave President Obama the authority to increase our debt limit by $2.1 trillion. It took us 200 years to incur $2.3 trillion. We will have blown through that $2.1 trillion debt ceiling increase in less than 2 years.

Just in case anybody is still confused, we have a spending problem in this Nation. It is not that we take too little from the American people, it is because we spend too much.

I know the American people are frequently subjected to phrases such as ''Draconian cuts.'' I think this proves we are not cutting anything. In 2002 the Federal Government spent $2 trillion. Last year, or the current fiscal year, it is projected that we will spend $3.8 trillion. We have virtually doubled spending in just 10 years. And the argument moving forward is, according to President Obama, he would like to spend $5.8 trillion in the year 2022. The House budget would spend $4.9 trillion.

Another way of looking at that is 10-year spending. In the 10-year period from 1992 to 2001, the Federal Government spent a total of $16 trillion. From 2002 to 2011, the Federal Government spent $28 trillion. Again, the argument moving forward is that President Obama's budget in 10 years would spend $47 trillion. The House budget proposes spending $40 trillion. You don't have to be a math major or an engineer to do that math. Both $40 trillion and $47 trillion are greater than $28 trillion. We are not cutting spending, we are just trying to reduce the rate of growth. That is an incredibly important distinction. Don't be misled. We are trying to get our debt and deficit under control.

A couple months ago, President Obama said he had the solution. His Buffett rule was going to stabilize the debt and deficit. Here is a little history. I hope the American people look at this.

President Bush, in his first 4 years in office, ran a total deficit of $0.8 trillion—$800 billion. Now, back in Oshkosh, WI, I wasn't happy with that result. I didn't like seeing that deficit spending. His second 4 years didn't improve. He had a total deficit of $1.2 trillion between the years of 2005 and 2008. Again, I don't think there are very many fiscal conservatives who were happy with that result.

Now President Obama has increased that dramatically. During the 4 years of his administration, the total deficit will be $5.3 trillion. That is on total spending of about $14.4 trillion. We are borrowing 37 cents of every $1 we spend and our debt now exceeds the size of our economy. Again, President Obama's solution? I realize this is hard to see, but he has proposed the Buffett tax. If we were to actually enact that tax over 4 years, it would raise some $20 billion. I know you cannot see it, but there is a line there. It does not even fill in the marker lines here. It is $20 billion to solve a $5,300 billion problem. I am sorry, that is not a serious proposal. It is just class warfare.

Let me show one of the problems President Obama refuses to address: the looming bankruptcy of our Social Security Program, the program millions of seniors rely on, that Americans plan their retirement around. We hear all too frequently that Social Security is solvent to the year 2035. No, it is not. It is solvent because of an accounting fiction called the trust fund, which is simply government bonds held by the Government. The analogy I use, it is akin to you had $20 and you spend the $20 and you write yourself a note and put it in your pocket and say I have $20. No, you do not, nor does the Federal Government. It has bonds which, by the way, it can print any day of the week, but it has to sell those bonds.

Social Security went cash negative, which means it paid out more in cash benefits than it took in, in cash receipts by 2010—by about $51 billion. Last year, it was $46 billion in deficit. Through the year 2035, all this red ink represents $6 trillion in additional deficit spending in the Social Security fund. It is insolvent. It is bankrupt. It needs to be addressed. This President refuses to address it.

When we project out and we see another $10 trillion to $11 trillion in increased spending and debt according to President Obama's budget, I am concerned we are not even fully realizing the other risks involved.

Before I get to this chart, let me mention the first one. If we fail to meet the growth targets President Obama is projecting in his budget by just 1 percent, we add $3.1 trillion to that 10-year deficit figure. That is a 30-percent increase. I know when they passed the health care law the American people were told—they were hoodwinked into believing it would actually reduce our deficit. It will not. The way they were going to pay for 6 years' worth of spending is with 10 years' worth of receipts and reductions in Medicare. The receipts come in taxes, fees and penalties on, by the way, drug manufacturers, medical device manufacturers, health care plans. I don't know what economics course members of this administration took, but we do not bend down the cost curve by increasing the costs to providers. That is what they were doing for about $590 billion of that revenue stream to pay for ObamaCare.

The other $665 billion was going to come out of cuts to Medicare, Medicare Advantage, and Medicaid.

We have not imposed the provider reductions under the SGR fix, the doc fix—about $208 billion. What makes anybody believe we will actually impose the $665 billion in savings in Medicare? If we move the 10-year window forward to when ObamaCare kicks in, when the full spending occurs starting about 2016, the total cost of the health care law will not be $1.1 trillion, it will be $2.4 trillion, and that is a conservative estimate, not even taking into account millions of employees who will lose their employer-sponsored care and get put into the exchanges at highly subsidized rates. But using a conservative cost figure of $2.4 trillion and

growth in taxes, fees, and penalties by a reasonable amount, $816 billion, that leaves a $1.6 trillion what I am calling deficit risk. How is that going to be filled? Are we going to borrow it or are we going to take it out of Medicare? Somehow I do not think we will be taking it out of Medicare. Somehow I think we will have to borrow it, if we can.

That brings me to our last chart, interest rate risk. I was never concerned, not even for a moment last year during the debt ceiling debate, that the Federal Government was going to default on any of its obligations. We were going to pay Social Security recipients. We were going to pay our soldiers. We were going to meet every obligation of the Federal Government. The day I fear is the true day of reckoning, the day when creditors around the world take a look at the United States and say: You know what, I am not going to loan you any more money or what is more likely to occur is they will say: I will loan you some money but not at these rates.

If we take a look at the history of the borrowing costs of the United States, from 1970 to the year 2000, our average borrowing cost for the Federal Government was 5.3 percent. Over the last 3 years, from 2010 to 2012, our average borrowing costs were about 1.5 percent. That is a difference of 3.8 percent between these two figures. If we just revert to that average—and by the way, back then the United States was a far more creditworthy borrower—our debt-to-GDP ratio ranged somewhere between 45 percent and 67 percent. Currently, our debt-to-GDP ratio exceeds 100 percent. If we revert to that average borrowing cost, that would cost the Federal Government $600 billion in added interest expense per year. That is 60 percent of the discretionary spending level of $1.47 trillion this year.

The ACTING PRESIDENT pro tempore. The Senator has consumed 15 minutes.

Mr. JOHNSON. I ask unanimous consent for 2 more minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON. This is the problem. This is a huge problem. It is one that is being ignored because we simply refuse to address it. This body refuses to pass a budget to lay out a plan to fix it; to stabilize one of our primary metrics, a key one—that debt-to-GDP ratio, stabilize that and start bringing it down. The other is the percentage of government in relation to the size of our economy. One hundred years ago that was 2 percent. Last year, it was about 24 percent, which means 24 cents of every $1 filters through some form of government. I do not find the Federal Government particularly effective or efficient. That is what the private sector does. It is the private sector that creates long-term self-sustaining jobs. It is the private sector we need to rely on to grow our economy and create jobs.

As to the vision for America, we are going to have a very clear choice on the vision for America, between what this administration wants to do with a government-centered society and what Republicans want to do in terms of an opportunity society led by free people, free enterprise, led by freedom. That is our choice. But until the majority party in the Senate lays out their plan, the American people will not have a plan. They will not understand what the plan is for the other side.

Again, let me close by saying it is well past time for the Senate to fulfill its responsibility and pass a budget.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. How much time do I have remaining?

The ACTING PRESIDENT pro tempore. Close to 14 minutes, approximately 14 minutes.

Mr. MCCAIN. Mr. President, I rise to discuss the Violence Against Women Act and the policies that impact the lives of women. Since its original enactment in 1994, the Violence Against Women Act has been reauthorized twice by unanimous consent, under both Democratic and Republican leadership. The legislation originated out of a necessity for us to respond to the prevalence of domestic violence, sexual violence, and the impact those crimes have on the lives of women.

By and large, the legislation has worked, even though there are outstanding issues, such as spending inefficiencies and needed improvements to oversight. As with most large pieces of legislation, including the Violence Against Women Act Reauthorization, there are debates and philosophical differences about elements of various provisions in the bill. While the Senate should be allowed to debate and ideally resolve these differences, I don't think any of the points of controversy we will discuss are important enough to prevent passage of the legislation. The Violence Against Women Act represents a national commitment to reversing the legacy of laws and social norms that once served to shamefully excuse violence toward women, a commitment that should be maintained.

Whatever differences we might have over particular provisions in the bill, surely we are united in our concern for the victims of violence and our determination to do all we can to prevent violence against the innocent, regardless of gender. I recognize women suffer disproportionately from particular forms of violence and other abuse, which this legislation is intended to address. I believe it does address it, and that is why I support it. But our motivation to act on their behalf resides in our respect for the rights all human beings possess, male and female, all races, creeds, and ages: to be secure in their persons and property; to be protected by their government from violent harm at the hands of another; to live without threat or fear in the exercise of their God-given rights.

Similarly, whatever our political differences in this body, I trust we all believe we are doing what we think best serves the interests and values of the American people—all the American people. I don't think either party is entitled to speak or act exclusively for one demographic of our population, one class, one race or one gender. The security and prosperity of all Americans is a shared responsibility and each of us discharges it to the best of our ability. We do not have male and female political parties and we do not need to accuse each other of caring less for the concerns of one-half the population than we do for the other half. The truth is, both parties have presided over achievements and increases in opportunity for women. Both parties have nominated women to the Supreme Court. Both parties have had excellent female Secretaries of State. Both parties have had female Presidential and Vice Presidential candidates. Both parties have reauthorized the Violence Against Women Act. Both parties have made progress toward ensuring Americans, male and female, have an equal opportunity to succeed as far as their talents and industry can take them.

That progress has come in the form of many policies, from changes to our Tax Code to changes in education policy, to improvements in workplace environment as well as from changes in cultural attitudes in both the public and the private sector. Do we always agree? Do we always get it right? No, we do not. But I do think there is much for all of us to be proud.

Regrettably—and there is always something to regret in politics—we have seen too many attempts to resolve inequities in our society and ensure all Americans are afforded the same respect for their rights and aspirations misappropriated for the purpose of partisan advantage, which has the perverse effect, of course, of dividing the country in the name of greater fairness and unity.

My friends, this supposed war on women or the use of similarly outlandish rhetoric by partisan operatives has two purposes, and both are purely political in their purpose and effect. The first is to distract citizens from real issues that matter, and the second is to give talking heads something to sputter about when they appear on cable television. Neither purpose does anything to advance the well-being of any American.

I have been fortunate to be influenced throughout my life by the example of strong, independent, aspiring,

and caring women. As a son, brother, husband, father, and grandfather, I think I can claim some familiarity with the contributions women make to the health and progress of our society. I can certainly speak to their beneficial impact on my life and character. But I would never claim to speak for all the women in my family, much less all the women in our country any more than I would venture the same presumption for all men.

To suggest that one group of us or one party speaks for all women or that one group has an agenda to harm women and another to help them is ridiculous, if for no other reason than it assumes a unity of interest, beliefs, concerns, experiences, and ambition among all women that doesn't exist among men or among any race or class. It would be absurd for me to speak for all veterans and wrong of me to suggest that if a colleague who is not a veteran disagrees with my opinion on some issue, he or she must be against all our veterans.

In America, all we can fairly claim to have in common with each other at all times—no matter what gender we are or what demographic we fit—are our rights. As a son, brother, husband, father, and grandfather, I have the same dreams and concerns for all the people in my life. As a public servant, I have the same respect for their rights and the same responsibility to protect them, and I try to do so to the best of my ability.

Thankfully, I believe women and men in our country are smart enough to recognize when a politician or political party resorts to dividing us in the name of bringing us together, it usually means they are either out of ideas or short on resolve to address the challenges of our time. At this time in our Nation's history we face an abundance of hard choices. Divisive slogans and the declaring of phony wars are intended to avoid those hard choices and to escape paying a political price for doing so.

For 38 straight months our unemployment rate has been over 8 percent. Millions of Americans—men and women—cannot find a job. Many have quit looking. Americans don't need another hollow slogan or another call to division and partisanship. They need real solutions to their problems. They are desperate for them.

Americans of both genders are concerned about finding and keeping a good job. Americans of both genders are concerned about the direction of our economy. Women and men are concerned about mounting debt—their own and the Nation's. Women and men are hurt by high gas prices, by the housing crisis, shrinking wages, and the cost of health care. Women and men are concerned about their children's security, their education, their prospects for inheriting an America that offers every mother and father's child a decent chance at reaching their full potential. Leaving these problems unaddressed indefinitely and resorting to provoking greater divisions among us at a time when we most need unity might not be a war against this or that group of Americans, but it is surely a surrender, a surrender of our responsibilities to the country and a surrender of decency.

Within the tired suggestions that women are singularly focused on one or two issues are the echoes of stale arguments from the past. Women are as variable in their opinions and concerns as men. Those false assertions are rooted in the past stereotypes that prevented women from becoming whatever they wanted to become, slowed our progress, and hurt our country in many ways. The argument is as wrong now as it was then and we ought not to repeat it.

We have only these in common: our equal right to the pursuit of happiness and our shared responsibility to making America an even greater place than we found it. Women and men are no different in their rights and responsibilities. I believe this legislation recognizes that. I don't believe the ludicrous partisan posturing that has conjured up this imaginary war.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, a group of women Senators is here to talk about the Violence Against Women bill, and as my colleague from Arizona was referencing, this is a bill where there has been unity for well over a decade. We have a number of Republican sponsors. We are up to 61 sponsors, men and women, who have come together to say that violence against women is not okay.

The first speaker is the Senator from Maryland, Senator MIKULSKI.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I thank the gentlelady from Minnesota for her well-known advocacy on this issue. Her advocacy was well known in Minnesota. Her work as a prosecutor brought her in contact with many of these women and making sure they got a fair shake in the system was well known and well appreciated.

I am here to be a strong supporter for the Violence Against Women Act, and I hope this bill passes and that this bill passes today. It is because Senator LEAHY has worked on a bipartisan basis in his committee that we were able to bring out this bill.

This bill was first passed in 1994 under the leadership of our Vice President, then-Senator JOE BIDEN, who is well known for his strong, muscular, robust approach to law enforcement. What he saw was that so many of the victims of crime were women and that they were victims both in streets and neighborhoods. They were also terrible victims in their own home where they were battered and abused. They found that when they came to the judicial system, they were battered again because they were ignored and had no one to stick up for them and were always told: Oh, it is your fault. What are you doing? JOE BIDEN changed the law, and we worked on a bipartisan basis.

Ever since 1994 we have continually reauthorized this legislation, looking at new needs and new technology and new creative ways of responding to these needs for prevention, intervention, and even prosecution. What we want to do today is pass this legislation that has been refreshed, reformed, and also brings some new approaches.

The chairman of the committee has done an outstanding job and is to be commended. The Violence Against Women Act authorizes two Federal programs for domestic and sexual violence in our communities, the Department of Justice and the Department of Human Resources. The STOP grant is the largest national grant program in the Justice Department. Roughly half of all violence-against-women funds goes to these STOP grants, and they go to every community.

What is it they do? They coordinate community approaches to end violence and sexual assault. They fund victim services such as shelters and the toll-free crisis hotline and fund legal assistance to victims to get court orders to be able to protect themselves from the abuser or from the stalker. They also have training for police officers, prosecutors, and judges so they know how to do a good job. It also helps with grants for victims of child abuse, something I am very familiar with, having been a child abuse social worker, and also important services in terms of rape prevention programs. This is a great bill and it meets a compelling human need.

Since the original Biden legislation, over 1 million women who have called that hotline were desperate, who were fearful for their lives. And when they called that number, they didn't get a busy signal, nobody hung up on them; they got help, and I know that it saved lives. One in four women will be a victim of domestic violence during her lifetime. Sixteen million children are exposed to domestic violence, and also one in six women has experienced attempted or completed rape, and now even men are the subject of rape.

Twenty-five percent of rape crisis centers have waiting lists for advocacy groups. I want to talk about that in more detail. There are 2 million victims of physical and sexual violence each year; 20,000 in Maryland. On average, 1,000 female victims are killed by their abusers and one-third of all female homicides are domestic violence. These are numbers and statistics, but they also represent real people.

We help over 70,000 victims every day through hotlines and services and shelters, but regrettably there is a waiting list. So we need to pass this legislation because it gives us the authorization to be able to help those in need. It meets

these compelling human needs to protect people, and in my own State it has had enormous, positive consequences.

There is something that was developed through the Department of Justice called the lethal index. It means when a police officer goes into a home, he or she has to assess how dangerous it is. Should they yank the kids out? Should they take the abuser and put them in jail or do they call in a social worker to try and intervene? Should they give the family more time, give them family counseling so they can get people off the ledge and out of a violent situation so they are able to work on the long path toward family stability?

Well, my local law enforcement police officers tell me this lethal checklist has been a tremendous tool to being able to assess the level of violence when they are in that home and to know when people are in danger and they have to get them out right that minute. Again, they also know when there is the opportunity for other interventions to be able to help the family. This helps families, it helps police officers, and it helps our community. We need to empower victims to be able to help themselves by providing help in these abusive relationships.

Studies show that victims who use community-based domestic violence services—when they are available—are almost never victims of murder or attempted murder. That is a powerful line that if we had this intervention and prevention we can not only reduce violence but we can reduce homicides as well.

We need to pass this bill because it is crucial to our families, to our communities, and it also shows the country that we are serious about governing and keeping this legislation going.

I want to also comment on some of the other important programs. As I said, I want to talk a little bit about my role. I am an appropriator—and in fact, I will leave shortly to go to a markup. But I have moved the Commerce, Justice, Science spending bill. I worked so closely with the gentlelady from Texas, Senator KAY BAILEY HUTCHISON, also a very strong advocate in the interest of women and protecting women here and around the world. We worked on a bipartisan basis in this year's bill and put money in the Federal checkbook for those STOP grants, for those sexual assault services, for transitional housing grants, and also for other help in our communities. We also took a serious look at the whole issue of forensics.

Forensics is a subject of much debate and unfortunately much backlog. In my bill, in the Commerce, Justice, Science bill, we funded overall in the Department of Justice money to deal with forensic backlogs, but we also paid particular attention to something called the Debbie Smith Act. Let me say this: There are two different bills. There is the Violence Against Women Act and there is the Debbie Smith Act. The Debbie Smith Act was passed because of a woman named Debbie Smith who was subjected to the most violent, repugnant, despicable acts of violence against her. Working together, what we have done is actually put money in the Federal checkbook to reduce the backlog of DNA evidence. We have ensured that a high percentage of funds also go to labs to be able to deal with samples from crime scenes, databases, and other areas.

Assuming we will debate this rape kit issue at a later time, I wish to thank Senator LEAHY for his advocacy and Senator CORNYN for his sensitivity in wanting to solve the problem. I believe if we can take a minute and keep in our minds as our legislative goal to work together—not who gets credit but who gets help—it is not about who gets credit, it is about who gets help. We want to be able to help those rape victims have the solace and the consolation that their government is on their side, using the best of scientific evidence to make sure we have the right person to ensure the right prosecution to get the right conviction.

Right now, there is a backlog. When Justice gives out their money for forensics, it doesn't always go toward these issues. We can direct it. We can do a good job. Let's come together. Let's iron out our parliamentary differences so we can pass this very important Violence Against Women Act.

I can take what I have done to put money in the Federal checkbook. Let's refresh the Federal law book and, most of all, let's keep our eyes on what we want to do. We want to be able to prevent domestic violence and violence against women, whether it is the stranger who perpetrates danger and commits despicable acts or against women in their own homes. We aim for prevention, intervention, the training of police officers, judges, and courts, and the right prosecutions.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I wish to thank so much the Senator from Maryland for showing such a succinct way of describing such an incredibly complex but important bill.

We have also been joined by the Senator from California who has been a long-time leader on this issue. She was here in Congress, as was the Senator from Maryland, when the initial Violence Against Women Act passed in 1994.

I yield to the Senator from California, Mrs. BOXER.

Mrs. BOXER. Mr. President, I thank the Senator. If the Chair would tell me when I have used 5 minutes and then I will conclude.

The ACTING PRESIDENT pro tempore. The Senator will be notified.

Mrs. BOXER. Mr. President, I wish to thank Senator KLOBUCHAR for her leadership and Senator FEINSTEIN as well. These are the two Democratic women on the Judiciary Committee who have been such leaders on this issue, as well as Senator MURRAY.

I am proud to stand here today to call for the passage of the Violence Against Women Act. This is not a new bill, as has been painstakingly described to all of my colleagues. I can remember so well when then-Senator JOE BIDEN wrote the Violence Against Women Act, and he came to me when I was in the House and asked me to carry it in the House. I was as honored as I am right now.

Yes, it took us a while to pass it, but ever since it has been noncontroversial. For some reason our Republican friends, although we have 61 people as cosponsors, are slowing it down, and it seems to me very clear if they didn't have objections we could pass this by voice vote.

Three women are killed by their abusive partners every single day. I will repeat that: Three women today will be killed by their abusive husbands. For every woman who is killed, there are nine more who are beaten or injured every single day. In the name of those people—in the name of the three women who will be killed today—we should pass this unanimously.

Has the Violence Against Women Act worked? Yes. Incidents of domestic violence have decreased by 53 percent since we passed this law. Why on Earth, when three women are killed every day and nine women are injured, sometimes to the point of almost losing their lives—why on Earth, when a bill has brought down domestic violence by 53 percent, would there be objection? There is no reason whatsoever for objection.

When we go back to the votes on the bill, there are overwhelming votes in favor every time. This year 47 attorneys general signed a bipartisan letter supporting the reauthorization.

I have story after story from home, and I am going to read a couple to my colleagues. A mother in Alameda County with two children had been in a long-term abusive relationship. She separated from her abuser only to be stalked and brutally assaulted by him. She called 9–1-1. She hid the phone during the last beating so the police could hear what was going on. Because of the Violence Against Women Act, she was able to access a Family Justice Center where she received counseling, relocation assistance, and she worked with a deputy DA trained by program grants. She was pressured not to cooperate with the prosecution, but because of the Violence Against Women Act—the investigators had been trained by that act—she overcame her fear. She was protected as she cooperated and gained a strong conviction of her abuser.

That is a case that shows the training works, and the training took place because of the Violence Against Women Act.

This is a story of an immigrant woman in Los Angeles. This happened 2 years ago. She was stabbed 19 times by her boyfriend while she was 3 months pregnant. During her ordeal, her boyfriend drove her from one part of town

to the other, refusing to take her to an emergency room even though she was bleeding profusely. She jumped out of the car, screamed for help, and the abuser fled. Thankfully, she received medical attention. The baby was not lost, she recovered, and because of the Violence Against Women Act she cooperated with the prosecutors. She got a U-visa, and she and her child could move on.

The last case deals with Indian tribes. I know what a fierce advocate the Presiding Officer is in every way for Indian tribes. So I talked to my people back home. According to a 2008 report by the Centers for Disease Control, 39 percent of Native American women will face domestic violence—39 percent. Yesterday, Senator KLOBUCHAR, Senator MURRAY, and I stood next to a woman who is the vice-chair of a tribe in Washington. She, for the first time, spoke out about the abuse she received as a toddler. I don't think Senator KLOBUCHAR and I and Senator MURRAY will ever forget it.

She said: I know how old I was because I remember I was the size of a couch cushion. This woman spoke out about how later on she saw the gang rape of her aunt. Because of the situation with Indian law, if the abuser is not from the tribe——

The ACTING PRESIDENT pro tempore. The Senator has consumed 5 minutes.

Mrs. BOXER. I will complete my statement in a moment. If an abuser is not from the tribe, there is no recourse—no recourse—in a place where 39 percent of the women will face domestic violence, and we have colleagues on the other side of the aisle who want to exclude people.

I wish to ask a rhetorical question: If a person is walking down the street and sees three people bleeding on the street—one just has to know a little bit about being a Good Samaritan—a person doesn't ask them for their papers, they don't ask them who they are, they don't ask them where they live, they help them.

Anyone on this floor who attempts to take out various groups from this bill is changing the Violence Against Women Act, which has never excluded any group. So let's be clear. Let's pass the bill. Let's get it done.

I will say in closing, tribal chairman Stacy Dixon of the Susanville Indian Rancheria said the improvements in this bill will ''bring justice back to Indian country and will equip tribal governments with the needed authority and resources to protect our residents and restore faith in the justice system.''

Let's restore faith in the justice system not just for those on tribal lands but for those who live in any part of our lands.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank very much the Senator from California for those moving remarks and for the very important point that the Violence Against Women Act has never discriminated against people, regardless of who they are, where they live, or how much money they have. I appreciate those remarks, and I think it is at the core of what some of this debate is about.

Overall, I still believe when we are ready to have a number of colleagues from across the aisle on this bill, we will get this done. That is why it is so important that with the work of Senator REID and Senator LEAHY, the chairman of our Judiciary Committee, and Senator CRAPO, who is the leading Republican on this bill, and Senator MIKULSKI, who came and spoke earlier, as well as Senator MURKOWSKI, who joined us the last time we had the group of women Senators—and we have been working diligently on it late into the evening—I am very positive we are going to get this done and get this vote done.

I see we have been joined by the Senator from Washington, Ms. CANTWELL, who has long been a leader on women's issues and has fought for this bill and has been a Member of Congress in the past when it has been reauthorized. So she knows very well that in the past this has not been a partisan bill; that people have come together and worked out whatever differences they have had, and they have been able to pass this important Violence Against Women Act.

So I thank her for being here, and I yield to Senator CANTWELL.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

Ms. CANTWELL. Mr. President, I thank the Senator from Minnesota for her leadership on this issue and for her great service on the Senate Judiciary Committee. I know she, as a former prosecutor, has provided a great deal of leadership on many issues, but having her voice on this Senate Judiciary Committee has been very important for our country.

I come to the floor to stand with my colleagues who are here, the women of the Senate, to say we are standing up for women across America. We want the reauthorization of the Violence Against Women Act. Today we wish to tell victims of domestic violence that they are not alone. We have to make sure we are giving to local governments and to law enforcement the tools they need to protect victims of domestic violence.

Today we are here with a clear message to victims of domestic violence which is that we will stand with them. We haven't forgotten, and we are not going to let this bill be bogged down in political fighting. We are going to make sure we continue to move ahead. We already have the support of 61 Senators, 47 State attorneys general, and countless law enforcement individuals who are working across the Nation to make sure these victims have an advocate. However, we know there is still opposition that remains, so I want to make sure we address those concerns today.

For those who oppose the bill, I ask them to look at my State of Washington and the threat of domestic violence. In Washington State, law enforcement receives 30,000 domestic violence calls a year, on average, and on any given day in 2011, domestic violence programs served 1,884 people in Washington State. That is why the Violence Against Women Act is so important. In Washington, it really does save lives.

People such as Carissa, one of my constituents, who was in an abusive relationship, was allowed to flee with her then 3-year-old daughter in 1998. She joined me in Seattle recently to highlight the fact that the programs, shelter, and the assistance in starting a new life helped her escape that life of abuse.

I wish to quote Carissa: ''I am standing here alive today because VAWA works.'' Looking into Carissa's eyes, we know this is not about statistics, and it is not about politics. It is about providing a lifeline to women who want to have a different life.

VAWA also helps crack down on violence against mail order brides. It is a story that we all know too well in the Pacific Northwest. Anastasia King and Susana Blackwell were mail order brides who came to Washington State to start a new life with men they believed loved them. Their lives were brutally cut short when their husbands murdered them. This happened after they had been subject to repeated domestic abuse. That is why, in 2005, I sponsored the International American Broker Regulation Act which became part of the Violence Against Women Act. It empowered more and more fiances to learn if their spouses had a history of violent crime, and it now has become part of the reauthorization that is this bill. It includes enhancements that require marriage broker agencies to provide foreign-born fiances with a record of any domestic violence their potential spouses might have engaged in. That way we can stop the abuse before it begins.

Opponents who say the Violence Against Women Act would create immigration fraud and give funds to those who don't need it should consider the story of Anastasia King and Susana Blackwell. Anastasia's and Susana's lives could have been saved had these provisions and protections been in place. We should not deny immigrant women or trafficking victims resources they need to prevent abuse nor should we create barriers for them to get the safety they need. That is why we need to pass the Violence Against Woman Act.

We also need to make it clear that Native American women will receive protection. Deborah Parker of the Tulalip Tribes came to the Capitol this week to explain why this is so important. Deborah is a tireless champion

for the victims of domestic abuse, and she was here to tell her brave story. She spoke eloquently as to why women need to make sure their perpetrators will be charged.

Consider that 39 percent of American Indian women will endure domestic violence in their lifetimes. Compare that with figures that estimate that 24 percent of all women in the United States will experience domestic violence in their lifetimes. So we need a Violence Against Women Act that will crack down on the domestic violence in tribal communities. This bill gives the tools so we can make sure we go after those offenders.

Some have warned this will trample on the rights of individuals to have due process and full protection. That is not the case. What we are doing is making sure there will be an investigation on reservations of the suspected abuse. I think it is time we address this epidemic that is happening in Indian Country before it escalates more. That is why we need to make sure every woman in America has the rights under the Violence Against Women Act to be protected.

We have a long way to go to root out domestic abuse and violence. But without these tools, such as VAWA, we are not going to achieve our goals. It is time we pass this legislation for people such as Deborah, for people such as Carissa, and to remember the lives of people such as Susana Blackwell and Anastasia King.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. BEGICH). The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, I thank the Senator from Washington very much. Deborah Parker, whom she referenced, did a beautiful job yesterday of explaining exactly what it meant to be a Native American woman and a victim of domestic violence.

As a member of the Judiciary Committee, I can tell you, we have looked hard at all the issues in reauthorizing this bill. We have had a series of hearings and looked at the fact that domestic violence and sexual assault still remain in America, and many of us have worked to build upon the many important improvements the past two VAWA reauthorizations have made in reducing violence.

I would note many things were added—including one of the issues mentioned here today: the U visas—on a bipartisan basis in the 2000 reauthorization. Many of the issues regarding American Indian women were considered in the past. But we are simply building on the past bills. We have worked with our Republican cosponsors to make sure there was a general agreement on any additions that were made to the bill, and they were all made for very good reasons—as we have heard today—to help women who need the help.

But despite these improvements we have seen in the numbers, make no mistake about it, violence against women is still a problem. A recent survey by the National Network to End Domestic Violence helps to illustrate both the progress we have made as well as the work that is still left to be done.

On just 1 day last year—look at this as a benchmark; 1 day last year: September 15—in the State of Minnesota, 44 Minnesota domestic violence programs reported serving 735 victims in emergency shelters or transitional housing and 670 adults and children through individual counseling, legal advocacy or children's support groups. That is a total of 1,405 victims in 1 day in one State.

On that same day, there were 807 calls to domestic violence hotlines, which provide emergency support, information, safety planning, and resources for victims in danger. That works out to 33 calls per hour in a 24-hour period, and that is in 1 State of the 50 States.

Because of the Violence Against Women Act, on just 1 day last year, all these victims were able to get access to services they may not have been able to get before VAWA. But one other number from that survey caught my eye. In just 1 day, 315 requests for services were unmet. Mr. President, 83 percent of those unmet requests were for housing.

What is the reason for those unmet requests? The Minnesota organizations reported they did not have enough things such as staff, beds, translators or other specialized services. Think about that: In just 1 day, in 1 State, 315 people were unable to get the help they needed. That means we still have work to do.

As I have worked on the reauthorization of VAWA, I have been reminded of how many of my experiences as Hennepin County attorney—that is Minnesota's largest county—are relevant still today. While I was county attorney, I made it a priority of my office to focus on prevention and prosecution of domestic violence cases.

As a prosecutor, I saw upfront how devastating these cases can be.

One case, a woman in Maple Grove, a suburb of the Twin Cities, told her mother and a friend she planned to end her relationship with her abusive boyfriend. She was finally going to break it off, and if something were to happen to her—she said this; she actually said these words to her mom and to her friend—she said: If something happens to me, ''he did it.'' That was the last day anyone saw her alive.

A fisherman discovered the woman's body months later in the Minnesota River. It was a tragic end to a story of escalating abuse that this young woman had to live through, as she tried to break it off, to a tragic end.

The woman had earlier filed assault charges against her boyfriend, claiming he had put her in a chokehold and pushed her into a coffee table. Her 3-year-old son told his grandmother he found his mother on the floor and that she was sleeping and he could not wake her.

The boyfriend had actually been convicted years earlier for attempted murder in another case with a pattern of domestic abuse. After he got out, he met his new girlfriend—the one who ended up dead in the Minnesota River. In the end, he pleaded guilty to the murder and received a maximum sentence.

I remember another case with a woman who was shot to death by her boyfriend who then killed himself. The man's 12-year-old daughter tried to get into the bedroom, and when she could not get in, she went to a neighbor's house for help. His 19-year-old son was also in the house. The police were called to that residence at least five times in the 2 years before the tragedy.

These stories are horrifying, and as a prosecutor one never forgets them. For survivors, they stay with them for the rest of their lives. It is stories such as these that make it so obvious that we have more work to do. We need to pass this reauthorization bill and we need to continue to build on the improvements we have made in past reauthorizations. One of the important improvements this reauthorization bill has made comes in the area of stalking. The bill includes a provision I added, along with my cosponsor, Senator KAY BAILEY HUTCHISON of Texas, that will help law enforcement more effectively target high-tech predators because stalking, similar to any of the other crimes recognized in the Violence Against Women Act, is crime that affects victims of every race, age, culture, gender, sexual orientation, and economic status.

The numbers are truly alarming. In just 1 year, 3.4 million people in the United States reported they had been victims of stalking, and 75 percent of those victims reported they had been stalked by someone they knew.

Overall, around 19 million women in the United States have at some point during their lifetime been stalked. The National Center for Victims of Crime estimates that one out of every four stalking victims is stalked through some form of technology.

As the Presiding Officer knows, this is a change. That is why Senator HUTCHISON and I drafted this amendment that basically says the laws have to be updated because law enforcement has to be as sophisticated as the people who are breaking the laws—as the people who were spying on ESPN reporters, as a recent case showed, through little peepholes in their hotel rooms, while they were undressing. That happened, and that case would have been a lot easier if this bill had been changed and updated with the provisions Senator HUTCHISON and I are adding. That victim, that reporter, came forward and asked that this be included in the law, and it is. It is another reason why we have to pass the Violence Against Women Act.

The bill also includes a number of improvements, as was noted by Senator CANTWELL, with respect to a particularly underserved community—

women living in tribal areas. It is a heartbreaking reality that Native American women experience rates of domestic violence and sexual assault that are much higher than the national average. All the bill does in this area—as the Chair knows, representing a State with a high population of Native Americans—is that it simply allows a tribal court to have jurisdiction concurrent with the other courts, with the Federal and State courts. I know changes have been made in the managers' amendment to address the particular concerns of Alaska. This is an incredibly important part of the bill, and I am glad we were able to work with the Republican cosponsors to get this part of the bill updated.

The Violence Against Women Act is an important tool for ending violence against women, but this is not just about women.

I often mention the case of a very sad situation where a man murdered his wife. They were Russian immigrants. They knew no one in town. He murders his wife, takes her body parts in a bag, dumps them off in a river in Missouri, with his 4-year-old kid in the car the entire time.

When they got back to the Twin Cities, he actually confessed to the crime. When they had the funeral for this woman, there were only five people in that Russian church. There was the family who had come over from Russia—the parents and the sister—and there was myself and our domestic violence advocate. That little girl was there too.

The story the family told me was this: The sister of the victim—the sister of the woman who was killed—was her identical twin. The little girl had never met her aunt because she lived in Russia. When they got off that plane from Russia, the little girl ran up to her aunt—who was the identical twin of her dead mother—she ran up to her and hugged her and said, ''Mommy, mommy, mommy,'' because she thought it was her mother.

It reminds all of us that domestic violence is not just about one victim, it is about a family and it is about a community and it is about a country. That is why we have the opportunity to get this bill done, to put it up for a vote, and reauthorize the Violence Against Women Act—something we have done time and time again on a bipartisan basis. So let's do it again.

Mr. President, I see we have been joined by the Senator from New York, a member of the Judiciary Committee, who has worked so hard on this bill, Senator SCHUMER.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I congratulate my colleague from Minnesota who has the dual experience of being both a prosecutor and a woman who understands how important these issues are. We men try to join in, but women know this so well and so strongly, whether from their own personal experiences, friends they know or—as in the case of the Senator from Minnesota who has done a great job on this—from their professional experience as well.

I care a lot about this issue. I carried the Violence Against Women Act, the first bill, in 1994. Then-Senator BIDEN put it together in 1992. Senator BOXER carried it when she was elected to the Senate. They asked me to carry it, and we got it passed.

It has changed the world. VAWA has changed the world. It used to be, before VAWA, a woman would show up bloodied and bruised at a police station, and the police officer—who had no training and no knowledge of what to do, not his or her fault—would say: Go home. It is a family matter.

Now, of course, we have laws, we have training, we have shelters, and women are far more protected.

We were much too close, in 1994, to the old rule of thumb that a husband could beat his wife with a stick, provided it was no thicker than his thumb. We are much further away from that because of this law, and it makes a great deal of sense.

But similar to any good and important law that has changed the world, we have to keep updating it. We have to keep learning from what has happened and make it better and stronger and tougher and covering more ground. We need it.

Still, despite VAWA's good acts, in my home State, on Long Island alone, during 2009 and 2010, there were 19,417 cases in which local, county or State police officers were called to the scene of a domestic violence complaint. That is just in two counties in one State in this country.

That is why I am so glad to see Members on both sides of the aisle have finally seen that saving the lives of women is, once again, above politics.

It has been a pleasure, over the years, to work with my colleagues, and I wish to thank Chairman LEAHY and Senator CRAPO for their great leadership. It is truly a bipartisan effort, with 61 cosponsors, and that is how it has been in the past. It has always been bipartisan. It is a tribute not only to Chairman LEAHY but to my female colleagues, many of whom have spoken out this morning and have been constant champions of the Violence Against Women Act.

So this bill should be an easy one. The Violence Against Women Act should be low-hanging fruit. Even in a disputatious Congress, this should pass easily. It passed unanimously—Democrats and Republicans—in 2000 and 2005. Recognizing today's tougher times, as well as the successes with which our past efforts have already been met, Chairman LEAHY and Senator CRAPO cut spending by 20 percent and reduced duplicative programs. So you would not think there would be opposition, but, unfortunately, there has been.

So this fact is clear: It would be unacceptable to show less support now in 2012 for our national commitment to stop violence and abuse and to protect women against this plague than we have over the last 20 years. We should not step backward. We should not halt progress. ''Replace'' is the operative word. What has been offered is not a substitute or an improvement for the Violence Against Women Act. The so-called alternative would take violence against women and replace it with a different program.

This program has worked. It needs improvements. That is why we are here. But it is has worked. You do not start over for ideological or political reasons. Most notably in the act from my colleagues across the aisle, the word ''women'' has been taken out of the program that forms the cornerstone of the Violence Against Women Act and the word has been replaced with ''victim.'' No one here would argue against the principle that all violent crimes, all domestic crimes are tragic and serious. But this so-called substitute negates centuries of women's experience that proves that violence against women, especially violence caused by spouses and partners and family members, is a uniquely pernicious and entrenched practice, one that has not even always been illegal. There was never a rule of thumb that governed the size of a stick that wives would use to beat their husbands. That sums it up in a nutshell. Men were never banned from juries. Men were never banned from police forces and prosecutors' offices. It is this horrific and shameful history to which we responded in 1994 when we first crafted the Violence Against Women Act.

There is another point to be made. Anyone who respects the proper role of the Federal Government in fighting crime should recognize that it is entirely rational for us to limit our police powers and funding in this area to a particular type of crime, one that has civil rights implications, one that has been hard for States and localities to prosecute without special support and training. That is why there is no substitute for the Violence Against Women Act.

There are a number of priorities that have been included in the bill that I have cared a lot about.

First is making sure that sexual assault victims do not have to pay for their own forensic exams. While the last reauthorization took some steps to fix this problem, we go further.

Second, VAWA, having contributed immensely to our understanding and prevention of domestic violence, has been reinvigorated and retargeted at sexual assault crimes. Many aspects of the new bill will improve the reporting, law enforcement training, and victim support.

Third, it expands programs that are available to victims and law enforcement in rural and underserved areas. This is extremely important to upstate New York, which has one of the largest rural populations in the country.

Fourth, as I mentioned, Senator LEAHY and Senator CRAPO should be applauded for including more oversight and accountability for programs in this bill and finding a way to trim the authorization by 20 percent by consolidating programs where it makes sense.

To make the continued need for this bill concrete personal, I would like to point out one massive success story in New York that has been made possible by VAWA. There are many others, but I want to point out one.

On Long Island, thousands of women each year seek help from the Nassau County Coalition Against Domestic Violence. The coalition offers confidential, specialized services for victims of domestic and dating violence, elder abuse, children who witness domestic violence, and sexual assault survivors. They have a 24-hour hotline, group and individual counseling, legal advocacy, Safe Home emergency housing, and various other outreach programs. Without VAWA, these services would be drastically cut back.

Specifically, the coalition receives $650,000 over 2½ years through a VAWA legal assistance to victims grant, $38,000 through a VAWA crisis intervention grant, and $12,000 through a rape advocacy grant. These last two may not sound like large sums of money, but they go a long way toward helping prevent domestic violence and dealing with it when it, unfortunately, happens.

The reauthorization of VAWA is more important than ever. In today's economy, local municipalities, as we know, in New York and throughout the country are slashing their social service budgets and contracts right and left. Without VAWA, many groups such as the Nassau County coalition would be left bereft and all of the good work they have done over the years would no longer be there. Without agencies such as this one, where will a sexually assaulted Levittown woman turn for help? Well, I do not want to find out. I, for one, will do everything in my power to ensure that day never comes by supporting this VAWA, not some new law that has not been tested.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Minnesota.

Ms. KLOBUCHAR. Mr. President, we are going to be joined here shortly by the Senator from New Hampshire, Mrs. SHAHEEN, but I do want to mention one other aspect.

Many of my colleagues have mentioned the incredibly important role that then-Senator BIDEN, now-Vice President BIDEN played in drafting this first bill in 1994. Well, there was another Senator who played an important role, and he is someone from Minnesota; that is, the late Senator Paul Wellstone, always with his wife Sheila with him at his side working on this important issue. When we lost Paul and Sheila in 2002, Minnesotans lost a tireless champion in Congress; Americans lost what was always called—Paul was called ''the conscience of the Senate''; and women everywhere lost two powerful voices on domestic violence issues.

I went back through the transcripts and looked at some of the speeches Senator Wellstone gave, before his tragic plane crash, about domestic violence and some of the things he said. Here are some. Of course, I would never do justice to him as he stood on the floor, but he said things like this. He said:

> We can no longer stand by and say that it is someone else's problem. What are we waiting for? Too many have spoken with their voices and with their lives, and this violence must end.

He also said this:

> Once upon a time we used to say it is nobody's business. We do not believe that any longer.

Paul and Sheila passionately believed that domestic violence was not just a law enforcement issue, it was an issue about civil rights, justice, and human dignity. Paul often talked about his brother Stephen, who struggled with mental illness his entire life, and he took up that cause because he knew no one was there for Stephen, no one else would speak for him. And he felt the same way about domestic violence.

We honor their memory—Paul and Sheila—by carrying on their work today.

I wish to highlight some of the more remarkable efforts to bring this issue out of the shadows which the Wellstones made.

Senator Wellstone began work on issues of domestic violence when he was elected to the Senate in 1990. As one can tell from the whole course of his political career, violence against women was always an issue close to his heart. In fact, Senator Wellstone dedicated his own salary increases each year to battered women's shelters in Minnesota and introduced a number of bills strengthening protections for women.

To Senator Wellstone, family violence could no longer be dismissed as a ''family issue.'' That is why he made a commitment to read into the CONGRESSIONAL RECORD the names and stories of all Minnesota women and children killed at the hands of spouses, boyfriends, and fathers. In one 1995 floor speech, he had six stories to tell, some so horrifying that he refused to share the full details in the Chamber.

In 1993 Paul and Sheila found an especially impactful way to bring their message to Washington. In collaboration with the Silent Witness Initiative, Paul and Sheila brought 27 life-size silhouettes to the rotunda of the Russell Office Building. Each one of the silhouettes represented one Minnesota woman murdered in an act of domestic violence. You think about this now, and you might be used to seeing these things. You might be used to seeing quilts that have been made with each square to a victim of domestic violence or silhouettes or other things that go around the country. But at that time, back in 1993, that was unique. It was something people were not talking about. The Wellstones felt it was their duty to bring that forward, as did then-Senator BIDEN and Senator LEAHY and other people who were involved in this issue.

So many of the women Senators who spoke today—Senator MIKULSKI, Senator HUTCHISON, who I see has joined us on the floor—on a bipartisan basis, they all came together and said that we must get this done.

Again, Senator Wellstone understood as well as anybody that this was an issue that had too long been ignored and found a way to bring the story to his colleagues in the Senate. Paul and Sheila may no longer be with us, but their legacy lives on. The Sheila Wellstone Institute continues its work by promoting awareness of violence against women and ensuring that ending this problem remains a national priority.

The Wellstones' sons Mark and David have also continued the work their parents began through their nonprofit Wellstone Alliance. Among many other things, Wellstone Action and Mark Wellstone in particular worked hard to ensure that the Violence Against Women Act was reauthorized in 2006.

As we look today for a potential vote on the Violence Against Women Act, I would like my fellow Senators to remember these words Senator Wellstone spoke many years ago.

He said:

> We can no longer stand by and say it is someone else's problem. What are we waiting for? Too many have spoken with their voices and their lives, and this violence must end.

We all know we can no longer stand by and say it is someone else's problem. We cannot let our own differences, minor though they be, on various provisions get in the way of the fact that this has always been a bipartisan bill, that this bill has 60 cosponsors, that this bill was led by Senator LEAHY and Senator CRAPO from the very beginning, a Democrat and a Republican working together.

This is the time to pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I came to the floor yesterday to talk about the important work on this bill that has been done by Senators on both sides. Republicans and Democrats agree that we should reauthorize the Violence Against Women Act and that we should have the very best legislative product possible. This should be done with input from both parties. That is what our Chamber does. We deliberate and then we produce legislation.

Yesterday I was talking to the chairman of the Judiciary Committee, talking about what his bill does, and I want to say clearly today that the amendment I am producing with Senator

GRASSLEY and many other cosponsors builds on the sentiments the chairman expressed yesterday.

It seems very simple to me that what the Republicans are asking is that our substitute, which has many cosponsors—we believe it improves on the underlying bill. And one amendment by Senator CORNYN adds much to the bill, helping to get the backlog of these rape kits put forward so that we can stop people who are perpetrating these crimes from being out loose doing it again, when we have the proof that has not yet been tested because of the backlog.

There are some things that can be done to improve this bill. Senator MIKULSKI and I worked together on funding the Justice Department. In our bill, we do add to the capability for the Justice department to give the grants that would make that backlog smaller. Senator CORNYN's amendment even improves upon that. So what is not to like about two other approaches that would add to this bill so that we can get this bill passed—or one version of it—go to conference with the House, and really address the issues?

No one is arguing that we should not pass a Violence Against Women Act. The question is, Can we make it even better? And if so, why not? Why not have the kind of debate that we have on this floor that does that? So I think it is important that we produce the best possible product.

Yesterday the chairman spoke repeatedly about a victim is a victim is a victim. He spoke about how the police never ask if the victim is a Republican or a Democrat, is the victim gay or straight, but that a victim is a victim. And I have—

The PRESIDING OFFICER. The Senator will suspend. We have a previous order we need to read.

EXECUTIVE SESSION

NOMINATION OF GREGG JEFFREY COSTA TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS

NOMINATION OF DAVID CAMPOS GUADERRAMA TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The assistant legislative clerk read the nominations of Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas; David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I believe under the regular order I would be recognized now, and then Senator GRASSLEY would be recognized. But I understand the Senator from Texas needs more time; is that right?

Mrs. HUTCHISON. Yes.

Mr. LEAHY. We are not on VAWA now; we are on the nominations. Under the regular order, I am to speak for 15 minutes and then Senator GRASSLEY for 15 minutes. How much more time does the Senator from Texas need?

Mrs. HUTCHISON. Mr. President, I believe perhaps the—

The PRESIDING OFFICER. The Senator from Vermont is correct on the order.

Mrs. HUTCHISON. Mr. President, did the other side go over the allotted time on VAWA?

The PRESIDING OFFICER. They did not. The Senator from Texas was actually speaking on their time.

The Senator from Vermont is recognized under the order.

Mr. LEAHY. How much time does the Senator need?

Mrs. HUTCHISON. I would like to have up to 5 minutes to finish the debate on the VAWA bill, and then I do have remarks in support of the two judgeships that will be voted on at noon.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senator from Texas be given 5 minutes out of the Republicans' time now to finish the VAWA statement, and that we then go back to my time on the judges. I assume that the Republican side would be glad to have the rest of the time on the judges.

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

Mrs. HUTCHISON. Mr. President, I want to make sure everyone knows that the Republicans have an addition to the Violence Against Women Act that we think will strengthen it.

For instance, there are a couple of additions from what we talked about yesterday. We got a letter today from the National Center for Missing and Exploited Children. I ask unanimous consent that it be printed in the RECORD.

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

NATIONAL CENTER FOR
MISSING & EXPLOITED CHILDREN,
Alexandria, VA, April 26, 2012.

Hon. KAY BAILEY HUTCHISON,
Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: As you know, the National Center for Missing & Exploited Children (NCMEC) addressed the issue of sentencing for federal child pornography crimes in our testimony before the Senate Judiciary Committee in March 2011. The 1.4 million reports to NCMEC's CyberTipline, the Congressionally-authorized reporting mechanism for online crimes against children, indicate the scope of the problem. These child sex abuse images are crime scene photos that memorialize the sexual abuse of a child. Those who possess them create a demand for new images, which drives their production and, hence, the sexual abuse of more child victims to create the images.

Despite the heinous nature of this crime, the federal statute criminalizing the possession of child pornography has no mandatory minimum sentence. This, combined with the advisory nature of the federal sentencing guidelines, allows judges to impose light sentences for possession. Congress passed mandatory minimum sentences for the crimes of receipt, distribution, and production of child pornography. We don't believe that Congress intended to imply that possession of child pornography is less serious than these other offenses. NCMEC feels strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have previously testified, child protection measures must also include the ability to locate non-compliant registered sex offenders—offenders who have been convicted of crimes against children yet fail to comply with their registration duties. The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if they had the authority to serve administrative subpoenas in order to obtain Internet subscriber information to help determine the fugitives' physical location and apprehend them.

Thank you for your efforts to protect our nation's children.

Sincerely,

ERNIE ALLEN,
President and CEO.

Mrs. HUTCHISON. Mr. President, this letter says that they strongly support two provisions in our substitute bill. It says we have a mandatory minimum for protection of child pornography, and they feel strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, a reasonable mandatory minimum for this offense would be in order.

I stated yesterday, about a situation where a judge gave a 1-day sentence to an individual who was in possession of hundreds of images and videos of 8- to 10-year-old girls being raped. Really, 1 day? Mr. President, this is America. I can't even imagine that would be the case.

Our amendment strengthens the underlying bill by saying we would have a mandatory minimum of 1 year. My goodness, I think that is a minimum this body would want to adopt.

We also want to make sure we can locate registered sex offenders who abscond. The letter we have put into the RECORD says law enforcement's efforts would be greatly enhanced if they had the authority to determine the fugitives' physical location and apprehend them. Here are two stories, and our bill would strengthen the ability to help these situations.

Johnny Burgos was convicted in New York for rape and assault of a minor. Following his release from prison, he registered as a sex offender in New

York, but he left. Although he seemed to be constantly on the move, the U.S. Marshals in the New York/New Jersey Regional Fugitive Task Force believed he was living in Pennsylvania. They attempted to obtain the records from cell phone companies, insurance companies, and the New York and Pennsylvania Departments of Motor Vehicles. But because it was necessary to get grand jury subpoenas for these records, the process took too long and the investigation suffered. In the interim, he is believed to have committed another sexual assault in Maryland. Our bill would strengthen the capabilities for the U.S. Marshals Service to get that information on a timely basis.

This story is even worse, Mr. President. Joseph Duncan, shortly after his release from custody in 2005, absconded from Minnesota and traveled across country to Idaho, where he kidnapped Dylan and Shasta Groene from their home in the middle of the night. In the course of the kidnapping, he murdered the children's mother, brother, and the mother's boyfriend by beating them to death with a hammer. He then took the children to remote campgrounds across State lines into Montana, where he brutally abused them and later killed Dylan—a child. He was essentially lost by three States, and no one even knew where he was to look for him.

Our bill strengthens the U.S. Marshals Service's capabilities to attach to wherever these thugs might be who are doing these heinous crimes. I also add that our bill has a strengthening of the rape kit issue that Senator CORNYN is trying to get to be able to offer as an amendment to Senator LEAHY's bill, the majority's bill. Senator CORNYN has been trying for a long time to strengthen the ability to stop this backlog and get the rape kit issue addressed so we can have the evidence to get the perpetrators so they will not commit these crimes against other innocent people such as Dylan and Shasta Groene.

I hope we will be able to have a modest one amendment, and my substitute, so we will be able to go to conference with a strong strengthening of the underlying bill, which I intend to support. I am going to support the Violence Against Women Act, even if it falls short in these areas. But why not strengthen it in these areas so that all of us know we have done the best we can to send a bill to the House for its consideration, and then a conference committee where we can pass this bill without further delay.

When the regular order comes back, I want to speak in favor of the two Texas judges on whom we are going to vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I will speak further about the Violence Against Women Act because I believe the Leahy-Crapo, et al, bill has the best balance possible to protect the most people possible.

Mrs. HUTCHISON. I thank the Senator.

Mr. LEAHY. Mr. President, today we are finally going to vote on the nominations of Gregg Costa and David Guaderrama to fill judicial emergency vacancies on the U.S. District Courts for the Southern and Western Districts of Texas. Both of these nominees to fill judicial emergency vacancies have the support of their home state Republican Senators. Their nominations were reported unanimously by the Judiciary Committee over four and a half months ago. Senator CORNYN, who is on the Senate Judiciary Committee, strongly supports both of these nominees. The senior Senator from Texas, Senator HUTCHISON, supports these nominees. There was a unanimous vote in the Judiciary Committee. Still it has taken another four and one-half months to get them before the Senate for final consideration.

These are judicial emergency vacancies. I mention that because these are more examples of what I have been concerned about for the last few years. Senate Republicans have refused to move promptly to confirm consensus nominees. These are not ideologically driven nominees. These are nominees, like so many of President Obama's nominees, who are highly qualified. They enjoy bipartisan support, but they are made to wait and wait before finally being able to be confirmed.

This is a destructive development. It is a new practice in the Senate. I can say this as one who has served here during the Presidencies of Presidents Ford, Carter, Reagan, George H.W. Bush, Clinton, George W. Bush, and now President Obama. This new practice has kept the Senate behind the curve. It has kept Federal judicial vacancies unfilled. It has overburdened the Federal courts and has kept Americans from getting prompt justice.

It should not have taken this long for these two nominees to receive a vote. They could and should have been confirmed last year. It is nearly May, and the Senate is still only considering judicial nominations that should have been confirmed last year. There are 24 judicial nominees ready for final Senate consideration. Several are still pending from last year. That means 150 million Americans affected by more than 80 judicial vacancies would see a vacancy in their district or circuit court filled if the Senate would only be allowed to vote on those 24 nominees.

The lack of real progress during the last three and one-third years is in stark contrast to the way in which we moved to reduce judicial vacancies during the last Republican presidency. During President Bush's first term we reduced the number of judicial vacancies by almost 75 percent. When I became Chairman in the summer of 2001, there were 110 vacancies. As Chairman, I worked with Senate Republicans to confirm 100 judicial nominees of a conservative Republican President in 17 months. We expedited consideration of consensus nominees and ended the vacancies crisis. In contrast, despite his selecting qualified nominees and working with Senators from both sides of the aisle, President Obama has seen judicial vacancies remain above 80 for nearly three years.

At this same point in the Bush administration, we had reduced judicial vacancies around the country to 45. Today they stand at 81. And by August 2004, we reduced judicial vacancies to just 28 vacancies. Despite 2004 being an election year, we were able to reduce vacancies to the lowest level in the last 20 years. At a time of great turmoil and political confrontation, despite the attack on 9/11, the anthrax letters shutting down Senate offices, and the ideologically driven judicial selections of President Bush, we worked together to promptly confirm consensus nominees and significantly reduce judicial vacancies.

In October 2008, another presidential election year, we again worked to reduce judicial vacancies and were able to get back down to 34 vacancies. I accommodated Senate Republicans and continued holding expedited hearings and votes on judicial nominations into September 2008.

We lowered vacancy rates more than twice as quickly as Senate Republicans have allowed during President Obama's first term. The vacancy rate remains nearly twice what it was at this point in the first term of President Bush.

The Senate is 32 behind the number of circuit and district court confirmations at this point in President Bush's fourth year in office. We are 65 confirmations from the total of 205 that we reached by the end of President Bush's fourth year.

I wish to share with the Senate and the American people a chart. This compares vacancies during the terms of President Bush and President Obama. I mention this because, look at where the vacancies were when President Bush came in. For a short time, I was chairman of the Senate Judiciary Committee when President Bush was President. Even though 60 nominees had been pocket-filibustered of President Clinton's, I said we were going to change this routine. Look how quickly I brought the vacancies way down under President Bush. I then worked with Republicans to bring them down further, even though they didn't move as fast on President Bush's nominees as I had. When I was chairman, I continued to bring it down.

Then what happened when President Obama came in? All of a sudden they said: This was great that you brought down the vacancies under President Bush. We are glad to have the vacancies under President Bush come down, but now the vacancies are going to come back with President Obama.

This is another way to demonstrate what I have been saying. See how sharply the line slopes as we reduced vacancies in 2001 and 2002, when I was Chairman of the Judiciary Committee. See where we were in April 2004 having reduced judicial vacancies to 45 on the

way to 28 in August. By comparison, see how long vacancies have remained above 80 and how little comparative progress we have made. Again, if we would just be allowed to vote on the 24 judicial nominees ready for final action we could reduce vacancies to under 60 and make instant progress.

The American people deserve better. Our courts need qualified Federal judges, not vacancies, if they are to reduce the excessive wait times that burden litigants seeking their day in court. It is unacceptable for hard-working Americans who turn to their courts for justice to suffer unnecessary delays. When an injured plaintiff sues to help cover the cost of his or her medical expenses, that plaintiff should not have to wait three years before a judge hears the case. When two small business owners disagree over a contract, they should not have to wait years for a court to resolve their dispute.

Some Senate Republicans seek to divert attention by suggesting that these longstanding vacancies are the President's fault for not sending us nominees. Let me remind my colleagues that of the 81 current vacancies that exist, several of them are without a nomination because this President is trying to work with home state Senators, including 27 vacancies involving a Republican home state Senator who has refused to either recommend a candidate or agree to a judicial nominee. There are seven nominations on which the Senate Judiciary Committee cannot proceed because Republican Senators have not returned blue slips.

More importantly, there are 24 outstanding judicial nominees that can be confirmed right now who are being stalled. Let us act on them. Let us vote them up or down. When my grandchildren say they want more food before they finish what is on their plate, my answer is to urge them to finish the food already on their plate before asking for seconds or dessert. To those Republicans that contend it is the White House's fault for not sending us more nominees, I say let us complete Senate action on these 24 judicial nominees ready for final action. If we could vote on the 24 judicial nominees ready for final action there are more nominees working their way through Committee, and the Senate can act responsibly to help fill more of the vacancies plaguing some of our busiest courts.

Today, we can finally fill two emergency vacancies with superbly qualified nominees. Gregg Costa is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Southern District of Texas, where he is already well-known and well-respected for his service as a Federal prosecutor. Prior to becoming a Federal prosecutor in 2005, Mr. Costa worked in private practice in Houston, Texas, was a Bristow Fellow in the Office of the Solicitor General, and clerked for Chief Justice William Rehnquist on the United States Supreme Court. The ABA Standing Committee on the Federal Judiciary unanimously rated Mr. Costa ''well qualified'' to serve, its highest possible rating.

Judge David Guaderrama is nominated to fill a judicial emergency vacancy on the U.S. District Court for the Western District of Texas, where he has served as a Magistrate Judge since 2010. He previously served four terms as a state court judge in El Paso, Texas, and for seven years as the Chief Public Defender in El Paso County. While on the state bench, Judge Guaderrama implemented the first adult criminal Drug Court and the first Access to Recovery program in El Paso County. Judge Guaderrama began his legal career in 1979 as a solo practitioner and from 1980 to 1986 was a partner with the firm of Guaderrama and Guaderrama.

These are two qualified nominees from Texas. They were passed out of our committee last year. They should have been confirmed before we recessed last year. Even typical consensus, noncontroversial nominees like these two have been delayed for no good reason. In fact, we have 24 judicial nominations currently before the Senate.

I have heard them say the President has to send up more nominees. Why don't we confirm the 24 who are on the calendar? Then we have others working through the committee process. In fact, 10 of those nominations that have been pending the longest are all to fill judicial emergency vacancies. Every single Democrat in this body has signed off on them.

Again, I show this chart to show how quickly Democrats moved, while Republicans did not move as quickly as they did for President Bush's nominees. We did that with President Ford. We did that with President Carter. We did that with President Reagan. We did that with the first President Bush and also with President Clinton—except for the 60 who were pocket-filibustered by the Republicans. And we did that, as I have shown here, with President Bush. Why does it have to be a different situation for President Obama? Why can't we treat President Obama the way we did all these other Presidents I have mentioned, since I have been here—the way we did President Ford's nominations and all the others?

I cannot understand what it is or why President Obama has to be treated differently. It is not fair to him. More important, Mr. President, it is not fair to the Federal judiciary. These vacancies mean there are millions of Americans—150 million Americans who are in districts or States with judicial vacancies. That means justice delayed. If justice is delayed, justice is denied.

We can and should do better. Maybe some believe there is an advantage to taking partisan shots at President Obama. I disagree. They should do as we have done in the past and help the Federal judiciary. That should be kept out of partisan politics. It is to all of our advantage. When people go before a court in this country, they are not asked whether they are a Republican or Democrat. They are coming to seek justice. They should be allowed to have that. Let's speed up.

I will vote for these two judges. The Senator from Texas will vote for these two judges. But they were ready to be voted on way last year. It is time to get moving.

Mr. President, I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of Gregg Costa and David Guaderrama for their nominations to the Federal district bench.

I want to say that Mr. COSTA—and I will mention this again—asked not to be confirmed until after the case that he was working on was finished. His case was the prosecution of Robert Allen Stanford, who swindled so many Texans and other Americans out of money they had invested. Frankly, he was all over the country in his representation.

Mr. Costa asked not to be confirmed until he could finish that case because it was complicated and he was the lead on it.

So there has been no delay on our part at all on his nomination. As I understand it, we have confirmed the same—roughly the same—number of district judges as President George Bush and President Clinton did in their first terms. To my knowledge, we are not holding up nominations at all.

In fact, of course, Senator CORNYN and I both highly recommended Mr. Costa and Mr. Guaderrama to the President for his nomination because we have a process that assures we nominate to the President the most qualified people to fill these spots. We have a bipartisan legal committee that vets them comprised of people who know the legal community in Texas, and so, therefore, they know the reputations of these lawyers, and our committee system has worked very well. I have served on it with Senator Gramm, as I have with Senator CORNYN, and we agree on the quality of these nominees. So I don't think there is a delay, and I am very pleased to be able to have nominated these two fine lawyers to the President.

I would like to talk first about Mr. Costa, who did ask to wait for his confirmation, but now he is ready because the case he was working on was decided. Mr. Costa will be serving in the Southern District in Galveston, TX, where I was born. Mr. Costa was born in Baltimore, MD, and grew up in Richardson, TX. He attended Dartmouth College, where he graduated with a bachelor of arts degree in government and then continued his studies at the University of Texas School of Law where he served as editor-in-chief of the Texas Law Review and received his juris doctorate with highest honors in 1996.

Mr. Costa's professional career includes being a law clerk for Supreme

Court Chief Justice William Rehnquist in 2001, as well as his current position serving as an assistant U.S. attorney in Houston. As the co-lead counsel for the United States in the prosecution of Robert Allen Stanford, Mr. Costa secured a conviction of 13 charges of conspiracy, wire, and mail fraud. Mr. Costa has been credited by his colleagues as the glue that held the case together. His dedication to this case and these victims shows the core of his character. The fact he asked for a delay in his confirmation because he wanted to finish this case and assure that convictions would be obtained makes me proud and pleased to support his nomination to the Federal bench.

I am also pleased to support the nomination of Judge David Campos Guaderrama to the Western District of Texas in El Paso. Judge Guaderrama is originally from New Mexico and moved to El Paso, TX, at a young age. He attained two bachelor degrees from New Mexico State University in political science and psychology, then earned his juris doctorate degree from the University of Notre Dame Law School in 1979.

In 1987, Judge Guaderrama was appointed as the first chief public defender of El Paso County and continued in that service until he was elected to the 243rd Judicial District Court in 1995. As a testament to his service to the El Paso community, Judge Guaderrama has served as a U.S. magistrate judge for the U.S. District Court for the Western District for the last 2 years.

During his three decades serving in the Texas legal system, Judge Guaderrama has earned many accolades for his help and leadership in initiating and enacting several successful judicial programs in west Texas. He has demonstrated a strong commitment to the El Paso community, and I am confident he will serve on the Federal bench well and I support his nomination.

I would also say Senator CORNYN also supports these two judges. Of course, Senator CORNYN sits on the Judiciary Committee. Our judicial evaluation committee, which is bipartisan, has served so well to give us the highest quality nominees on the bench, and our committee did select both these nominees as their first choices after their interviews and input from the legal community in both El Paso and Houston, which includes the Galveston part of the district.

These nominations have been well vetted. They have been supported by both sides of the aisle, and we are very pleased to put forward these two quality nominees. Senator CORNYN as well is very strongly in support of them.

With that, I yield the floor, and 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. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011

Mr. LEAHY. Mr. President, I know we are about to vote on these judges, but I wish to make a few remarks about the VAWA reauthorization before we do so.

There are few tools more important in the fight to end domestic and sexual violence than the Violence Against Women Act. This landmark legislation has fundamentally changed the way society views these horrible crimes, and it has resulted in a more than 60 percent decrease in domestic violence offenses. We have been successful because we have learned from experience and adapted our efforts to better meet the needs of victims.

Each reauthorization of VAWA has played a critical role in this process. As we learn more about the needs of victims, VAWA has been carefully modified to meet those needs. The bipartisan bill that Senator CRAPO and I introduced last year continues that important process. The Republican substitute amendment does not.

The Leahy-Crapo bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country. We listened when they told us what was working and what could be improved. We took their input seriously, and we carefully drafted our legislation to respond to those needs. We made additional modifications and reached carefully crafted compromises through what was an open process. We also shared our draft with Senators from both sides of the aisle and proceeded openly to introduce the bill so that it could be reviewed and improved as the Judiciary Committee considered and voted on it.

Senator CRAPO and I purposely avoided proposals that were extreme or divisive and selected only those proposals that law enforcement and survivors and the professionals who work with crime victims every day told us were essential. Our reauthorization bill is supported by more than 1,000 Federal, State, and local organizations. They include service providers, law enforcement, religious organizations, and many, many more. There is one purpose and one purpose only for the bill that Senator CRAPO and I introduced, and that is to help and protect victims of domestic and sexual violence. Our legislation represents the voices of millions of survivors and their advocates all over the country.

The same cannot be said for the Republican proposal brought forward in these last couple of days. That is why the Republican proposal is opposed by so many and such a wide spectrum of people and organizations.

The National Task Force to End Sexual and Domestic Violence Against Women, which represents dozens of organizations from across the country says:

> The Grassley-Hutchison substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day. The substitute includes damaging and unworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies.

Although well-intentioned by its lead sponsors, the Republican proposal is no substitute for the months of work we have done in a bipartisan way with victims and advocates from all over the country.

I regret to say the Republican proposal undermines core principles of the Violence Against Women Act. It would result in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims—including battered immigrants, Native women, and victims in same sex relationships. The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are gone from the Republican proposal. It is no substitute and does nothing to meet the unmet needs of victims.

Mr. GRASSLEY. Mr. President, this afternoon we are considering two nominations for U.S. district judge positions in Texas. Gregg Jeffrey Costa is nominated to serve in the Southern District of Texas, while David Campos Guaderrama is nominated to serve in the Western District of Texas. Again, we are moving forward under the regular order and procedures of the Senate. With today's nomination, we will have confirmed 80 judicial nominees during this Congress. With the confirmations today, the Senate will have confirmed more than 75 percent of President Obama's judicial nominations.

While we are making progress in the Senate, we continue to hear complaints about the vacancy rate. I will again remind my colleagues that of the 81 vacancies, more than 58 percent of these vacancies have no nominee.

These nominations came to the committee with the support of home State Senators. They were reported out of committee by voice vote. These nominees have exceptional records and demonstrate the type of consensus nominations that can be confirmed, even in a Presidential election year.

Mr. Costa received his B.A. degree in 1994 from Dartmouth College. He graduated from the University of Texas School of Law in 1999. After law school, Mr. Costa clerked for the Honorable A. Raymond Randolph on the DC Court of Appeals from August 1999 to July of 2000 and then for Chief Justice Rehnquist from July 2001 to July 2002. Between his two clerkships, he worked as a Bristol Fellow in the United States Department of Justice, Office of the Solicitor General.

In 2002, Mr. Costa joined the law firm Weil Gotshal & Manges as an associate. During his time at the firm, Mr. Costa

handled civil litigation matters including intellectual property, class actions, international arbitration, bankruptcy, and general commercial disputes. Mr. Costa also worked on appellate matters and a few pro bono cases as well.

In 2005, he joined the U.S. Attorney's Office for the Southern District of Texas, Houston office, as an assistant U.S. attorney. Mr. Costa has worked in the criminal division of the office in the major offenders and major fraud sections, investigating and prosecuting matters in the areas of mortgage fraud, investment fraud, securities fraud, public corruption, Internet fraud, human trafficking, child pornography, and narcotics and firearms violations. As an AUSA, Mr. Costa also has handled numerous appellate matters before the U.S. Court of Appeals for the Fifth Circuit.

In addition to prosecuting cases for the office, Mr. Costa serves as the deputy international affairs coordinator for the U.S. Attorney's Office. In this capacity, he helps coordinate incoming and outgoing requests on behalf of the Governments of Malaysia, Turkey, Columbia, Greece, France, and the United Kingdom. Mr. Costa also helps and provides guidance to other AUSAs on extradition matters. And in 2005, after Hurricanes Katrina and Rita, Mr. Costa served as the hurricane fraud coordinator for his office that investigated fraud cases relating to the Hurricanes. Mr. Costa's office prosecuted more than 100 individuals for crimes such as government-benefit fraud, identify theft offenses, charitable fraud, and investment fraud.

The ABA Standing Committee on the Federal Judiciary gave him a unanimous rating of ''well qualified.''

We are also considering the nomination of David Campos Guaderrama, nominated to be U.S. district judge for the Western District of Texas. After graduation from Notre Dame Law School, Judge Guaderrama worked as a solo practitioner from December 1979 to August 1980. He then formed a partnership practice with his then wife. His practice focused on defending individuals in criminal cases, but he also handled some general civil, probate, and workers' compensation cases during this time. In 1987, he was appointed to serve as El Paso County's first public defender and was charged with starting up and developing an office that would be capable of handling at least 50 percent of all indigent felony cases.

In November 1994, Judge Guaderrama was elected judge of the 243rd Judicial District Court of Texas. He was elected for a 4-year term and subsequently reelected on four occasions. During his term as a Texas District Court judge, he was instrumental in establishing the 243rd Drug Court Program and Access to Recovery Program. Both programs are aimed at helping rehabilitate defendants guilty of minor drug offenses through counseling and supervision, rather than incarceration. Also while on the 243rd Judicial District he served as chairman of a subcommittee that oversaw reform of the jury selection process that implemented mailing jury qualification questionnaires to potential jurors. He also piloted a program to use video conference technology to conduct arraignments.

In 2008, Judge Guaderrama was an unsuccessful candidate for justice, Eighth Court of Appeals of Texas. In 2010, he was appointed by the U.S. District Court of the Western District of Texas to serve an 8-year term as a U.S. magistrate judge. He has an ABA rating of majority ''well qualified'', minority ''qualified.''

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Gregg Jeffrey Costa, of Texas, to be United States District Judge for the Southern District of Texas.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

The result was announced—yeas 97, nays 2, as follows:

[Rollcall Vote No. 83 Ex.]

YEAS—97

Akaka	Gillibrand	Murkowski
Alexander	Graham	Murray
Ayotte	Grassley	Nelson (NE)
Barrasso	Hagan	Nelson (FL)
Baucus	Harkin	Paul
Begich	Hatch	Portman
Bennet	Heller	Pryor
Bingaman	Hoeven	Reed
Blumenthal	Hutchison	Reid
Blunt	Inhofe	Risch
Boozman	Inouye	Roberts
Boxer	Isakson	Rockefeller
Brown (MA)	Johanns	Rubio
Brown (OH)	Johnson (SD)	Sanders
Burr	Johnson (WI)	Schumer
Cantwell	Kerry	Sessions
Cardin	Klobuchar	Shaheen
Carper	Kohl	Shelby
Casey	Kyl	Snowe
Chambliss	Landrieu	Stabenow
Coats	Lautenberg	Tester
Coburn	Leahy	Thune
Cochran	Levin	Toomey
Collins	Lieberman	Udall (CO)
Conrad	Lugar	Udall (NM)
Coons	Manchin	Vitter
Corker	McCain	Warner
Cornyn	McCaskill	Webb
Crapo	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden
Feinstein	Mikulski	
Franken	Moran	

NAYS—2

DeMint	Lee

NOT VOTING—1

Kirk

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Madam President, I ask unanimous consent that when the Senate resumes legislative session, the period for debate only on S. 1925 be extended until 2:30 p.m. today, with the time equally divided between the two leaders or their designees and that I be recognized at 2:30 p.m. today.

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

Under the previous order, the question is, will the Senate advise and consent to the nomination of David Campos Guaderrama, of Texas, to be United States District Judge for the Western District of Texas?

The nomination was confirmed.

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

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2011—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. I rise today to speak on an issue that is profoundly important and meaningful to this body at this moment in history. We face a critical juncture in our Nation's history, and we absolutely must renew and strengthen the Violence Against Women Act, not only for the sake of women but also our families around Connecticut and this country.

I thank my colleagues for voting to proceed to consideration of S. 1925, the Violence Against Women Reauthorization Act. VAWA is critically important. It is bipartisan legislation that gives victims of domestic violence and sexual assault access to the services they so desperately need. This crucial law supports both the organizations that provide these services and the law enforcement agencies that assist the victims as they pursue justice.

As a law enforcement official, I saw firsthand in my duties as State attorney general for Connecticut how important and practical and meaningful this law is. We have a responsibility to not only authorize but also to strengthen VAWA right away.

Some 17 years have passed since the original Violence Against Women Act. We have made great strides, but we cannot be complacent in our efforts to protect our Nation's children and women. At a time when the women of our great Nation face relentless attacks on their rights, we cannot afford to lose the ground we have gained over the last 17 years. We must address the grave concerns of domestic violence and sexual assault which are in no way partisan. As Chairman LEAHY so eloquently and powerfully stated, there is nothing Republican or Democratic about a victim who suffers from this grave ill.

S. 1925 is a bipartisan bill written over months of negotiations and consultations with critical law enforcement and victims advocacy groups, and it supports a number of organizations in my home State of Connecticut with a mission to protect women who experience violence in all forms. This bill provides resources to help a number of organizations in Connecticut fulfill their vital mission to protect more than 54,000—I am going to repeat that because that is a staggering number—54,000 domestic violence victims in Connecticut alone.

Organizations in Connecticut received nearly $5 million in fiscal year 2011 from the Violence Against Women Act. But many domestic programs in Connecticut and around the country are reporting huge staff and resource shortages that are necessary to respond to the hundreds of thousands of women in need. It is truly an epidemic in this country that we must counter and fight just as we would an epidemic of infectious bacteria or other kinds of insidious sources. VAWA would give these service providers the resources they need to protect women, men, and children who are victims of domestic and sexual violence. We have the opportunity to renew and commit to end domestic violence with updates and stronger measures in this act.

I am pleased that S. 1925 builds on the accountability provisions in the current law so we can make sure VAWA grant money is used effectively and efficiently to support victims. There is a new frontier in the fight against domestic violence and sexual assault. We must strengthen provisions dealing with Internet abuse to protect women and others from those kinds of threats, intimidation, harassment, even physical assaults facilitated by the Internet. Domestic violence, sexual assault, and stalking can be even more dangerous and threatening in the Internet age, requiring broader and stronger protection. We must protect the thousands of women who fall victim every year to violent crimes facilitated by cyber stalking and impersonation with consequences that are truly horrific and reprehensible.

I am proud to introduce a companion bill to the Violence Against Women Act that enhances current law for the Internet age. This legislation, the Internet Abuse Act, expands the ability of law enforcement to prosecute criminals who use the Internet to intimidate, threaten, harass, and facilitate acts of sexual violence against women, children, and others.

The VAWA proposal before us includes key concepts from the Internet Abuse Act. One of the key provisions strengthens existing criminal provisions against cyber stalking. We must take this act to the new frontier of Internet abuse and make it real against the very pernicious and reprehensible cyber stalking, cyber harassment, and cyber assault that is as much a fact of life as the older forms of domestic abuse. This provision gives law enforcement the ability to go after more real instances of criminal harassment and abuse online, and I want to stress at the same time the provision dramatically strengthens free speech protections.

Currently, the government can prosecute individuals for merely annoying online communications as well as communications that may be generally offensive but not directed at a specific person. This provision removes those authorities from the law so that prosecutors will spend their limited resources focusing on real causes of harassing and abusive conduct online.

The law also focuses on vulnerable populations. As we strengthen VAWA, we must ensure that all victims of domestic violence are protected and have access to the services they need.

Although VAWA has been strengthened and updated in every past reauthorization, the needs of some of our most vulnerable communities still have not been fully addressed. One example is elder abuse. Although the VAWA reauthorization in 2000 included provisions to deal with domestic abuse in later life, our Nation's elders continue to be victims of domestic violence. I am pleased that the provisions I drafted with my distinguished colleague, Senator KOHL, which improve the protections for elder victims of domestic abuse, have been included in this reauthorization of VAWA.

There are LGBT protections. It would simply be unconscionable to deny any victim of domestic violence the support he or she needs. For that reason, I strongly support the provisions that ensure all victims of domestic violence, regardless of gender or sexual orientation, have access to lifesaving services, and we are talking about lifesaving services.

In my experience nobody ever asked what the sexual orientation of a victim was when that person was, in fact, battered and brutalized. There is no such question that gay, lesbian, bisexual, and transgender individuals experience domestic violence at the same rate as the general population. Yet these individuals face discrimination as they attempt to access victims services. That should not be acceptable in this country.

In fact, the survey found 45 percent of LGBT victims were turned away when they sought help from a domestic violence shelter. Clearly, there is a real need to improve the access and availability of services for this vulnerable population, and I support measures in the act that ensure victims of domestic and sexual violence, regardless of their sexual orientation or gender identification, can access the services they need.

In addition, there are broader protections for Native American communities. S. 1925 makes great improvements to the law enforcement tools available to Native American populations. Members of the Tribal Council of the Mashantucket Pequot Tribal Nation, a great tribal nation in Connecticut, have appealed to me to protect the tribal provisions in S. 1925 and to make sure any amendments are barred if they weaken those protections.

In short, all victims of domestic violence deserve access to the services they need and many of my colleagues I know agree. In fact, 61 from both sides of the aisle have signed on to the Violence Against Women Reauthorization Act, and I thank every single one of them for stepping forward and speaking out on this profoundly meaningful and important issue. We have the opportunity to work to eliminate domestic and sexual violence, which is a scourge in our society, costly in suffering as well as dollars, and I encourage my colleagues to keep faith with the hundreds of thousands of victims who look to us for the support they need. We must vote as soon as possible—hopefully today—to reauthorize the Violence Against Women Act.

I thank the Presiding Officer, and I yield the floor.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Iowa.

Mr. GRASSLEY. Madam President, I have seen the good the law called the Violence Against Women Act has done in providing victim services in my State of Iowa. We all recognize the harm that flows from domestic violence. It is harmful to the victims as well as the families of victims.

I have supported reauthorization of the Violence Against Women Act each time it has come up. The Violence Against Women Reauthorization on each of these occasions has been highly bipartisan. We have passed consensus bills and we have not played politics with reauthorizing the law; that is, until now. This time it seems to be different. I don't know why it should be. The majority turned this issue into a partisan issue.

In the Judiciary Committee, the majority gave no notice it would inject new matters into the Violence Against Women Act. When the committee held a hearing on this issue, these ideas were not discussed. Their need has not been demonstrated. We do not know exactly how they will work. It was clear committee Republicans would not be able to agree to this new added material. Of course, the majority refused during negotiations when we asked they be removed.

Republicans will be offering a substitute amendment to the Leahy bill. Probably 80 to 85 percent of the substitute we are offering is the same as the Leahy bill. This includes whole titles of the bill. We could have again reached a near consensus bill to reauthorize the Violence Against Women Act, but the majority intentionally decided not to change the bill. They didn't want it to pass with an overwhelming bipartisan majority.

Now the media has reported this was a deliberate strategy of the majority. A recent Politico article quoted a prominent Democratic Senator. The article

said he ''wants to fast track the bill to the floor, let the GOP block it, then allow Democrats to accuse Republicans of waging a war against women.'' This is the cynical, partisan game-playing Americans are sick of. At every town meeting people say to me: When are you going to get together and stop the partisanship? This is especially the case on this bill.

Republicans aren't even blocking the bill. We have called for the bill to be brought up. Instead, the majority has taken 6 months to reauthorize this program that expired last October. That says something about the priorities of the other party.

For instance, last week, we wasted time on political votes. That seems to be the case in the Senate most of this year. The Senate can pass a bill to reauthorize the Violence Against Women Act by an overwhelming margin, but it seems as though the other party doesn't want that to happen. When they say unfavorable things about Republicans and women, they aren't being forthright. A few weeks ago, the Democratic Congressional Campaign Committee sent out a fundraising e-mail. The e-mail stated, in part:

Now, there are news reports that Republicans in Congress will oppose re-authorizing the Violence Against Women Act. Enough is enough! The Republican War on Women must stop NOW . . . Will you chip in $3 by midnight tonight to hold Republicans accountable for their War on Women?

The majority had a decision between raising money for campaigns or trying to get the Violence Against Women Act reauthorization bill that would actually help these victims. I say to my colleagues, there is no war on women except the political one. It is a figment of the imagination of Democratic strategists who don't want to remember health care reform, unemployment or high gas prices. Instead of talking about those issues—particularly high gas prices—they would rather make up a war against women. All evidence points to the other side being more interested in raising money.

The media has also reported the bill is coming out now because the Democrats' desire to gin up a Republican so-called war on women was derailed last week, I suppose by other issues. It should be clear at the outset Republicans are not blocking, have not blocked, and never threatened to block the Senate's consideration of this bill. The Judiciary Committee only reported the bill to the Senate 2 months ago. It was March before the committee filed its usual committee report to the entire Senate. Democrats immediately came to the floor and urged the bill to come up right now. It was up to the majority leader to decide when the bill should be debated. He finally decided—not right after the bill was reported out of committee or not right after the committee report was filed—to do it now. Why not back then?

As long as there is a fair process for offering amendments, including our alternative bill and pointing out the flaws in the majority's bill, this should be a relatively short process. As the previous speaker said, I hope we can get it done this very day.

There are several other important points I wish to establish. First, I hope a consensus version of the Violence Against Women Act will be reauthorized. If a consensus bill doesn't pass, no rights of women or anyone else will be affected if the bill does not pass because, contrary to the statements made, there would be no cutbacks of services.

The Violence Against Women Act—the bill before us—is an authorization bill only, not an appropriations bill. This bill does not allow the expenditure of one dime because that result occurs through the appropriations process. Appropriators can and will fund the Violence Against Women Act programs regardless of whether this bill is reauthorized. This is exactly what happened over the past year. We think new issues have arisen since the last Violence Against Women Act reauthorization. These issues should be addressed in a consensus reauthorization. That can happen. We should give guidance to the appropriators. That is what authorization committees, such as in this case, the Judiciary Committee, is all about.

I support the appropriators continuing to fund the Violence Against Women Act while we are trying to put together a consensus bill. The Violence Against Women Act is being funded despite the expiration of its previous authorization. No existing rights of anyone are affected if the Violence Against Women Act is not reauthorized. No existing rights of anyone are affected if we pass a consensus bill rather than this partisan bill—I should say the majority's bill, not the partisan bill.

Second, the majority controls how bills move in the Senate. As I said, the current Violence Against Women Act reauthorization expired 6 months ago. If reauthorization was so important, I think the majority party could have moved to reauthorize this bill months ago. They didn't move a bill because no one's substantive rights or funding are at stake. This is true, even though the prior reauthorization has expired and a new reauthorization bill has not yet passed.

Third, nothing like the majority's bill, where it does not reflect consensus, will become law. It is a political exercise. The other body, meaning the House of Representatives, doesn't seem as though it is going to pass it the way the majority party here wants it to pass. If we want to pass a consensus violence against women reauthorization bill, we ought to start with the alternative Senator HUTCHISON and I are going to present to the Senate.

Fourth, the majority's bill, as reported out of committee, was and is fiscally irresponsible. According to the Congressional Budget Office, the majority's bill would have added more than $100 million in new direct spending. That will increase the deficit by that same amount. The reason is the immigration provisions that we said previously were nonstarters. These were some of the provisions the majority refused to take out. Those provisions are bad immigration policy. Nonetheless, I am glad the majority has now found an offset for this spending.

The Republican alternative does more to protect the rights of victims of domestic violence and sex crimes than does, in fact, the majority bill. There are many ways in which this substitute does that. Under the substitute amendment, more money goes to victims and less to bureaucrats. It requires that 10 percent of the grantees be audited every year. This is to ensure taxpayer funds are actually being used for the purpose of the legislation—to combat domestic violence.

This is a very important point. The Justice Department inspector general conducted a review of 22 grantees under this law between 1998 and 2010. Of these 22 audits, 21 were found to have some form of violation of grant requirements. The violations range from unauthorized and unallowable expenditures to sloppy recordkeeping and failure to report in a timely manner. When this happens, the money is not getting to the victims and the taxpayers' money is being wasted.

Let me give some examples. In 2010, one grantee was found by the inspector general to have questionable costs for 93 percent of the nearly $900,000 they received from the Justice Department. A 2009 audit found that nearly $500,000 of a $680,000 grant was questionable.

The fiscal irregularities continue. An inspector general audit from just this year found that this law's grant recipients in the Virgin Islands engaged in almost $850,000 in questionable spending. Also, a grant to an Indian tribe in Idaho found about $250,000 in improperly spent funds. This included—can my colleagues believe it—$171,000 in salary for an unapproved position.

In Michigan this year, a woman, at a VAWA grant recipient facility, used grant funds to purchase goods and services for personal use.

We should make sure then that Violence Against Women Act money goes to victims and not to waste such as this. That hasn't been the case, obviously, under the current situation. So our Republican substitute deals with this spending problem.

The substitute also prevents grantees from using taxpayer funds to lobby for more taxpayer funds. That will ensure that more money is available for victims' services. Money that goes to grantees and is squandered helps no woman or other victims.

In addition, the Republican alternative limits the amount of Violence Against Women Act funds that can go to administrative fees and salaries to 7.5 percent. That means money that now is over the 7.5-percent suggested

limit is going to bureaucrats and not to victims. Of course, the underlying bill, the Leahy bill, contains no such limit. If you want the money to go to victims and not bureaucrats, those overhead expenses should be capped at this 7.5-percent level.

The Republican substitute amendment requires that 30 percent of the STOP grants and grants for arrest policies and protective orders are targeted to sexual assault. The Leahy-Crapo bill sets aside only 20 percent instead of that 30 percent to fight sexual assault.

The substitute Senator HUTCHISON and I offer—hopefully this afternoon—requires that training materials be approved by an outside accredited organization. This ensures that those who address domestic violence help victims based on knowledge and not ideology. This will result in more effective assistance to victims. The Leahy-Crapo bill contains no such requirement.

The Hutchison-Grassley substitute protects due process rights that the majority bill threatens. I will give you an instance. The majority bill said that college campuses must provide for ''prompt and equitable investigation and resolution'' of charges of violence or stalking. This would have codified a proposed rule of the Department of Education that would have required imposition of a civil standard or preponderance of the evidence for what is essentially a criminal charge, one that, if proved, rightly should harm reputation. But if established on a barely ''more probable than not'' standard, reputations can be ruined unfairly and very quickly. The substitute eliminates this provision.

The majority has changed their own bill's language. I thank them for that. I take that as an implicit recognition of the injustice of the original language.

The substitute also eliminates a provision that allowed the victim who could not prove such a charge to appeal if she lost, creating double jeopardy.

The majority bill also would give Indian tribal courts the ability to issue protection orders and full civil jurisdiction over non-Indians based on actions allegedly taking place in Indian country.

Noting that the due process clause requires that courts exercise jurisdiction over only those persons who have ''minimum contacts'' with the forum, the Congressional Research Service has raised constitutional questions about this provision. The administration and its supporters in this body pursue their policy agendas headlong without bothering to consider the Constitution. The substitute contains provisions that would benefit tribal women and would not run afoul of the Constitution.

We have heard a lot of talk about how important the rape kit provisions in the Judiciary Committee bill are. I strongly support funds to reduce the backlog of testing rape kits. But that bill provides that only 40 percent of the rape kit money actually be used to reduce the backlog. The substitute requires that 70 percent of the funding would go for that purpose and get rid of the backlog sooner.

It requires that 1 percent of the Debbie Smith Act funds be used to create a national database to track the rape kit backlog. It also mandates that 7 percent of the existing Debbie Smith Act funds be used to pay for State and local audits of the backlog.

Debbie Smith herself has endorsed these provisions. The majority bill has no such provisions. Making sure that money that is claimed to reduce the rape kit backlog actually does so is provictim. True reform in the Violence Against Women Act reauthorization should further that goal.

Combating violence against women also means tougher penalties for those who commit these terrible crimes. The Hutchison-Grassley substitute creates a 10-year mandatory minimum sentence for Federal convictions for forcible rape. The majority bill establishes a 5-year mandatory minimum sentence. That provision is only in there because Republicans offered it and we won that point in our committee.

Child pornography is an actual record of a crime scene of violence against women. Our alternative establishes a 1-year mandatory minimum sentence for possession of child pornography where the victim depicted is under 12 years of age.

I believe the mandatory minimum for this crime should be higher. In light of the lenient sentences many Federal judges hand out, there should be a mandatory minimum sentence for all child pornography possession convictions. But the substitute is at least a start. This is especially true because the majority bill takes no action against child pornography.

The alternative also imposes a 5-year mandatory minimum sentence for the crime of aggravated sexual assault. This crime involves sexual assault through the use of drugs or by otherwise rendering the victim unconscious. The Leahy bill does nothing about aggravated sexual assault. The status quo appears to be fine for the people who are going to vote for the underlying bill if the Hutchison-Grassley amendment is not adopted.

Instead, the Hutchison-Grassley amendment establishes a 10-year mandatory minimum sentence for the crime of interstate domestic violence that results in the death of the victim.

It increases from 20 to 25 years the statutory maximum sentence for a crime where it results in life-threatening bodily injury to, or the permanent disfigurement of, the victim.

It increases from 10 to 15 years the statutory maximum sentence for this crime when serious bodily injury to the victim results.

The Leahy bill contains none of these important protections for domestic violence victims.

The substitute grants administrative subpoena power to the U.S. Marshals Service to help them discharge their duty of tracking and apprehending unregistered sex offenders. The Leahy bill does nothing to help locate and apprehend unregistered sex offenders.

And the substitute cracks down on abuse in the award of U visas for illegal aliens and the fraud in the Violence Against Women Act self-petitioning process. The majority bill does not include any reforms of these benefits, despite actual evidence of fraud in the program.

One of the Senators who recently came to the floor complained that there had never been controversy in reauthorizing the Violence Against Women Act. But in the past there were no deliberate efforts to create partisan divisions. We always proceeded in the past in a consensus fashion.

Domestic violence is an important issue, serious problem. We all recognize that. In the past, we put victims ahead of politics in addressing it. When the other side says this should not be about politics and partisanship, why, heavens, we obviously agree. It is the majority that has now decided they want to score political points above assisting victims. They want to portray a phony war on women because this is an election year. They are raising campaign money by trying to exploit this issue, and I demonstrated that in one of the e-mails that came to our attention.

There could have been a consensus bill before us today, as in the past. There is controversy now because that is what the majority seems to want. We look forward to a fair debate on this bill and the chance to offer and vote on our substitute amendment. That amendment contains much that is in agreement with the Leahy bill. The substitute also is much closer to what can actually be enacted into law to protect victims of domestic violence.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL). The Senator from Hawaii.

Mr. AKAKA. Madam President, I rise today in support of S. 1925, the Violence Against Women Act reauthorization of 2011.

Since its enactment in 1994, VAWA has enhanced the investigation and prosecution of incidents of domestic and sexual violence and provided critical services to victims and their advocates in court. It has truly been a lifeline for women across the country, regardless of location, race, or socioeconomic status.

For these reasons, VAWA's two prior reauthorizations were overwhelmingly bipartisan. This year, however, a number of my colleagues are opposing the Violence Against Women Act reauthorization because they object to, among other things, the authority that it restores to Native American tribes to prosecute those who commit violent crimes against Native women.

This bill's tribal provisions address the epidemic rates of violence against Native women by enabling VAWA programs to more directly and promptly

respond to their concerns and needs. These tribal provisions are critical to the lives of Native women and doubly important to me as chairman of the Senate Committee on Indian Affairs and a Native Hawaiian.

Native women are 2½ times more likely than other U.S. women to be battered or raped. These are extremely disturbing statistics: 34 percent of Native women will be raped in their lifetimes and 39 percent will suffer domestic violence. That is more than one out of every three Native women. We must come together to put a stop to this.

Last summer I chaired an oversight hearing entitled ''Native Women—Protecting, Shielding, and Safeguarding Our Sisters, Mothers, and Daughters.'' I heard the heartbreaking stories that lie behind the grim and troubling statistics on violence against American Indian, Alaska Native, and Native Hawaiian women.

My committee heard from the chief of the Catawba Nation, who gave a moving account of his experience growing up with domestic violence and the impact it had on the women and children in his community. He also spoke of the importance of reauthorizing VAWA.

We heard from officials who described how existing laws are failing Native women. We heard, for example, that women in tribal communities live in a confusing and dangerous jurisdictional maze, in which the absence of clear lines of authority often leads to offenders, many of whom are non-Native men, escaping investigation and prosecution, to say nothing of punishment. This outrageous and unacceptable situation has led to repeated offenses against Native women that too often spiral into violence with tragic consequences for the women, their children, and their communities.

My committee also heard that Native women are being increasingly targeted by the sex-trafficking industry and that many have, according to police reports in tribal communities across the country, simply vanished into this terrible underworld. The draft bill to address violence against Native women was circulated to a wide range of stakeholders for feedback. This led to strengthened provisions in the draft bill which I introduced as S. 1763, the Stand Against Violence and Empower Native Women Act.

The Senate Committee on Indian Affairs held a legislative hearing on my bill the following month and then reported it out of the committee in December.

Since then, I have worked closely with my good friend and colleague Senator LEAHY, chairman of the Judiciary Committee, as we developed S. 1925, which now includes the SAVE Native American Women Act. S. 1925's tribal provisions empower tribal courts to prosecute crimes of domestic violence, dating violence, or violations of protection orders regardless of the race of the alleged abuser. This bill also strengthens research and programs to address sex trafficking. Since VAWA was enacted 18 years ago and reauthorized twice since then, a hallmark of the law is that it has expanded its protections to classes of once neglected victims. Accordingly, S. 1925's tribal provisions are consistent with VAWA's history as well as its intent and purpose, which past Congresses have embraced.

Last week 50 law professors from leading institutions across the country sent a letter to Congress expressing their ''full confidence in the constitutionality of the legislation and in its necessity to protect the safety of Native women.'' Just this week the White House released a Statement of Administration Policy stating that it strongly supports these provisions, which will ''bring justice to Native American victims.''

I commend Chairman LEAHY for his dedicated leadership in developing this bill. He has truly worked in the spirit of aloha by partnering with the Indian Affairs Committee and other offices to craft a VAWA reauthorization bill that reasserts VAWA's intent, purpose, and history.

I would also like to say mahalo—thank you—to each of this bill's other bipartisan cosponsors. As we all know, domestic and sexual violence continues to occur, and far too many women across the country are victims of these horrible acts. We have heard from victims, from service providers, and from law enforcement that these crimes can leave victims with lasting emotional and physical scars, while endangering their security, their families, and their lives.

This bill will strengthen the Violence Against Women Act and extend its protections to include Native women who are underserved in the current system.

This is not an issue that should divide us along partisan lines. On the contrary, it should unite us to take a stand against these awful crimes. So I urge you to join me and the rest of S. 1925's cosponsors to protect our sisters, mothers, and daughters and pass this bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, I rise to speak about our Constitution's Federalist structure and the real danger of the Federal Government unduly interfering with the ability of States and localities to address activities and concerns in their communities.

Everyone agrees that violence against women is reprehensible. The Violence Against Women Act reauthorization had the honorable goal of assisting victims of domestic violence, but it oversteps the Constitution's rightful limits on Federal power. It interferes with the flexibility of States and localities that they should have in tailoring programs to meet particular needs of individual communities, and it fails to address problems of duplication and inefficiency.

First, violent crimes are regulated and enforced almost exclusively by State governments. In fact, domestic violence is one of the few activities that the Supreme Court of the United States has specifically said Congress may not regulate under the commerce clause. As a matter of constitutional policy, Congress should not seek to impose rules and standards as conditions for Federal funding in areas where the Federal Government lacks constitutional authority to regulate directly.

Second, the strings Congress attaches to Federal funding in the VAWA reauthorization restrict each State's ability to govern itself. Rather than interfering with State and local programs under the guise of spending Federal tax dollars, Congress should allow States and localities to exercise their rightful responsibility over domestic violence. State and local leaders should have flexibility in enforcing State law and tailoring victim services to the individualized needs of their communities, rather than having to comply with one-size-fits-all Federal requirements.

Third, even if the Federal Government had a legitimate role in administering VAWA grant programs, the current reauthorization fails to address many instances of duplication and overlap among VAWA and other programs operated by the Department of Justice and by the Department of Health and Human Services, nor does it address the grant management failings by the Government Accountability Office.

My opposition to the current VAWA reauthorization is a vote against big government and inefficient spending and a vote in favor of State autonomy and local control. We must not allow a desire by some to score political points and an appetite for Federal spending to prevent States and localities from efficiently and effectively serving women and other victims of domestic violence.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Madam President, when my wife Frannie and I decided that I should run for the Senate, we were greatly influenced by the example set by Senator Paul Wellstone and his wife Sheila. The Wellstone example serves as a constant reminder of what public service is all be about. It is about helping others. It is about giving a voice to those who otherwise might go unheard. It is about making the law more just and more fair, especially for those who need its protections the most.

Frannie and I have a personal responsibility to carry on the Wellstones' legacy. We all do. And you know what, I think Paul and Sheila would be proud of what we are doing here today. We are on the verge of reauthorizing the Violence Against Women Act.

Paul and Sheila were extraordinary people. An unlikely couple, Sheila was born in Kentucky to Southern Baptist

parents. Paul was born here in Washington, the son of Russian-Jewish immigrants. But love and fate—they work in mysterious ways—brought Paul and Sheila together.

Sheila's family moved to Washington, where she and Paul became high school sweethearts. Paul went to North Carolina for college, and Sheila went back to Kentucky. But a freshman year apart was more than they could bear. Sheila moved to North Carolina to be with Paul. They got married. A year later they were proud parents. They eventually would have two more children. The Wellstones were a big happy family.

After Paul earned his Ph.D. in political science, the Wellstones moved to Minnesota, where Paul had a successful teaching career at Carleton College. Sheila, meanwhile, worked two jobs: She was a full-time mother and a part-time library aide.

A happy family life in Minnesota would have been enough for most people but not for Paul and Sheila. Their compassion knew no limits. They wanted to make the world a better place for others, and they set out to do just that. Paul ran for public office. He and Sheila worked as a team during Paul's Senate campaign, as they did in all aspects of their lives. Paul's opponent outspent him by a large margin, but what Paul and Sheila lacked in resources they made up for in grassroots support, a tireless work ethic, and an unparalleled commitment to the people of Minnesota, and also quite a bit of charm. Improbable as it must have seemed at the outset, Paul won. He was elected to the Senate in 1990. So the Wellstones went to Washington, the city where they first fell in love.

At the time, Sheila was not really a public figure—at least she did not view herself as such. In fact, Sheila was a bit shy, and she avoided public speaking when she could. But Sheila started spending time at women's shelters in Minnesota and elsewhere, listening to painful stories about domestic violence and assault. She realized there were a lot of women across the country who needed a voice, who needed someone to speak up for them. Sheila set out to become that person.

Here is what she said:

> I have chosen to focus on domestic violence because I find it appalling that a woman's home can be the most dangerous, the most violent, and, in fact, the most deadly place for her. And if she is a mother, it is dangerous for her children. It is time that we tell the secret. It is time that we all come together to work toward ending the violence.

Sheila matched her words with action. She became a champion for survivors of domestic violence in Minnesota and throughout the country. Each year, she hosted an event in the Capitol to raise awareness about that issue. That annual event continues to this day. And as I said, Sheila and Paul were a team, so Sheila worked very closely with Paul to champion the Violence Against Women Act, a landmark Federal law that affirmed our Nation's commitment to women's safety.

Signed into law in 1994, VAWA increased the number of beds and shelters that were available to women who needed refuge. It provided critical support to law enforcement officers and prosecutors so they could respond more effectively to incidents of domestic violence. It funded support services and crisis centers for victims. And perhaps most importantly, VAWA sent a message: Domestic violence no longer will be tolerated in America. Since VAWA was enacted, incidents of domestic violence have been reduced significantly. VAWA has improved lives. It has saved lives. It is part of the Wellstones' proud legacy.

VAWA is part of this institution's legacy too. When it comes to violence against women, Members of the Senate always have been able to come together. VAWA has been reauthorized twice. Both times it had unanimous support in the Senate—unanimous support. The VAWA reauthorization bill we are considering today is in keeping with VAWA's bipartisan tradition. Its 61 cosponsors come from across the country and across the aisle.

I am grateful to Senators LEAHY and CRAPO for their leadership on this bill.

The VAWA Reauthorization Act renews our national commitment to prevent responsive incidents of sexual assault, a heinous crime that remains all too common in America, even while domestic violence is becoming less common.

The VAWA Reauthorization Act addresses the alarming rates of violence against women in Indian Country by giving tribes jurisdiction to prosecute acts of domestic violence in their communities. The VAWA Reauthorization Act cuts redtape and spending by consolidating grant programs and improving accountability measures.

This is a good bill, and I am proud to support it. I am also proud to have written two of its provisions. I thank Chairman LEAHY for inviting me to do so and for including those provisions in the final bill.

First, the VAWA reauthorization bill includes the provision from the Justice for Survivors of Sexual Assault Act, one of the first bills I wrote after being sworn into the Senate. When this bill becomes law, survivors of sexual assault never again will suffer the indignity of paying for forensic medical exams. VAWA provides State and local governments with funding to administer these exams, which also are known as rape kits, and are used to collect evidence in sexual assault cases. The problem is that under current law, grant recipients can charge the survivor for the upfront cost of administering the exam, leaving the survivor to seek reimbursement later. Too often survivors are not reimbursed. They get lost in the maze of paperwork or are left high and dry when funds run out.

Can you imagine if we required crime victims to pay for the police to gather evidence such as fingerprints from a crime scene? Of course not. We should not require victims of sexual assault to pay for rape kits. This isn't a partisan issue; it is common sense.

I am grateful to Senator CHARLES GRASSLEY, the Judiciary Committee's ranking member, for his ongoing support for this bill. He was an original cosponsor when I introduced it in 2009 and when I reintroduced it last year.

Survivors of sexual violence have endured enough already. They should not have to pay for rape kits. They will not have to once this bill becomes law.

The VAWA reauthorization bill also includes the Housing Rights for Victims of Domestic and Sexual Violence Act, legislation that I introduced with Senators COLLINS and MIKULSKI last fall. This bill will help women stay in their homes when they are most vulnerable, when they need a roof over their heads the most.

The link between violence and homelessness is undeniable. By one account, nearly 40 percent of women who experience domestic violence will become homeless at some point in their lives—nearly 40 percent. Once a woman becomes homeless, she becomes even more vulnerable to physical or sexual abuse.

In my State nearly one in three homeless women is fleeing domestic violence, and half of those women have children with them. That is not the world that Sheila Wellstone envisioned. Nobody should have to choose between safety and shelter. While the link between violence and homelessness is undeniable, it is not unbreakable. We need shelters and transitional housing programs for women who are fleeing danger. The VAWA reauthorization bill provides continued support for those programs.

There is also much we can do to prevent women from becoming homeless in the first place, such as housing rights legislation, which will make it unlawful to evict from federally subsidized housing a woman just because she is a victim of domestic violence, dating violence, sexual assault, or stalking. This bill is for every woman who has hesitated to call the police to enforce a protective order because she was afraid she would be evicted from her home if she did so.

I am grateful to the many wonderful organizations that have worked with me on this bill. They include women's victims advocacy groups such as the Minnesota Coalition Against Sexual Assault, the MNCASA, and the Minnesota Domestic Abuse Project. They include tenant advocacy groups such as the National Low-Income Housing Coalition. They include the Legal Aid Society, Minnesota Legal Assistance, and they include leaders of the housing industry too. In fact, I recently received a letter from the National Association of Realtors, the Institute for Real Estate Management, and other housing industry representatives expressing their support for this bill.

They wrote that they ''believe that preserving housing for victims of domestic violence, dating violence, sexual assault, and stalking is critically important.''

I could not agree more. That is exactly what this bill does.

Sheila Wellstone isn't with us today. Sheila and Paul and their daughter Marcia were tragically taken from us too soon. But Sheila's example is with us, her legacy is with us, and her words are with us. I would like to close with those. Here is what Sheila said:

We really have to look at the values that guide us. We have to work toward the ethic that expects every individual to be physically and emotionally safe. No one, regardless of age, color, gender, background, any other factor, deserves to be physically or emotionally unsafe. In a just society, we pledge to act together to ensure that each individual is safe from harm. In a just society, I think we have to say this over and over and over: We are not going to tolerate the violence.

Madam President, the VAWA reauthorization bill is another step toward a more just society, as Sheila was describing. I look forward to it becoming law.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I rise today with the surest conviction that this body—united as a group of Democrats and Republicans—can and will vote to ensure the women and children of this country are free from domestic abuse. I believe that opposing the bill before us would defy every ounce of common sense I have in my body.

I am a proud sponsor of the Violence Against Women Act, as are most of my colleagues in this body, because it is unfathomable that any individual could oppose efforts to ensure women and children are free from violence.

The bill we are currently considering would reauthorize several essential grant programs that have made a tremendous difference in my State of West Virginia and across this Nation. Here is what I have heard from the West Virginia Coalition Against Domestic Violence Team Coordinators Sue Julian and Tonia Thomas:

The Violence Against Women Act is the most critical piece of federal legislation affecting the safety of survivors of domestic violence and their children in every county of West Virginia. [The law] supports cost-effective responses to the pervasive and insidious crimes of domestic violence. VAWA funds innovative, successful programs that are at the core of our nation's response to domestic violence, sexual assault, dating violence and stalking. Action taken at the congressional level to end violence against women, children, and men echoes through the hills and hollows of the most remote communities in this state. Without VAWA, the collaborative efforts of law enforcement, prosecution, victim advocates, and judicial personnel would be fragmented, compartmentalized, and at worse counterproductive to each other. VAWA saves lives, changes communities, offers safety and creates channels of hope.

We know since it first passed in 1994, the Violence Against Women Act has reduced domestic violence by more than 50 percent through the critical programs it funds. Still, violence against women and children is a terrifying reality in this country.

Let me share with you some startling statistics that illustrate the scope of the problem.

According to the West Virginia Foundation for Rape Information and Services—our State's sexual assault coalition—one in six women in West Virginia will be a victim of attempted or completed rape.

According to the West Virginia Coalition Against Domestic Violence, on any given day, licensed domestic violence programs in West Virginia provide services to nearly 600 women, children, and men.

Every 7 minutes a call is made to a domestic violence hotline in West Virginia. One-third of homicides in West Virginia are related to domestic violence. More than two-thirds of women murdered in West Virginia are killed by a member of their family or their household.

In 2010, there were 11,174 investigations into domestic violence allegations in West Virginia, which required 272,450 hours of law enforcement involvement. This legislation is a fight on behalf of the women whose stories are contained in those numbers but whose lives are invaluable and more important than any statistic could ever hope to portray. No one can better speak to the importance of the Violence Against Women Act than the groups whose work each and every day is improved because of the programs supported by the law.

Growing up in a small community, as I did in Farmington, WV, in a loving family, violence against women and children was unfathomable. I would not even have thought it. The most beautiful people in my life were my mother, my grandmother, my sister, my aunts, and my cousins. They were the most beautiful people I could have hoped to grow up with. My grandmother—we call her Mama Kay—had been the glue to our family and kept it together, and she really kept the community together. She was a symbol of strength to whom others would turn for a place to stay or a hot meal in times of trouble.

We celebrated and admired the women who raised us and those around us. We thanked them and loved them and showed them appreciation and respect. So it is incomprehensible to me how anybody could make a decision to inflict physical pain on a woman or a child or even a man. Truly, life is tough enough without involving violence.

Once again, for each and every Member of the Senate who will cast a vote on this bill, the question comes down to this: What is it that we truly value? What are our priorities?

Ensuring that women and children have adequate protection against violence just makes common sense. To the people of West Virginia, I know this is the highest of priorities. Of course, these atrocities are not unique to my State. Nationally, domestic violence accounts for 22 percent of the violent crimes experienced by women and 3 percent of the violent crimes against men.

Approximately 37 percent of the women seeking injury-related treatment in hospital emergency rooms were there because of injuries inflicted by a current or former spouse or partner. In tough economic times—like those we are experiencing now—women are more likely to become a victim of domestic violence.

According to the National Network to End Domestic Violence, domestic violence is more than three times as likely to occur when couples are experiencing high levels of financial strain as when they are experiencing low levels of financial strain. Women whose male partners experienced two or more periods of unemployment over a 5-year study were almost three times as likely to be victims of intimate violence as were women whose partners had stable jobs.

Seventy-three percent of shelters attributed the rise in abuse to ''financial issues.'' ''Stress'' and ''job loss'' were also frequently cited as causing the increase of victims seeking shelter. It goes on and on.

All we are asking for is to make this a nonpartisan issue—come together as Americans, as Senators, not worrying about political differences. This is one bill that brings us all together for a common cause—a most decent cause—and something that is needed in America.

I urge the support of all of my colleagues. Please support this. Let's come back together as Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mrs. HAGAN. Madam President, I rise to join my colleagues in calling for passage of the Violence Against Women Reauthorization Act. I am disheartened that in the last several months petty, partisan gamesmanship has held up this legislation.

Since VAWA originally passed on a bipartisan basis in 1994, the annual incidence of domestic violence has decreased by 53 percent. Many victims are now reporting incidents of abuse rather than hiding in fear. Reports of abuse have increased by 51 percent. This law has transformed our criminal justice system and victim support services. The law has worked well because it encourages collaboration among law enforcement, health and housing professionals, and community organizations to help prevent and respond to intimate partner violence.

In one recent instance in my State, a man was on pretrial release after being charged with stalking his wife. Thanks to the STOP grants funding—which provide services and training for our officers and prosecutors—he was being

monitored. This individual was being electronically monitored and 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 the GPS and arrested him in his estranged wife's driveway.

Thank goodness this woman was protected and this incident did not add another victim to the 73 deaths caused by domestic violence each year in North Carolina.

Unfortunately, though, the well-being of women in North Carolina and around the country hangs in the balance until we in Congress take action on this act.

Domestic violence also hurts our economy. It costs our health care system $8.3 billion each year. The reauthorization of this act streamlines crucial existing programs that protect women while recognizing the difficult fiscal decisions facing the Federal Government today. Thirteen existing programs would be consolidated to four, which will reduce administrative costs and avoid duplication. New accountability provisions will also require strict audits and enforcement mechanisms aimed at ensuring these funds are used wisely and efficiently.

In fact, title V of this bill includes one of my bills—the Violence Against Women Health Initiative. My bill provides vital training and education to help health care providers better identify the signs of domestic violence and sexual assault. It helps medical professionals assess violence and then refer patients to the appropriate victim services.

This training would have helped Yolanda Haywood, a woman who, as a young mother of three, found herself in an abusive marriage. Her husband abused her regularly and one night punched her in the face and split her lip, which sent her to the emergency room. She obviously needed stitches. As she sat on the examination table, the physician who was sewing her lip back asked: Who did this to you? Yolanda quietly said: My husband. The physician responded by telling her she needs to learn how to duck better.

Yolanda spent the next several years learning how to duck before finally leaving that abusive relationship. Empowered by her experience, she went to medical school and now teaches students at a prestigious university the importance of identifying and treating domestic violence and sexual assault, as well as working in an ER.

In a recent visit to a woman's domestic shelter in Charlotte, I met a counselor who shared this story with me. A young boy had just spent his first night at the shelter. The next morning the counselor was talking to him and he said he slept with both eyes shut last night. The counselor asked the young boy: Well, how do you usually sleep? He said: I usually sleep with one eye open and one eye closed because the last time I slept with both eyes closed my mommy and I both got hurt.

This is the kind of experience this bill will help with. It will protect women and children. For all the progress we have made combating violence against women, this must continue to be a priority. I urge each of my colleagues to support the reauthorization of the Violence Against Women Act because it literally saves lives in North Carolina and around the country, while ensuring a better future for our children.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

NATIONAL FLOOD INSURANCE PROGRAM

Mr. VITTER. Madam President, I rise to talk about another vital program we must reauthorize and continue before it expires; that is, the National Flood Insurance Program. Right now, that is due to completely expire at the end of May. So I wanted to bring this to everyone's attention, particularly that of the majority leader, so we take this up in time—as soon as possible—and put it in line absolutely as soon as possible so this can be extended and there will be no interruption.

This is an important program for the country. It provides vital flood insurance for millions of Americans. Many properties cannot have a real estate closing on them. They cannot be transferred without that important flood insurance. It is particularly important in my home State of Louisiana, where the risks of flooding—coastal and otherwise—are even greater than the national average.

Unfortunately, we have been on a path the last few years of just barely hobbling along, using a bandaid approach to extend this necessary program just a little bit at a time. This got to its worst state in 2010, when we not only extended it just a little bit at a time, but we actually allowed it to lapse, to expire, for several days at a time on four different occasions, for a total of 53 days. What happened? Each of those times the program expired, many real estate closings—tens of thousands of real estate closings around the country—came to a screeching halt. They were cancelled. They were put off.

So here we are, in a very soft economy and trying to eke out of a real estate-led recession. Yet for no good reason—because of our inability to, frankly, get our act together and organize ourselves and extend this noncontroversial program—we had lapses in the program so that thousands of real estate closings were put off. That lapse occurred, as I said, in 2010, four different times, for a total of 53 days.

Since then, we have improved a little bit. We have extended the program for 6 months at a time under legislation I have introduced. But now we need to take the next step and not just continue to hobble along but have a full reauthorization, with important bipartisan reforms, of this National Flood Insurance Program.

There has been a lot of work done in that regard. The House of Representatives has done a complete reauthorization bill, and they adopted that bill by an overwhelming vote of 406 to 22 last July 2. So they have acted. They have done their part going back going almost 1 year ago—about 9 months ago. On the Senate side, we have made important bipartisan progress in the Banking Committee, which is the committee of jurisdiction. We have worked hard to put together a full 5-year reauthorization bill with reforms on a bipartisan process.

As ranking member of the relevant subcommittee, I have put a lot of work into this with many others, including my subcommittee chairman JON TESTER. We reported that bill through the entire committee. It got a strong report out of committee and is ready for action on the Senate floor. So now we need to take that next step. We need to get it on the Senate floor, pass it through, and reconcile it with the House bill.

There are no major substantive obstacles. This is a true bipartisan effort. We have worked well together and through a number of issues. The only issue is getting time on the Senate floor and moving this forward so we can do this full-scale, 5-year reauthorization before the program expires this May 31.

Again, I just come to the floor to urge all of us, and in particular the majority leader who sets the schedule, to schedule this, to find that time, to put it in line as soon as possible. We are now on the Violence Against Women Act, which we support being on. I believe next we are moving to student loans. I have no problem with that. But let's put this important measure in line right after that, as soon as possible, so we can take it up and accomplish this task well before the May 31 deadline.

We can get this done. As I said, there are few, if any, substantive hurdles. We can get this done. We can produce a long-term reauthorization, we can produce good reforms in that bill, as we have in the Senate committee bill and as the House has. We just need to move it through the process. I certainly commit to everyone, starting with the majority leader, that if we get that minimal amount of time on the Senate floor, we will certainly work to have that process run as smoothly and as quickly as possible. I have worked with Senator TESTER in that regard, toward that end, and we will continue to work through the remaining Senate proceedings.

Finally, in support of this plea, I have a letter, dated February 13 of this year, addressed to the majority and minority leaders from a long list of Senators, both parties, urging that we take this action, urging that we schedule this for the Senate floor absolutely as soon as possible so we can get this job

done. As I said, this letter was dated February 13. Obviously, a few months have passed since then and the clock is ticking and that clock runs out on May 31.

Again, I urge us, particularly the majority leader, to please put this necessary and important and bipartisan legislation in line for floor consideration as soon as possible. We can get this done. We can get this done by the current deadline. We can get this done for the good of the American people and on a bipartisan basis and I urge us all to work toward that end, as JON TESTER and I have been doing and as the committee chair and ranking member have been doing. I certainly know the ranking member of the committee, Senator SHELBY, strongly supports this plea.

At this time, I ask unanimous consent to have printed in the RECORD the letter to which I have just referred.

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

U.S. SENATE,
Washington, DC, February 13, 2012.

Hon. HARRY REID,
Majority Leader, U.S. Senate, Washington, DC.
Hon. MITCH MCCONNELL,
Minority Leader, U.S. Senate, Washington, DC.

DEAR LEADERS REID AND MCCONNELL: As we begin the Second Session of the 112th Congress, we the undersigned urge you to bring legislation to the floor to provide for a long-term reauthorization and meaningful reform of the National Flood Insurance Program (NFIP) as expeditiously as possible in February or very soon thereafter.

The National Flood Insurance Program was first established in 1968, and has since that time been instrumental in protecting America's families, homes and businesses from financial ruin when flooding occurs. The program was last reauthorized in 2004. That reauthorization expired in 2008, and since then the program has been extended through a series of short-term measures. In fact, the program expired four times in 2010 resulting in lapses totaling 53 days. It has been estimated that those program lapses resulted in the delay or cancellation of more than 1,400 home closings per day, further damaging an already fragile housing market.

As you know, the House of Representatives passed its version of a long-term reauthorization on July 12, by an overwhelming vote of 406–22. The Senate Banking Committee has reported a committee print with overwhelming bipartisan support which is currently awaiting floor action. This bill makes essential changes to the program in an attempt to protect taxpayers and restore its solvency. We sincerely believe that, with a concerted effort on the part of Senate and Banking Committee leadership, as well as interested Senators, the bill can be brought to the floor of the Senate, debated and passed as soon as possible in order to ensure this process is completed before the NFIP expires at the end of May.

The Senate should take this opportunity to capitalize on the bipartisan efforts by both the Senate Banking Committee and the House of Representatives thus far to make major improvements to this important program. We believe that passage of a comprehensive, bipartisan flood reauthorization bill is within reach, and we respectfully urge you to schedule such a debate.

Sincerely,

Senator Jon Tester, Senator David Vitter, Senator Ben Nelson, Senator Kay Hagan, Senator Daniel Akaka, Senator Michael Bennet, Senator Thomas Carper, Senator Amy Klobuchar, Senator Jeff Merkley, Senator Mark Warner, Senator Herb Kohl, Senator Mike Crapo, Senator Scott Brown, Senator Johnny Isakson, Senator Mike Johanns, Senator John Boozman, Senator Bob Corker, Senator Saxby Chambliss, Senator Pat Roberts, Senator Susan Collins.

Senator Joseph Lieberman, Senator Robert Menendez, Senator Richard Blumenthal, Senator John Kerry, Senator Daniel Inouye, Senator Bernard Sanders, Senator Jeanne Shaheen, Senator Sherrod Brown, Senator Al Franken, Senator Christopher Coons, Senator Daniel Coats, Senator Jerry Moran, Senator Lamar Alexander, Senator Olympia Snowe, Senator James Inhofe, Senator Jack Reed, Senator Claire McCaskill, Senator Patrick Leahy, Senator Sheldon Whitehouse, Senator Mark Begich, Senator Richard Burr.

Mr. VITTER. Again, I hope we all come together in plenty of time to take care of this important business. I bring it up now, well before the deadline, because the clock is ticking. A Senate bill would have to be reconciled with the House. We need to get floor time absolutely as soon as possible and I look forward to that happening and I look forward to working with Senator TESTER and others on the Senate floor.

I yield the floor.

The PRESIDING OFFICER (Mr. SANDERS). The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise, as do my Democratic colleagues and quite a few of my Republican colleagues, in support of the Violence Against Women Act.

My remarks will extend beyond the time we have left, so I will ask the Chair to advise me when 2 minutes have passed, and I will try to conclude over a 3-minute timeframe so other colleagues can speak on this very important piece of legislation.

The PRESIDING OFFICER. The Chair will so advise.

Mr. UDALL of Colorado. Mr. President, the Violence Against Women Act—known as VAWA—has been in effect for 18 years and it has saved lives and strengthened families all over the country. I speak as a Coloradoan, and I will cite statistics that will point to the concrete effects the Violence Against Women Act has had in my State.

This was a landmark piece of legislation and it changed the way we think about and respond to domestic violence. It has made a difference in the lives of literally millions of women all over the country by bringing the perpetrators of domestic violence, sexual assault, and child abuse to justice. It has made a difference by providing safe and secure support services to victims of crimes. It has established a National Domestic Violence Hotline and so much more. It is little wonder such a commonsense and far-reaching concept in legislation has found support from Members of both sides of the aisle.

I mentioned Colorado. Let me cite some numbers. In 2010 alone, 60,000 victims of domestic violence contacted State crisis hotlines seeking help. The funding that VAWA provides not only gives our law enforcement beefed up resources and tools for catching and then prosecuting perpetrators, but it also supports critical services for victims and survivors.

The PRESIDING OFFICER. The Senator has used 2 minutes.

Mr. UDALL of Colorado. I thank the Chair.

These resources have literally saved the lives of women from Durango to Craig and from Pueblo to Denver, and I wish to commend all the important organizations in my State that make it all possible.

The great news is that today—right now—we have the opportunity to make this an even better piece of legislation.

This reauthorization builds upon and strengthens the current act, expanding access to the resources so many victims desperately need. It also contains important reforms that will increase accountability in the use of VAWA resources, ensuring these federal dollars are going to serve the victims who need them most. Taxpayers demand that we spend their monies wisely especially during tough economic times and this VAWA bill meets that high standard they expect of us.

Moreover, it is worth noting this bill makes college campuses safer by requiring that schools develop comprehensive plans to combat and prevent crimes against women.

It also takes the imperative step of strengthening the Federal Government's response to domestic and dating violence on tribal lands, which has climbed to near epidemic levels across the country.

Furthermore, it increases protections and outreach for LGBT victims, because the right to live free from domestic violence should not depend on gender identity or sexual orientation.

The most recent reauthorization of the Violence Against Women Act expired in September of last year. The bottom line is that it is past time to get this done. The legislation before us today has 61 cosponsors, is broadly bipartisan, and has the support of countless women and men around the country.

I believe there is an alternative version of this bill that may come before us for a vote as well. I know this is an election year, and the increasingly partisan climate in Congress has made it tempting to take truly bipartisan legislation such as this and inject division into the debate. But the issues addressed by VAWA are not partisan to the people back in Colorado and around the country. So let is resist that path.

The bipartisan legislation drafted by Senator LEAHY and Senator CRAPO is the only bill that truly provides the resources necessary in the most effective way to help end violence against women.

I know my colleagues in the Senate share my commitment to reaching this goal, so I am glad this bipartisan bill is finally receiving a vote.

When I served in the House of Representatives, I worked with a bipartisan group of colleagues to reauthorize VAWA both in 2000 and 2006, so I know we can come together and pass this reauthorization as well.

We all agree that violence against women is unacceptable. This is a necessary and carefully constructed bill that will protect the lives of women in Colorado and throughout the country.

In concluding, we all agree violence against women is flatout unacceptable, and this is a necessary and carefully constructed bill that will protect the lives of women in Colorado and throughout the country. So let's come together in the Senate, put aside our differences, and pass what is a strong and important bipartisan bill. The families and the communities of my State and our country are counting on us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. CRAPO. Mr. President, I too rise today to discuss the incredible importance of the Violence Against Women Act.

For nearly 18 years, the Violence Against Women Act has been the centerpiece of our Nation's commitment to end domestic violence, dating violence, and sexual violence. Congress authorized the Violence Against Women Act in 2000 and again in 2005 with overwhelming bipartisan support.

I am a longtime champion of the prevention of domestic violence because I have seen the impact of this abuse firsthand in Idaho. The act provides critical services to victims of violent crime as well as agencies and organizations that provide important aid to those victims.

The Violence Against Women Act has been called by the American Bar Association ''the single most effective federal effort to respond to the epidemic of domestic violence, dating violence, sexual assault and stalking in our country.''

This legislation provides access to legal and social services for survivors. It provides training to law enforcement, prosecutors, judges, attorneys, and advocates to address these crimes in our Nation's communities. It provides intervention for those who have witnessed abuse and are more likely to be involved in this type of violence. It provides shelter and resources for victims who have nowhere else to turn, who are literally victims in their own homes.

There is significant evidence that these programs are working. In Idaho, the number of high school students reporting that they have experienced violence by a dating partner has dropped since the Center for Healthy Teen Relationships began its work in 2006. The U.S. Department of Justice reported that the number of women killed by an intimate partner decreased by 35 percent between 1993 and 2008.

The legislation is working and our collective efforts across this country to respond to this epidemic are working, but our fight against domestic violence is far from over. Last year in my State 22 people were killed by a domestic partner. Approximately one in three adolescent girls in the United States is a victim of physical, emotional, or verbal abuse from a dating partner. Nearly 1 in 10 high school students Nationwide was hit, slapped, or physically hurt on purpose by their boyfriend or girlfriend.

Future tragedies of the kinds we have seen in Idaho and across this country have to be prevented. And while we may not all agree on the specifics of this reauthorization, all of us agree on one very important aspect; that is, we must end domestic violence, dating violence, sexual assault, and stalking in the United States.

No bill is ever perfect. As we go through the process of working through this bill on the floor, we will see amendments brought seeking to perfect and improve it. I will support some of those amendments, others will support some of those amendments, and the bill will be addressed, as all bills should be, on the floor of the Senate. But when we are done and the debate is over and the voting on the amendments is concluded, I urge all my colleagues to join me in supporting the reauthorization of this critical program. We must continue the life-changing work this legislation helps us accomplish.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, as we speak, the Alaska Network on Domestic Violence and Sexual Assault's 24-hour hotline that allows folks to seek assistance—their numbers are ringing. This evening, 363 Alaskans will spend the night in an emergency domestic violence shelter or in transitional housing provided by an Alaskan domestic violence program, programs such as the Lee Shore Center in Kenai, the Safe Shelter in Dillingham, the WISH shelter in Ketchikan, and the AWAIC shelter in Anchorage. The number of Alaskans seeking shelter is rising on the order of over 5 percent per year. These programs and the Alaskans who benefit from them are all supported by the Violence Against Women Act.

As we debate and deliberate on the reauthorization of VAWA, the Violence Against Women Act, we express our respect for the volunteers and the professionals who support and who constantly advocate on behalf of these victims. These are Alaskans such as Peggy Brown and Katie TePas, who lead the effort across my State, and others like them throughout Alaskan communities. It is important that as we again reauthorize the Violence Against Women Act, we do so as a tangible display of our support for their very important work.

Let me share some statistics with you, as others have shared from their respective States. In Alaska, somewhere between 25 and 40 percent of all domestic violence assaults are witnessed by children. On a national scale, more than 90 percent of abusers are people whom children know, love, and trust.

I come to the floor today to express my support for the Leahy bill, S. 1925. I have proudly cosponsored this effort and came on very early in the effort. It is the product of literally thousands of hours of work by domestic violence advocates and dedicated Senate staff members. I do believe it represents a real improvement in the services that are offered to victims even in a difficult budget environment. I would like to give a few illustrations.

Back in 2010, there were more than 800 Alaskans who sought pro bono legal assistance from the Alaska Legal Services Corporation and the Alaska Network on Domestic Violence and Sexual Assault. A little over 500 of these victims could be served. Another 300 had to be turned away due to the lack of resources—turning people away who are victims because we don't have the resources to provide the help. This bill establishes a new pro bono legal program within VAWA to ensure that victims of domestic violence have access to lawyers.

Back in 2011, 12 percent of Alaska high school students reported they were hit, slapped, or physically hurt on purpose by their boyfriend or their girlfriend, and 9 percent reported they had been physically forced to have sexual intercourse when they did not want it. This bill focuses resources on the protection of our young people—and rightfully so—because 70 percent of all reported sexual crimes in the United States involve children. This legislation devotes needed resources to protect our children, and it also devotes increasing resources to protect our elders, who are increasingly victims of sexual assault and domestic violence—again, a side that most people don't want to acknowledge or talk about, but our statistics cannot be denied.

In addition, S. 1925 sends a strong message to offenders that they will be held accountable. In the remote Native villages of Alaska, where the victims of domestic violence literally have no place to hide, reauthorization of VAWA will mean there will be more funds to hire village public safety officers who are first responders in the last frontier.

I would like to express my appreciation to the Judiciary Committee for including a provision I have requested concerning the Alaska Rural Justice and Law Enforcement Commission. The Rural Justice Commission is a joint Federal, State, and tribal planning body that was created by the late Senator Ted Stevens back in 2004 to coordinate the public safety efforts in our remote rural villages. It is in danger of shutting its doors at this point in time, and the legislation before us establishes the framework for the Rural Justice Commission to continue its very important work.

Last weekend there was a great deal of concern that arose particularly amongst Alaska tribes that the version of S. 1925 that came out of the Judiciary Committee diminished the ability of the Alaska tribes to issue domestic violence protection orders that would enjoy full faith and credit from the State of Alaska. The concern we had was the result of an inadvertent technical drafting error that expanded certain tribal powers within Indian Country, but it appeared to repeal other existing tribal powers that are currently held by Alaska tribes. Our State has very little Indian Country. We do not have reservations, with the small exception of one reservation down in southeastern Alaska. So for the past couple days, I have been working, along with Senator BEGICH, to address this issue and have worked on a technical correction to address the concern in a way that ensures that Alaska tribes lose none of the jurisdiction or the authority they presently have to issue and to enforce their domestic violence protection orders.

It was just this morning that I received a copy of a letter from Ed Thomas, who is president of the Central Council Tlingit and Haida Tribes of the State, and he has come out clearly endorsing the amendment.

I would note that Senator LEAHY has included these technical corrections in the substitute amendment he intends to bring forward, and I would certainly urge that it be adopted.

As my colleague from Idaho just mentioned, there is a divergence of views within this Chamber on what the reauthorization of VAWA should say. It is important to point out that we are in agreement on the vast majority—well over 80 percent—of the provisions in S. 1925. The disagreement is in a few smaller areas. There are Senators whose ideas were not incorporated in the Leahy bill and who wish to be heard, and I think it is appropriate that they be heard.

Again, I would concur with my colleague, the Senator from Idaho, in stating that when the Violence Against Women Act was first initiated back in 1994, it was a bipartisan effort. It was a collaborative effort. The effort this year with the reauthorization should be no less. I have every confidence that this body will once again act in a bipartisan fashion to reauthorize this very critical piece of legislation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mrs. MCCASKILL. Mr. President, 35 years ago I was a very young assistant prosecutor. There weren't any other women who were assistant prosecutors in Kansas City, and I got assigned a lot of cases that the men in the office used to jokingly call women's work, which meant that I got a lot of cases on welfare fraud and food stamp fraud. And then, as I spent more time in the office, I got sexual assaults and I got domestic violence.

I remember as if it were yesterday the feeling of helplessness as I sat across the desk from a woman who had been beaten to within an inch of her life, and I remember calling the police department and asking for help and them saying: You know, hon, let it go. Tell her to go home.

I remember her asking me: What do I do about my children? I have no money. I don't really want to prosecute him—I don't think he will leave me alone.

I remember not being able to sleep at night because I was so worried about the women who had really no place to go, no one to guide them through the terrifying journey the criminal justice system can be, much less the terrifying journey their lives were. That was 35 years ago.

When I ran for prosecutor in 1992, I said: I am going to start a domestic violence unit, because since then I had spent time working on the laws in Jefferson City, and I had also spent time on the board of a domestic violence shelter—one of the first in Kansas City—and then I became prosecutor, and we started a domestic violence unit.

The police department still pushed back and said: These aren't real crimes. If the victim doesn't want to testify, we have no evidence to go forward.

And I said to them: Wait a minute. We go forward on homicides when the victims can't testify. We should build these cases around the facts and circumstances regardless of the mental state of the victim.

I remember feeling so helpless that we had no resources. And then I remember, as the Jackson County prosecutor in Kansas City, when the Violence Against Women Act passed. I remember reviewing our grant application for the victim advocate in our office, and I remember all of a sudden thinking, you know, we are going to turn the corner.

Is it still a huge problem? Yes. But if you were there 35 years ago on the front lines and you knew the progress we have made to date, you wouldn't be voting no in the Judiciary Committee on the reauthorization of the Violence Against Women Act. You wouldn't be doing that.

So let's move forward. Let's make sure the victim advocates who arrive on the scene as a result of this important piece of legislation—let's make sure they stay on the job. Let's make sure there are not any young prosecutors today who are going home sleepless, much less victims who look at someone who claims they love them, claims they are their protector, but at the same time knowing that person is capable of taking their life. Let's make sure those women have someplace to turn to, their children have someplace to turn to. Let's reauthorize this act today and make sure all the women out there have that help and assistance they need in their time of need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, it is a shame it has taken so long to get to this point, but I am very glad to see we are close to having this body move forward on this legislation.

The Violence Against Women Act has helped provide lifesaving assistance to hundreds and thousands of women and families, and it was certainly a no-brainer to make sure that all women had access to that assistance. I was proud to have been here serving in the Senate in 1994 when we first passed VAWA. Along with its bipartisan support, it received praise from law enforcement officers, prosecutors, judges, victims, service providers, faith leaders, health professionals, advocates, and survivors. It obtained that broad support because it has worked.

Since it became law 18 years ago, domestic violence has decreased by 53 percent. We have made a lot of progress since 1994, and I am glad we are continuing on that path today on behalf of all women. In fact, Deborah, is here with us today.

Deborah is the Vice Chairwoman of the Tulalip Tribe in my home State of Washington.

Yesterday she joined Senators BOXER, KLOBUCHAR and me to tell her emotional story about the devastating effects violence can have on women—especially Native women.

Deborah was repeatedly abused, starting at a very young age, by a non-tribal man who lived on her reservation. Not until after the abuse stopped around the 4th grade did Deborah realize she wasn't the only child suffering at the hands of her assailant—at least a dozen other young girls had fallen victim to this man.

This is a man who was never arrested for these crimes; never brought to justice; and still walks free today. All because he committed these heinous acts on the reservation—and as someone who is not a member of a tribe, it is an unfortunate reality that he is unlikely to be held liable for his crimes.

The debate we had over the provisions in this legislation was a matter of fairness.

Deborah's experience—and the experience of the other victims of this man—does not represent an isolated incident.

In fact 34 percent of Native Women will be raped; 39 percent of Native Women will be subjected to domestic violence; and 56 percent of Native Women will marry a non-Indian who most likely would not be held liable for any violent crimes committed if these protections hadn't been included in this legislation.

Where people live and who they marry should not determine whether or not perpetrators of domestic violence are brought to justice.

With this bill today, we are taking a major step to uphold our government's promise to protect its citizens.

This bill builds on what works in the current law, improves what doesn't, and it continues on the path of reducing violence toward women.

It certainly should not have been controversial.

It is time for us to come together and support this bill so women and families across America can get the resources and support they need.

I particularly want to thank the courageous work of this wonderful tribal woman to help explain to all of us why the bill we have put before the Senate is so critical today.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. REID. I ask unanimous consent the committee-reported substitute be withdrawn, that a Leahy substitute amendment which is at the desk be made pending, and the only amendments in order to the Leahy substitute or the underlying bill be the following: Klobuchar No. 2094, Cornyn No. 2086, and Hutchison No. 2095; that there be 60 minutes of debate equally divided between the two leaders or their designees for consideration of the amendments and the bill; that there be no amendment in order to any of these amendments; that there be no motions or points of order to the amendments or the bill other than budget points of order or the applicable motions to waive; that the amendments be subject to a 60-affirmative vote threshold; that upon disposition of the three amendments, the Leahy substitute amendment, as amended, if amended, be agreed to and the Senate proceed to vote on passage of the bill, as amended; that all after the first vote be 10-minute votes and there be 2 minutes equally divided between the two votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I will briefly say—I know everyone is anxious to get to work—we have had some pretty good work in recent days. The postal bill was extremely difficult to get done. We had the highway bill; that was difficult to get done. Those are bipartisan in nature. It took a while to get through this matter that is before us, but now we are there. It is an effort on everyone's behalf. On my side, I am grateful for the work done by Senators PATTY MURRAY and PAT LEAHY and many others, but I am glad we are at the point where we are today.

Mr. MCCONNELL. Mr. President, I add I agree entirely with the remarks of the majority leader. This is the way the Senate ought to operate—on both these bills, both the postal bill, which was challenging for everyone to get through, and the Violence Against Women Act, on which there is broad, probably unanimous agreement. In fact, the last time it passed the Senate it did pass on a voice vote. We are proceeding to handle it in a way entirely consistent with the Senate's past and procedures, with some amendments but limited debate time on each of them. We will be able to finish this bill today.

I commend Senator HUTCHISON and others on our side who have been deeply involved in this—Senator CORNYN—in bringing us to the place we are now.

AMENDMENT NO. 2093

The PRESIDING OFFICER. The clerk will report the substitute.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. LEAHY, proposes an amendment numbered 2093.

(The text of the amendment is printed in today's RECORD under ''Text of amendments.'')

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I note my colleague from New Jersey was also standing. I have about 5 minutes of remarks. Did the Senator from New Jersey wish also to speak?

Mr. LAUTENBERG. I plan to, but I will defer, if the Senator is in a rush.

Mr. KYL. I appreciate that very much and I perhaps will ask unanimous consent the Senator from New Jersey follow my remarks?

Mr. LEAHY. Mr. President, reserving the right to object—I will not object—and I know we will be getting back onto this matter and I will be seeking time, I certainly do not object to my two friends taking time now.

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

Mr. KYL. Mr. President, I support reauthorization of the Violence Against Women Act. Throughout my career, I have worked on a number of crime victims' rights measures that, taken together, provide the mosaic of protections for all crime victims.

As a member of the House of Representatives, I cosponsored the Sexual Assault Prevention Act—SAPA—which was incorporated into the Omnibus Crime Control Act signed into law by President Clinton in 1994. Among a number of reforms, SAPA increased penalties for stalking and sexual assault, and it changed the Federal Rules of Evidence to allow admission of prior sexual offenses in sexual assault cases. In 1997, I successfully petitioned the Arizona Supreme Court to adopt this change to Arizona's rules of evidence.

In 2004, I co-authored the Crime Victims' Rights Act with Senator FEINSTEIN. This legislation included a bill of rights for victims of Federal crimes, including the right to be informed, present, and heard at critical stages of the proceedings. That bill was signed into law by President Bush.

I also supported the 2005 reauthorization of the Violence Against Women Act, which included a section Senator CORNYN and I wrote that expanded the Federal DNA collection program.

Today, I am pleased to support the Hutchison/Grassley bill reauthorizing the Violence Against Women Act. I regret that there are competing versions of reauthorization, especially since I believe that virtually all of us support the current law.

I cannot, however, vote for the Leahy version for a number of reasons. First, a new section, 904, is blatantly unconstitutional. This new section would give Indian tribes criminal jurisdiction to arrest, prosecute, and imprison non-Indians under tribal law for certain domestic-violence offenses.

Adding this language to the existing law violates basic principles of equal protection and due process. All tribes require either Indian ancestry or a specific quantum of Indian blood in order to be a tribal member. Even a person who has lived his entire life on the reservation cannot be a tribal member if he does not have Indian blood. Such a person, no matter how long he has lived in the area, cannot vote in tribal elections and would have no say in crafting the laws that would be applied against him by section 904.

Section 904 breaks with 200 years of American legal tradition that tribes cannot exercise criminal jurisdiction over non-Indians. By doing so, it creates a clear violation of the Constitution's equal protection and due process guarantees.

I also take issue with the new Section 905 of the Leahy bill, which would allow Indian tribes to issue ''exclusion orders'' barring non-Indians from lands within the tribes' ''Indian country.'' ''Indian country'' is a term of art in Federal Indian law. It is meant to include lands that were allotted and sold to non-Indians, or allotted to Indians who later sold the land to non-Indians, but that are within the exterior boundaries of a historic Indian reservation. Many non-Indian families have lived on such lands for generations. Other such residents include people with Indian blood, but who have been expelled from membership in the tribe for various reasons. Section 905 would literally allow the tribes to issue orders that bar these individuals from entering their own land, land which they own in fee simple absolute.

The primary rationale for these proposed additions to VAWA was to provide protection for tribal members. The Hutchison/Grassley alternative does that by replacing the unconstitutional provisions of the Leahy bill with an authorization for tribes to seek protection orders to prevent domestic violence, issued directly by a Federal court, upon a showing that the target of the order has assaulted an Indian spouse or girlfriend, or a child in the custody or care of such person, and that a protection order is reasonably necessary to protect the well-being of the victim. Violations of the order would be subject to criminal prosecution in Federal court.

While punishing an offender for any underlying crime is important, preventing harm is critical; and it is often easier to prosecute violations of the terms of a protection order. For example, parties who are not in a romantic relationship with the defendant typically will be available to testify that the defendant entered areas from which

he is excluded under the order. Protection orders, thus, tend to provide an effective means for preventing acts of domestic violence. And because orders would be issued by a Federal court, we can be reasonably certain that such orders will comply with basic principles of due process and will be enforced.

The Hutchison/Grassley reauthorization of the Violence Against Women Act contains other improvements on the Leahy version, and I urge its adoption.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, on this floor we talk a lot about the critical importance of family. I frequently speak about my family, my 10 grandchildren and 4 children, who are the foundation and inspiration for everything I do. But for some Americans, the family is instead a source of fear.

Domestic violence wreaks havoc in our homes and our communities across the country. The statistics are shocking. Every year 12 million women and men in our country are victims of rape, physical violence, and stalking. The numbers are shocking. They represent a national tragedy. But these are not just numbers, they are lives. In 2010, 38 of New Jersey's domestic violence incidents ended in death. I have visited women's shelters in New Jersey, and I have seen fear in the faces of women holding their children. It takes a lot of courage for a woman to stand up and leave her abuser. As a society, we have to be able to tell these women they will have a safe place to go, they will have resources to help them, and they will see justice for their abuser.

Today we are debating legislation to reauthorize the Violence Against Women Act, which for almost 18 years has provided women with support programs they need to escape abusive situations. Make no mistake, VAWA is working for women. Since its passage, occurrences of domestic violence have decreased by more than 50 percent. But despite this incredible progress, these horrible acts continue.

In fact, our progress should inspire us to work harder. Domestic violence programs in our communities are on the front line, and they are starved for resources. More than one-third of New Jersey's domestic violence programs report not having enough funding to provide needed services, and approximately one-quarter report not having enough beds available for women and children trying to escape violent situations. Since 2006, more than 40 programs in New Jersey alone have received almost $30 million in funding through the Violence Against Women Act.

Let me be clear. It would be tragic to turn our backs on victims and the people who dedicate their lives to supporting them. While we cannot stop all malicious acts, we can do more to keep women and their families safe.

In 1996, I wrote the domestic violence gun ban, which forbids anyone convicted of domestic violence from getting a gun. Since the law's inception, we have kept guns from falling into violent hands on over 200,000 occasions. For instance, our gun laws allow domestic abusers to sidestep the ban on getting a gun. The loophole allows a convicted abuser to walk into a gun show and walk out with a gun, no questions asked. That is because background checks are not required for private sellers at gun shows.

Since 1999, I have introduced legislation to close the gun show loophole and keep guns from falling into the wrong hands, and it passed in the Senate with the vote of the Vice President to break the tie. Thirteen years later, this gap in our law remains in place, and people can go to the gun show, walk up to an unlicensed dealer, put the money down, and walk out with a gun. It is an outrage. If we want to protect victims from domestic abuse, we ought to commit ourselves to closing the gun show loophole for the safety of women, their families, and other victims of abuse. Saving the lives of women should be above politics.

The Violence Against Women Reauthorization Act passed the Senate unanimously in 2000 and 2005, and it is incomprehensible that we would turn our back on those who are so abused. I ask those who would vote against passing this bill to think about their own families, think about their spouses, think about their daughters, think about their children.

Every Republican in the committee voted against reauthorizing the VAWA in committee. Every one of them voted against the bill that primarily protects women. They walked away.

Today they have taken a different approach. They presented an amendment, and it is a sham. It actually removes the word ''women'' from a key part of the bill. It also fails to protect some of our most vulnerable victims. Apparently, some of our colleagues would vote against protecting women if it means they also have to protect immigrants and people in the gay and lesbian community.

I call on our colleagues on the other side of the aisle to join us and our families. We know they care. Show it. Show it in this vote we are about to take. Send a clear message that this country does not tolerate brutality against anyone, and show it with a little bit of courage. Stand and say: No, I want to protect my family, I want to protect those who are abused routinely in our society. That is the plea. I just hope each one of them will look at a picture of their kids and their families and say: I owe you that protection.

We worked hard here with the premise that we are protecting people, so let's show it.

Mr. NELSON of Florida. Mr. President, I am here today to speak in support of S. 1925, the Reauthorization of the Violence Against Women Act, and I want to thank Senator LEAHY and Senator CRAPO for their leadership on this important issue.

Originally passed in 1994, the Violence Against Women Act has improved the criminal justice system's ability to hold perpetrators accountable and protect victims of domestic violence. The Violence Against Women Act also provides important services to women who have been victims of domestic violence to help them get their lives back on track.

Now, the data tells us that the Violence Against Women's Act has been effective and is needed: In my State of Florida in 2010, according to the Florida Department of Law Enforcement, there were 113,378 reported domestic violence offenses. This includes domestic violence crimes of stalking, threats and intimidations, assaults, rapes, and murders. (SOURCE: Florida Department of Law Enforcement. (2011). Crime in Florida, 2010 Florida Uniform Crime Report. Tallahassee, FL: DLE.) Those reports resulted in 67,810 arrests. That's about 60%. Unfortunately, we may not ever fully know the full extent of domestic violence. Many victims do not report the abuse that they experience to the police or request domestic violence services out of fear and embarrassment.

Since 1994, studies estimate that reporting of domestic violence has increased as much as 51%. Across the Nation we are seeing more victims of domestic violence step out of the shadows, and come forward to ask for help. And we are seeing more prosecution of domestic violence perpetrators. And, this is a trend that we want to see continue.

So, Mr. President, I urge my colleagues to swiftly pass this important legislation.

I yield the floor.

Mr. WARNER. Mr. President, I rise to add my voice in support of the reauthorization of the Violence Against Women Act, of which I am proud to say I am a cosponsor.

In Virginia, this act has doubled the resources available for prevention and intervention of sexual violence in communities and on campus. The funding provides crisis services in nearly every locality in Virginia. Funds have helped develop State databases like the protective order registry in the Virginia Criminal Information Network, VCIN, and the I-CAN system housed with the Virginia Supreme Court. These databases have helped improve responses across the Commonwealth to sexual and domestic violence.

Some startling Virginia domestic and sexual violence incidence statistics highlight just how critical this legislation is to anyone in my State and across the country who may find themselves in need of help.

Virginia has seen a 12 percent increase over the past 2 years in the number of men, women and children staying in domestic violence emergency shelters on an average night.

Nearly 1 million women and more than 600,000 men in Virginia have experienced rape, physical violence, and/or stalking by an intimate partner.

According to the State's medical examiner, one in three homicides in Virginia is due to family or intimate partner violence.

As these statistics show, the services authorized through VAWA continue to be a necessity. It is important that we continue to support access to these vital services that will provide significant benefits to those most in need of assistance.

For the Violence Against Women Act to truly work as intended, we must have effective accountability. Particularly in times of tight budgets, it is important to ensure that taxpayer dollars are spent wisely. It is critically important that we continue to advance effective, comprehensive policies that will provide appropriate preventive and supportive services that many in my State, as well as across the country, will benefit from.

The accountability measures included in this bill are patterned after proposals offered by my Republican colleagues for other grant programs, and these accountability measures have been tailored to VAWA to make sure that funds are efficiently spent and effectively monitored.

The bill authorizes the Department of Justice's inspector general to audit grantees to prevent waste, fraud and abuse. It gives grantees a reasonable amount of time to correct any problems that were not solved during the audit process, but imposes severe penalties on grantees that refuse to address the problems identified by the inspector general.

Rather than Congress mandating a set number of audits, the Office of Inspector General will have the ability to set the appropriate number. This will give the experts in the inspector general's office the ability to more effectively perform important oversight. The Department of Justice has also taken significant steps to improve monitoring of VAWA grant awards by updating grant monitoring policies and incorporating accounting training for all grantees.

The bill has taken the important step of holding the Department of Justice accountable when using Federal funds to host or support conferences. These new accountability provisions are an integral piece in this process and a meaningful additional check to ensure the appropriate use of taxpayer dollars for these important programs.

I encourage my colleagues to join me in support of the reauthorization of the Violence Against Women Act.

Mr. KOHL. Mr. President, I am proud to rise today in support of the bipartisan Violence Against Women Reauthorization Act. I cosponsored the Violence Against Women Act (VAWA) when it was originally enacted in 1994, and have cosponsored every reauthorization since then. The Violence Against Women Act continues to be as important today as it was in 1994. The programs VAWA supports have gone a long way to help stop batterers in their tracks and provide victims with the support they need to recover and rebuild their lives. This reauthorizing legislation builds upon proven prevention and support strategies and includes new provisions to address the changing and still unmet needs of victims.

VAWA has been a success story over the past 18 years because it encourages communities to more effectively and efficiently respond to domestic violence. Working together, law enforcement, judges, domestic violence shelters, victim advocates, healthcare providers, and faith-based advocates are able to better prosecute abusers and protect and aid the women, men and children who find themselves in dangerous and potentially life threatening domestic relationships. Programs authorized by VAWA also provide victims with critical services, including transitional housing and legal assistance, and address the unique issues faced by elderly, rural, and disabled victims. No one should have to choose between staying in a harmful relationship and losing their home or job.

Yet, the Violence Against Women Reauthorization Act of 2011 makes needed reforms and changes that will strengthen and streamline existing programs, while also consolidating programs and reducing authorizations to recognize the difficult fiscal situation we face. The bill also incorporates new accountability provisions, to ensure that VAWA funds are used effectively and efficiently. Our bill implements cuts that will save $135 million each year.

As Chairman of the Subcommittee on Retirement and Aging, we have seen far too many instances of physical, mental, and financial abuse of our nation's seniors. So I thank Senator LEAHY for including provisions from my End Abuse in Later Life Act. Those provisions ensure that appropriate enforcement tools are available to combat sexual assault and domestic violence against the elderly, and that older victims receive victim services.

We commend Senator LEAHY for his work on this important, bipartisan bill. VAWA reauthorizations passed the Senate unanimously in 2000 and 2005, and I look forward to the long overdue passage of S. 1925 today.

Mr. WHITEHOUSE. Mr. President, I wish to speak in favor of the Violence Against Women Reauthorization Act, which I am proud to cosponsor. As attorney general of Rhode Island, I saw firsthand the good work that the Violence Against Women Act has done to protect victims of domestic violence, to provide crucial services to those who have been harmed, and to hold batterers accountable for their crimes. It is vital that we reauthorize this important law.

In Rhode Island and across the country, the Violence Against Women Act continues to support essential tools for preventing and responding to domestic violence. The Rhode Island Coalition Against Domestic Violence reports, for example, that we now have 23 transitional housing units in our State, helping victims of violence become safe and self-sufficient as they escape a batterer. VAWA's law enforcement and legal assistance programs have also proven essential, especially in light of difficult State and local budgets. VAWA supports seven law enforcement advocates in Rhode Island, who work in local police departments to provide immediate assistance to victims of domestic violence, sexual assault, and stalking. These and other VAWA programs have improved the criminal justice response to violence against women and ensured victims and their families the services they need.

The Violence Against Women Reauthorization Act builds on that record of success. It makes important updates to strengthen the law, while remaining cognizant of the challenging budget circumstances we face. The bill includes an increased focus on sexual assault prevention, enforcement, and services. It provides new measures to prevent homicides through programs to manage high-risk offenders. It also consolidates programs to reduce administrative costs and add efficiency. And it incorporates new accountability provisions to ensure that VAWA funds are used effectively and efficiently.

Senators LEAHY and CRAPO led a fair and open process in crafting this bill. They have carefully studied these issues, consulted with a great number of experts and stakeholders, and as a result have achieved a bill with 60 cosponsors in this body.

I would particularly like to thank Senators LEAHY and CRAPO for including in this bill a measure I authored to help prevent teen dating violence. Far too many teens suffer abuse at the hands of a dating partner. The Centers for Disease Control report that one in ten teenagers was hit or physically hurt on purpose by a boyfriend or girlfriend in the past year. The Saving Money and Reducing Tragedies through Prevention, or SMART Prevention Act, which I introduced last year and is included in this bill, will support innovative and effective programs to prevent this dangerous abuse.

At a subcommittee field hearing I chaired last year on strategies for protecting teens from dating violence, each of the expert witnesses testified that prevention programs can help address this serious problem. Ann Burke, a leading national advocate, explained that school-based teen dating violence prevention programs have proven effective in changing behaviors. For example, in 2 years following the passage of Rhode Island's Lindsay Ann Burke Act, named in memory of Ann's daughter, a victim of dating violence, the number of teenagers physically abused by a dating partner in our State decreased from 14 percent to 10.8 percent.

Prevention programs are most effective when part of a community approach. Kate Reilly, the executive director of the Start Strong Rhode Island

Project, testified that effective prevention programming should ''meet kids where they live and play.'' That requires involving parents, coaches, mentors, and community leaders—men and women—as well as innovative uses of technology and social media.

One group of children needs particular attention: those who have witnessed abuse in their home. Deborah DeBare, executive director of the Rhode Island Coalition Against Domestic Violence, explained at our hearing that ''growing up in a violent home may lead to higher risks of repeating the cycle of abuse as teens and young adults.'' By supporting robust services for children exposed to domestic violence, we can help to lift the emotional burden on children who witness their parents' violence and break the intergenerational cycle of violence.

The VAWA Reauthorization Act's SMART Prevention provisions build on Ann and Kate and Deb's insights. The bill supports educational programs warning young people about dating violence, as well as programs to train those with influence on youth. To save costs, the new program is consolidated with existing grant programs, including a program directed at children who have witnessed violence and abuse. Coordinating and focusing prevention resources will save money, and abuse that is prevented reduces the strain on our overburdened health, education, and criminal justice systems.

I again congratulate Senators LEAHY and CRAPO for their strong bipartisan leadership in helping us extend our longstanding bipartisan commitment to preventing domestic violence. I urge all of my colleagues to support reauthorizing the Violence Against Women Act, so that we can keep working toward a country that is free of this scourge.

Ms. SNOWE. Mr. President, I rise today in strong support of The Violence Against Women Act. This consequential measure reauthorizes a landmark federal law and, once the Senate has finished a free and open debate including a full range of amendments, we should pass this bill with a strong, bipartisan majority. Approving this measure offers the Senate an opportunity to demonstrate to the American people that we still have the capacity to meet the challenge of forging effective solutions to monumental matters affecting Americans in their daily lives.

For far too long, domestic violence has been an extremely serious and common crime that devastated families and silently took a great toll on our society. Decades ago, domestic violence went largely unreported, in part because the victim viewed the violence as personal, or because of they were afraid of retribution, or they were embarrassed and did not want family members, friends, or neighbors to know.

I well recall in 1990, when I was serving as the co-chair of the House Congressional Caucus on Women's Issues with Pat Schroeder, and Congress started to focus greater attention on these kinds of heinous transgressions and those who perpetrate them. Just as we fought vigorously for women's health equity, as well as economic security for women, the Caucus was a driving force for change in combating domestic violence, with then-Congresswoman Boxer taking a leadership role in authoring legislation, along with Connie Morella. As we were building legislative momentum in the House, then-Senator Joe Biden was shepherding this initiative through the Senate.

This culminated in the original Violence Against Women Act, enacted in 1994, a truly landmark piece of legislation. For the first time, Congress enacted legislation that sought to comprehensively address the problem of violence against women. We provided assistance to States to improve law enforcement and prosecution efforts, and funded shelters and services to help women and their families extricate themselves out of these violent and abusive situations and into safety.

Here we are, 18 years later, and yes, we can feel fortunate for the progress we have made on this critical issue. The evidence clearly bears this out.

According to the National Network to End Domestic Violence, reporting of domestic violence has increased as much as 51 percent. Reporting is an instrumental first step to ensuring that women receive the support they want, need, and deserve. As a result, hundreds of thousands of women have been helped through VAWA-supported programs such as hotlines, individual and court advocacy, emergency shelters, transitional housing and housing assistance. Furthermore, the annual incidence of domestic violence has fallen by more than 50 percent.

While women are the most frequent targets of domestic violence, children are also too often victims in these tragedies as well. For this reason, the best approach must be comprehensive in scope and the urgent necessity for action, such as early intervention, is paramount.

Earlier this month, researchers at Boston Children's Hospital and the Institute of Child Development at the University of Minnesota released a study—the first of its kind—that prospectively examined the effects of interpersonal trauma on children—particularly young children. On average, children exposed to such trauma had cognitive scores that were the equivalent of 7 IQ points fewer, with the most significant and enduring cognitive deficits appearing in children exposed to trauma between birth and 2 years of age. As study leader Dr. Michelle Bosquet Enlow observed, ''If we wait until children are identified by the school . . . a lot of the damage will have already been done.''

Well, I could not agree more, and that is why along with early intervention, we must also increase access to quality early childhood health and education programs. The challenge in 2012 is to understand and act upon the systemic, reverberative consequences of this violence.

Consider the reality that domestic violence does not merely occur at home. In fact, the one place where an abuser can be confident to find his victim is at work. In a survey conducted by the Maine Department of Labor, 74 percent of abusers had easy access to their partner's workplace, with 21 percent of offenders reporting that they contacted the victim at the workplace in violation of a no contact order.

At the same time, among female employees who experienced domestic violence, 87 percent received harassing phone calls at work; 78 percent reported being late to work because of abuse; and, incredibly, 60 percent lost their jobs due to domestic abuse. As Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I find these facts chilling, because not only do these alarming invasions of privacy threaten women's financial independence, they can also erode elements of a woman's critical support system that can often be found in the workplace as well.

Turning now to my own State of Maine where approximately half of all homicides each year stem from domestic violence, I want to begin with the tragic case of Amy Lake. A kindergarten teacher from Dexter, ME, Amy, and her two children, Coty and Monica, were killed last year by her abusive husband before he killed himself.

Domestic violence experts and law enforcement authorities contend that Amy did everything possible to protect herself and her two children. Amy and her children lived in seven different places the year before their deaths. Amy sought and received a protective order, which her husband proceeded to violate five times. This wrenching incident has galvanized the local community and the entire state of Maine at large to redouble our efforts to end domestic violence. And frankly it is cases like Amy's that tell us in no uncertain terms our work is far from finished. Our job is NOT completed. And our task remains for us all to strive to solve.

In fighting domestic violence, engaging men is a fundamental part of the answer. I salute the efforts of Maine's Governor, Paul LePage, who himself has overcome tragedy as a child and has courageously and aggressively pursued changes aimed at protecting victims, such as reforming bail rules, and strengthening notification requirements. Additionally, Black Bears Against Domestic Violence—an initiative involving male athletes from all of the sports teams from the University of Maine—has done an outstanding job in speaking out against dating violence both on campus and at local high schools.

This bill before us today, which I am pleased to cosponsor, successfully

builds upon past strides at both the State and Federal levels. We include a number of judicial improvements, such as encouraging the use of best practices among law enforcement and court personnel to better assess the risk of domestic violence homicide and to provide immediate, crisis intervention services for those at risk of escalating violence. Maine is already moving in that direction in light of the tragedy that befell Amy Lake, which is vividly emblematic of the imperative to get the right information to the right people at the right time.

Our legislation also reauthorizes grants to encourage arrest policies and enforce protection orders. At the same time, it explicitly calls on law enforcement to identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs in the purpose area of Services -Training—Officers—Prosecutors, STOP, grants and Grants to Encourage Arrest Policies and Enforce Protection Orders, GTEAP. Human Rights Watch points out two astounding facts—first, that the arrest rate for rape, which stands at 24 percent, has not changed since the late 1970s. Second, it estimates that the number of untested rape kits reaches the hundreds of thousands. Indeed, a recent Newsweek article profiled Detroit prosecutor Kym Worthy, who was attacked at law school while on a run but never reported it, is spearheading an effort to ensure that more than 11,000 police rape kits are tested in Detroit. As she rightfully surmises, ''when victims go through a 3-hour plus rape kit exam, they expect the police to use the evidence to catch the rapist.''

Now, I am cognizant that some of my colleagues—especially those who have enthusiastically supported the original law and past reauthorizations—are fully committed to fighting violence against women but have concerns about the version before us. I hope we can cooperatively work through these issues in an effort to ensure that at the end of the day the overall passage of a significant reauthorization is NOT jeopardized.

Let me be clear, quelling domestic violence is too vital, too urgent, and too necessary a challenge to countenance division along party lines. Our answer must be to counter the impulse to create a political wedge with a desire to legislate in good faith. What is effective fodder for campaign vitriol has no place in a measure like this endeavor to reauthorize The Violence Against Women Act.

Time is of the essence when it comes to legislation with life and death ramifications. Politically, this law has a strong bipartisan pedigree, which has been crucial to its success and enduring legacy. In deference to that tradition, rather than focusing on how to parlay our differences into political advantage, I urge my colleagues try to bridge the divide first.

As someone who has dedicated her life in public service to empowering women, I know this much to be true we can adopt measures that promote and enhance women's health, but if we achieve those noble goals, yet fail to ensure women's security, the victory is pyrrhic at best. If we make strides in education and economic opportunity, but jettison efforts to protect women from abuse, the gains we make will have come at a steep price.

The opportunities to rally around a common cause have been regrettably rare in this chamber so far this Congress. Let us seize this moment and send the strongest signal possible to the nation that on our watch women will receive the protections they require and deserve.

Mr. COONS. Mr. President, every single American should be able to count on the law to protect them from domestic violence and sexual assault, regardless of who they are, where they live, or whom they love. That means giving law enforcement the tools they need to investigate and prosecute these crimes while investing in a community-based approach, like we have in Delaware. In reauthorizing the Violence Against Women Act today, the Senate is taking an important step in the ongoing effort to rid domestic abuse from our communities and our Nation.

The Violence Against Women Act has been an unqualified success at reducing domestic violence and bringing this once-hidden crime into the light. Yet there is no question that the need for this legislation persists.

Just last month, a 26-year-old male was placed under arrest in New Castle County, DE, after assaulting his ex-girlfriend in front of her five children. The assault involved dragging the victim by her hair into the kitchen, where the violence continued. The victim's teenage son was forced to make the call to 9–1-1—another stark and horrifying example of how not all victims of domestic violence have bruises.

Like many aspects of modern law enforcement, the best strategies for fighting domestic violence and sexual assault change over time. What Congress and experts understood to be effective in 1994 may not be the best or most comprehensive approach today. That is why the original authors of this act provided for reauthorization every 5 years. Twice each decade, we must take a hard look at where we are failing and where we are succeeding in this important fight.

In this year's reauthorization, we made changes that generally fall into two categories: reducing bureaucracy and strengthening accountability to ensure taxpayer dollars are spent wisely; and ensuring that every victim of abuse in this country is able to count on the law to protect them, regardless of who they are, where they live or whom they love.

Sometimes it takes an extra step on our part to make sure underserved communities, like those in the LGBTQ community, receive the same protection under the law as everyone else. I believe it is a step worth taking.

The reauthorization we are considering today takes that step, moving us forward by adding protections for victims of domestic violence regardless of their sexual orientation. Lesbian, gay, bisexual and transgendered Americans experience domestic violence in the same percentage of relationships as the general population—a shocking 25–35 percent—yet these victims often don't have access to the same services as their straight friends and neighbors.

Nearly half of LGBTQ victims are turned away from domestic violence shelters, and a quarter are often unjustly arrested as if they were the perpetrators.

In Delaware and across this country, our law enforcement officers are doing an incredible job responding to domestic violence cases, due in part to the training they receive from VAWA programs. Providing the resources necessary to help ensure officers treat all victims equally is essential to keeping our communities safe.

Today's reauthorization makes plain that discrimination is not the policy of the United States of America. It says no program funded by Federal VAWA dollars can turn away a domestic violence victim because of their sexual orientation or gender identity.

That is it. That is all this part of the bill does, and I can't believe any of my distinguished colleagues would want to let discrimination persist in the laws of this country.

Every single American should be able to count on the law to protect them from domestic violence and sexual assault. Whether the victim is gay or straight, American Indian, white, black or Latino, they deserve protection from abuse and justice for their abusers. The amendment offered by Senator HUTCHISON removes these key provisions and would allow the denial of VAWA assistance to victims solely because of their LGBT status.

I opposed the Hutchison amendment for this reason, and because it eliminates improvements that will help law enforcement conduct investigations of the crimes targeted by VAWA.

As cochair of the Senate Law Enforcement Caucus, I convened a roundtable discussion in New Castle, DE, earlier this year to hear from leaders across the spectrum of law enforcement, the nonprofit sector, and the judiciary.

One thing the roundtable made absolutely clear is that law enforcement agencies use VAWA funding to hold training and share information they can't get anywhere else.

Chief Jeffrey Horvath of the Lewes Police Department explained that in a small police unit such as the one he leads, marshaling the funds to provide officer training on domestic violence would be impossible without VAWA assistance.

These local experts also stressed the critical need for ongoing and continued training. MAJ Nathaniel McQueen of the Delaware State Police noted that because the research continues to evolve, trainings must be given every year.

Patricia Dailey Lewis, representing the Family Division of the Delaware Attorney General's Office, explained that VAWA provides the social workers that are critical to ushering victims through the criminal justice system. Without a social worker as a guide, the complications and frustrations of the justice system can be overwhelming—ultimately deterring victims from coming forward and pushing domestic violence back into the shadows.

VAWA funds the Victims Advocate Office in the Delaware State Police Department, which LT Teresa Williams reported has served over 6,000 Delawareans in 2 years. As that number suggests, the prevalence of domestic and sexual violence cases remains a huge concern. Chief James Hosfelt of the Dover Police Department estimated that one-third of his case files relate to incidents of domestic violence.

Once law enforcement and prosecutors have secured a court order, VAWA plays a pivotal role in reducing recidivism. As Leann Summa, director of Legal Affairs of the Family Court in Delaware, explained to me, VAWA funds through STOP grants provide the only method by which the Delaware Family Court can ensure that individuals comply with court orders of treatment and counseling. For victims, VAWA also provides the support groups that reach those who might otherwise fall back into dangerous conditions. Maria Matos, executive director of the Latin American Community Center, explained to me that, while members of the Latino community do not often join in support groups, VAWA has helped create one that has worked successfully in Delaware.

So if we are to tackle a problem this large, this pervasive, and this dangerous, we need well-trained, dedicated law enforcement officers but we also need support from a whole community providing a broad range of services. And in Delaware, that is exactly what we have. VAWA has fostered a community of those dedicated to reducing violence, allowing each group to serve as a force multiplier for others and adding value that individual programs alone would not create.

Another participant in our roundtable, Bridget Poulle, executive director of the Domestic Violence Coordinating Council, told me that even though the council she represented receives no VAWA funds, that, ''VAWA has allowed all systems to work at a higher level.''

Tim Brandau, executive director of CHILD, Inc., agreed that it is the broad community created by VAWA that is most important to sustain. Commissioner Carl Danberg of the Department of Corrections, who also joined us at the roundtable, reminded us how, in the early days of addressing domestic violence, the typical response was to ''lock them both up,'' revictimizing the innocent party. What seemed an appropriate or sufficient response at one time sounds appalling to our ears today—reinforcing the need to reevaluate these programs regularly.

VAWA makes the whole system better by bringing together the necessary pieces of a fully functioning justice system. At the roundtable, Patricia Dailey Lewis, representing the Family Division of the Delaware Attorney General's Office, explained that VAWA provides the social workers that are critical to ushering victims through the criminal justice system. Without a social worker as a guide, the complications and frustrations of the justice system can be overwhelming—ultimately deterring victims from coming forward and pushing domestic violence back into the shadows.

The breadth of the VAWA community is key to its success. This was emphasized at the roundtable by Carol Post, executive director of the Delaware Coalition Against Domestic Violence, and by Deanee Moran, Director of the Sexual Assault Network of Delaware. They reported how VAWA touches everything from transitional housing to the national hotline, from the safe exchange of children to increased awareness on college campuses; from STOP grants in rural neighborhoods to SASP funding in urban communities. Not only for women, but also for men, and for children.

My colleagues who opposed this reauthorization were willing to put all of this progress at risk. Their insistence on excluding some of our friends and neighbors because of their background or sexual orientation is unconscionable.

I am proud to represent a State that has taken a leadership role in the fight against domestic violence, and I thank JOE BIDEN, the former Senator from Delaware, for his leadership in advancing the first VAWA statute.

It is my pleasure, honor, and great responsibility to do all that I can to secure VAWA reauthorization this year—the safety of our communities depends on it.

Mr. COBURN. Mr. President, I write today to explain my vote in opposition to S. 1925, Violence Against Women Reauthorization Act, VAWA. I have several outstanding concerns with this legislation, some of which were reflected in the amendments I circulated during the Senate Judiciary Committee's February 2012 markup of this legislation. In particular, I believe this legislation violates the principles of federalism outlined in the Constitution, fails to completely address duplication and overlap both within VAWA programs and with non-VAWA programs administered by both the Department of Justice, DOJ, and the Department of Health and Human Services, HHS, ignores the continuing problem of grant management and waste, fraud and abuse at the Office of Violence Against Women, OVW, and disregards our country's fragile financial condition, which has worsened significantly since the last VAWA reauthorization in 2005.

First and foremost, I do not think anyone would disagree with the fact that violence of any type against women, domestic, dating or sexual violence, is reprehensible and should not be tolerated. However, regardless of the extent of this or any other problem, we must carefully weigh the proper role of the Federal Government so Congress does not violate its limited authority under the Constitution. Domestic violence laws, like most other criminal laws, are State laws, and nowhere in the Constitution is the Federal Government tasked with providing basic funding to States, localities, and private organizations to operate programs aimed at victims of State crimes such as domestic violence. Far too often, Congress infringes upon the rights of the people and the States by overreaching in its legislative efforts.

Although many VAWA programs are laudable, they are not the Federal Government's responsibility. In fact, the entire purpose of this legislation is to provide funding for State, local, nonprofit, and victim services grantees to serve victims of State crimes, such as domestic violence, stalking, and sexual violence. These crimes and the treatment of its victims are appropriately in the jurisdiction of the States, not the Federal Government. In light of our current economic crisis, Congress must evaluate each and every program to determine if it is constitutional, whether it is a Federal responsibility, and whether it is a priority. Combating violence against women is certainly a priority, but it is not a Federal responsibility.

Second, this legislation fails to completely address the duplication and overlap within VAWA programs and with non-VAWA programs operated by both the DOJ and HHS. At the beginning of every Congress, I send to each Senator my letter outlining the criteria he will use to evaluate legislation. This Congress, it was also signed by seven other Members. The VAWA reauthorization violates several of those criteria, including elimination and consolidation of duplicative programs prior to reauthorization.

While I recognize the legislation does consolidate some programs, it has not eliminated all duplication. There are several VAWA grant programs that are so broad that they duplicate one another, providing multiple opportunities for grantees to double dip into Federal funds. In addition, the Family Violence Prevention and Services Act, FVPSA, which predates the original VAWA legislation, authorized several HHS programs aimed at reducing domestic violence and helping victims. Several of those programs fund the same types of

services as those authorized by the VAWA grants in this legislation.

Furthermore, in the Government Accountability Office, GAO Duplication Report released at the end of February 2012, GAO found the DOJ administers more than 250 grant programs to provide crime prevention, law enforcement, and victims' services, totaling approximately $30 billion since 2005. Specifically, GAO noted more than 20 percent of the 253 grants reviewed by GAO are for victims' assistance.

In addition, according to GAO, this June that office will be releasing yet another duplication report specifically on the OVW, Office of Justice Programs, OJP, and Community Oriented Policing Services, COPS Program. Before moving forward with a VAWA reauthorization, Congress should evaluate this report on OVW to determine how we can streamline the victims' services DOJ already provides. Reauthorizing VAWA programs now, without taking into account the recent and forthcoming work of GAO, is premature.

As a result, I am very disappointed the Democrats refused to allow a vote on the amendment No. 2085 I filed to eliminate unnecessary duplication within DOJ, especially since the savings would have been largely directed to helping bring justice to rape cases. This amendment would have provided at least $600 million in additional funds to support efforts to use DNA to solve crimes.

This amendment would have required the Department of Justice to identify every program its administers, consolidate unnecessary duplication, and apply savings towards resolving rape cases and reducing the deficit.

Specifically, the amendment directed the Attorney General to develop a plan that would result in financial cost savings of at least 20 percent of the nearly $3.9 billion in duplicative grant programs identified by the Government Accountability Office.

According to GAO, since 2005, Congress has spent $30 billion in overlapping Department of Justice grants for crime prevention police and victims services from more than 250 DOJ grant programs, and $3.9 billion in grants just in 2010.

As much as 75 percent of the savings, nearly $600 million, may be directed towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System. The remainder of the savings will be returned to the Treasury for the purpose of deficit reduction.

By requiring the consolidation and elimination of duplication at DOJ, Congress will free Federal funding which can be more appropriately dedicated to bringing justice to rape victims, while also reducing the deficit.

DNA testing provides a powerful criminal justice tool to convicting rapists and exonerating the innocent—DNA, deoxyribonucleic acid, testing has become a powerful criminal justice tool in recent years. ''DNA can be used to identify criminals with incredible accuracy when biological evidence exists. By the same token, DNA can be used to clear suspects and exonerate persons mistakenly accused or convicted of crimes. In all, DNA technology is increasingly vital to ensuring accuracy and fairness in the criminal justice system,'' according to the Department of Justice.

''Each person's DNA is unique (with the exception of identical twins). Therefore, DNA evidence collected from a crime scene can implicate or eliminate a suspect, similar to the use of fingerprints. It also can analyze unidentified remains through comparisons with DNA from relatives. Additionally, when evidence from one crime scene is compared with evidence from another using the Combined DNA Index System, those crime scenes can be linked to the same perpetrator locally, statewide, and nationally.''

''When biological evidence from crime scenes is collected and stored properly, forensically valuable DNA can be found on evidence that may be decades old. Therefore, old cases that were previously thought unsolvable may contain valuable DNA evidence capable of identifying the perpetrator.''

In New York authorities used DNA evidence to link a man to at least 22 sexual assaults and robberies. Authorities in Philadelphia, PA, and Fort Collins, CO, used DNA evidence to link and then solve a series of crimes—rapes and a murder—perpetrated by the same individual.

DNA is generally used to solve crimes in one of two ways. First, in cases where a suspect is identified, a sample of that person's DNA can be compared to evidence from the crime scene. The results of this comparison may help establish whether the suspect committed the crime. Second, in cases where a suspect has not yet been identified, biological evidence from the crime scene can be analyzed and compared to offender profiles in DNA databases to help identify the perpetrator. Crime scene evidence can also be linked to other crime scenes through the use of DNA databases.

DNA evidence is generally linked to DNA offender profiles through DNA databases. In the late 1980s, the Federal Government laid the groundwork for a system of national, State, and local DNA databases for the storage and exchange of DNA profiles. This system, called the Combined DNA Index System, CODIS, maintains DNA profiles obtained under the Federal, State, and local systems in a set of databases that are available to law enforcement agencies across the country for law enforcement purposes. CODIS can compare crime scene evidence to a database of DNA profiles obtained from convicted offenders. CODIS can also link DNA evidence obtained from different crime scenes, thereby identifying serial criminals.

In order to take advantage of the investigative potential of CODIS, in the late 1980s and early 1990s, States began passing laws requiring offenders convicted of certain offenses to provide DNA samples. Currently all 50 states and the Federal Government have laws requiring that DNA samples be collected from some categories of offenders.

When used to its full potential, DNA evidence will help solve and may even prevent some of the Nation's most serious violent crimes. However, the current Federal and State DNA collection and analysis system needs improvement, according to the Department of Justice: In many instances, public crime labs are overwhelmed by backlogs of unanalyzed DNA samples. In addition, these labs may be ill-equipped to handle the increasing influx of DNA samples and evidence. The problems of backlogs and lack of up-to-date technology result in significant delays in the administration of justice. More research is needed to develop faster methods for analyzing DNA evidence. Professionals working in the criminal justice system need additional training and assistance in order to ensure the optimal use of DNA evidence to solve crimes and assist victims.

Thousands of sexual assault DNA kits are still not tested—''The demand for DNA testing continues to outstrip the capacity of crime laboratories to process these cases,'' according to a National Institute of Justice report. ''The bottom line: crime laboratories are processing more cases than ever before, but their expanded capacity has not been able to meet the increased demand.''

The DNA casework backlog, consisting of forensic evidence collected—from crime scenes, victims and suspects in criminal cases—has more than doubled from less than 50,000 in 2005 to more than 100,000 in 2009.

There are thousands of rape kits ''sitting waiting to be tested'' in Houston, TX alone. The Houston Police Department may have up to 7,000 sexual assault kits that have not been tested. Houston recently accepted an $821,000 Federal grant to study the backlog of untested kits, but ''the bulk of the money has to be spent on figuring out the reasons rape kits have gone untested'' and less than half of the money ''will go towards dealing with the actual backlog.''

This amendment provides roughly $600 million to help resolve more than 340,000 rape and other criminal cases with DNA testing—This amendment would have provided at least $600 million in additional funds to support efforts to use DNA to solve crimes.

The amendment would have directed the Attorney General to develop a plan that would result in financial cost savings of at least 20 percent of the nearly $3.9 billion in duplicative grant programs identified by the Government

Accountability Office. As much as 75 percent of the savings, nearly $600 million, may be directed towards alleviating any backlogs of analysis and placement of DNA samples from rape, sexual assault, homicide, kidnapping, and other criminal cases, including casework sample and convicted offender backlogs, into the Combined DNA Index System. The remainder of the savings will be returned to the Treasury for the purpose of deficit reduction.

In 2010, National Institute of Justice's DNA Backlog Reduction Program provided more than $64.8 million which allowed more than 37,000 cases to be tested. The $600 million provided by this amendment could therefore be enough to provide testing for over 342,000 cases.

No list of Justice Department programs exists, yet GAO found more than 250 overlapping DOJ grant programs—As with many other agencies, the Justice Department cannot fully account for each program in its purview. In fact, in its review of DOJ programs for their annual report on duplication, even the GAO could not fully account for every program at the agency.

The number of Justice programs detailed by GAO, 253, may actually be an understatement. The report explains Justice grant programs can continue for up to 5 years, and as such, ''the total number of active justice grant programs can be higher than what is presented,'' which is only a one year snapshot of the Department's programs.

This amendment would require the Department to provide a full listing of every single program administered under their jurisdiction, which will assist in Congress's work to address this extensive overlap when making funding decisions.

In their duplication report, GAO revealed that ''overlap and fragmentation among government programs or activities can be harbingers of unnecessary duplication. Reducing or eliminating duplication, overlap, or fragmentation could potentially save billions of taxpayer dollars annually and help agencies provide more efficient and effective services.''

This amendment would have addressed this overlap and unnecessary duplication at the Department of Justice by also requiring the following: a listing of other programs within the Federal Government with duplicative or overlapping missions and services; the latest performance reviews for the program, including the metrics used to review the program; the latest improper payment rate for the program, including fraudulent payments; and the total amount of unspent and unobligated program funds held by the agency and grant recipients.

This information would be updated annually and posted on-line, along with recommendations from the agency to consolidate duplicative and overlapping programs, eliminate waste and inefficiency, and terminate lower priority, outdated and unnecessary programs.

According to GAO, since 2005 Congress has spent $30 billion in overlapping Department of Justice grants for crime prevention, police, and victims services through more than 250 programs, and $3.9 billion in grants in 2010.—In February, the Government Accountability Office, GAO, released its second annual report addressing duplication and areas for cost savings throughout the Federal Government. The report, ''Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue,'' exposed 51 specific examples of government duplication and areas of Federal spending with potential for significant cost savings.

Included in this year's report are some very troubling findings of extensive duplication in a large portion of Department of Justice, DOJ, programs. GAO found the Justice Department administers more than 250 duplicative programs to provide ''crime prevention, law enforcement, and crime victim services,'' costing taxpayers roughly $30 billion in the last 6 years.

Their report details the widespread duplication in the Department, enumerating at least 56 victims' assistance programs, 33 juvenile justice efforts, more than 40 technology and forensics grant solicitations, and 16 community crime prevention strategy programs, to name a handful of the many identified.

In 1 year alone, three primary offices—the Office of Justice Programs, the Office on Violence Against Women, and the Community Oriented Policing Services Office—awarded $3.9 billion through 11,000 grants, many of which the GAO found to be duplicative and in need of review and coordination.

GAO attributes much of the duplication among these 253 grant programs to the fact Justice officials do not conduct a full cross reference check to ensure applicants have not applied for or received overlapping grants from the Department.

In fact, Justice employees contend they simply do not have enough time before providing a grant to ensure recipients have not already received funding. GAO observed, ''Justice officials stated that the timeline for reviewing applications, making recommendations on their merit, and processing awards each year is compressed and that it would be difficult to build in the extra time and level of coordination required to complete an intradepartmental review for potentially unnecessary duplication of funding prior to making awards.''

This amendment would direct DOJ to use their own authority to eliminate and consolidate overlapping programs as identified by GAO and develop a plan that would result in financial cost savings of no less than 20 percent of the nearly $3.9 billion in duplicative grant programs identified by the Government Accountability Office.

Addressing duplication at GAO is one step in addressing our nearly $16 trillion debt—With the release of the GAO report, combined with last year's recommendations, Congress and the administration have been given extensive details in 132 areas of government duplication and opportunities for significant cost savings, with dozens of recommendations for how to address the duplication and find these savings.

The problem in Congress today is not an issue of ignorance—it is one of indifference and incompetence. We know we have a problem. We know we have cancer. Yet we refuse to stop making it worse, we refuse to apply the treatment, and we refuse to take the pain of the medication for the long-term benefit of a cure.

The report provides a clear listing of dozens of areas ripe for reform and in need of collaboration from members on both sides of the aisle, to find solutions to address these issues.

We are looking into a future of trillion dollar deficits and a national debt quickly headed toward $20 trillion. Our Nation is not on the verge of bankruptcy, it is already bankrupt. Over the last 2 years, there have been countless discussions and bipartisan talks about how to address our debt and deficit. Yet there has been little agreement, and at the end of this year we will be faced with another tax extenders package and another increase in the debt limit, all while sequestration will be poised to kick in and achieve the savings Congress has been unable to muster the courage to pass.

But, before us, we have part of the answer. GAO's work presents Washington with literally hundreds of options for areas in which we could make a decision now to start finding savings, potentially hundreds of billions of dollars. If we are unable to agree on eliminating even one small duplicative program or tax credit when clearly we know there are hundreds, we have little hope of ever coming to a comprehensive compromise for fixing our floundering budget.

Congress should require the Department of Justice to provide a full listing of every program in their jurisdiction. Further, the Department can find savings from consolidating the overlap outlined by the GAO, freeing up Federal funding to dedicate toward solving unresolved rape cases, while also reducing the deficit.

As a Nation, we simply cannot afford to reauthorize programs that waste taxpayer dollars by duplicating programs operated by other Federal agencies for the same purposes. To be clear, addressing duplication and overlap is not a matter of refusing to provide services to victims of domestic violence but, rather, it is to ensure they are properly served by programs that are efficient, effective and not bogged down in Federal Government bureaucracy.

Third, both the Government Accountability Office, GAO, and the DOJ

Office of the Inspector General, DOJ OIG, have repeatedly documented the failure of OVW to manage its grants and monitor its grantees effectively. Following this statement, I have included in the RECORD summaries of both GAO and DOJ OIG reports on OVW and VAWA grants. Overall, DOJ has long had problems with its grant management. The DOJ OIG has published for more than a decade a list of the Top 10 Management Challenges at the DOJ. Grant management, unfortunately, has appeared on that list ever since the inception of this evaluation, with OVW being called out as particularly problematic.

Since 2001, GAO has noted various problems at OVW and with particular VAWA grants. With regard to OVW grant management, GAO noted grants awarded by OVW ''often lacked the documentation necessary to ensure that the required monitoring activities occurred.'' As a result OVW ''was not positioned to systematically determine staff compliance with monitoring requirements and assess overall performance.''

Furthermore, since 1998, the DOJ IG has issued audit after audit noting unallowable expenditures, questioned grant costs, weak internal reporting, and poor oversight in numerous VAWA grants across the country. For example, a 2011 DOJ IG audit of a Boston grantee questioned over half $638,298 of its $1.3 million grant. The questioned costs were used for unsupportable conferences, bonus payments, and consultant fees.

Even my constituents have directly experienced OVW mismanagement. For example, the Oklahoma District Attorneys Council, OK DAC, which is the Oklahoma State administrative agency for many Federal grants, has had specific, documented problems with the poor job OVW has been doing in its grant management and oversight. OVW does not answer or return phone calls in a timely manner and has consistently been unavailable to answer grantees' questions in the middle of the work week. Moreover, according to the OK DAC, in the last 4 years that Oklahoma has received one particular VAWA grant, OVW has failed to perform even one site visit to check on the implementation of the grant and the grantee's use of Federal funds.

After more than a decade of significant challenges, it is my hope the DOJ OIG will be able to remove grant management from DOJ's top 10 management challenges. However, until that occurs, it is the job of Congress to ensure we are not turning a blind eye to DOJ's failure to properly administer taxpayer funds through Federal grant programs, including those authorized by VAWA.

Fourth, the fiscal condition of our country has worsened dramatically since the original passage of this bill in 1994 and the last reauthorization in 2005. In fact, at the end of 2005, our national debt was approximately $8.1 trillion. It is now over $15.6 trillion—a growth of over $7.5 trillion, or 92.6 percent, in just over 6 years. The Federal Government is in no position to spend more money on any grant programs without offsets. We simply cannot afford it.

Although Chairman LEAHY recognized the inordinately high authorization levels in the last VAWA reauthorization by reducing some of those amounts, S. 1925 continues to inflate the actual funding we know Congress will provide to VAWA grantees. The bill authorizes approximately $660 million in grants each year for 5 years, totaling $3.3 billion. None of these funds are offset. The 2005 VAWA reauthorization provided approximately $779 million per year for 5 years, totaling $3.89 billion. Thus, while S. 1925 reauthorizes a total of $590 million less than the 2005 VAWA reauthorization, this total is still much higher than actual past appropriations.

In fact, from 2007 to 2011, Congress appropriated a total of $2.71 billion for VAWA grant programs, which is $590 million less than this bill's authorized funding. From 2007 to 2011, although Congress authorized a total of $3.89 billion, it actually appropriated $1.18 billion less than that figure, 2.71 billion. Thus, while S. 1925 may reduce authorizations, it still provides a total authorization that is significantly higher than total VAWA appropriations over the past 5 years. If we know, based on past funding history, it is highly unlikely Congress will ever provide to VAWA grantees the level of funding authorized in this legislation, why would we send a false message to grantees by retaining such inflated estimates in VAWA?

Fifth, I also have concerns about a section of this bill that allows a tribal court to have jurisdiction over non-Indians who commit a domestic violence crime in Indian country or against an Indian. The language explicitly provides that the self-governance of a tribe includes the right ''to exercise special domestic violence criminal jurisdiction over all persons.'' To my knowledge, this is the first time the Federal Government has given Indian courts jurisdiction over ''all persons.'' While I recognize domestic violence is a serious problem in Indian Country, this change could cause particular problems with tribes in Oklahoma. Oklahoma has no reservations, but it does have 39 separate Indian governments. The individual allotment lands and trust lands are small and dispersed within Oklahoma communities and counties. The tribes do not have large continuous land bases, and because of its unique history, many Oklahomans claim Indian enrollment but have no relationship to the tribe or a tribal community.

Further, the Bill of Rights does not apply in Indian courts. Instead, most of the protections are preserved because of the Indian Civil Rights Act, but it does not preserve all rights. For example, the Indian Civil Rights Act only guarantees right to counsel at an individual's own expense. If the ''all persons'' language is as absolute as it appears, it could allow a non-Indian to be tried in tribal court without the full protection of the Constitution. S. 1925 includes language that says: ''In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant . . . all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.'' Still, I am not certain this is enough and am afraid it will be subject to future court challenges.

Proponents of this provision argue that such allowances to tribal courts are necessary because no one is prosecuting non-Indian offenders, and that may be true in some cases. But, instead of creating a conflict between Indian country and the Federal Government's jurisdiction over American citizens who commit crimes, we believe we should deal with the bigger problem by holding the Department of Justice and local U.S. attorneys accountable for not prosecuting these cases.

Finally, while I applaud and support Senator GRASSLEY's effort to increase accountability at the DOJ and to address problematic definitions, immigration provisions, and criminal statutes in his substitute amendment, for many of the same reasons I outline above, I must also oppose his substitute. Although Senator GRASSLEY's alternative is, in several areas, likely a better alternative than S. 1925, it fails to reduce authorizations or offset those amounts, does not fully address grant management problems at OVW or program duplication, and still runs counter to my basic constitutional concerns with VAWA programs.

As a result, I cannot support S. 1925 or Senator GRASSLEY's substitute.

I ask unanimous consent to have the attached documents supporting my statement on the Violence Against Women Act of 2011 in the RECORD.

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

SUMMARY OF GOVERNMENT ACCOUNTABILITY OFFICE (GAO) REPORTS ADDRESSING VIOLENCE AGAINST WOMEN ACT (VAWA) GRANTS AND/OR THE OFFICE OF VIOLENCE AGAINST WOMEN

''JUSTICE IMPACT EVALUATIONS: ONE BYRNE EVALUATION WAS RIGOROUS; ALL REVIEWED VIOLENCE AGAINST WOMEN OFFICE EVALUATIONS WERE PROBLEMATIC,'' UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, GA0–02–309, MARCH 2002

The title of this report summarizes the VAWA program well—''all reviewed Violence Against Women Office evaluations were problematic.''

From 1995–2001, NIJ awarded $6 million for five Byrne grant evaluations and five VAWA grant evaluations. VAWA funds provided all

of the funding for NIJ's evaluation of its grants ($4 million). GAO reviewed in depth three of the VAWA evaluations, ''all of which . . . had methodological problems that raise concerns about whether the evaluations will produce definitive results.''

''With more up-front attention to design and implementation issues, there is a greater likelihood that NIJ evaluations provide meaningful results for policymakers.''

While OVW provides grantees flexibility to develop projects to fit their communities, ''the resulting project variation makes it more difficult to design and implement definitive impact evaluations of the program. Instead of assessing a single, homogeneous program with multiple grantees, the evaluation must assess multiple configurations of a program, thereby making it difficult to generalize about the entire program.''

All three VAWA evaluations were designed ''without comparison groups [which] hinders the evaluator's ability to isolate and minimize external factors that could influence the results of the study.'' As a result, ''lack of comparison groups . . . makes it difficult to conclude that a reduction in violence against women and children . . . can be attributed entirely, or in part, to the . . . program. Other external factors may be operating.''

STATEMENT OF LAURIE EKSTRAND, DIRECTOR OF JUSTICE ISSUES, UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, TESTIMONY BEFORE THE SUBCOMMITTEE ON CRIME AND DRUGS, COMMITTEE ON THE JUDICIARY, UNITED STATES SENATE, ''LEADING THE FIGHT: THE VIOLENCE AGAINST WOMEN OFFICE,'' GAO–02–641T, APRIL 16, 2002

The primary conclusion of Ms. Ekstrand's testimony was the following: ''Our recent work has shown a need for improvement in [OVW] grant monitoring and in the evaluations that are intended to assess the impacts of [OVW] programs.''

VAWA programs have grown significantly since its 1995 inception. Between 1995 and 2000, the number of VAWA discretionary grants ''increased about 362%—from 92 in FY 1996 . . . to 425 in FY 2000.'' During the same time period, the dollar amount of all VAWA discretionary grants ''increased about 940%—from just over $12 million in FY 1996 . . . to about $125 million in FY 2000.''

Ms. Ekstrand referenced the March 2002 report by stating ''grant files for discretionary grants awarded by [OVW] often lacked the documentation necessary to ensure that the required monitoring activities occurred.'' As a result OVW ''was not positioned to systematically determine staff compliance with monitoring requirements and assess overall performance.''

REPORT TO THE HONORABLE ELEANOR HOLMES NORTON, HOUSE OF REPRESENTATIVES, ''VIOLENCE AGAINST WOMEN: DATA ON PREGNANT VICTIMS AND EFFECTIVENESS OF PREVENTION STRATEGIES ARE LIMITED,'' UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, GAO–02–530, MAY 2002

This report was requested by Eleanor Holmes Norton due to her concern about pregnant women being victims of homicide and other types of violence.

GAO concluded the data was incomplete on the number of pregnant women who are victims of violence and that data ''lacks comparability.''

''Research findings on whether women are at increased risk for violence during pregnancy are inconclusive.'' A report by the CDC noted, ''the risk of physical violence does not seem to increase during pregnancy.''

Little information is available on the effectiveness of strategies to prevent and reduce violence against women . . .''

''PREVALENCE OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING,'' UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, IN RESPONSE TO A REPORT MANDATED BY THE VIOLENCE AGAINST WOMEN AND DOJ REAUTHORIZATION ACT OF 2005, GAO–07–148R, NOVEMBER 2006

VAWA advocates attempt to highlight how many (incidence) of these crimes occur and how many people are victimized (prevalence) as evidence of why we need to pay for additional services to victims of domestic violence. However, this GAO report notes there is not an accurate nationwide estimate of the prevalence of domestic violence, sexual assault, dating violence, and stalking.

That is not to say it does not occur. Rather, that is to note, as policymakers, we really do not have adequate information to make decisions on what grants are necessary, if any, to address this problem because we do not know its scope. GAO notes ''no single, comprehensive effort currently exists that provides nationwide statistics on the prevalence of these four categories of crime [domestic violence, sexual assault, dating violence, and stalking].'' In fact, ''since 2001, the amount of national research that has been conducted on the prevalence of domestic violence and sexual assault has been limited, and even less research has been conducted on dating violence and stalking.'' Yet, in the 2000 reauthorization of VAWA, language was added to put greater emphasis on dating violence.

While it could be costly to design a single, nationwide effort, DOJ has not even performed a cost-benefit analysis to determine if such a national effort should move forward.

In addition, while there have been some analysis by individual subdivisions of agencies (approximately 11 collection efforts focusing on various aspects of domestic violence), even their work has not produced results that can be extrapolated nationally. For example, the CDC and OJP have taken some steps at providing consistency in some of their data collection and definitions of terms such as ''dating violence'' or ''domestic violence,'' however, GAO notes even agencies like these ''encourage but do not require grantees to use these definitions as part of their research efforts and cannot always use these definitions in their own work.''

GAO concludes, ''the absence of comprehensive nationwide prevalence information somewhat limits the ability to make informed policy and resource allocation decisions about the statutory requirements and programs create to help address these four categories of crime and victims.''

''SERVICES PROVIDED TO VICTIMS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, DATING VIOLENCE, AND STALKING,'' UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, IN RESPONSE TO A REPORT MANDATED BY THE VIOLENCE AGAINST WOMEN AND DOJ REAUTHORIZATION ACT OF 2005, GAO–07–846R, JULY 2007

This is the second part of the mandate to GAO from the 2005 VAWA Reauthorization. The first part was completed in the November 2006 report mentioned above.

This report focused on eleven federal grant programs and how each collected and reported data to the respective agencies (OVW/OVC/HHS–ACF) on the services they provide. While information is reported, ''data are not available on the extent to which men, women, youth, and children receive each type of service for all services.'' GAO notes this ''occurs primarily because the statutes governing these programs do not require the collection of such data.''

Even if such data were available, GAO notes, among several concerns, the data may not be reliable because ''recipients of grants administered by all three agencies use varying data collection practices.''

While I understand concerns for victims' confidentiality and safety, there are clearly improvements that can be made in improving the uniformity and reliability of data collection.

In addition, due to Congress placing different requirements on different grants and having a complicated maze of grant programs we cannot keep track of, we have not provided the appropriate consistency to grantees to make data collection requirements easy to understand and perform. Better drafting on our part could also improve the data we receive, which, in turn, would greatly improve and inform our policymaking efforts.

STATEMENT OF EILEEN LARENCE, DIRECTOR OF HOMELAND SECURITY AND JUSTICE, UNITED STATES GOVERNMENT ACCOUNTABILITY OFFICE, TESTIMONY BEFORE THE COMMITTEE ON THE JUDICIARY, UNITED STATES SENATE, ''THE VIOLENCE AGAINST WOMEN ACT: BUILDING ON 17 YEARS OF ACCOMPLISHMENTS,'' GAO–11–833T, JULY 13, 2011

This testimony focused on a review of the 2006 and 2007 reports above and updates to those recommendations conducted in July 2011.

Of the eleven national data collection efforts mentioned in the 2006 report, four only focused on incidence (the number of times a crime is committed), not the prevalence (how many individuals are actually victimized).

GAO reports DOJ's OJJDP completed a nationwide survey in 2009 of incidence and prevalence of children's exposure to violence. This should help in the area of teen dating violence. While CDC has begun a teen dating violence prevention initiative, it just began implementing the first phase in four high risk areas in September 2011, and results are not expected until 2016. Thus, GAO says ''it is too early to tell the extent to which this effort will fully address the information gap related to prevalence of stalking victims under the age of 18.''

In 2006, GAO reported different agencies used different definitions related to different types of domestic violence, which led to problems collecting accurate national statistics. This report notes HHS still continues to encourage the use of uniform definitions, but it does not require grantees to do so. In 2010, CDC convened a panel to update and revise its definitions. CDC is reviewing those results and plans another panel in 2012.

DOJ has reported its juvenile justice division created common definitions for use in a national survey of children's exposure to violence. This is encouraging, but clearly significant divisions of DOJ, such as OVW, which are responsible for a large portion of VAWA grants, have not reported advances in developing common definitions.

A CDC/NIJ Report on the prevalence of domestic violence was released mid-December 2011.

As a result of the 2007 report, HHS and DOJ stated ''they modified their grant recipient forms to improve the quality of the recipient data collected and to reflect statutory changes to the programs and reporting requirements.'' Officials stated this resulted in an increase in the quality of data received.

Overall, GAO's testimony concluded ''having better and more complete data on the prevalence of domestic violence, sexual assault, dating violence and stalking as well as related services provided to victims . . . can without doubt better inform and shape the federal programs intended to meet the needs of these victims.''

Mrs. FEINSTEIN. Mr. President, I rise today to express support for the reauthorization of the Violence Against

Women Act—VAWA. VAWA is a critical piece of legislation that protects American women from the plague of domestic violence, stalking, dating violence and sexual assault. The Violence Against Women Act is the centerpiece of the federal government's efforts to combat domestic violence and sexual assault and has transformed the response to these crimes at the local, State and federal levels.

As my colleagues know, VAWA was signed into law in 1994. This body reauthorized it in 2000 and again in 2005 on an overwhelming bipartisan basis. And it is my hope that we can repeat this bipartisan cooperation with the current reauthorization bill. I applaud those on both sides of the aisle for coming together to support this legislation. The measure today has a total of 61 cosponsors, including eight Republicans. VAWA has always been bipartisan, is bipartisan today, and needs to come to a vote.

During my days as the mayor of San Francisco, law enforcement officers most worried about responding to domestic abuse calls. That is where things got really rough. Tragically, I saw it happen over and over again. It was a big problem then, and it remains a big problem today.

To address these problems, the bill reauthorizes a number of grant programs administered by the Departments of Justice and Health and Human Services to provide funding for emergency shelter, counseling, and legal services for victims of domestic violence, sexual assault and stalking. It also provides support for State agencies, rape crisis centers, and organizations that provide services to vulnerable women. And American women are safer because we took action.

Today, more victims report incidents of domestic violence to the police, and the rate of non-fatal partner violence against women has decreased by 53 percent since 1994, according to the Department of Justice. Because of VAWA, States have the funding to implement ''evidence-based'' anti-domestic violence programs, including ''lethality screens,'' which law enforcement uses to predict when a person is at risk of becoming the victim of deadly abuse.

In my home state of California, with the help of VAWA funds, we reduced the number of domestic violence homicides committed annually by 30% between 1994, the year in which VAWA was enacted, and 2010. Simply put, VAWA funding saves lives.

An extremely noteworthy example of VAWA's success came to my office from the Alameda County District Attorney.

In 1997, Alameda County, CA reported 27 deaths as a result of domestic violence. That was about the normal rate at that time. But by last year, 2011, the district attorney reported just three deaths. The district attorney credits VAWA for reducing the number of domestic violence homicides in Alameda County. This is a clear example of why we need to reauthorize VAWA.

Through the use of VAWA funding, Alameda County created the Family Justice Center in 2005 to provide comprehensive services to adults and children who experience domestic violence or sexual assault. Today, the center is a national model of how communities can bring service professionals together to serve crime victims.

During these tough economic times, the demand for the Family Justice Center's services has grown—as has its need for VAWA funding. In the center's first year, they treated approximately 8,000 clients, including an estimated 1,000 children. In 2010, the center treated 12,000 clients. Last year, the center treated more than 18,000 women, men, children and teens who were victims of interpersonal violent crimes.

During a recent visit to my office, the Alameda County District Attorney noted that without VAWA funding it would not be possible for the Family Justice Center to continue to serve this growing population of crime victims.

The vital need for domestic violence prevention services was highlighted in a recent survey by the Centers for Disease Control and Prevention—CDC—which found that on average, 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States. Over the course of a year, that equals more than 12 million women and men.

In California, about 30,000 people accessed crisis intervention services from one of California's 63 rape crisis centers in 2010 and 2011. These centers primarily rely on federal VAWA funding—not State funding—to provide services to victims in their communities.

In 2009 alone, there were more than 167,000 cases in California in which local county or State police officers were called to the scene of a domestic violence complaint according to the California Department of Justice.

The bill we are are considering today gives increased attention to victims of sexual violence. This form of violence is particularly destructive because, for many years, our society viewed sexual violence as the fault of the victim, not the perpetrator.

Although VAWA has always addressed the crime of sexual assault, a smaller percentage of the bill's grant funding goes to sexual assault victims than is proportional to their rates of victimization. The bill does three things to address this imbalance: No. 1, it provides an increased focus on training for law enforcement and prosecutors to address the ongoing needs of sexual assault victims; No. 2, the bill extends VAWA's housing protections to these victims; No. 3, and the bill ensures that those who are living with, but not married to, an abuser qualify for housing assistance available under VAWA.

The bill also updates the federal criminal code to clarify that cyberstalking is a crime. With increasing frequency, victims are being stalked over the Internet through e-mail, blogs, and Facebook. When stalking is done online, the message sent by the perpetrator is memorialized forever, making it more difficult for victims to put the painful experience in the past and move forward in their lives.

Despite the fact that the underlying bill has 61 cosponsors from both parties, not a single Republican member of the Judiciary Committee—of which I am a longtime member—voted to advance the legislation.

The bill considered in the Judiciary Committee includes several changes that I believe improve the underlying bill.

For example: It creates one very modest new grant program, consolidates 13 existing programs, and reduces authorization levels for all other programs by 17 percent. The new bill would decrease the total authorization level of $795 million in fiscal year 2011 to $659 million in fiscal year 2012. And it places emphasis on preventing domestic homicides and reduces the national backlog of untested rape kits.

Yet, there are some who refuse to support it because it now includes expanded protections for victims. Specifically, VAWA was expanded to include additional protections for gay and lesbian individuals, undocumented immigrants who are victims of domestic abuse, and authority for Native American tribes to prosecute crimes.

In my view, these are improvements. Domestic violence is domestic violence. I ask those who oppose the bill: If the victim is in a same-sex relationship, is the violence and danger any less real? If a family comes to this country and the husband beats his wife to a bloody pulp, do we say, well, you are illegal; I am sorry, you don't deserve any protection?

911 operators and police officers don't refuse to help a victim because of their sexual orientation or the country where they were born. When you call the police in America, they come.

VAWA will help ensure that all victims have access to life-saving services, regardless of sexual orientation or gender identity. Lesbian, gay, bisexual and transgendered victims experience domestic violence in 25 percent to 35 percent of relationships—the same rate as heterosexual couples. Yet, these victims are often turned away when they seek help from shelters and professional service providers and they do not receive the help they need.

VAWA would improve the LGBT community's ability to access services by explicitly prohibiting grant recipients from discriminating based on sexual orientation or gender identity and by clarifying that gay and lesbian victims are included in the definition of underserved populations.

Domestic and sexual violence in Tribal communities is a problem of epidemic proportions. Studies indicate that nearly three out of five Native

American women have been assaulted by their spouses or intimate partners. The VAWA Reauthorization bill provides law enforcement with additional tools to take on the plague of violence affecting Native women. The bill adds new Federal crimes—including a 10-year offense for assaulting a spouse or intimate partner by strangling or suffocation—the two types of assault that are frequently committed against women in Indian Country. And it closes loopholes to ensure that those who commit domestic violence in Indian Country do not escape justice.

The Chairman of the San Manuel Band of Mission Indians in Highland, CA recently wrote to me to emphasize the importance of closing the jurisdictional loophole. According to the chairman, the rampant violence against Native women can in part be attributed to the absence of tribal criminal jurisdiction over non-Indian perpetrators.

Crimes of domestic violence or dating violence that would typically lead to convictions and sentences of anywhere between 6 months and 5 years in U.S. courts are too often falling through the cracks in the legal system when identical crimes occur in Indian Country.

The Violence Against Women Reauthorization Act of 2011 is supported by over 50 national religious organizations including the Presbyterian Church, the Episcopal Church, the Evangelical Lutheran Church, the National Council of Jewish Women, National Council of Catholic Women, the United Church of Christ and the United Methodist Church.

As I mentioned earlier, law enforcement officers are at particular risk when they respond to domestic violence incidents. According to the Law Enforcement Officer Deaths Memorial Fund, in 2009, 23 percent of firearms-related deaths involved domestic disturbance calls. In 2010, eight officers were killed responding to domestic violence calls.

VAWA provides needed training to decrease the risk to law enforcement when responding to domestic violence calls. The legislation includes grants to develop and strengthen policies and training for law enforcement to recognize and effectively respond to instances of domestic abuse.

To me, this bill is a no-brainer. To stand in the way of this bill is almost to say we don't consider violence against women an important issue.

Let me repeat: this bill protects American women. It has support on both sides of the aisle. It saves lives. It is a lifeline for women and children who are in distress.

We need to show our commitment to end domestic violence and sexual violence. I hope that all senators will support this important effort to reauthorize the Violence Against Women Act with strong bipartisan support as we always have. This has always been a bipartisan effort. Let's vote and let's get it done.

I yield the floor.

Mr. LEVIN. Mr. President, in 1994 and again in 2000 and 2005, the Senate took a strong, bipartisan stance against acts of domestic and sexual violence that alter the lives of far too many American families and especially American women. With the passage and later reauthorizations of the Violence Against Women Act, Congress provided invaluable aid—sometimes lifesaving aid—to hundreds of thousands of Americans. There is no reason we cannot reauthorize this legislation again this year with overwhelming bipartisan support, and I urge my colleagues on both sides of the aisle and in both chambers of Congress to support this bill.

Since its passage, the Violence Against Women Act has provided comprehensive support to survivors of domestic and sexual violence and to the Federal, State, and local agencies that confront this scourge every day. The original legislation passed in 1994 laid a strong foundation that helped establish a coordinated response to violence against women. Reauthorizations in 2000 and 2005 strengthened that foundation. Today, through violence prevention grants, services to survivors of sexual assault, legal assistance, transitional housing grants, assistance to law enforcement agencies and prosecutors, and other efforts, VAWA has made an enormous difference.

Deaths due to violent acts by intimate partners have decreased significantly. And according to a cost-benefit analysis, VAWA saved nearly $15 billion in its first 6 years of existence by avoiding the high social costs violence against women exacts on our Nation. William T. Robinson, the president of the American Bar Association, calls VAWA ''the single most effective federal effort to respond to the epidemic of domestic violence, dating violence, sexual assault and stalking in this country.''

For all its successes, VAWA has not ended our responsibility to act against violence. Domestic and sexual violence remain far too common for us to abandon our efforts. And just as we have in past authorizations, the legislation before us would strengthen our ability to confront violence in new ways.

Now, some of these new efforts have become controversial. Some of our Republican colleagues have questioned provisions that extend VAWA's anti-discrimination protections. Some have questioned extending the umbrella of this Nation's protections to immigrants. And some have questioned provisions designed to protect Native American women from sexual and domestic violence. In fact, some of my colleagues have denied that these provisions are necessary, and some have criticized them as ''political.''

I certainly do not consider extending the successful protections of this legislation to all Americans as ''political.'' I consider it common sense. I consider it our duty to help these survivors get the assistance they need. I strongly support these important extensions of the act's protections, and I encourage my colleagues to support them as well.

This is not a partisan issue. I hope the Senate can, as it has in the past, send a strong bipartisan message of support to survivors of domestic or sexual violence. And I hope our colleagues in the House of Representatives will quickly take up and approve legislation that will make an enormous positive difference in the lives of so many.

Ms. KLOBUCHAR. Mr. President, I want to briefly comment on an issue that has been raised by some with respect to the stalking provisions in the bill.

Some outside observers have questioned whether the language in the bill would chill free speech or even criminalize constitutionally protected speech. Obviously, that was not the intent of the language and I do not believe that would be the impact.

In fact, a statute cannot criminalize constitutionally protected speech. If it is protected under the Constitution, then it is protected, plain and simple.

The stalking provision is intended to make our anti-stalking laws more effective. The problem with current law is that we require a victim to actually suffer from substantial emotional distress in order for the perpetrator to be prosecuted.

But sometimes victims are not even aware that they are being stalked, especially if the stalker is using electronic surveillance, video surveillance, or other technology that is specifically designed for spying.

So a stalker who is using technology to stalk his victim can escape prosecution simply because he goes undetected by the victim. That does not make sense to me.

With the provision in the bill, we allow law enforcement and prosecutors to focus on the stalker's actions, and not just the victim's emotions.

This will allow prosecutions if the perpetrator is caught before the victim has suffered the necessary level of emotional distress. Under current law, law enforcement has to wait until that harm has occurred, even though the stalker has already committed terrible invasions of the victim's privacy.

But I understand the concerns of those who are worried about free speech. I am willing to work with them to address their concerns as we move forward.

I have no desire to inhibit free speech. This is not about speech, it is about video surveillance, tracking devices, and other secretive methods of stalking. It is about truly dangerous and despicable behavior.

Mr. DURBIN. According to a recent survey, 24 people every minute become victims of rape, physical violence, or stalking by an intimate partner in the United States. That means that just in the time it takes me to finish this statement, dozens will have been victimized.

Since it was passed by Congress in 1994, the Violence Against Women Act has provided valuable, even life-saving, assistance to these hundreds of thousands of individuals. The impact of this bipartisan legislation has been profound. According to the Bureau of Justice Statistics, the rate of domestic violence against women has dropped by 53 percent since VAWA's passage. This legislation is critical.

There is no question that we are making tremendous progress. But there are so many who urgently need help. Let's look at incidence of physical violence: The Centers for Disease Control tell us that nearly one in four women reports experiencing severe physical violence by an intimate partner. And the consequences can be severe. For example, according to one report, in 2007, 45 percent of the women killed in the United States died at the hands of an intimate partner.

Sexual assault statistics are just as alarming: The CDC tells us that nearly one in five women in the United States has been raped. And more than half of female rape victims report being raped by an intimate partner. One in six women in the United States has experienced stalking. Each one of these statistics, and every person who has suffered domestic and sexual violence, shows us that we need to reauthorize this legislation, and we need to do it now.

This legislation is supported by victims, experts, and advocates. It is supported by service providers, faith leaders, and health care professionals. And it is supported by prosecutors, judges, and law enforcement officials. It should be supported by all of us here in Congress.

The last two VAWA reauthorizations have appropriately—and carefully—expanded the scope of the law and improved it. This reauthorization is no exception. It applies the important lessons we have learned from those working in the field and renews our commitment to reducing domestic and sexual violence. Here is what the reauthorization does:

It ensures that funding will continue to go to the organizations and individuals who need help most. It places increased emphasis on responding to sexual assault, in addition to domestic violence. It does things like encourage jurisdictions to evaluate their rape kit inventories and reduce existing backlogs.

The reauthorization incorporates important accountability mechanisms. It consolidates programs to reduce duplication and unnecessary bureaucracy. And it reduces spending. Total annual authorization has been cut by 17 percent. The reauthorization also helps meet the needs of victims from communities that have had difficulty accessing traditional services, for example, because of their religion, sexual orientation, or gender identity. It helps tribal communities. It helps abused immigrants.

The reauthorization helps ensure that law enforcement officials have access to the tools they need by allowing for the ''recapture'' of a modest number of U visas. U Visas, for victims of crimes, are an important law enforcement tool. They may be granted only after law enforcement certification and only if a non-citizen is the victim of enumerated—and serious—crimes. Law enforcement officials across the country have advocated for increased accessibility to U Visas: In my home State of Illinois, Cook County State's Attorney Anita Alvarez said: ''Increasing the accessibility to U Visas will provide to prosecutors like me an important tool in protecting public safety.'' The Fraternal Order of Police wrote: ''The expansion of the U Visa program will provide incalculable benefits to our citizens and our communities at a negligible cost.''

I want to take a moment to discuss an important provision in this reauthorization that I authored, working with Senator LEAHY, to address an appalling situation taking place in our immigration detention facilities. We have heard about truly horrific instances of sexual assault occurring in immigration detention facilities.

A troubling episode of Frontline, the PBS program, detailed one woman's story in great detail recently. But that was hardly an isolated incident. As the National Prison Rape Elimination Commission has said: ''[A]ccounts of abuse by staff and by detainees have been coming to light for more than 20 years. As a group, immigration detainees are especially vulnerable to sexual abuse and its effects while detained . . . .''

The Prison Rape Elimination Act of 2003—''PREA''—aimed to eliminate the sexual abuse of those in custody. This was legislation, championed by Senator SESSIONS, that I cosponsored. Our goal, together, was to create a ''zero-tolerance'' policy for this intolerable behavior. Nobody behind bars should have to fear abuse from others in detention or from those meant to protect them. Simply put: sexual abuse is not, and cannot be, part of the punishment for those accused of violating our laws.

We are waiting on the Department of Justice's final National Standards to Prevent, Detect, and Respond to Prison Rape. But it is unclear to what extent those standards will be interpreted to apply to immigration detention facilities—as opposed to, say, facilities under the Bureau of Prisons. When we drafted and passed PREA, it was always our intent that it would apply to all those in detention—including immigration detainees.

It was important to me to have a provision that clarifies that standards to prevent prison rape must apply to immigration detainees. This provision requires that, in the absence of other steps, the Department of Homeland Security and the Department of Health and Human Services quickly adopt standards for the prevention and punishment of sexual assault in all facilities with immigration detainees.

Custodial sexual assault is just one of the many issues addressed by the Violence Against Women Act. I urge my colleagues to work with me to reauthorize this legislation. Previous VAWA reauthorizations have always had broad bipartisan support. This legislation is not Democratic or Republican. It is about protecting our communities from abuse and violence. This reauthorization that we are passing is an impressive product that carefully incorporates the expert feedback from those in the field.

The dozens of individuals who have been victimized since I stood up here today need our help now. Let's give it to them.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I appreciate the work the leadership has done, and I know Senator MURRAY has been very involved with that too, and I appreciate her help in getting us to a point where we now have a unanimous consent to get to votes and we can finally pass this bill.

I think sometimes a bill like this is an abstract matter. It is not an abstract matter to the women's organizations that support it. It is not abstract to law enforcement who support it. And if I might speak personally for a moment, it is not an abstract matter to me.

The distinguished Presiding Officer and I come from probably the safest, lowest crime State in the country, but we both know that crimes do happen. We also know that in a rural State, oftentimes domestic violence is not reported. We don't talk about this outside the family. And I know that in some of those instances, when I had the privilege of serving as a prosecutor in Vermont, they didn't talk about it. I first heard about it usually in the morgue or at the great Fletcher Hospital. I learned about it because when the body was picked up, either the undertaker or the police or the ambulance driver realized this was not a natural cause, and then we would sort of roll the clock back. In rolling the clock back, we found that all these warning signals were there. There was nowhere for the victim to go. The things we now have were not there then.

I was able to prosecute a number of these people. In fact, I probably brought some of the first successful domestic violence prosecutions we had. But police and prosecutors will say that those are always after the fact.

So how do we stop this from happening in the first place? That is what the Leahy-Crapo Violence Against Women Reauthorization Act is about. It is there to stop the crime before the crime happens. This bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country, of all political persuasions. I never knew a time

when somebody would come to a crime scene and say: Is this victim a Democrat or Republican, gay or straight, immigrant or not? We would say: How do we catch the person who did this?

We listened to what the survivors, advocates, and law enforcement officers told us. They told us what worked, what did not work, and what could be improved. Then we carefully drafted the legislation to fit these needs, and that is why our bill is supported by more than 1,000 Federal, State, and local organizations, service providers, law enforcement, religious organizations, and many more.

There is one purpose, and one purpose only, for the bill Senator CRAPO and I introduced and others cosponsored: It is to help and protect victims of domestic and sexual violence. Our legislation represents the voice of millions of survivors and advocates across the country. The same cannot be said with the Republican proposal brought forward in the last couple of days. That is why that proposal is opposed by such a wide spectrum of people and organizations.

Domestic and sexual violence knows no race, gender, ethnicity, or religion. Its victims can be your next door neighbor, your colleague, a fellow church member, or your child's teacher at school. The Violence Against Women Reauthorization Act seeks to ensure that services to help victims of domestic violence reach all victims, no matter who they are. That is why civil and human rights organizations like the NAACP, the Leadership Conference on Civil and Human Rights, Human Rights Watch, and End Violence Against Women International have urged Congress to act to reauthorize VAWA. I ask consent that these letters be printed in the RECORD.

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

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,
Washington, DC, April 25, 2012.

Re: NAACP Support for S. 1925, the reauthorization of the Violence Against Women Act (VAWA) and our opposition to weakening amendments

MEMBERS,
U.S. Senate,
Washington, DC.

DEAR SENATOR: On behalf of the NAACP, our nation's oldest, largest and most widely-recognized grassroots-based civil rights organization, I strongly urge you to support the speedy reauthorization of the Violence Against Women Act (VAWA), S. 1925. As you consider this legislation on the Senate floor, I further urge you to oppose any weakening amendments. Since it was first enacted in 1994, this important legislation has sought to improve community-based and criminal justice system responses to domestic violence, dating violence, sexual assault and stalking in the United States.

The NAACP strongly supported passage of the original VAWA in 1994, and since that time no other law has done more to stop domestic and sexual violence in our communities. The resources and training provided by VAWA have changed attitudes toward these reprehensible crimes, improved the response of law enforcement and the justice system, and provided essential services for victims struggling to rebuild their lives. It is a law that has saved and improved countless lives, and should clearly be reauthorized and strengthened. Within the United States, domestic violence related homicides have dropped significantly since the passage of VAWA.

On Wednesday, November 30, 2011 Senators Patrick Leahy (VT) and Mike Crapo (ID) introduced S. 1925, a bipartisan bill to reauthorize and improve VAWA. The NAACP has, through its Washington Bureau and in collaboration with the National Task Force to End Sexual and Domestic Violence Against Women, worked closely with these Senators to ensure that under S. 1925 VAWA will continue to fund programs which have proven themselves to be effective and that key changes will be made to streamline VAWA and make sure that even more Americans have access to safety, stability and justice.

In addition to supporting enactment of the VAWA in 1994, the NAACP has joined bipartisan supporters in reauthorizing this important legislation in 2000 and 2005. We have seen the VAWA change the landscape for victims in the United States who once suffered in silence. Victims of domestic violence, dating violence, sexual assault and stalking have now been able to access services, and a new generation of families and justice system professionals have come to understand that domestic violence, dating violence, sexual assault and stalking are crimes that our society will no longer tolerate.

I look forward to working with you to pass a strong reauthorization of the Violence Against Women Act to honor the memory of the women that have lost their lives and endured these atrocities and for the hope that this bill will continue to protect future generations of women. Thank you in advance for your attention to the NAACP position. Should you have any questions or comments, please do not hesitate to contact me at my office at (202) 463–2940.

Sincerely,

HILARY O. SHELTON,
Director, NAACP Washington Bureau & Senior Vice President, Advocacy and Policy.

Mr. LEAHY. These organizations recognize the impact VAWA has in reducing incidences of sexual and domestic violence in our country. Since its initial passage in 1994, no law has done more to combat domestic violence and sexual assault. Because of VAWA, victims have access to life-saving services. It is time that we ensure that all victims have access to these resources.

The National Task Force to End Sexual and Domestic Violence Against Women, which represents dozens of organizations across the country, says the substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day.

The substitute includes damaging, nonworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies. I know it may be well-intentioned, but it is no substitute for the months of work we have done in a bipartisan way with the people across the country to bring this bill that is before us. Unfortunately, it undermines the core principles of the Violence Against Women Act. It resolves in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims, including immigrants, Native women, and victims in same-sex relationships. Again, a victim is a victim is a victim. We don't say: We can help you if you fit in this category. But sorry, battered woman, you are on your own because you fit in the wrong category. That is not the America I know and love.

The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are taken out, and the Republican proposal is no substitute. It does nothing to meet the needs of victims. It undermines the focus of protecting women. It literally calls for removing the word ''women'' from the largest VAWA grant program. They are still victimized at far higher rates and with far greater impact on their lives than men. Shifting this focus away from women is unnecessary and harmful, and it could send a terrible message. There is no reason to turn the Violence Against Women Act inside out, to eliminate the focus on the victims the bill has always been intended to protect.

By contrast, our bipartisan bill does not eliminate the focus against women but increases our focus to include all victims of domestic violence and sexual assault.

I see others on the floor. I have far more I am going to say about this, and I am about to yield the floor in case others wish to speak.

Remember, this bill is the Violence Against Women Act. Let's not go away from that. It has been carefully put together with the best input we could get from law enforcement, from victims organizations, and, I must say, from some victims themselves. This is to protect those people. I have seen some crime scenes that I still have nightmares about decades later, and I can guarantee my colleagues that every prosecutor in this country and every police officer in this country who deals with these matters probably have the same kinds of nightmares.

Are we going to stop all violence against women with this act? Of course not. But as a result of having had this legislation in effect for years, the numbers have come down because there is a place to go, there are people to help, and there are people to stop the violence. That is what we want to do—not to be, as I was during those nights in the morgue, saying to the police: Let's find out who did this so we can catch them, but, rather, to stop them before it happens and to protect the people so they live. That is what we are trying to do. That is what this bill does.

I yield the floor.

Mr. GRASSLEY. Mr. President, I wish to commend my colleague from Texas, Senator HUTCHISON, for offering her substitute amendment to the Violence Against Women Act reauthorization bill. I am pleased to cosponsor her amendment. This amendment is vitally needed.

The Violence Against Women Act has always been reauthorized in the past on a bipartisan, consensus basis.

It would have been so easy to do so again.

All of us who support the amendment of the Senator from Texas are in agreement with 80 percent of the bill that is before us.

But the majority has decided to place a higher priority on scoring political points than on passing another consensus reauthorization of the law.

Recently, Vice President Biden asked what kind of message it would send to women if VAWA were allowed to expire.

He implied that a crisis would be at hand that must be avoided at all costs.

But the actual answer to his question is clear.

The majority party has already allowed VAWA to expire.

VAWA's reauthorization expired last October.

There has been no crisis of any kind because the appropriations for VAWA programs have kept flowing.

It is the majority, not us, that is responsible for the lapse in VAWA's authorization.

The way that the Judiciary Committee handled reauthorization this time has been very disappointing.

The majority insisted on including—and retaining—provisions that appear designed to provoke partisan opposition.

For instance, the majority insisted on giving Indian tribal courts criminal jurisdiction over non-Indian Americans for the first time in our country's history.

The committee held one hearing on reauthorizing this bill, and it devoted no attention to exploring how this provision would operate.

As a result, the committee described this provision in only four sentences in its report on the legislation.

We all recognize that domestic violence rates in Indian country are too high.

Both the committee-reported bill and the Hutchison-Grassley substitute contain provisions to address the problem.

But the majority cannot explain why expanding the power of tribal courts would be effective or how this would work.

Do the tribes have the resources and expertise and resources to comply with the Constitution?

How would the Federal courts' caseload be affected by all the new habeas petitions that would necessarily be filed if this became law?

What changes would occur in the existing relationships between Federal, State, and tribal law enforcement?

The majority has no idea whether this provision would help matters or not because it simply did not give this issue any careful attention.

Moreover, the Congressional Research Service has raised several constitutional issues that would be posed by this provision as it was reported from the committee.

These include due process, equal protection, fifth amendment grand jury and double jeopardy issues, as well as sixth amendment rights to counsel and a jury trial by one's peers.

At the eleventh hour before floor consideration, the majority has recognized the serious constitutional issues that were raised by the committee language.

It has changed the language in an effort to respond to the constitutional questions it had denied existed.

If we had had a hearing on these questions, matters could have proceeded differently.

These changes do not address the constitutional questions CRS posed about congressional power to recognize the inherent power of tribes to prosecute non-Indians, nor do they affect the inability of a defendant to appeal his conviction.

And, of course, they do not address the practical concerns that I have raised all along.

CRS also raises constitutional due process concerns regarding another section in the bill that would give tribal courts the authority to enforce protective orders. That section remains unchanged.

Ironically, the constitutional concerns about the criminal provisions are made more severe because the majority refused to eliminate language we asked them to omit.

Constitutional problems are made worse because the bill gives tribes criminal jurisdiction as part of their claimed inherent sovereignty.

Our substitute strikes the provisions.

Mr. President, I ask unanimous consent to have printed in the RECORD the relevant portions of the CRS analysis.

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

[From the Congressional Research Service, Apr. 13, 2012]

MEMORANDUM

To: Senate Judiciary Committee.

From: Jane M. Smith, Legislative Attorney, 7–7202.

Subject: State Jurisdiction over Indian country; Public Law 280; S. 1925's Provision for Tribal Court Jurisdiction to Issue Protection Orders and Due Process.

This memorandum is in response to your request for an explanation of state jurisdiction over Indian country; an explanation of how Public Law 280 affects that jurisdiction; and an analysis of whether the provision in S. 1925, the Violence Against Women Act Reauthorization Act (VAWA Reauthorization), concerning the jurisdiction of tribal courts to issue protection orders against ''all persons'' comports with the requirements of due process under the Constitution.

STATE JURISDICTION OVER INDIAN COUNTRY

In the absence of congressional authorization, state jurisdiction in Indian country depends on whether the conduct at issue involves non-Indians or Indians only.

CIVIL JURISDICTION OVER NON-INDIANS

Generally, states have civil jurisdiction over non-Indians in Indian country, unless that jurisdiction is preempted by federal law or is incompatible with the right of Indian tribes to govern themselves. In order to determine whether federal law preempts state jurisdiction over non-Indians, courts engage in ''a particularized inquiry into the nature of the state, federal, and tribal interests at stake, an inquiry designed to determine whether, in the specific context, the exercise of state authority would violate federal law.''

The courts:

examine[] the language of the relevant federal treaties and statutes in terms of both the broad policies that underlie them and the notions of sovereignty that have developed from historical traditions of tribal independence. This inquiry is not dependent on mechanical or absolute conceptions of state or tribal sovereignty, but has called for a particularized inquiry into the nature of the state, federal, and tribal interests at stake, an inquiry designed to determine whether, in the specific context, the exercise of state authority would violate federal law.

In order to determine whether state law applies to non-Indian conduct in Indian country, therefore, courts engage in a particularized weighing of the federal, tribal, and state interests at stake.

In Bracker, the Court considered whether the state could impose motor vehicle license and fuel taxes on the logging and hauling operations of a non-Indian contractor working for the tribe exclusively within the reservation. Finding that federal control over tribal timber was pervasive (''the Bureau of Indian Affairs exercises literally daily supervision over the harvesting and management of tribal timber''), the Court held that the state taxes were preempted by federal law. Preemption of state law can occur, therefore, not only when the state law violates federal law, but also when federal involvement with the activity is pervasive.

There is very little case law on when state jurisdiction interferes with the right of Indians to govern themselves. In Washington v. Confederated Tribes of the Colville Indian Reservation, the Supreme Court rejected the tribes' argument that because the tribal government generated substantial revenues from selling cigarettes without state taxes that imposing the state cigarette tax would infringe on their right to govern themselves. The Court noted the tribes' interest in governing themselves was strongest when the conduct at issue involved tribal members only and determined that the tribes did not have a legitimate interest in marketing an exception to state taxation. Because there is so little case law, it is not clear under what circumstances application of state law to non-Indians would interfere with a tribe's ability to govern itself.

CRIMINAL JURISDICTION OVER NON-INDIANS

Most states only have criminal jurisdiction over non-Indians committing crimes against other non-Indians in Indian country. The federal government has exclusive jurisdiction over non-Indians who commit crimes against Indians.

THE EFFECT OF PUBLIC LAW 280 ON STATE JURISDICTION OVER INDIAN COUNTRY

Public Law 280 gave to certain states criminal jurisdiction and civil adjudicatory jurisdiction over Indian country. ''[W]hen a State seeks to enforce a law within an Indian reservation under the authority of Pub. L. 280, it must be determined whether the law is criminal in nature, and thus fully applicable to the reservation . . ., or civil in nature and applicable only as it may be relevant to private civil litigation in state court.''

Whether a law is criminal or civil does not depend on whether the law carries criminal penalties. Rather, a law is criminal in nature if it prohibits an activity outright, and it is civil in nature if it allows the activity but regulates it. Thus, in California v. Cabazon

Band of Mission Indians, the Supreme Court held that even though California's gaming laws carried criminal penalties, they were civil in nature because they allowed certain kinds of gaming, but regulated them. Thus, states that have criminal jurisdiction over Indian country under Public Law 280 have criminal jurisdiction over all conduct by Indians and non-Indians which violates a state law that is prohibitory.

TRIBAL COURT JURISDICTION TO ISSUE CIVIL PROTECTION ORDERS UNDER S. 1925 AND DUE PROCESS

Section 905 of S. 1925 provides: ''a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person . . . in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.'' According to the Senate Report, this section is intended to make clear that tribal court jurisdiction covers all persons within the tribe's jurisdiction, including non-Indians.

THE INTENT BEHIND SECTION 905

Under current law, the general rule is that ''the inherent sovereign powers of an Indian tribe do not extend to the activities of nonmembers of the tribe.'' However, there are two exceptions to this rule. First ''[a] tribe may regulate, through taxation, licensing, or other means, the activities of nonmembers who enter consensual relationships with the tribe or its members through commercial dealing, contracts, leases, other arrangements.'' Second, ''[a] tribe may also retain inherent power to exercise civil authority over the conduct of non-Indians on fee lands within its reservation when that conduct threatens or has some direct effect on the political integrity, the economic security, or the health or welfare of the tribe.''

It appears that section 905 would expand a tribe's civil authority over non-Indians to enter protective orders. According to the Senate Report, section 905 is intended to ensure that the result in Martinez v. Martinez is not repeated. In Martinez, Mrs. Martinez, an Alaska Native who was not a member of the Suquamish Tribe, obtained from the Suquamish tribal court a protection order against her husband, a non-Indian. The Martinez family lived on non-Indian fee land located within the tribe's reservation. Mr. Martinez objected to the court's jurisdiction and sought an injunction against the tribal court in federal district court. The district court granted the injunction, finding the tribal court lacked jurisdiction over Mr. Martinez.

The federal court rejected the tribe's and Mrs. Martinez's argument that Congress had granted the tribal court jurisdiction to issue protection orders against non-Indians in 18 U.S.C. 2265(e). That section, which was in the Violence Against Women Act (VAWA), provides: ''Tribal court jurisdiction.—. . . a tribal court shall have full civil jurisdiction to enforce protection orders . . . in matters arising within the authority of the tribe.'' The court wrote:

The Court does not construe the provisions of the VAWA as a grant of jurisdiction to the Suquamish Tribe to enter domestic violence protection orders as between two non-members of the Tribe that reside on fee land within the reservation. There is nothing in this language that explicitly confers upon the Tribe jurisdiction to regulate non-tribal member domestic relations. The grant of authority simply provides jurisdiction ''in matters arising within the authority of the tribe.''

Tribal jurisdiction over non-members is highly disfavored and there exists a presumption against tribal jurisdiction. There must exist ''express authorization'' by federal statute of tribal jurisdiction over the conduct of non-members. For there to be an express delegation of jurisdiction over non-members there must be a ''clear statement'' of express delegation of jurisdiction.

Section 905, therefore, is apparently intended to provide such a delegation of authority to tribal courts to issue protection orders over non-members within the tribes' reservations or jurisdictions.

DUE PROCESS AND PERSONAL JURISDICTION

The Supreme Court has held that due process requires that a defendant have ''minimum contacts'' with a jurisdiction ''such that the maintenance of the suit [in the jurisdiction] does not offend traditional notions of fair play and substantial justice.'' There may be an issue with section 905 in that it would delegate to tribal courts jurisdiction over ''all persons,'' regardless of their contacts with the Indian tribe.

Taking section 905 literally, it does not appear to require that a person have minimum contacts with the tribe in order for the tribe to exercise jurisdiction over him or her to issue protection orders. Under section 905, the outcome of the Martinez case arguably would have been different: the tribal court would have had jurisdiction over Martinez, a non-Indian, even though he appears to lack contacts with the tribe—he was not married to a member of the tribe, did not work for the tribe, and lived on non-Indian fee land. There is an argument that the tribal court's exercise of jurisdiction over Mr. Martinez would ''offend traditional notions of fair play and substantial justice,'' because he may not have minimum connections to the tribe, and thus violate the due process clause of the Fifth Amendment.

Advocates of tribal jurisdiction would probably argue that because Mr. Martinez lived within the tribe's reservation he had sufficient minimum contacts with the tribe. However, Mr. Martinez lived on non-Indian fee land. Under United States v. Montana, as a matter of federal common law, tribes generally do not have jurisdiction over non-Indians on non-Indian fee land within the reservation, subject to the two exceptions. Therefore, it appears that residence by a non-Indian on non-Indian fee land within a tribe's reservation does not connect the resident to the tribe in a way to support tribal jurisdiction under the federal common law. It is not clear whether it would be sufficient to establish minimum contacts for the purposes of due process.

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[From the Congressional Research Service, Apr. 18, 2012]

TRIBAL CRIMINAL JURISDICTION OVER NON-INDIANS IN THE VIOLENCE AGAINST WOMEN ACT (VAWA) REAUTHORIZATION AND THE SAVE NATIVE WOMEN ACT

(By Jane M. Smith, Legislative Attorney; Richard M. Thompson II, Legislative Attorney)

Domestic and dating violence in Indian country are at epidemic proportions. However, there is a practical jurisdictional issue when the violence involves a non-Indian perpetrator and an Indian victim. Indian tribes only have criminal jurisdiction over crimes involving Indian perpetrators within their jurisdictions. Most states only have jurisdiction over crimes involving a non-Indian perpetrator and a non-Indian victim within Indian country located in the state. Although the federal government has jurisdiction over non-Indian-on-Indian crimes in Indian country, offenses such as domestic and dating violence tend to be prosecuted with less frequency than other crimes. This creates a practical jurisdictional problem.

Legislation introduced in the 112th Congress, the Violence Against Women Reauthorization Act (S. 1925 and H.R. 4271) and the SAVE Native Women Act (S. 1763 and H.R. 4154), would recognize and affirm participating tribes' inherent sovereign authority to exercise special domestic violence jurisdiction over domestic violence involving non-Indian perpetrators and Indian victims occurring within the tribe's jurisdiction. It is not clear whether Congress has authority to restore the tribes' inherent sovereignty over non-members, or whether such authority would have to be a delegation of federal authority.

In a series of cases, the Supreme Court outlined the contours of tribal criminal jurisdiction. In United States v. Wheeler, the Court held that tribes have inherent sovereign authority to try their own members. In Oliphant v. Suquamish Indian Tribe, the Court held the tribes had lost inherent sovereignty to try non-Indians. The Court in Duro v. Reina determined that the tribes had also lost the inherent authority to try non-member Indians. In response to Duro, Congress passed an amendment to the Indian Civil Rights Act that recognized the inherent tribal power (not federal delegated power) to try non-member Indians. The Violence Against Women Reauthorization and the SAVE Native Women Act, would apparently abrogate the Oliphant ruling and ''recognize and affirm the inherent power'' of the tribes to try non-Indians for domestic violence offenses.

The Supreme Court stated in United States v. Lara that Congress has authority to relax the restrictions on a tribe's inherent sovereignty to allow it to exercise inherent authority to try non-member Indians. However, because of changes on the Court and, as Justice Thomas stated, the ''schizophrenic'' nature of Indian policy and the confused state of Indian law, it is not clear that today's Supreme Court would hold that Congress has authority to expand the tribes' inherent sovereignty. It may be that Congress can only delegate federal power to the tribes to try non-Indians.

The dichotomy between delegated and inherent power of tribes has important constitutional implications. If Congress is deemed to delegate its own power to the tribes to prosecute crimes, all the protections accorded criminal defendants in the Bill of Rights will apply. If, on the other hand, Congress is permitted to recognize the tribes' inherent sovereignty, the Constitution will not apply. Instead, criminal defendants must rely on statutory protections under the Indian Civil Rights Act. Although the protections found in these statutory and constitutional sources are similar, there are several important distinctions between them. Most importantly, if inherent sovereignty is recognized and only statutory protections are triggered, defendants may be subjected to double jeopardy for the same act; may have no right to counsel in misdemeanor cases if they cannot afford one; may have no right to prosecution by a grand jury indictment; may not have access to a representative jury of their peers; and may have limited federal appellate review of their cases.

Mr. GRASSLEY. Mr. President, to address the real problems of domestic violence among Native Americans, our substitute would permit tribes to petition for protective orders against non-Indians in Federal court.

The committee-reported bill did not respect due process in the area of accusations against college students.

Of course, allegations of sexual assault on campus should be taken as seriously as anywhere else.

But reputations can be ruined by false charges, so it is important that fairness in adjudications occur.

As a practical matter, the committee-reported bill imposed on these campus proceedings the standards of proof issued in a controversial proposed regulation by the Department of Education.

They were very weak and unfair.

Additionally, under the committee-reported bill, if the campus disciplinary authority exonerated the innocent even under the weak standard of proof, the accuser could appeal for another round of proceedings.

That just is not fair.

At the last minute, the majority has changed the first but not the second of these provisions.

Now, the investigation must be fair and impartial.

That is progress.

This change should have been made much earlier.

But the bill still allows a person who has been found innocent after a fair investigation to be pursued again at the victim's request.

Our substitute eliminates that unfairness.

The committee bill also mishandles immigration issues.

The one hearing the Judiciary Committee held presented testimony that fraud exists in the VAWA-self petitioning process.

We heard from victims who fell in love with foreign nationals, sponsored them for residency in the United States, only to be accused of abuse so that the foreign national could get a green card.

The chairman promised at the hearing to include language in the bill that would address this immigration fraud, but his bill fails to include anything of the sort.

Our substitute contains language that will reduce fraud and abuse by requiring an in person interview whenever possible with the applicant who alleges abuse.

We cannot allow people to misuse the VAWA self-petitioning process to obtain a green card.

The committee-reported bill also expands the number of U visas by tens of thousands without changing the rules by which they are issued.

Under current law, an individual may be eligible for a U visa if he or she has been or is likely to be helpful to the investigation or prosecution of a crime.

However, the requirements for a U visa are generous.

There is no requirement that an investigation be commenced as a result of the alien reporting the crime; there is no time period within which an alien has to report the crime; the crime could have occurred years before it is reported and there could be no way to identify the perpetrator; the alien seeking the ''U'' visa could even have a criminal record of their own.

Our substitute includes commonsense, best practices to ensure that U visas are truly used as a tool to fight crime.

The Hutchison-Grassley substitute amendment will better protect victims of domestic violence than does the underlying bill.

Hundreds of millions of dollars in grant money for domestic violence programs are distributed every year.

For that money to be effective, it must actually reach victims.

But too much of the money does not reach victims.

Excess amounts are spent on administrative expenses, conferences, and lobbying, and some is lost to waste, fraud, and abuse.

For example, since 1998, the inspector general has audited 22 individual VAWA grantees.

In those random audits, 21 were found to have unallowable costs, unsupported expenditures, or other serious deficiencies in how they expended taxpayer dollars.

That is millions of dollars that could have helped an untold number of victims but instead were lost.

Although some good accountability measures were included in the committee-reported bill, more are necessary.

The substitute amendment requires audits and includes mandatory exclusions for those who are found to have violated program rules.

It limits conference expenditures at the Justice Department and Health and Human Services Department unless there is proper oversight.

It prohibits lobbying by grantees, and it limits administrative expenses in the government's management of the grants.

Our substitute directs more money to victims of the most serious crimes than the committee bill by requiring 30 percent—not 20 percent—of the funds go toward sexual assault.

It directs that 70 percent of the funds for reducing rape kit backlogs actually be used for that purpose, not the mere 40 percent in the committee-reported bill.

The substitute protects victims in other ways that are not contained in the underlying bill.

It contains a 10-year mandatory minimum sentence for aggravated sexual abuse.

It imposes a mandatory minimum sentence of 1 year for possession of child pornography where the child depicted is under 12.

That does not go far enough, but it is a step in the right direction.

It is a consensus item that has passed the Judiciary Committee in the past with a strong bipartisan vote.

The alternative also creates a mandatory minimum sentence of 15 years for interstate domestic violence that results in death.

There are opponents of mandatory minimum sentences.

The leniency-industrial complex is active in this area as in others.

But we should not take too seriously the claims of opponents of the mandatory minimums that they take away judicial discretion.

They think that judges should be able to give any sentence they want on these crimes, even potentially no jail time at all.

Contrary to victims' groups, they fear that any requirement of jail time for these crimes will be counterproductive and lead to lower sentences.

But those same opponents support the grants for arrest in the committee-reported bill.

Unlike sentences, mandatory arrest policies tie the hands of law enforcement to take action against people who have not been convicted of anything.

They may reduce the likelihood that the police may be called in actual cases of domestic violence.

They may result in calls to the police by one person for leverage against another.

They may cause other negative unintended consequences as well.

Our substitute also gives the Marshals Service administrative subpoena authority to pursue unregistered sex offenders.

These are individuals who are required by law to register as sex offenders but fail to comply.

This is another provision that has enjoyed wide bipartisan support in the Judiciary Committee.

Victims will also be helped by the substitute's requirement of an audit of the Justice Department's use of the Crime Victims Fund.

When criminals are convicted and made to pay fines, these fines are placed in a fund for the sole purpose of assisting victims.

However, there are questions whether the Justice Department is spending these funds only for their one permitted use.

An audit is in order.

And the bill also includes a bipartisan provision to enable victims to receive restitution that is owed to them but has not been paid.

The IRS would be permitted to deduct the money from payments it would otherwise make to the perpetrator.

Mr. President, there is broad bipartisan support for reauthorizing the Violence Against Women Act.

The Hutchison-Grassley substitute would of the underlying bill reauthorize the 80 percent that enjoys that consensus.

It eliminates provisions that are not consensus and would not pass the other body and become law.

And it adds other provisions that are widely supported and would provide real benefits to victims of domestic violence.

I urge my colleagues to support it.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, may I inquire as to how much time remains on this side of the aisle?

The PRESIDING OFFICER. There is 24 minutes remaining.

Mr. CORNYN. I ask unanimous consent to reserve 15 minutes for my remarks out of the 24 available, and if I could get some notice from the chair when we approach that. I may not use that much; I may yield it back.

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

Mr. CORNYN. Thank you, Mr. President. The Violence Against Women Act will be reauthorized, at least in the Senate, by bipartisan consensus today. There are some different versions that will be offered. I am sure each side thinks theirs is an improvement over the alternative, and I will leave to Senator HUTCHISON and Senator GRASSLEY to address the improvements they have made over the bill that came out of the Judiciary Committee and the alternative they have proposed.

AMENDMENT NO. 2086

(Purpose: To amend title 18 of the United States Code and other provisions of law to strengthen provisions of the Violence Against Women Act and improve justice for crime victims)

Mr. CORNYN. Mr. President, I rise to speak on an amendment I have offered, and I ask unanimous consent at this time to call up amendment No. 2086 and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, reserving the right to object, and I do not believe I will object, is this based on the unanimous consent agreement that was entered into by the two leaders? I ask, through the Chair, the Senator from Texas, is this amendment No. 2086?

Mr. CORNYN. That is correct.

Mr. LEAHY. I do not object.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mr. CORNYN], for himself, Mr. KIRK, Mr. BENNET, Mr. MCCONNELL, and Mr. VITTER, proposes an amendment numbered 2086.

Mr. CORNYN. I ask unanimous consent that the reading of the amendment be dispensed with.

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

(The amendment is printed in the RECORD of Wednesday, April 25, 2012, under ''Text of Amendments.'')

Mr. CORNYN. This amendment I have offered in conjunction with Senator VITTER, Senator MCCONNELL, Senator MICHAEL BENNET from Colorado, and others is a bipartisan amendment which will make sure that more of the money contained in the funds the Congress appropriates to the Department of Justice will be used to test backlogged rape kit evidence that has not been tested. I know the jargon may be a little confusing, but basically what happens is when the law enforcement officials investigate a sexual assault, they take a rape kit to collect physical evidence and bodily fluids for DNA testing, among other types of tests.

It is a national scandal that we don't know how many untested rape kits there may be. In other words, criminal investigations take place where this critical evidence is acquired, but it never goes to a laboratory to be tested to identify the perpetrator of that sexual assault. It is estimated that there are as many as 400,000 untested rape kits across the country sitting either in laboratories or in police lockers, evidence lockers, that have not yet been forwarded for testing at a laboratory—400,000.

I heard a chilling statistic this morning from a young woman, Camille Cooper, who is the legislative director of an organization called PROTECT out of Knoxville, TN. This is an organization that commits itself to combating child sex crimes and to helping those victims get justice.

She said this morning in my presence that before law enforcement identifies a child sex crime perpetrator, on average they project as many as 27 children have already been sexually assaulted by this same person before law enforcement gets them on their radar. I mention that number—I can't vouch for the number, but I do trust her—I mention that because the reason these 400,000 estimated rape kits—critical evidence in a child or in an adult sexual assault case—if they are untested, that evidence cannot be used to then match up against the DNA data bank to get a hit to identify the perpetrator of the crime. By the nature of the crime, these are not one-time events. These are people who for some unknown reason tend to commit serial assaults against children and women. So it is even more necessary, more compelling, to identify them early because if we wait too long, we may either run into a statute of limitations and not be able to prosecute them for that crime but, even worse, in the interim, they are committing additional sexual assaults against other victims.

So it is absolutely critical that we get these rape kits tested—this physical evidence from sexual assault cases—as soon as we can and match it up against the DNA in these DNA data banks that are maintained by the FBI so we can identify the people who are committing these heinous crimes and get them off the streets sooner, so that future victims will be protected from those assaults. It is also important that a person who is suspected of one of these heinous crimes be exonerated if, in fact, the physical evidence will rule them out from having committed the crime.

My amendment to the underlying bill is included in the Hutchison-Grassley version. But in the event the Hutchison-Grassley version does not prevail today, I offer my amendment that will redirect more of the money—the $100 million that is appropriated by Congress under the Debbie Smith Act—to make sure this critical evidence is tested on a timely basis for the reasons I mentioned.

My amendment requires that at least 75 percent of the funds given out through grant programs by the Department of Justice be used for the core purpose of testing those rape kits. Also, 7 percent of those funds would be used to inventory the backlog.

To me, it is a scandal that we don't even know what the backlog consists of because there are actually two kinds of backlog cases: One is the case where the kit is already at the laboratory and it is a part of the backlog of the laboratory. But the hidden backlog consists of the rape test kits that are maintained in police lockers and have never been forwarded to the laboratory in the first place. Those are not typically part of this estimate of the backlog. The experts—the people who watch this area closely—estimate that if we count all of the untested kits that are evidence waiting for a laboratory to test them to match up with a perpetrator of these crimes, there could be as many as 400,000 of them untested by the labs in the backlog.

I know my colleague, Senator KLOBUCHAR, will be offering an alternative to my amendment. I ask unanimous consent to have printed in the RECORD at the end of my present remarks a letter from the Rape, Abuse and Incest National Network on those two competing amendments.

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

(See exhibit 1.)

Mr. CORNYN. I will not read the whole letter, which is addressed to me, but I will read parts of it:

I am writing to express RAINN's concern with the draft VAWA amendment by Sen. Klobuchar. Unlike the Cornyn amendment, we do not believe this draft amendment will make effective or positive improvements to the Debbie Smith Act.

Indeed, they conclude later in the letter:

Overall, we believe this amendment is largely symbolic and will not have the impact in reducing the backlog that we find in the Cornyn amendment.

Very quickly, there is no requirement in the Klobuchar amendment that audits actually have to be conducted. So, to me, that seems like a case of willful blindness to the size and scope of the backlogs and the problems.

There is no requirement in the Klobuchar alternative for a registry. In other words, there is no way the Department of Justice can make sure the money granted to law enforcement is actually used for the purpose for which the grant was intended, by creating a registry. In fact, the Klobuchar amendment actually diverts some of the funds from the core purpose of the Debbie Smith Act for the purpose of testing this critical evidence. It takes out a provision for administrative subpoenas to track unregistered sex offenders. It cuts some of the sentencing provisions in my amendment for people guilty of interstate child sex trafficking—children under 12 years of age—and it eliminates the sense-of-the-

Senate provision that I worked on with Senator MARK KIRK of Illinois condemning a Web site known as backpage.com, which has been identified in the New York Times and other places as a source of advertising for underage prostitution—something certainly worthy of our condemnation as a Senate.

So I will come back to talk about other aspects of this, but I hope my colleagues will look at the letter from RAINN, the largest antisexual violence organization in the United States, which says they believe the Klobuchar amendment is largely symbolic and does not do as much as the Cornyn amendment would to get at these perpetrators and to identify them for what they are.

EXHIBIT 1

RAPE, ABUSE & INCEST NATIONAL NETWORK,
Washington, DC, April 26, 2012.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SEN. CORNYN: I am writing to express RAINN's concern with the draft VAWA amendment by Sen. Klobuchar. Unlike the Cornyn amendment, we do not believe that this draft amendment will make effective or positive improvements to the Debbie Smith Act.

The Klobuchar amendment adds an additional purpose area to the Debbie Smith Act promoting inter-agency communication, potentially at the expense of reducing the backlog. Funds used for this section have the potential to be used for radios and other communication tools. While we can't speak to the need for such spending, we do know that this would not have a direct impact on the backlog and would not aid in solving cases. Unlike the Cornyn amendment, which nearly doubles the percentage of Debbie Smith funds that are spent on casework, this provision would divert money from labs and go against the congressional intent of the original bill.

In addition, this draft would allow the Justice Department to fund backlog audits, but would not designate funds specifically for that purpose. It would not establish a registry to allow the collection of data; would not establish any process for transparency; and would not provide the kind of comprehensive information that is needed to efficiently target Debbie Smith funds to the areas of greatest need. Finally, it strips out a number of provisions that were included at the request of law enforcement agencies, in order to ensure that their compliance would not be burdensome. The SAFER Act section of the Cornyn amendment has none of these defects, and has safeguards to ensure that funds spent on an audit and registry will not take away from funds spent on testing DNA evidence. Overall, we believe this amendment is largely symbolic and will not have the impact in reducing the backlog that we find in the Cornyn amendment.

RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotlines (800.656.HOPE and rainn.org), which have helped more than 1.7 million people since 1994. RAINN also carries out programs to prevent sexual assault, help victims, and ensure that rapists are brought to justice. For more information about RAINN, please visit www.rainn.org.

I appreciate your work on this issue, and encourage you to continue to push for adoption of the Cornyn amendment, which will make real, positive changes in the lives of victims.

Sincerely,

SCOTT BERKOWITZ,
President and Founder.

Mr. CORNYN. With that, Mr. President, I reserve the remainder of my time and yield the floor.

Mrs. HUTCHISON. Mr. President, what is the time allotment at present?

The PRESIDING OFFICER. The minority has 12½ minutes total.

Mrs. HUTCHISON. I thank the Chair.

The PRESIDING OFFICER. The majority has 12 minutes.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased to be here to join those of my colleagues who are urging that we come together this afternoon, and I am pleased we are going to see votes on the Violence Against Women Act to reauthorize the legislation as it has passed through the Judiciary Committee.

As we all know, domestic violence continues to be a serious problem across our country. In New Hampshire, nearly one in four women has been sexually assaulted. At least one-third of New Hampshire women have been victims of a physical assault by an intimate partner. More than one-half of all women in my State have experienced sexual or physical assault over the course of their lifetimes.

All of us share in an obligation to stop this epidemic, and VAWA is a proven tool in this fight. The real importance of this legislation lies not in the statistics but in hearing about those women who have been helped by the services that are provided by the Violence Against Women Act.

I have had a chance to visit several crisis centers around New Hampshire in the past few weeks, and I have met with the survivors and the advocates who depend on this funding. I went to a crisis center called Bridges in Nashua where I spoke with a survivor of domestic violence. She told me: When you are a victim of domestic violence, you think you are worthless. She said: There are so many times that I would have gone back to my abuser, except that I had the ability to call Bridges crisis line at 2 o'clock in the morning and talk to somebody who could help me so that I knew I was supported.

Because of the Violence Against Women Act, the Bridges program can operate and have a crisis line for 24 hours a day, 7 days a week. Because of the support she got through the Bridges program, this survivor is going back to college, she is free from abuse, and she is going to have a life that is saved because of programs that are supported by the Violence Against Women Act.

The law enforcement community has been very supportive of this legislation. They need this bill too. In New Hampshire, half of all murders are domestic violence related. I spoke to the chief of police in Nashua, our State's second largest city. He gets just $68,000 from the Violence Against Women Act funding, but that allows him to have a dedicated unit within the police department that can respond to domestic violence and sexual assault cases.

I heard from retired Henniker police chief Timothy Russell. He is a 37-year veteran in law enforcement, and he now travels around the State teaching police officers how to respond to domestic violence cases. It is funds from the Violence Against Women Act that allow him to conduct the specialized training so police officers can identify patterns of domestic abuse and prevent those situations from escalating. Officers are taught to maintain good relationships with crisis centers, and Chief Russell tells them: If you see a victim in trouble, get a counselor on the phone to talk to them. Tell them what their options are. Again, thanks to funding from the Violence Against Women Act, he has resources to bring this training throughout New Hampshire to police officers so they can help the victims.

I saw just this kind of cooperation and action when I visited the Family Justice Center in Rochester, NH, this week. They have made a multitude of services accessible in one place so victims do not have to go all over town or all over the county to get the help they need. They can see a counselor, get childcare assistance, and fill out an application for a protective order; women can even get their injuries treated and officially documented. They can get free legal help—all in this Family Justice Center, made possible by a Violence Against Women Act grant.

If we do not support this because it is the right thing to do—and I think it is—we should also support this legislation because it saves money. It is a cost-effective approach because, in addition to reducing crime, victims are less reliant on emergency rooms. They are less likely to need State assistance when they can connect with resources. They can get help with childcare and housing and get back on their feet and become productive citizens. This is the type of help every citizen deserves and ultimately makes us all safer.

I am also pleased to see there is particular language in this legislation that requires service providers to help any victim of domestic violence regardless of their race, religion, sexual orientation, or immigration status.

I think Sergeant Jill Rockey, whom I met when I was in Rochester at the Family Justice Center, put it best when she said:

> When someone calls for help in a domestic or sexual violence case, we don't ask if they are an immigrant or gay. We just go.

Well, hopefully, today we will respond in passing this bill with that same sense of urgency. Let's make sure we do not let victims, first responders, or our communities down. Let's give everyone the help they need and deserve. Let's pass this legislation today.

I yield the floor.

Mr. LEAHY. Mr. President, one of the hallmarks of the Violence Against

Women Act is the success it has had reducing violence against women across the country. Because we have made much progress over the past 18 years on domestic violence but have had less success with combating sexual assault, our bipartisan Leahy-Crapo bill takes important steps to increase the focus on sexual violence. As we were writing this bipartisan legislation, we consulted with the men and women who work with victims every day to develop a consensus bill that will help emphasize the need to further reduce the incidence of sexual assault. The administration and law enforcement groups like the National Association of Attorneys General, the National District Attorneys Association, the National Sheriffs' Association, and the International Association of Chiefs of Police understand and support our goals.

Unfortunately, while I do not doubt that Senator CORNYN shares our goals, the amendment he is offering can have the perverse affect of hindering progress on these issues. That is why there will be an amendment offering a better approach and a better way forward together. The alternative to the Cornyn amendment will allow us to make progress on to reduce the backlog in the testing of rape kits and other DNA samples, as I have always supported in the Debbie Smith Act. Accordingly, I will urge all Senators to reject the Cornyn amendment and support the alternative, which will complement the work we are doing by reauthorizing the Violence Against Women Act.

I point out that the provisions in the Cornyn amendment are duplicative of provisions in the Republican proposal offered by Senators HUTCHISON and GRASSLEY. The Senate is already voting on those provisions.

Further, Senator CORNYN, who is a member of the Judiciary Committee, did not offer his current amendment when the VAWA reauthorization was considered earlier this year. I offered an amendment on his behalf that the committee adopted on another issue.

Moreover, the separate issue of the Debbie Smith Act is part of a larger effort on which the Judiciary Committee is considering as we move to reauthorize the Justice for All Act that we passed with bipartisan support several years ago. Although we have made reduction of rape kit backlogs an additional use for which VAWA STOP grants funding may be used by State and local jurisdictions, this matter is on a separate legislative track.

I am not insisting or formality in this regard and have worked with other Senators on the alternative amendment that should be helpful to our goal of reducing the rape kit testing backlog. To make sure our work is successful, we will also need to pay careful attention to the standards for testing and the controversies surrounding those matters, however. Moreover, there is a risk of making money available that swamps the capacities for accurate testing. This is not as simply as throwing money at the problem. I have worked and remain hard at work on forensic reforms to ensure that our criminal justice system takes advantage of scientific advancements while remaining fair.

A concern with the Cornyn amendment is its mandating the diversion of 7 percent of Debbie Smith Act funding to create an unwieldy national database of rape kits. The amendment would also compel jurisdictions to undergo a burdensome process of entering information into that database without procedural safeguards to ensure its accuracy. These requirements would force state and local law enforcement to invest time and resources to comply with onerous and illogical reporting requirements and divert their focus from their core law enforcement mission of actually responding to calls and investigating sexual assault cases. It is no wonder that the National Association of Police Organizations opposes the Cornyn amendment.

The amendment also contains a number of criminal sentencing mandates that have no place in our VAWA bill. Victims' advocates like the National Task Force to End Sexual and Domestic Violence Against Women say its provisions ''would have a chilling effect on victim reporting and would not help hold perpetrators accountable.'' Victim advocates tell us that, particularly in cases where the perpetrator is known to the victim, these kinds of mandated sentences can deter victims from reporting the crimes and actually contribute to continuing abuse. Mandatory minimum sentences such as these also worsen prison overcrowding and budget crises at the Federal, State, and local level, and undermine our effective Federal sentencing system. The National Network to End Domestic Violence, the National Association to End Sexual Violence, the National Council Against Domestic Violence, and the National Congress of American Indians Task Force oppose these sentencing provisions.

There could be an extended Senate debate about whether mandatory minimums are good policy and the unintended consequence they may have of worsening abuse in domestic violence situations. That would be a long debate with strongly held views. That is not what the Violence Against Women Act is about. We should not complicate passage of this bipartisan measure with such matters beyond the scope and purpose of the bill. Such debates are for another time and other bills.

Our VAWA reauthorization bill should not be seen as a catch-all for all criminal proposals or sentencing mandates. There are other bills and other packages of bills that we are working on and hope to pass this year. Some may come up in the Justice for All Act is we are able to get Senate floor time for that measure. Some have come up on separate bills that are awaiting Republican clearance for Senate passage. Among those are a package of bills including the Strengthening Investigations of Sex Offenders and Missing Children Act, the Investigative Assistance for Violent Crimes Act, the Dale Long Public Safety Officers' Benefits Improvements Act, along with Finding Fugitives Sex Offenders Act from which the Cornyn Amendment takes its administrative subpoena provisions.

Let me turn to the Debbie Smith Act and a woman I admire very much. Debbie Smith is a survivor of a terrible crime who had to wait in terror for far too long before evidence was tested and the perpetrator was caught. She has worked tirelessly to make sure that other victims of sexual assault do not have to endure similar ordeals. I have been a proud supporter of the Debbie Smith DNA Backlog Grant Program since its creation, and I have worked with Senators of both parties, including Senators MIKULSKI and HUTCHISON on the Appropriations Committee, to see that it receives as much funding as possible each year. As I noted, although its authorization does not expire until 2014, I included an extension of its reauthorization in the Justice For All Reauthorization Act I introduced earlier this year. The Debbie Smith DNA Backlog Grant Program has been very successful in reducing evidence backlogs in crime labs, particularly in sexual assault cases. That is why I am glad that the alternative amendment will allow us to ensure that the program is authorized through 2017 at a level of $151 million a year.

Unfortunately, disturbing reports have emerged of continuing backlogs, with some cities finding thousands of untested rape kits on police department shelves. That means that there is more need than ever for the Debbie Smith Act but also that there must be increased emphasis on reducing law enforcement backlogs, where there has been less progress. That is why it is so important that alternative to the Cornyn amendment expands the Debbie Smith Act to allow law enforcement to obtain funding for the collection and processing of DNA evidence. Law enforcement burden is one of the key bottlenecks in the process at present. In contrast to the Cornyn amendment, the alternative calls for new national best practices and protocols for law enforcement handling of rape kits and for Justice Department assistance to law enforcement in addressing this continuing problem. This will help to make real progress in overcoming the last major hurdles in reducing backlogs of rape kits.

The amendment takes steps to ensure that more of the Debbie Smith Act funds are used directly for DNA evidence testing to reduce backlogs. That will make this key program even quicker and more effective in reducing backlogs. The Debbie Smith program is an important tool in the fight against sexual assault, and I hope all Senators will join us in reauthorizing and

strengthening it by rejecting the Cornyn amendment in favor of the alternative.

As I have said during this debate, we must do more to reduce sexual assault, and the bipartisan Leahy-Crapo bill focuses on that goal. I believe that Senator CORNYN's amendment will distract from the progress that is most helpful to victims, despite his good intentions. I urge Senators to vote against the Cornyn amendment and support the alternative to expedite improvements to the Debbie Smith Act to reduce the backlog of untested rape kits and other DNA evidence.

The PRESIDING OFFICER (Mrs. SHAHEEN). The Senator from Texas.

AMENDMENT NO. 2095

(Purpose: In the nature of a substitute)

Mrs. HUTCHISON. Madam President, I rise to speak on behalf of my substitute amendment along with Senator GRASSLEY and other cosponsors, and I call up the amendment, No. 2095.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON], for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, and Mr. CORKER, proposes an amendment numbered 2095.

Mrs. HUTCHISON. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mrs. HUTCHISON. Madam President, the substitute amendment is a bill that takes the good parts and the important parts of the reauthorization of the Violence Against Women Act that I think are universal—the parts that have passed unanimously through Congress in recent years, starting 16 years ago—but the substitute also strengthens the bill. I am glad we are going to get a chance to vote on something that will strengthen it because there are some areas where the underlying bill is not as strong as our substitute bill, amendment No. 2095, would be, especially in the area of abuse of children and child pornography and child sex trafficking. This is our most vulnerable victim: the child who is abused.

I want to read from some of the national organizations for victims as they write about this important aspect which is included in our bill but not covered as well in the underlying bill.

The National Center for Missing and Exploited Children, with whom I have worked to try to get the AMBER Alert system to be relevant across State lines—where we have actually saved, we believe, 550 children who have been abducted and taken across State lines—because of the quick action of the AMBER Alert system, they have been able to be safely brought back home. The National Center for Missing and Exploited Children says:

. . . possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have . . . testified, child protection measures must also include the ability to locate non-compliant registered sex offenders. . . . The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if they had the authority to serve administrative subpoenas. . . .

Now, that is key because it is covered in our substitute. It is covered in Senator CORNYN's amendment. It is not covered in either the underlying Leahy bill nor in Senator KLOBUCHAR's side-by-side. So this is a major area of strengthening that this very important victims' rights organization is supporting.

Shared Hope International is another children's advocate organization that says:

Child pornography is one form of child sex trafficking and is too often intertwined with the other forms of sexual exploitation, which include prostitution and sexual performance. Stiffer penalties will bring greater deterrence and justice for the victims.

Then, RAINN, which is the largest victims' rights organization for sexual assault, says:

Thank you . . . for including the SAFER Act—

Which is Senator CORNYN's amendment.

. . . . We are grateful for your leadership in the battle to prevent sexual violence and prosecute its perpetrators.

Then, PROTECT also says:

. . . the apologists for child pornography traffickers deny the pain and harm done by possessors of these images.

They go on further to say:

. . . ''simple processors''—

Which would mean people who have this and have it on their computers and sell it—

fuel the market for more and more crime scene recordings of children being raped, tortured and degraded.

Now, these are people who are for the Cornyn amendment, and they are for the protection we have in the substitute.

It is so important we strengthen this area to try to protect our most vulnerable victims. That is one area where strengthening can make such a difference. The Marshals Service being able to have administrative subpoenas will allow them to track even known sexual predators who have fled and you have a hard time finding them.

I gave an illustration this morning of two children who were abducted by a known sexual predator, but they did not have the administrative ability to find that sexual predator, and he ended up killing one of the children, the children's mother, the mother's boyfriend, and another relative.

In the underlying bill, the mandatory sentences are days. We have a minimum mandatory 1-year sentence for a crime of having pornography that shows 8- to 10-year-old girls being raped. Now, I would think a 1-year minimum sentence for that kind of promotion of this degradation of children would be something all of us could support.

I heard people on the floor say our substitute does not fully cover some areas, such as Indian women. Well, our bill assures that Indian women are going to have the protections in a constitutional way so the bill is not thrown out. Indian women on reservations are particularly vulnerable, and my colleague, Senator MURKOWSKI, has told me that in Alaska they do not have reservations to a great extent, but they do have a record of abuse of Indian women, and we need to protect them.

We do it in a constitutional way in our substitute, and I think that protection is very important. It has been determined by several organizations—criminal justice organizations—that the underlying bill is not constitutional and would not work for Indian women.

It has been asserted on the Senate floor that we do not protect victims of same-sex sexual violence, but we do. We neutralize in our bill any reference or discrimination. In fact, I will read the language of our bill:

No person in the United States shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under [this act].

We cover every person who is a victim under this bill. I have been made aware through very sad stories of the need to protect men as well, as victims of same-sex domestic violence. Men who have been gang raped are less likely to report it because of a shame they feel, and it is a different aspect than we have dealt with in previous Violence Against Women Act bills. But it is real and we do need to cover that. We do in the substitute bill, absolutely fully. We cover victims of domestic violence in our bill, and that is what is important to all of us.

Immigrant women who are illegal have the same protections they have had in every Violence Against Women Act that has been passed over the last 16 years. So we do not change that. We do not change the authorization levels.

So all of these—along with our strengthening of the bill with the Marshals Service's ability to get administrative subpoenas, as well as the minimum sentences that are so very important—make our bill the right alternative.

I have said before that I feel so strongly about this issue that I intend to vote for, of course, my amendment, which I think is strengthening; most certainly for Senator CORNYN's amendment, which is a strengthening amendment to the underlying bill—it is included in our substitute as well; Senator CORNYN is another cosponsor, as is

Senator MCCONNELL, of the substitute—but I intend to vote for the underlying bill even with its flaws because I wish to make sure there is no cutting off of the aspect of this most important legislation because of the time limit of our action.

The PRESIDING OFFICER. The minority has 3 minutes remaining reserved for the junior Senator from Texas.

Mrs. HUTCHISON. If the Senator wishes to speak further, I am happy to yield.

Mr. CORNYN. I will be glad to yield to Senator HUTCHISON 2 of these 3 minutes remaining.

Mrs. HUTCHISON. I thank the Senator. I would just say I have had a long record in this area. When I was a member of the State legislature, Texas passed the most far-reaching protection for victims of rape in the whole country. I was the lead sponsor of that bill. When we passed it in 1975, it then became the model other States used to strengthen the laws to help these victims.

One day, just in this last year, I was at a grocery store in Dallas, TX. A woman came up to my truck I was driving, knocked on the window. I had no idea what she was going to say, but I rolled down the window. She said: Senator HUTCHISON, thank you for the bill you passed in Texas in 1975—because I was a victim of rape, and I would not have gone forward without your protections. But I did and that man was sent to prison.

That is what we are here for, and that is why I have this strong substitute.

The PRESIDING OFFICER. The junior Senator from Texas.

Mr. CORNYN. Madam President, I have letters in support of the legislation we have talked about, the SAFER amendment, the alternative to the Klobuchar amendment, from the National Center for Missing and Exploited Children, from Arrow Child and Family Ministries, from the Rape, Abuse and Incest National Network, and from PROTECT. I ask unanimous consent that all those letters be printed in the RECORD following my remarks.

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

(See exhibit 1.)

Mr. CORNYN. I wish to talk about one aspect of Senator HUTCHISON's legislation that is also included in my stand-alone amendment. This is the administrative subpoena authority. Because this has been taken out of the Klobuchar alternative, it is not in underlying Leahy bill.

What happens is sex offenders are required to register. If they do not register, they are much more likely to commit future acts of sexual assault and abuse, particularly against children. As a matter of fact, one of the biggest indicators that someone is likely to reoffend is when they do not register. So what the Hutchison bill does, what my bill does, is give U.S. marshals the administrative subpoenas to collect records and information to help identify these unregistered sex offenders and to protect future victims from their sexual assault.

Because if they are registered, if they are identified, they are much less likely to reoffend and commit further acts of sexual abuse. We all want to see this legislation pass. But I would just reiterate for my colleagues' benefit, the letter we received from the Rape, Abuse and Incest National Network that said the alternative to my amendment that will be offered—that the alternative is largely symbolic and will not have the impact of reducing the impact we find in the Cornyn amendment.

I would ask my colleagues to support the amendment and to support certainly Senator HUTCHISON's amendment. I commend her for her great work on this subject.

EXHIBIT 1

NATIONAL CENTER FOR MISSING & EXPLOITED CHILDREN,
Alexandria, VA, April 26, 2012.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate,
Washington, DC.

DEAR SENATOR HUTCHISON: As you know, the National Center for Missing & Exploited Children (NCMEC) addressed the issue of sentencing for federal child pornography crimes in our testimony before the Senate Judiciary Committee in March 2011. The 1.4 million reports to NCMEC's CyberTipline, the Congressionally-authorized reporting mechanism for online crimes against children, indicate the scope of the problem. These child sex abuse images are crime scene photos that memorialize the sexual abuse of a child. Those who possess them create a demand for new images, which drives their production and, hence, the sexual abuse of more child victims to create the images.

Despite the heinous nature of this crime, the federal statute criminalizing the possession of child pornography has no mandatory minimum sentence. This, combined with the advisory nature of the federal sentencing guidelines, allows judges to impose light sentences for possession. Congress passed mandatory minimum sentences for the crimes of receipt, distribution, and production of child pornography. We don't believe that Congress intended to imply that possession of child pornography is less serious than these other offenses. NCMEC feels strongly that possession of child pornography is a serious crime that deserves a serious sentence. Therefore, we support a reasonable mandatory minimum sentence for this offense.

As we have previously testified, child protection measures must also include the ability to locate non-compliant registered sex offenders—offenders who have been convicted of crimes against children yet fail to comply with their registration duties. The U.S. Marshals Service is the lead federal law enforcement agency for tracking these fugitives. Their efforts would be greatly enhanced if the had the authority to serve administrative subpoenas in order to obtain Internet subscriber information to help determine the fugitives' physical location and apprehend them.

Thank you for your efforts to protect our nation's children.

Sincerely,

ERNIE ALLEN,
President and CEO.

ARROW CHILD & FAMILY MINISTRIES,
April 25, 2012.

DEAR SENATOR CORNYN: Arrow Child & Family Ministries supports the proposed ''Justice for Victims Amendment'' to S. 1925. VAWA Reauthorization is of critical importance to victims of sexual assault, stalking, domestic and dating violence and your proposed amendment will provide additional protections and accountability to victims.

As a provider of foster care services in Texas, California, Pennsylvania and Maryland, Arrow sees first-hand the impact domestic and sexual violence has on families and society's youngest victims—children. Arrow is also engaged in helping victims of child sex trafficking with the opening of Freedom Place, a long-term comprehensive care facility located in Texas for underage American girls who have been bought and sold as sex slaves. The average age of these girls is 12 to 13 years old. Once they become victims, their life expectancy is only seven years. This is not just an international problem. Thousands of girls and boys from towns and cities across America are victims. In fact, according to the National Incidence Studies of Missing, Abducted, Runaway and Throwaway Children, an estimated 1 out of every 3 children who run away is lured into sex trafficking within 48 hours of leaving home.

Our children are in crisis and we thank Senator Cornyn for his willingness to toughen sentencing for some of the worst sex offenders, and call on Backpage.com to remove part of its website that has been linked to child sex trafficking.

Respectfully,

MARK TENNANT,
Founder and CEO.

RAPE, ABUSE & INCEST NATIONAL NETWORK,
Washington, DC, March 23, 2012.

Hon. JOHN CORNYN,
U.S. Senate,
Washington, DC.

DEAR SEN. CORNYN: I am writing to express RAINN's strong support for the Justice for Victims Amendment, which will strengthen the Violence Against Women Reauthorization Act and have a tremendously positive impact on how our nation's criminal justice system responds to—and prevents—sexual violence.

One out of every six women and one in 33 men are victims of sexual assault—20 million Americans in all, according to the Department of Justice. Rapists tend to be serial criminals, often committing many crimes before they are finally caught; and only about 3% of rapists will ever spend a single day in prison.

First, this amendment will help eliminate the DNA evidence backlog by ensuring that 75% of DNA spending goes directly to solve cases, a big improvement over current practice. It will also establish the Sexual Assault Forensic Evidence Registry, which will bring transparency, efficiency and accountability to the DNA backlog problem and allow policymakers to closely track local backlogs and prioritize testing. The amendment will also ensure that criminals convicted of severe crimes of violence against women receive a just punishment, and ensure that fugitive sex offenders are swiftly identified and located. If enacted, these provisions will lead to more successful prosecutions, more violent criminals behind bars, and safer communities.

RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotlines (800.656.HOPE and rainn.org), which have helped more than 1.6 million people since 1994. RAINN also carries out programs

to prevent sexual assault, help victims, and ensure that rapists are brought to justice. For more information about RAINN, please visit www.rainn.org.

Thank you for introducing the Justice for Victims Amendment. We believe this amendment will greatly enhance VAWA and result in a stronger, more effective bill. We are grateful for your unflagging leadership in the battle to prevent sexual violence and prosecute its perpetrators, and we look forward to working with you to encourage passage of this important amendment and to reauthorize VAWA.

Sincerely,

SCOTT BERKOWITZ,
President and Founder.

PROTECT,
Knoxville, TN, April 16, 2012.

Hon. JOHN CORNYN,
517 Hart Senate Office Bldg.,
Washington, DC.

DEAR SENATOR CORNYN: I am writing to express PROTECT's strong support for the Justice for Victims Amendment.

This amendment to the Violence Against Women Act will create needed penalty enhancements for several crimes, including child trafficking and domestic violence. It would also begin to address the nation's outrageous and unacceptable backlog of rape kits, by reforming how the Justice Department allocates existing resources.

PROTECT has members in all 50 states and around the world. As you know, we have focused on addressing the magnitude of online child exploitation. The PROTECT our Children Act of 2008, which we initiated (and which had 61 Senate sponsors) exposed the magnitude of this problem both domestically and abroad and mandated increased transparency and accountability by the U.S. Department of Justice and the agencies it funds.

We also want to thank you for including an important provision granting the US Marshals Service administrative subpoena power to track unregistered sex offenders. Since 1993, the national trend to use public registration in lieu of meaningful containment and supervision has threatened community safety. Aggressively pursuing those who fail to comply is thus an especially valuable public safety strategy. PROTECT is intimately familiar with the work of the Service and can attest to the hard work and success that office has tracking and apprehending child predators.

We thank you for continued leadership in the battle to protect American Children. The Justice for Victims Amendment is a much-needed advance in this battle. We look forward to working with you to secure passage of this amendment to champion the re-authorization of VAWA.

Sincerely,

GRIER WEEKS,
Executive Director.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, how much time is remaining on each side?

The PRESIDING OFFICER. There is 6 minutes 20 seconds for the majority.

Mr. LEAHY. How much on the other side?

The PRESIDING OFFICER. Zero.

Mr. LEAHY. Mr. President, the Leahy-Crapo Violence Against Women Reauthorization Act is based on months of work with survivors, advocates, and law enforcement officers from all across the country.

We listened when they told us what was working and what could be improved. We took their input seriously, and we carefully drafted our legislation to respond to those needs.

Our bill is supported by more than 1,000 Federal, State, and local organizations. They include service providers, law enforcement, religious organizations, and many, many more.

There is one purpose and one purpose only for the bill that Senator CRAPO and I introduced, and that is to help and protect victims of domestic and sexual violence. Our legislation represents the voices of millions of survivors and their advocates all over the country.

The same cannot be said for the Republican proposal brought forward in these last couple of days. That is why the Republican proposal is opposed by so many and such a wide spectrum of people and organizations.

The National Task Force to End Sexual and Domestic Violence Against Women, which represents dozens of organizations from across the country says: ''The Grassley-Hutchison substitute was drafted without input or consultation from the thousands of professionals engaged in this work every day.

The substitute includes damaging and unworkable provisions that will harm victims, increase costs, and create unnecessary inefficiencies.'' Although well-intentioned, the Republican proposal is no substitute for the months of work we have done in a bipartisan way with victims and advocates from all over the country.

I regret to say that the Republican proposal undermines core principles of the Violence Against Women Act. It would result in abandoning some of the most vulnerable victims and strips out key provisions that are critically necessary to protect all victims—including battered immigrants, Native women, and victims in same sex relationships.

The improvements in the bipartisan Leahy-Crapo Violence Against Women Reauthorization Act are gone from the Republican proposal. It is no substitute and does nothing to meet the unmet needs of victims.

The Republican proposal fundamentally undermines VAWA's historic focus on protecting women. It literally calls for removing the word ''women'' from the largest VAWA grant program. Women are still victimized at far higher rates, and with a far greater impact on their lives, than men. Shifting VAWA's focus away from women is unnecessary and harmful.

The Republican proposal would send a terrible message. There is no reason to turn the Violence Against Women Act inside out and eliminate the focus on the victims the bill has always been intended to protect.

Our Leahy-Crapo bipartisan bill, by contrast, does not eliminate the focus on violence against women, but increases our focus to include all victims of domestic violence and sexual assault.

The Republican proposal strips out critical protections for gay and lesbian victims. The rate of violence in same sex relationships is the same as the general population, and we know that victims in that community are having difficulty accessing services.

To strip out these critical provisions is to turn our backs on victims of violence. That is not the spirit of VAWA. We understand that a victim is a victim is a victim, and none of them should be excluded or discriminated against.

The Republican proposal would extend and institutionalize that discrimination. The Republican proposal should be rejected.

The Republican proposal also fails to adequately protect Tribal victims. Domestic violence in tribal communities is an epidemic. Four out of five perpetrators of domestic or sexual violence on Tribal lands are non-Indian and currently cannot be prosecuted by tribal governments.

If you need more convincing of this problem, listen to the senior Senator from Washington and the Senators from New Mexico, Montana, Alaska and Hawaii who have spoken so compellingly to the Senate about these concerns and who strongly support the provisions in the bipartisan Leahy-Crapo bill.

The Republican proposal is no real alternative to fix the jurisdictional loophole that is allowing the domestic and sexual violence against Native women to go undeterred and unremedied. Its proposal offers a false hope, a provision that purports to allow a tribe to petition a Federal court for a protective order to exclude individuals from tribal land. It does not even allow the victim herself to request the order, and it does nothing to ensure that a violent offender is held accountable.

This is a false alternative. It is not what the Justice Department has suggested. It is not what the Indian Affairs Committee has supported. It will do next to nothing and is no answer to the epidemic of violence against Native women.

The Republican proposal also abandons immigrant victims and disregards law enforcement requests for additional U visas, a law enforcement tool that encourages immigrants to report and help prosecute crime. To the contrary, the Republican proposal would add dangerous restrictions on current U visa requirements that could result in that tool being less effective.

The U visa process already has fraud protections. For law enforcement to employ U visas, law enforcement officers must personally certify that the victim is cooperating with a criminal investigation. The new restrictions the Republican proposal seeks to add will discourage victims from coming forward and will hinder law enforcement's ability to take violent criminals off the street.

I will be offering an amendment to offset the minimal additional costs associated with our increasing the number of U visas that can be used. With

that amendment the bipartisan Leahy-Crapo bill will not ''score'' and will be deficit neutral.

The Republican proposal also would add burdensome, unnecessary and counterproductive requirements that would compromise the ability of service providers to maximize their ability to reach victims. In contrast, the bipartisan Leahy-Crapo accountability provisions ensure the appropriate use of taxpayer dollars without unnecessary regulatory burdens.

It is all the more ironic that the Republican proposal would add massive, new bureaucratic requirements to service providers who are understaffed and operating on shoestring budgets like most small businesses and nonprofits. These requirements are unnecessary and would add significant costs to victim service providers, undercutting their ability to help victims.

It is easy to call for audits, but without proper resources and focus, such demands could be counterproductive and lead to decreased accountability. The bipartisan Leahy-Crapo bill, by contrast, includes targeted accountability provisions.

While I have been willing to accommodate improvements to this legislation from day one, I have also been clear that I will not abandon core principles of fairness. Regrettably, that is what the Republican proposal would result in doing. It would undermine the core principle of VAWA to protect victims—all victims—the best way we know how. Our bill is focused on VAWA and improvements to meet the unmet needs of victims.

It is not a catch-all for all proposals for criminal law reform, for sentencing modifications. There are other bills and other packages of bills that we are working on and hope to pass this year. We should not complicate passage of this bipartisan measure with such matters beyond the scope and purpose of the bill. Such debates are for another time and other bills.

I urge all Senators to join together to protect the most vulnerable victims of violence, including battered immigrant women assisting law enforcement, Native American women who suffer in record numbers, and those who have traditionally had trouble accessing services.

A victim is a victim is a victim. They all deserve our attention and the protection and access to services the bipartisan Leahy-Crapo bill provides.

The path forward is to reject the Republican proposal, which is no alternative to the bipartisan Leahy-Crapo bill. Let us move forward together to meet the unmet needs of victims.

I would just say that the Leahy-Crapo bill does not eliminate the focus on violence against women; it protects women, unlike the Republican proposal which strips out so many aspects.

Our bill is inclusive. Theirs is exclusive. A victim is a victim is a victim. We do not exclude anybody. As the distinguished Senator from New Hampshire said earlier today: They do not ask who the victim is when there is a victim.

With my remaining time, I yield 2 minutes to the Senator from New Jersey and the remaining time to the Senator from Minnesota, Ms. KLOBUCHAR.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I wish to salute the distinguished chairman of the Judiciary Committee for the incredible work he has done to bring us to this moment.

I held a roundtable in New Jersey with about 35 organizations that deal with the challenge of violence against women. They unequivocally expressed their support for what we are doing here today and the importance in the lives of women whom they deal with every day.

I know my friends on the other side of the aisle are trying to strip provisions that protect women from discrimination and abuse in certain categories. In my view, violence against any woman is still violence. The Nation has been outraged about violence against women for almost two decades. We have seen the violence. We continue to fight against it. We have tried to end it. In my mind, there is no doubt—and I would find it very hard to understand why anyone would stand in the way of denouncing violence against any woman, no matter who they are, no matter what their class is.

I am hard-pressed to understand why anyone would choose to exclude violence against certain women; turn back the clock to a time when such violence was not recognized, was not a national disgrace, and make a distinction when and against whom such violence meets our threshold of outrage. In my mind, there can be no such threshold, no such distinction. Violence against any woman is an outrage, plain and simple.

The reauthorization of the Violence Against Women Act does not just affect those who are here or might become victims of sexual violence or domestic violence; it affects all of us. Nearly one in five women report being the victim of a rape or an attempted rape. One in six report being stalked. One in four women report having been beaten by their partner. Of those who report being raped, 80 percent report being raped before the age of 25.

The short-term physical and emotional trauma of such an event cannot be overstated. That is why it is critical we pass VAWA as the committee has moved forward.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 2094 TO AMENDMENT NO. 2093

Ms. KLOBUCHAR. Madam President, I call up amendment No. 2094.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Minnesota [Ms. KLOBUCHAR] proposes an amendment numbered 2094 to amendment No. 2093.

Ms. KLOBUCHAR. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide Debbie Smith grants for auditing sexual assault evidence backlogs)

At the appropriate place, insert the following:

SEC. ____. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following:

''(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

''(7) To ensure that the collection and processing of DNA evidence from crimes, including sexual assault and other serious violent crimes, is carried out in an appropriate and timely manner.

''(8) To ensure effective communication among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested.'';

(2) in subsection (c)(3)(B)—

(A) by striking ''2014'' and inserting ''2017''; and

(B) by striking ''40'' and inserting ''70'';

(3) by striking subsection (j) and inserting the following:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for grants under this section $151,000,000 for each of fiscal years 2013 through 2017.''; and

(4) by adding at the end the following:

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall, not later than 1 year after receiving such grant, complete the audit described in paragraph (1)(A) in accordance with the plan submitted under such paragraph.

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

''(4) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) POSSESSION.—

''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

''(o) DEVELOPMENT OF PROTOCOLS AND PRACTICES.—

''(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011 the Director of the National Institute of Justice, in consultation with Federal, State, and local government laboratories and law enforcement agencies, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence.

''(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

''(3) DEFINITION OF BACKLOG FOR DNA CASE WORK.—The Director shall develop and publish a definition of the term 'backlog for DNA case work' for purposes of this section—

''(A) taking into consideration the different stages at which a backlog may develop, including the investigation and prosecution of a crime by law enforcement personnel, prosecutors, and others, and the laboratory analysis of crime scene samples; and

''(B) which may include different criteria or thresholds for the different stages.''.

Ms. KLOBUCHAR. I thank Senator CORNYN and Senator HUTCHISON for their words and their work. I rise to discuss my amendment that would respond to the problems we are seeing with rape kit backlogs, which Senator CORNYN has identified, while also reforming what we know is working well on this issue.

This amendment would amend the Debbie Smith Act, which, similar to the Violence Against Women Act, has a history of bipartisan support. The Debbie Smith Act, as you know, was enacted in 2004. It was named after a courageous survivor of sexual assault.

What this amendment does is to basically increase the percentage of Debbie Smith grant funds that are available for use in testing the backlog of rape kits. We raise the current percentage of 40 percent up to 70 percent. So it is a significant change.

The amendment also asks the National Institute of Justice to develop protocols to help law enforcement with sexual assault cases and to provide technical assistance and training to law enforcement and local governments. The amendment also allows funds to be used for auditing rape kit backlogs, which is one of the important issues Senator CORNYN's amendment addresses.

The difference between Senator CORNYN's amendment and my amendment is that mine does not mandate that a minimum percentage of funds be used for audit. Senator CORNYN's amendment also has provisions such as subpoena authority for U.S. marshals who are tracking fugitive sex offenders that I have supported in the past and I will continue to support in the future. I will be glad to work with Senator CORNYN and Chairman LEAHY and others to get this done and to look for an appropriate vehicle to address this issue.

But today is about passing VAWA without delay. We have worked on the Judiciary Committee for 1 month with every group that wanted to have a say in the reauthorization of VAWA, and we have worked closely with all on the committee. As you know, Senator CRAPO has been the long-time Republican coauthor of this bill. We have a number of Republican supporters. I wish to end with the words of Paul Wellstone, who once served in the Senate on behalf of the State of the Minnesota, who was a fierce advocate for the Violence Against Women Act.

He said this:

What are we waiting for? Too many have spoken with their voices and with their lives, and this violence must end.

Let's get the Violence Against Women Act done.

I yield the floor.

Mr. LEAHY. Madam President, we are about to vote. This is a time for both Republicans and Democrats to come together and say what we all know in our heart: We oppose violence against women. Let's say it not just in our heart, let's say it in legislation—good legislation.

Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

Mr. LEAHY. Madam President, which is the first amendment to be considered?

The PRESIDING OFFICER. The question is on agreeing to the Klobuchar amendment, No. 2094.

Mr. LEAHY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WEBB) is necessarily absent.

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

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

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 84 Leg.]

YEAS—57

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

NAYS—41

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Paul
Blunt	Hatch	Portman
Boozman	Hoeven	Risch
Burr	Hutchison	Roberts
Chambliss	Inhofe	Rubio
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	Lugar	Wicker
DeMint	McCain	

NOT VOTING—2

Kirk Webb

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2086

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2086, offered by the Senator from Texas, Mr. CORNYN.

The Senator from Texas.

Mr. CORNYN. Madam President, for those who supported the Klobuchar amendment, here is your last chance to make sure more money under the Debbie Smith Act is appropriated and directed toward solving the 400,000 untested rape kits backlogged in this country that is nothing short of a national scandal.

We know the people who commit these sexual assault crimes are serial offenders. If we don't catch them early, more people are going to get hurt. The best way to catch them is to collect this DNA, match it against banked DNA, and take them off the street, and to exonerate those who may be under suspicion but who are innocent.

I hope my colleagues will support this amendment. It has the support of the Rape Abuse and Incest National Network, and it has administrative subpoenas to track down unregistered sex offenders who are more likely to commit crimes against children and other innocent victims. Please vote for this amendment. It will strengthen the Violence Against Women Act and you can be proud of your vote.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, we have been able to get very good progress on the rape kit backlogs in the Leahy-Crapo bill. I wish we had passed the Klobuchar amendment. The Cornyn amendment is well intentioned, but it will undermine, rather than enhance, the progress we have made.

The Cornyn amendment will divert funding from the Debbie Smith rape kit backlog reduction program. Let me repeat: It will divert funding from the Debbie Smith rape kit backlog reduction program to create an unwieldy national database of rape kits. It could force State and local law enforcement to invest time and resources to comply with onerous and illogical reporting requirements instead of actually responding to calls and investigating sexual assault cases.

Key victims' groups have opposed it, saying all the things it adds in here—the things we have taken care of to help victims—would actually hurt them. It creates new mandatory minimum penalties that victims' groups say will have the opposite effect of what we want by deterring abused women from reporting violence and sexual assault crimes. And I strongly oppose it.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. MENENDEZ. I ask for the yeas and nays.

Mr. CORNYN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Virginia (Mr. WEBB) is necessarily absent.

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

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 85 Leg.]

YEAS—50

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Bennet	Hatch	Paul
Blunt	Heller	Portman
Boozman	Hoeven	Risch
Brown (MA)	Hutchison	Roberts
Burr	Inhofe	Rubio
Chambliss	Isakson	Sessions
Coats	Johanns	Shelby
Coburn	Johnson (WI)	Snowe
Cochran	Kyl	Tester
Collins	Lee	Thune
Corker	Lieberman	Toomey
Cornyn	Lugar	Vitter
Crapo	McCain	Wicker
DeMint	McCaskill	

NAYS—48

Akaka	Gillibrand	Murray
Baucus	Hagan	Nelson (NE)
Begich	Harkin	Nelson (FL)
Bingaman	Inouye	Pryor
Blumenthal	Johnson (SD)	Reed
Boxer	Kerry	Reid
Brown (OH)	Klobuchar	Rockefeller
Cantwell	Kohl	Sanders
Cardin	Landrieu	Schumer
Carper	Lautenberg	Shaheen
Casey	Leahy	Stabenow
Conrad	Levin	Udall (CO)
Coons	Manchin	Udall (NM)
Durbin	Menendez	Warner
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden

NOT VOTING—2

Kirk Webb

The PRESIDING OFFICER (Mr. BLUMENTHAL). Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

AMENDMENT NO. 2095

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate, equally divided, prior to a vote on amendment No. 2095, offered by the Senator from Texas.

Mrs. HUTCHISON. Mr. President, No. 2095 takes the part of the bill that reauthorizes the Violence Against Women Act and continues those, but it does important things that are not in the underlying bill:

No. 1, a mandatory minimum sentence of 5 years for aggravated sexual assault through the use of drugs or otherwise rendering the victim unconscious is not in the underlying bill. It is in our substitute.

No. 2, it grants administrative subpoena power to U.S. Marshals so they can have the ability to quickly find a known sexual predator. This has been cited by the National Center for Missing and Exploited Children as a key part of the need to help get these offenders when they are going to prey on children. It is not in the underlying bill; it is in ours.

It protects Indian women on reservations in a constitutional way. The underlying bill has been questioned as to constitutionality by the Congressional Research Service.

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

Mrs. HUTCHISON. And it also does what the Cornyn and Klobuchar amendments attempted to do and assure that we get this backlog of people who have committed rape off the streets.

Please support this amendment.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, the reason why so many people across the political spectrum support the Leahy-Crapo bill and the reason they oppose this amendment is it is going to remove the historic emphasis of women in VAWA. The improvements we have made in the bipartisan Leahy-Crapo bill are gone from the Republican proposal. There is only one real Violence Against Women Act reauthorization, and this is not it. It undermines core principles. It abandons some of the most vulnerable victims. It strips key provisions that are critically necessary to protect all victims, including battered immigrants, Native women, and victims of same-sex relationships.

I hope my colleagues will strongly and roundly defeat this alternative. It guts the Violence Against Women Act reauthorization.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. HUTCHISON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

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

The result was announced—yeas 37, nays 62, as follows:

[Rollcall Vote No. 86 Leg.]

YEAS—37

Alexander	Graham	McConnell
Ayotte	Grassley	Moran
Barrasso	Hatch	Portman
Blunt	Heller	Risch
Boozman	Hoeven	Roberts
Burr	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coats	Isakson	Thune
Cochran	Johanns	Toomey
Corker	Johnson (WI)	Vitter
Cornyn	Kyl	Wicker
Crapo	Lugar	
Enzi	McCain	

NAYS—62

Akaka	Gillibrand	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Paul
Bennet	Inouye	Pryor
Bingaman	Johnson (SD)	Reed
Blumenthal	Kerry	Reid
Boxer	Klobuchar	Rockefeller
Brown (MA)	Kohl	Rubio
Brown (OH)	Landrieu	Sanders
Cantwell	Lautenberg	Schumer
Cardin	Leahy	Shaheen
Carper	Lee	Snowe
Casey	Levin	Stabenow
Coburn	Lieberman	Tester
Collins	Manchin	Udall (CO)
Conrad	McCaskill	Udall (NM)
Coons	Menendez	Warner
DeMint	Merkley	Webb
Durbin	Mikulski	Whitehouse
Feinstein	Murkowski	Wyden
Franken	Murray	

NOT VOTING—1

Kirk

The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

Mr. LEAHY. Mr. President, I wish to commend and thank Senator KLOBUCHAR, Senator MIKULSKI, Senator BOXER, and Senator CANTWELL for their outstanding statements earlier today in support of our bipartisan Violence Against Women Reauthorization Act. Their contributions to the bill and their leadership have been essential. They have spoken often and consistently about this legislative priority. They bring their experiences and years of work on these matters to this effort.

I also wish to commend the statements made by Senators from both sides of the aisle yesterday as the Senate began consideration of the bill. I have always enjoyed working with the senior Senator from Texas and recall how we worked together to pass our Amber Alert legislation in record time. As I have said, we have included the Klobuchar-Hutchison provision updating Federal antistalking legislation in our bill from the outset. I appreciate her saying that she ''is going to support'' the Leahy-Crapo bill. Likewise, I

have supported giving the Republican proposal a Senate vote, although I have explained why I will vote against it.

I thought the statements by the majority leader, Senator BEGICH, Senator UDALL of New Mexico, Senator TESTER, Senator GILLIBRAND, Senator SCHUMER, as well as Senator HELLER were strong and compelling.

We now have the opportunity to consider our amendment to improve upon the bill. Our amendment continues to focus on protecting victims. By way of our amendment, we can fix a ''scoring'' problem by adding an offset for the measures in the bill that the Congressional Budget Office determined after its technical analysis would result in affecting budget. That amendment should keep the measure budget neutral. We also are pleased to include provisions suggested by Senators MURKOWSKI and BEGICH to correct the manner in which Alaska is affected by the tribal provisions in the bill. We worked with them on the initial language and are pleased to continue that bipartisan cooperation. These are additional steps we can take to make sure we pass the best possible legislation we can.

It has been a pleasure to work with Senator CRAPO over the last many months to reauthorize and improve the Violence Against Women Act. We have been committed to an open, bipartisan process for this legislation from the beginning. This amendment I am offering continues that process and incorporates further important suggestions we have received from both sides of the aisle.

The substitute makes modest changes to the tribal provisions to further protect the rights of defendants. These changes are in response to concerns raised by Senator KYL and others, and I am happy to make them. The substitute also responds to concerns raised by Senator MURKOWSKI and Senator BEGICH about the legislation's impact on Alaska Native villages. Again, I am pleased to be able to address those concerns. The bill is stronger for it.

The substitute also incorporates national security protections at the request of Senator FEINSTEIN.

We also add a small fee for applications for diversity visas that will more than cover the modest costs of protecting additional battered immigrants who assist law enforcement. This addition renders the bill deficit neutral and alleviates budget concerns. It, too, makes the legislation stronger.

The amendment strengthens the campus provision of the legislation while responding to concerns that the bill might have inadvertently affected burdens of proof in campus proceedings. I thank Senator CASEY for working with us on this aspect of the amendment.

These are very modest changes, but every one reflects our continued commitment to listening to those who work with victims of domestic and sexual violence every day and to working with Senators of both parties to make the legislation stronger. The legislation came to the floor with 61 Senators, including 8 Republicans, as cosponsors. These adjustments should make it even more of a consensus bill.

I have been heartened by the constructive tone of debate on the floor of the Senate and the near universal support for reauthorizing VAWA. Let's continue this consensus, bipartisan process by passing this amendment and then adopting the bill with these improvements. Let's pass this reauthorization. As Congress faces unrelenting criticism for gridlock and dysfunction, our reauthorizing VAWA in a bipartisan way that helps all victims of domestic and sexual violence is an example of the Senate at its best. I hope all Senators will join us in this effort.

The PRESIDING OFFICER. Under the previous order, amendment No. 2093, the Leahy substitute amendment, is agreed to.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to the vote on S. 1925.

The Senator from Vermont.

Mr. LEAHY. As we proceed to vote to reauthorize the Violence Against Women Act, I look forward to a strong bipartisan vote. I thank the majority leader and the Republican leader for their work to bring us to this point. I commend the Senators from both sides of the aisle who have worked so hard to bring us to this. In particular I thank my partner in this effort, Senator CRAPO, and our bipartisan cosponsors. I also commend Senator MURRAY and Senator MURKOWSKI who have been so instrumental in helping both sides arrive at a fair process for considering amendments and proceeding without unnecessary delays.

The Violence Against Women Act continues to send a powerful message that violence against women is a crime, and it will not be tolerated. It is helping transform the law enforcement response and provide services to victims all across the country. We are right to renew our commitment to the victims who are helped by this critical legislation and to extend a hand to those whose needs have remained unmet.

As we have done in every VAWA authorization, this bill takes steps to improve the law and meet unmet needs. We recognize those victims who we have not yet reached and find ways to help them. This is what we have always done. As I have said many times the past several weeks, a victim is a victim is a victim. We are reaching out to help all victims. I am proud that the legislation Senator CRAPO and I introduced seeks to protect all victims—women, children, and men, immigrants and native born, gay and straight, Indian and non-Indian. They all deserve our attention and the protection and access to services our bill provides.

I have said since we started the process of drafting this legislation that the Violence Against Women Act is an example of what the Senate can accomplish when we work together. I have worked hard to make this reauthorization process open and democratic. Senator CRAPO and I have requested input from both sides of the aisle, and we have incorporated many changes to this legislation suggested by Republican as well as Democratic Senators.

Our bill is based on months of work with survivors, advocates, and law enforcement officers from all across the country and from all political persuasions. We worked with them to craft a bill that responds to the needs they see in the field. That is why every one of the provisions in the bill has such widespread support. That is why more than 1000 national, State, and local organizations support our bill.

I appreciate the bipartisan support this bill has had from the beginning, and I want to commend our 61 cosponsors. I commend our eight Republicans for their willingness to work across party lines.

I cannot overstate the important role played by Senators MURRAY, MURKOWSKI, MIKULSKI, FEINSTEIN, KLOBUCHAR, BOXER, HAGAN, SHAHEEN, CANTWELL, GILLIBRAND, COLLINS, SNOWE, and AYOTTE in this process. The work these women Senators have done in shaping the legislation, and supporting it here on the Senate floor, as well as back home in their States, has helped create the urgency needed to get a bill passed. They are among the strongest supporters of our bill, and the bill is better for their efforts. I also appreciate the gracious comments Senator HUTCHISON made about the Leahy-Crapo bill, and I am encouraged by her now joining with us to pass the bill.

I also want to thank the many members of the Judiciary Committee who helped draft various provisions in the bill. Senators KOHL, DURBIN, SCHUMER, FRANKEN, KLOBUCHAR, WHITEHOUSE, COONS, and BLUMENTHAL offered significant contributions.

The Senate's action today could not have been accomplished without the hard work of many dedicated staffers. I would like to thank in particular Anya McMurray, Noah Bookbinder, Ed Chung, Erica Chabot, Liz Aloi, Matt Smith, Kelsey Kobelt, Tara Magner, Ed Pagano, John Dowd and Bruce Cohen from my staff.

I know the staff of Senator GRASSLEY has put in significant time on this legislation as well. I thank Kolan Davis, Fred Ansell, and Kathy Neubel for their efforts.

I also commend the hardworking Senate floor staff, Tim Mitchell and Trish Engle, and the staffs of other Senators who I know have worked hard on this legislation, including Erik Stegman, Wendy Helgemo, Josh Riley, Ken Flanz, Susan Stoner, Nate Bergerbest, Kristi Williams, Stacy

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

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

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

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

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

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

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

The PRESIDING OFFICER. All time has been yielded back.

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

The yeas and nays have been ordered.

The clerk will call the roll.

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

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

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

[Rollcall Vote No. 87 Leg.]

YEAS—68

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

NAYS—31

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

NOT VOTING—1

Kirk

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

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

Mr. LEAHY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

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

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

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

The legislative clerk read as follows:

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

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

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

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

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Massachusetts.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TAKE OUR DAUGHTERS AND SONS TO WORK DAY

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Montana.

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

The PRESIDING OFFICER. The Senator from Massachusetts.

TRIBUTE TO MARY C. TARR

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

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

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

I think sometimes people miss or are unaware of the difference that an office manager could make in a Senate office. It is hard to quantify sometimes. But without any negative inference to the Senate itself in drawing this analogy, which is sort of a prison-and-inmates analogy, a great manager is a little bit like the character Red in the movie ''The Shawshank Redemption.'' In that movie, Red is described as the guy who can get stuff, not unlike the sergeant in ''Catch 22.'' There are these special people who know how to make things appear out of nowhere and make everything work. That is exactly the quality Mary Tarr has brought to my office over these years—a mix of relationships, building relationships, institutional memory, and a lot of guile at times. And she gets things done. So since the summer of 1997 when she came aboard in my office, Mary has literally been my ''Red'' in my office.

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

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

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

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

Mary Tarr has worked for the Senate since 1981. In those 31 years, I will tell my colleagues she has become a fixture on Capitol Hill, well-known by everybody, perhaps legendary with some.

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

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

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

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

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

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

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

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

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

Army Private Jacob Adkins:

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

From Marine battalion chaplain Capt. Pat Opp:

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

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The Senator from Montana.

TRIBUTE TO MAUREEN RICE

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

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

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

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

REAUTHORIZATION OF THE VIOLENCE AGAINST WOMEN ACT

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

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

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

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

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

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

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

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

We are here today to reiterate our commitment to addressing violence against women, including domestic abuse, sexual assault, dating violence, and stalking.

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

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

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

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

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

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

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

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

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

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

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

Maria said—and I will quote her:

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

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

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

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

The alternative proposed on the other side goes to critical health care benefits for lower and middle-income families. It seems to me entirely unfair to try to provide help to middle-income families by taking away their access to health care. For families who are struggling, education and health care are not something that can be traded one for the other.

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

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

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

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

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

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

All we have done is close a glaring loophole, done it in a way in which we do not impact anyone making under $200,000, anyone, frankly, who is involved in a corporation whose principal activities are not professional services. I think this is a responsible way to do it. This is a way that can, in fact, respond to the need to responsibly fund this provision for maintaining the student loan interest rate.

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

TRIBUTE TO ANGELA ELSBURY

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

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

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

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

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

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

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

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

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

TAXES

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

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

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

First we need to focus on tax extenders.

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

Some of these provisions are worthy of being extended, such as the Research and Development tax credit. I have introduced legislation with the Chairman, my friend from Montana, to make this provision permanent. But when it comes to tax extenders, we need to have a real debate, one where the Senate decides which provisions must be extended and which should be allowed to expire.

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

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

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

Third, we must focus on death tax reform.

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

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

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

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

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

That's a 57 percent increase.

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

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

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

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

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

Democrats insist that that is fair.

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

But to whom? And for what?

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

Let's not sugarcoat this.

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

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

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

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

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

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

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

I am sure that some people are tired of the mantra among conservatives that Democrats want to raise your taxes and Republican's don't.

But we say it because it is true.

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

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

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

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

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

Last week we voted for the silly Buffett Tax.

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

First, the President said it was about deficit reduction.

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

Now it was about fairness.

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

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

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

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

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

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

The answer is politics.

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

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

Obamacare? Rejected soundly by the American people as evidenced by the 2010 midterm elections, it might now be rejected by the Supreme Court as one of the biggest unconstitutional boondoggles in our nation's history.

What else does he have?

Absolutely nothing.

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

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

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

Here they are.

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

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

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

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

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

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

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

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

THE ECONOMY

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

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

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

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

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

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

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

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

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

POSTAL SERVICE REFORM

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

TRIBUTE TO RUDOLFO ANAYA

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

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

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

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

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

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

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

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

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Colorado.

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

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

VIOLENCE AGAINST WOMEN ACT

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

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

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

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

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

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

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

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

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

The nominations considered and confirmed en bloc are as follows:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

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

DEPARTMENT OF STATE

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

DEPARTMENT OF AGRICULTURE

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

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

DEPARTMENT OF DEFENSE

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

IN THE ARMY

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

To be lieutenant general

Lt. Gen. Thomas P. Bostick

NATIONAL INSTITUTE OF BUILDING SCIENCES

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

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

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

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

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

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

POSTAL REGULATORY COMMISSION

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

MERIT SYSTEMS PROTECTION BOARD

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

NATIONAL BOARD FOR EDUCATION SCIENCES

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

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

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

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

NATIONAL SCIENCE FOUNDATION

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

DEPARTMENT OF EDUCATION

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

IN THE AIR FORCE

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

To be brigadier general

Col. Donald S. Wenke

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

To be lieutenant general

Lt. Gen. Burton M. Field

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

To be lieutenant general

Maj. Gen. Bruce A. Litchfield

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

To be lieutenant general

Lt. Gen. Charles R. Davis

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

To be lieutenant general

Maj. Gen. Salvatore A. Angelella

The following named officer for appointment as Chief of Air Force Reserve, and appointment to the grade of lieutenant general in the United States Air Force while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 8038

To be lieutenant general

Maj. Gen. James F. Jackson

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

To be Lieutenant General

Maj. Gen. Andrew E. Busch

IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be Brigadier General

Colonel Robert P. White

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be Brigadier General

Col. Steven Ferrari

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

To be Brigadier General

Col. Kristin K. French
Col. Walter E. Piatt

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

To be General

Lt. Gen. Dennis L. Via

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Col. Todd A. Plimpton

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

To be lieutenant general

Maj. Gen. Patricia E. McQuistion

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

To be lieutenant general

Maj. Gen. Raymond P. Palumbo

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

To be lieutenant general

Lt. Gen. Robert P. Lennox

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

To be lieutenant general

Maj. Gen. Robert B. Brown

The following named United States Army Reserve officer for appointment as Chief, Army Reserve and appointment to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3038:

To be lieutenant general

Maj. Gen. Jeffrey W. Talley

IN THE NAVY

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral (lower half)

Capt. Eric C. Young

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Terry B. Kraft

The following named officer for appointment in the United States Navy Reserve to the grade indicated under title 10, U.S.C., section 12203:

To be rear admiral

Rear Adm. (lh) Bryan P. Cutchen

The following named officer for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Jonathan W. White

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral

Rear Adm. (lh) Richard P. Breckenridge
Rear Adm. (lh) Walter E. Carter, Jr.
Rear Adm. (lh) Craig S. Faller
Rear Adm. (lh) James G. Foggo, III
Rear Adm. (lh) Peter A. Gumataotao
Rear Adm. (lh) John R. Haley
Rear Adm. (lh) Patrick J. Lorge
Rear Adm. (lh) Michael C. Manazir
Rear Adm. (lh) Samuel Perez, Jr.
Rear Adm. (lh) Joseph W. Rixey
Rear Adm. (lh) Kevin D. Scott
Rear Adm. (lh) James J. Shannon
Rear Adm. (lh) Thomas K. Shannon
Rear Adm. (lh) Herman A. Shelanski

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

To be vice admiral

Vice Adm. Mark I. Fox

IN THE AIR FORCE

PN1393 AIR FORCE nominations (25) beginning JENNIFER M. AGULTO, and ending KATHRYN W. WEISS, which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

PN1394 AIR FORCE nominations (112) beginning MARIO ABEJERO, and ending CARL R. YOUNG, JR., which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

PN1395 AIR FORCE nominations (514) beginning RICHARD E. AARON, and ending ERIC D. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2012.

IN THE ARMY

PN1463 ARMY nominations of Carol A. Fensand, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1464 ARMY nominations (2) beginning KELLEY R. BARNES, and ending DAVID L. GARDNER, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1465 ARMY nomination of Troy W. Ross, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1466 ARMY nomination of Sean D. Pitman, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1467 ARMY nomination of Walter S. Carr, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1468 ARMY nomination of Marc E. Patrick, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1469 ARMY nomination of Demetres Williams, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1470 ARMY nominations of (2) beginning ALYSSA ADAMS, and ending DONALD L. POTTS, which nominations were received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1485 ARMY nomination of James M. Veazey, Jr., which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1486 ARMY nomination of Shari F. Shugart, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1487 ARMY nominations (4) beginning DANIEL A. GALVIN, and ending THOMAS J. SEARS, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1488 ARMY nominations (4) beginning ANTHONY R. CAMACHO, and ending RICHARD J. SLOMA, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1489 ARMY nominations (8) beginning JAMES M. BLEDSOE, and ending DANIEL J. YOUNG, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1490 ARMY nominations (534) beginning JOHN R. ABELLA, and ending D010584, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1491 ARMY nominations (652) beginning DREW Q. ABELL, and ending G010092, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1492 ARMY nominations (980) beginning EDWARD C. ADAMS, and ending D011050, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

IN THE MARINE CORPS

PN1289 MARINE CORPS nomination of Juan M. Ortiz, Jr., which was received by the Senate and appeared in the Congressional Record of January 31, 2012.

IN THE NAVY

PN1471 NAVY nomination of David T. Carpenter, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1472 NAVY nomination of Michael Junge, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1473 NAVY nomination of Marc E. Bernath, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1475 NAVY nomination of Steven A. Khalil, which was received by the Senate and appeared in the Congressional Record of March 19, 2012.

PN1493 NAVY nomination of Ashley A. Hockycko, which was received by the Senate

and appeared in the Congressional Record of March 21, 2012.

PN1494 NAVY nomination of Jason A. Langham, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1495 NAVY nomination of Will J. Chambers, which was received by the Senate and appeared in the Congressional Record of March 21, 2012.

PN1496 NAVY nominations (4) beginning PATRICK J. FOX, JR., and ending LESLIE H. TRIPPE, which nominations were received by the Senate and appeared in the Congressional Record of March 21, 2012.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, May 7, 2012, at 4:30 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 508, 568, and 569; that there be 60 minutes for debate equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

REMEMBERING MATTILOU SEXTON CATCHPOLE

Mr. DURBIN: Mr. President, an incredible woman died late last month after a hard fought battle with Alzheimer's disease—a woman who gave her life to help and teach others. A former University of Illinois Springfield professor, Dr. Mattilou Sexton Catchpole, passed away at the age of 88.

Mattilou was born on Halloween day in Chicago, IL, but grew up in Texarkana, AR. Her parents gave her a strong moral background and an appreciation for justice. As active participants in the Arkansas civil rights movement, they taught her that social justice, equitable educational opportunities, and equal rights for all were of the utmost importance.

She enlisted in the Air Force during World War II and served as a medical technician stateside. While post-traumatic stress disorder was not categorized as a medical condition, Mattilou knew that many of the returning soldiers experienced hell. She soon realized that quiet conversations and a caring touch helped to heal the wounds that she couldn't see.

Still caring for others, she first became a registered nurse and then a certified registered nurse anesthetist, or CRNA. While raising three children and suffering from sometimes debilitating back pain, she worked as a CRNA at the Cleveland Clinic and obtained bachelor's and master's degrees at Case Western Reserve University.

She came to my hometown of Springfield, IL, to teach at the university in 1978, and in no time finished her doctorate in health education from Southern Illinois University at Carbondale. Dr. Catchpole became the director of the Nurse Anesthesia Program and Nurse Anesthesia Completion Program in Springfield. She spent the rest of her life teaching at the university and writing.

At the age of 78, Dr. Catchpole was named the 2002 Kayaker of the Year by the Missouri Whitewater Association. Physical fitness and the outdoors were very important to her. It was swimming that enabled her to build the strength and leave behind a full-body cast that doctors thought she would wear for most of her adult life because of back pain. In 2006, at the age of 82, Mattilou was one of 18 recipients of the President's Call to Service Awards for over 5,000 hours of service with Health Volunteers Overseas. You could always rely on Mattilou to lend a helping hand to someone in need or to teach a person all that she knew about a subject.

I offer my deepest condolences to her family, her brother, U.A. Garred Sexton; her three children, Julia Ann, Nancy, and Floyd; and her eight grandchildren and seven great-grandchildren. Mattilou's passing is a deep loss for so many, but her hard work, accomplishments, and students will continue to carry on.

TRIBUTE TO MAYOR CHARLES LONG

Mr. MCCONNELL. Mr. President, I rise to pay tribute to my good friend Mr. Charles Long, the longtime mayor of Booneville, KY. Mr. LONG has served as mayor of this small Owsley County town for 53 years. During his tenure, he has worked to provide a better life for the citizens of Booneville by providing exceptional opportunities for various daily improvements, as well as working to make vital amenities more easily accessible to all.

One of the most significant accomplishments of Mayor Long's time in office has to do with developments he oversaw in the area of water and sanitation. The mayor oversaw the installation of the town's water and sewer system in 1968. Afterwards, he went on to guarantee that over 98 percent of Owsley County had access to the water system and worked to see the sewage system expanded to over 400 residents in the county.

Mayor Long serves on the Kentucky River Area Development Committee—KRADD. The mayor's home county of Owsley is one of the eight counties in eastern Kentucky that KRADD supervises. The organization has been a major force in further developing the rural areas of eastern Kentucky, and Mayor Long is an integral part of that process.

Besides the hard work Mayor Long does for the people of Booneville, he is known for being a beloved and involved member of his large family. His children, grandchildren, and great-grandchildren are all very proud of him and all he has accomplished.

Sadly, Charles recently lost the love of his life and wife of 72 years, Virginia Ruth Long. Mrs. Long passed away on March 27, 2012, at the age of 92. During a recent session of the Kentucky State Senate, she was honored by a Senate Resolution commemorating her life and accomplishments. I know Mayor Long surely appreciated that gesture.

Charles Long has literally spent the majority of his life serving the local people of Booneville as their mayor. He is able to look back at his long and successful career and reminisce on the countless improvements he has put in place for the city he holds dear to his heart. Mr. Charles Long exhibits a commendable display of characteristics such as dedication, kindheartedness, and reliability which set him apart as a true hometown hero.

I am honored to stand on the floor of the U.S. Senate today in tribute to Mayor Charles Long's service to the town of Booneville and the Commonwealth of Kentucky. And I ask my Senate colleagues to join me in expressing recognition to Mayor Long for his long and fruitful tenure in office.

Mr. KYL. Mr. President, I would like to call the attention of my colleagues to a column published in the April 23rd edition of The Washington Post by Dr. Henry Kissinger and retired GEN Brent Scowcroft. These are two of the most respected voices on nuclear strategy, deterrence, and arms control, and they both recently testified on the New START treaty.

The article, titled ''Strategic Stability in Today's Nuclear World,'' comes at an important time. The President, we know, has tasked his advisors to conduct an assessment of our nuclear forces and strategy to inform future arms reductions beyond the levels established by the New START treaty. The administration is said to be considering reductions that could lead to as few as 300 warheads, which would require rather significant changes to long-standing U.S. nuclear doctrine.

Dr. Kissinger and General Scowcroft warn that:

Before momentum builds on that basis, we feel obliged to stress our conviction that the

goal of future negotiations should be strategic stability and that lower numbers of weapons should be a consequence of strategic analysis, not an abstract preconceived determination.

In fact, the authors go on to warn the reader that:

Strategic stability is not inherent with low numbers of nuclear weapons; indeed, excessively low numbers could lead to a situation in which surprise attacks are conceivable.

This short column should be required reading for all of my colleagues, and the eight key criteria listed by the authors, to govern nuclear weapons policy, should become the basis for our consideration of nuclear strategy and arms control moving forward.

I want to express my deep appreciation to Dr. Kissinger and General Scowcroft for their important contributions to our ongoing debates about nuclear weapons and, more broadly, for their decades of service to our country.

Mr. President, I ask unanimous consent to have the article printed in the RECORD at the end of my remarks.

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

[From the Washington Post, April 23, 2012]

STRATEGIC STABILITY IN TODAY'S NUCLEAR WORLD

(By Henry A. Kissinger and Brent Scowcroft)

A New START treaty reestablishing the process of nuclear arms control has recently taken effect. Combined with reductions in the U.S. defense budget, this will bring the number of nuclear weapons in the United States to the lowest overall level since the 1950s. The Obama administration is said to be considering negotiations for a new round of nuclear reductions to bring about ceilings as low as 300 warheads. Before momentum builds on that basis, we feel obliged to stress our conviction that the goal of future negotiations should be strategic stability and that lower numbers of weapons should be a consequence of strategic analysis, not an abstract preconceived determination.

Regardless of one's vision of the ultimate future of nuclear weapons, the overarching goal of contemporary U.S. nuclear policy must be to ensure that nuclear weapons are never used. Strategic stability is not inherent with low numbers of weapons; indeed, excessively low numbers could lead to a situation in which surprise attacks are conceivable.

We supported ratification of the START treaty. We favor verification of agreed reductions and procedures that enhance predictability and transparency. One of us (Kissinger) has supported working toward the elimination of nuclear weapons, albeit with the proviso that a series of verifiable intermediate steps that maintain stability precede such an end point and that every stage of the process be fully transparent and verifiable.

The precondition of the next phase of U.S. nuclear weapons policy must be to enhance and enshrine the strategic stability that has preserved global peace and prevented the use of nuclear weapons for two generations.

Eight key facts should govern such a policy:

First, strategic stability requires maintaining strategic forces of sufficient size and composition that a first strike cannot reduce retaliation to a level acceptable to the aggressor.

Second, in assessing the level of unacceptable damage, the United States cannot assume that a potential enemy will adhere to values or calculations identical to our own. We need a sufficient number of weapons to pose a threat to what potential aggressors value under every conceivable circumstance. We should avoid strategic analysis by mirror-imaging.

Third, the composition of our strategic forces cannot be defined by numbers alone. It also depends on the type of delivery vehicles and their mix. If the composition of the U.S. deterrent force is modified as a result of reduction, agreement or for other reasons, a sufficient variety must be retained, together with a robust supporting command and control system, so as to guarantee that a preemptive attack cannot succeed.

Fourth, in deciding on force levels and lower numbers, verification is crucial. Particularly important is a determination of what level of uncertainty threatens the calculation of stability. At present, that level is well within the capabilities of the existing verification systems. We must be certain that projected levels maintain—and when possible, reinforce—that confidence.

Fifth, the global nonproliferation regime has been weakened to a point where some of the proliferating countries are reported to have arsenals of more than 100 weapons. And these arsenals are growing. At what lower U.S. levels could these arsenals constitute a strategic threat? What will be their strategic impact if deterrence breaks down in the overall strategic relationship? Does this prospect open up the risk of hostile alliances between countries whose forces individually are not adequate to challenge strategic stability but that combined might overthrow the nuclear equation?

Sixth, this suggests that, below a level yet to be established, nuclear reductions cannot be confined to Russia and the United States. As the countries with the two largest nuclear arsenals, Russia and the United States have a special responsibility. But other countries need to be brought into the discussion when substantial reductions from existing START levels are on the international agenda.

Seventh, strategic stability will be affected by other factors, such as missile defenses and the roles and numbers of tactical nuclear weapons, which are not now subject to agreed limitations. Precision-guided large conventional warheads on long-range delivery vehicles provide another challenge to stability. The interrelationship among these elements must be taken into account in future negotiations.

Eighth, we must see to it that countries that have relied on American nuclear protection maintain their confidence in the U.S. capability for deterrence. If that confidence falters, they may be tempted by accommodation to their adversaries or independent nuclear capabilities.

Nuclear weapons will continue to influence the international landscape as part of strategy and an aspect of negotiation. The lessons learned throughout seven decades need to continue to govern the future.

PASSAGE OF THE EQUAL RIGHTS AMENDMENT

Mr. MENENDEZ. Mr. President, the following statement is from Senator Birch Bayh in honor of the 40th anniversary of Congressional passage of the Equal Rights Amendment:

Recent events have seen an assault on those who provide health care services to women and we have even seen questions raised anew about issues like contraception. It may have been 40 years since we passed the ERA in Congress but the reasons why many of us tried to write women's rights into the Constitution are still with us today.

As the Chief Senate Sponsor and floor leader of the Equal Rights Amendment, I remember well the intensity of the battle we fought in the early 1970's. America's history has been a steady expansion of individual rights, beginning with the expansion of the franchise in our early years. From the rights of former slaves after the Civil War to the expansion of the vote for women and then for 18 year olds, we have codified in our Constitution an ongoing commitment to individual rights. It seemed fitting then, and seems fitting now, that our Constitution speak loudly and clearly that the law allow no discrimination on the basis of gender.

While the principles involved in this battle remain, the country has evolved quite a bit since 1972. In 1972 there were 2 women in the U.S. Senate and 13 in the House of Representatives. Now there are 17 women Senators and 75 Congresswomen. There were no female Governors in 1972 and had been only 3 in all our history before that, there are 6 now. We have had a female Speaker of the House and have scores of CEOs, business owners and leaders in all walks of life who are female. The number of women elected to state legislatures across the country is larger than ever before. The number of women in the military cannot be compared to the numbers 40 years ago. And in a recent issue of Newsweek, long-time Supreme Court reporter Nina Totenberg spoke about taking the job at NPR in the 70s because the pay was too low for men to want the job.

There has indeed been progress, but the principles remain the same. To open the sports pages in the morning is to see female athletes in a number of sports. To watch the television news in the evening has us watching many female anchor persons, weather ladies, and sports announcers. Even the major sports telecasts regularly involve on-air female broadcasters. But is there equal pay for equal work today? Are there still obstacles on the professional paths to boardrooms for women? Is sexual harassment still a prominent issue in offices around America and in our military?

It is still fitting in the 21st century for our nation to include in its basic law the principle that discrimination based on sex has no place in American life. It is fitting for our daughters and granddaughters to be reminded that their parents and grandparents took a stand to protect their futures and to ensure that they have an equal place in modern America.

In closing, let me stress that the ERA is still the right thing to do, not only in principle but in every day practice. Thank you for your continued, dedicated efforts.

RECOGNIZING THE GREATER BRIDGEPORT YOUTH ORCHESTRAS

Mr. BLUMENTHAL. Mr. President, today I commend the Greater Bridgeport Youth Orchestras, GBYO, as it celebrates its 50th anniversary this year. This legendary local group currently at a membership of 250 students of all ages from 29 different communities around the city of Bridgeport, who participate in 5 different ensembles—has bestowed the gift of great music and mentorship to the State of Connecticut. Through the platform of an orchestra, these young musicians have learned how to support each

other. They listen closely while others shine as well as play as an ensemble, producing thrilling fortissimos that echo in audiences' hearts long after the final note.

While maintaining a high level of musicianship through competitive auditions, the GBYO provides an invaluable experience—an alternative to joining a sports team—for students who love music. Its members can feel camaraderie, learn teamwork, and come to understand the value of weekly group rehearsals and daily practice.

I applaud the GBYO for its goal of providing a supportive environment where lifelong friendships are formed, mentorship thrives, and students feel safe to express their emotions and connect through passionate music. This sensitivity is rare and precious. GBYO combines the development of emotional intelligence and social skills with the principles of hard work and diligence. These young musicians are talented, smart, well-rounded, and, best of all, excited.

In March, the GBYO celebrated its landmark anniversary with a gala alumni concert at the University of Bridgeport, conducted by GBYO's music director, Christopher Hisey, who is an alumnus of the orchestra. He led a stirring and inspiring alumni ensemble piece to finish the tremendous concert. I congratulate executive director Barbara Upton and music director Christopher Hisey, for their leadership.

I wish the Greater Bridgeport Youth Orchestras continued success and hope this well-regarded organization can serve as a role model, inspiring others to preserve and perpetuate the long tradition of the arts and the importance it holds for our culture and society.

2011 CONNECTICUT WOMEN'S HALL OF FAME

Mr. BLUMENTHAL. Mr. President, today I wish to recognize the 2011 Connecticut Women's Hall of Fame inductees and their contributions to the recent history of the State of Connecticut and our Nation.

In the spirit of preserving the often untold accomplishments of impactful leaders from Connecticut, each year the Connecticut Women's Hall of Fame publicly honors several women, living or deceased, to share their stories, preserve their legacies, and update and equalize the history that is taught to our children. The Connecticut Women's Hall of Fame has created and maintained a remarkable space, free of charge, where the utmost respect can be paid to women who have made immeasurable impacts to our daily lives.

On October 25, 2011, at the 18th Annual Induction Ceremony and Celebration ''Women of Influence: Creating Social Change''—Isabelle M. Kelley, Denise Lynn Nappier, and Patricia Wald were inducted. These three women are trailblazers, taking on various leadership positions in government while breaking through stagnant stereotypes and archaic traditions.

Isabelle M. Kelley devoted her passion for societal transformation, drive to accomplish, and energetic entrepreneurship to the problem of food shortages faced by our country's most impoverished families. Ms. Kelley was born in Connecticut in 1917 and remained there throughout her high school and college years, attending Simsbury High School and the University of Connecticut. Upon graduation in 1938 with an economics degree, she was asked to join the U.S. Department of Agriculture as an economist to examine food purchasing trends, which inspired a life-long interest in our country's food supply. In this capacity, she was the first to publicly link malnourishment in children to limited school achievement. She was asked by President Kennedy to serve on a task force to realize a national food stamp program. In 1964, she authored the Food Stamp Act and was appointed as the first Director of the Food Stamp Division of the USDA. It was the first time any woman directed a national social program at the USDA and led any type of consumer affairs or marketing division in any Federal agency.

Ms. Kelley passed away in 1997, but students of public health and nutrition can listen to and read transcripts of her oral history project by Harvard University's Schlesinger Library, whose aim was to capture the voices of 38 women ''who had achieved positions of high rank in the federal government during the middle decades of the twentieth century.'' In 2011, she was invited into the USDA's Hall of Heroes.

The Honorable Denise Lynn Nappier, now serving her fourth term as Connecticut's first female State treasurer and first elected statewide official, and the country's first African American female State treasurer, can serve as a role model to women around the country who strive to impact the field of financial regulation. Born in 1951 in Hartford, Treasurer Nappier ran for city treasurer in 1989. After working 10 years to engender Hartford's financial development, she won the position of State treasurer. She made visits to schools around the State, teaching students how to save and budget—paving the way for success in their finances as adults. The Connecticut Women's Hall of Fame joins other esteemed organizations that have honored Treasurer Nappier, including the Girl Scouts of Connecticut, the Hartford College for Women, the National Association of Minority and Women Law Firms, the Government Finance Officers Association, and the National Political Congress of Black Women.

The Honorable Patricia Wald has dedicated her career to public service and the law, retiring from her seat as the first female judge for the U.S. Circuit Court of Appeals for the District of Columbia to serve on the International Criminal Tribunal in The Hague. Born in 1928 in the city of Torrington, she went on to attend law school at Yale University as one of only 11 women in her graduating class. Judge Wald was motivated to go into government service by the possibilities of social reform, especially addressing issues concerning poverty and criminal justice. In 1964, she was nominated by President Johnson to the President's Commission on Crime in Washington, DC. After serving the Carter administration as Assistant Attorney General for Legislative Affairs, she was appointed to the U.S. Circuit Court of Appeals of the District of Columbia in 1979, where she served for 20 years, eventually as chief judge. Since her retirement from the bench, she has been asked to join several commissions and task forces, including President Bush's Commission on Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction and the Constitution Project's Guantanamo Task Force. Most recently, she has served on the advisory board of the Coalition for the International Criminal Court. I join those who have honored Judge Wald, including members of the International Human Rights Law Group, the American Lawyer Hall of Fame, and the American Bar Association, in celebrating her commitment to the law, especially in protecting our country's most vulnerable.

I know my colleagues will join me in honoring these remarkable women, who weathered criticism and risked public failure to inspire current and upcoming public servants and to better the lives of future generations.

2011 CONNECTICUT VETERANS HALL OF FAME

Mr. BLUMENTHAL. Mr. President, today I wish to recognize the 2011 inductees of the Connecticut Veterans Hall of Fame, a nonprofit organization that honors men and women from Connecticut who have served their communities in commendable ways since retiring from the military. Starting in 2005, when established by Executive Order, the Connecticut Veterans Hall of Fame has selected at least 10 inductees each year: men and women from Connecticut who, even after their great sacrifices as Active members of our military, have chosen to continue their service in innovative ways to contribute to the lives of current enlistees, fellow veterans, and civilians.

These local heroes were celebrated at an induction ceremony surrounded by their family and friends this past December attended by Lieutenant Governor Nancy Wyman and the Connecticut Department of Veterans Affairs Commissioner Linda Schwartz. I would like to join Lieutenant Governor Wyman and Commissioner Schwartz and formally recognize Samuel Beamon, Sr., Rev. Dr. G. Kenneth Carpenter, Richard Rampone, Ronald Catania, Burke Ross, John Chiarella, Phillip Kraft, Ronald Perry, Dr. Madelon Baranoski, and Harold Farrington, Jr.

Several of these 2011 inductees are well-loved for touching their communities through a wide range of public leadership initiatives. Samuel Beamon, Sr., Rev. Dr. G. Kenneth Carpenter, and Richard Rampone served in Vietnam in the U.S. Marine Corps. Samuel Beamon, Sr. was honored for his exceptional work with the Young Marines Program in Waterbury, CT and as past commandant of the Department of Connecticut Marine Corps League, as well as his esteemed legacy as lieutenant of the Waterbury Police Department. Rev. Dr. G. Kenneth Carpenter has been recognized as a constant source of spiritual guidance as pastor of the Union Baptist Church in Mystic; in addition, he is founder and president of the Mystic Area Shelter and Hospitality, MASH, which gives temporary shelter and counseling to families—especially those with children—who are struggling in this tough economy. Richard Rampone, who worked to protect his community as Patrolman for the Berlin Police Department, is the State commandant of the Marine Corps League Department of Connecticut, whose mission is to assist marines entering civilian life.

Many of our honorees participate in more than one organization, dedicating a vast amount of time to helping servicemembers and veterans. Ronald Catania, who served in the U.S. Air Force in Vietnam, has given countless hours to numerous groups, including the Connecticut Police Chiefs Association, Connecticut Veterans Memorial, Connecticut National Guard during the Hurricane Katrina disaster, the American Red Cross, and the Special Olympics. On September 11, he worked the day after the attacks to transport donated goods to Ground Zero for emergency responders. Burke Ross, who served in the U.S. Marine Corps during World War II, has been a fervent supporter and participant of the Military Order of the Purple Heart, MOPH, volunteers at the West Haven VA Medical Facility, and for the past 25 years has planned the annual Memorial Day Services and Parade in the Derby-Shelton area; in 2001, he was selected as the Disabled American Veteran, DAV, of the Year for his more than 30 years as an officer and then chaplain to his local DAV chapter.

The civic dedication of a number of these inductees spans decades. John Chiarella, who served in the U.S. Army in Korea and Vietnam, has spent 10 years ensuring that Waterbury-area students have an education in our patriotic traditions, including developing a program called Forever Wave, whose mission is to instruct on the flag salute. He is also is known for his role as chairman of the Waterbury Veterans Memorial Committee. U.S. Army veteran Phillip Kraft has been a voice for veterans' benefits as an instructor at the International Union, United Automobile, Aerospace, and Agricultural Implement Workers of America, UAW, annual conference. Also, for many years, Mr. Kraft has watched over burial services and maintained the upkeep of the Spring Grove Cemetery in Darian, where approximately 1,500 veterans have been laid to rest, and also takes the lead as CEO of the National Veterans Services Fund. Honoree Ronald Perry, who served in the U.S. Marine Corps in Vietnam, has been a solid support system for the Meriden, CT, Marine community, speaking out on behalf of several veterans associations, including the Marine Corps League of Meriden, and arranging the birthday celebrations of Meriden-area Marine Corps veterans.

The remaining two Connecticut veterans honored in 2011, Dr. Madelon Baranoski and Harold Farrington, have used the skills and experiences they developed in a professional capacity to positively affect the military and veterans communities of Connecticut. After serving in Vietnam in the U.S. Army Nurse Corps, Dr. Baranoski has compiled research on the physiological consequences of stress to foster greater understanding about the mental conditions of veterans in our communities and to help reform the criminal justice system. She is currently an associate professor of psychiatry and the vice chair of the Human Investigation Committee at Yale University School of Medicine. Harold Farrington, Jr., has spent 30 years helping veterans and their families navigate the bureaucracy and reap the benefits of government programs as an employee of the U.S. Department of Veterans Affairs. In an article for New London's The Day, Mr. Farrington candidly captured the emotions he felt as a 2011 Connecticut Veterans Hall of Fame Inductee: Having dedicated his life to service, he acknowledged that ''to know my work is being recognized is very rewarding.''

I hope this honor from the State of Connecticut will start to reflect and manifest the pride felt by the family, friends, and fellow veterans of these inductees. It gives me great pride to laud these courageous and selfless individuals who have not hesitated to serve and sacrifice in and out of uniform. To them, I say with gratitude: Today, your country publicly recognizes your contributions and deep, heartfelt commitment to our U.S. veterans.

NATIONAL INFERTILITY AWARENESS WEEK

Mrs. GILLIBRAND. Mr. President, building a family is an exciting milestone in the lives of millions of American families. Unfortunately, the road towards conceiving a child is often difficult and painful for the nearly 7 million Americans diagnosed with the disease of infertility.

This week, men and women across the country will share their stories during National Infertility Awareness Week. This movement, organized by RESOLVE: The National Infertility Association, brings attention to the disease of infertility and encourages the public to take charge of their reproductive health. Let me take this opportunity to commend RESOLVE for its work providing community and giving voice to women and men experiencing infertility.

Over the last few decades, significant medical advancements, such as in vitro fertilization, have provided a solution for some would be parents. However, the high cost to undergo infertility care often poses an additional barrier for couples to overcome. It costs more than $12,000 for a couple to undergo one cycle of infertility treatment, and insurance coverage is often dismal. For some patients, multiple cycles are required to achieve a successful pregnancy outcome. Federal Government insurance plans do not specifically cover infertility treatments, and only 15 States offer any level of coverage.

I have introduced a bill that would alleviate some of the costs associated with infertility care. The Family Act, S. 965 creates a Federal tax credit for individuals who are diagnosed with infertility by a licensed physician. A tax credit will help make this vital patient care more accessible and affordable to those who lack insurance coverage for these services.

I hope you will join me during National Infertility Awareness Week and become a cosponsor of the Family Act. This is a necessary step towards ensuring that all of our citizens have the ability to raise a family, without compromising their financial future.

ADDITIONAL STATEMENTS

LOST AT SEA

● Mrs. BOXER. Mr. President, it is with great sadness that I speak in memory of five extraordinary sailors who recently died at sea during a boat race off the coast of California.

On Saturday, April 15, the sailing vessel *Low Speed Chase* was one of 49 boats participating in the Full Crew Farallones Race, which has been run annually from San Francisco to the Farallon Islands and back since 1907. As the yacht rounded an island, it was broadsided by huge waves and crashed onto the rocks.

Three sailors survived and were rescued by the U.S. Coast Guard. Tragically, the lives of five others—Alexis Busch, Alan Cahill, Jordan Fromm, Marc Kasanin, and Elmer Morrissey—were lost.

Alexis Busch, who as a teenager had been a beloved batgirl for the San Francisco Giants, managed the Ross Valley Swim and Tennis Club and crewed in sailing races from San Francisco Bay to Australia. Her longtime boyfriend and sailing partner, Nick Vos, was one of the survivors on the *Low Speed Chase*.

Alan Cahill was a married father of two children and a master marine craftsman who served as caretaker for

many boats at the San Francisco Yacht Club. Originally from Cork, Ireland, Alan moved to the Bay Area to pursue his love of racing. He was a talented sailor and good friend, who served as the best man at the wedding of his crewmate, Bryan Chong, one of the three survivors.

Jordan Fromm was a lifelong sailor who was a fixture at the San Francisco Yacht Club, where he had been a member since childhood and participated in its youth sailing programs. Fromm planned to start his own yacht restoration business.

Marc Kasanin grew up in Belvedere, started sailing at age 5, and spent most of his life on the water as a sailor and a nautical artist. His artwork was recently displayed at the Tiburon Art Festival.

Elmer Morrissey earned a Ph.D. in energy engineering and worked as a software designer at Lawrence Berkeley National Laboratory. In addition to sailing, he enjoyed playing music and rugby and writing humorous sports blogs.

These crew members were some of the Bay Area's best sailors. Their loss is a devastating blow to their families, to their friends, to their crewmates, and to the entire sailing community. At this most difficult time, my heart goes out to them all.●

TRIBUTE TO DOROTHY INGHRAM

● MRS. BOXER. Mr. President, I am honored to remember the life, accomplishments, and service of Dorothy Inghram, a pioneer who was California's first African American school district superintendent and San Bernardino County's first African American school teacher and principal. Ms. Inghram passed away at her San Bernardino home on March 14 at the age of 106.

Dorothy Inghram was born on November 9, 1905, the youngest of Henry and Mary Inghram's seven children. While at San Bernardino Valley College, Ms. Inghram wrote the school's alma mater and later transferred to Redlands University to complete a bachelor's degree in music in 1936. She began her teaching career in Texas but later returned to California and accepted a teaching position in the Mill School District. For the next 3 decades, she devoted her life to education and literacy in the community.

Over the years, Ms. Inghram's professional contributions have been acknowledged on many occasions, including numerous awards, a city-proclaimed Dorothy Inghram Day, and a library named in her honor. Most rewarding to her personally, however, were the admiring and grateful former students who credited her with helping them recognize undiscovered talents and sparking interests that led to successful careers.

I ask my colleagues to join me, and her grateful community in honoring the life and trailblazing legacy of Dorothy Inghram.●

TRIBUTE TO MR. WAYNE R. GRACIE

● Mr. CHAMBLISS. Mr. President, today I wish to recognize Mr. Wayne R. Gracie upon his retirement after an outstanding career of 37 years of distinguished civil service to our great Nation.

Since 1975, through seven Presidential administrations, Wayne has worked with Congress and directly supported the Secretary and Chief of Staff of the Air Force, as well as the Chief of the Air Force Reserve. He has worked on logistics, budgets, and legislative interactions—turning words into programming actions—that resulted in new Department of Defense policies and programs.

Wayne excelled at providing both Houses of Congress with new insight and understanding of the Air Force Reserve's need to transition from a Cold War force to the modern force operating around the world today. His efforts resulted in new funding and development of both a ''strategic reserve'' for surge operations, as well as a cost-effective ''operational reserve'' for use in daily military missions.

In 1997, backed by his credibility and good will on Capitol Hill, Wayne led the preparation, messaging, and testimony for congressional hearings that resulted in the formation of Air Force Reserve Command, the ninth major command in the Air Force. This authorized a three-star commander and energized new Reserve component personnel benefits.

After conducting more than 20 years of continual combat operations in Iraq, Bosnia, Kosovo, Afghanistan, Horn of Africa, Libya, and many other locations around the globe, the Air Force Reserve's success is evident today. Wayne's efforts were critical to presenting, justifying, and enacting new legislation supporting Air Force reservists, their civilian employers, and their families who were impacted by increased Reserve operations. Thanks to his continuous dialogue with Congress, reservists now get improved health care, new credits toward retirement, inactive duty training travel pay, and post-9/11 G.I. Bill benefits.

Also, Wayne was pivotal to facilitating Air Force Reserve testimonies before the Senate Armed Services Committee and Senate Appropriation Committee that resulted in additional funding for equipment modernization. His efforts directly led to increased combat effectiveness as well as improved humanitarian and disaster response operations. These updated capabilities were essential to successful relief missions in Japan and Haiti, as well as in the United States for Hurricanes Katrina and Ivan, for aerial firefighting in the Southwest, and for containing the gulf oil spill.

Because of Wayne's visionary leadership, planning, and foresight, the Air Force, the Department of Defense, and the Nation will long reap the benefits of his tenure at the Pentagon and his work with us here on Capitol Hill. It is experienced, dedicated, professional people like Wayne who make the Department of Defense and Air Force Reserve the outstanding institutions that they are today.

I thank Wayne for his many years of dedicated service and wish him and his wife Candace the very best as they enter retirement.●

RECOGNIZING JOHN T. CYR AND SONS, INC.

● Ms. COLLINS. Mr. President, today I wish to offer my congratulations to John T. Cyr and Sons, Inc., on its 100th anniversary. This outstanding Maine company demonstrates why family businesses are so important to our Nation's economy and to communities in every State. The determination and vision that led to a century of success define America's entrepreneurial spirit.

Sometime around 1903, John Thomas Cyr moved his family from Caribou, ME—my hometown—to Old Town, near Bangor, where he found work in a lumber mill. Nine years later, in 1912, at the age of 51, John T. Cyr struck out on his own. Joined by his son, Joseph, they started a livery stable and delivery business.

What began with horses, buggies, and wagons is today a thriving enterprise of 22 luxury motor coaches, 200 schoolbuses, and nearly 250 employees. A company that got its start hauling lumber for a local canoe factory now serves 17 school districts across Maine with an exemplary safety record. They offer tours throughout the United States and Canada—from New York City at Christmas to Washington, DC, in cherry blossom season. As a native of Aroostook County, I know how valuable their daily intercity service is to the towns and cities of northern Maine.

Handed down and nurtured through the generations, this is a true family business, owned and operated by the founder's grandson, Joe Cyr, joined by his brother, Pete, son Mike, and daughter Becky.

Their remarkable story of growth, of meeting challenges, and of delivering value was expertly told in a recent article in Maine Trails magazine. I would like to complement that account with my personal observations.

Before coming to the Senate, I worked at Husson University in Bangor, where I had the pleasure of getting to know Joe Cyr, class of 1962, and his wonderful wife Sue, class of 1965. Joe has been a longtime member of the Husson Board of Trustees, and Sue has been a volunteer supporter of uncommon energy. Joe and Sue's generosity to Husson includes significant gifts to athletic programs, a new home for the university president, the annual fund, and most recently, the new Cyr Alumni Center. The countless ways they serve—from the Boys Scouts and the Y to St. Joseph Hospital—touch people of all ages.

People throughout Maine are fortunate to have such a family as the Cyrs,

but I am especially lucky—my summer camp on Cold Stream Pond is just down the road from theirs. As much as I cherish our time together, having dinner, playing cards, and enjoying the beautiful Maine summer evenings, I cherish even more being in the presence of those who give so much to others and who see the act of giving as the greatest reward. I am delighted to extend my congratulations to the Cyr family in their business's centennial year and to thank them for their contributions to the State of Maine.●

TRIBUTE TO TOM MCSWAIN

● Mrs. HAGAN. Mr. President, Leadership North Carolina is an organization committed to engaging and informing leaders from across my home State. Today I wish to recognize a constituent who is a leader of Leadership North Carolina. Tom McSwain's service to our citizens may be recognized during his term as chairman of the American Traffic Safety Services Association from 2004 to 2006, but his leadership skills were forged many years before this term and he continues to lead in many ways. Tom is a native of Macon, GA, and a proud alumnus of the University of Georgia, who has a deep love for and commitment to his adopted home State of North Carolina. Two sources of strength for Tom are his wife Shawn Scott, an alumna of Leadership North Carolina Class IX, and his son, Jack.

Currently, Tom serves as eastern region director with responsibility for company sales and activities in the Eastern United States, Latin and South America with Ennis-Flint. Ennis-Flint is the world's largest supplier of pavement marking materials and is headquartered in Dallas, TX.

Tom has served in many professional capacities within the highway safety industry. Most prominently, he was chairman of the American Traffic Safety Services Association—ATSSA—from 2004–2006. ATSSA is an international trade association with 1,600 members who manufacture and install roadway safety devices such as signs, striping, guardrails, crash cushions, and lighting. In this role, he served as the chair of the past chairman's advisory council and as the president-elect of the ATSSA Foundation, which provides scholarships to children of individuals killed while working on our nation's highways. He is also a board member of the Road Information Program—TRIP.

Our State has benefitted from the migration of citizens from all over the country, bringing their creativity and skills to North Carolina. Tom moved to his newly adopted home of North Carolina in 1997. Following his service as Chairman of ATSSA, Tom sought to transition his engagement and focus from the national arena to North Carolina.

In 2006, Mr. McSwain graduated from Leadership North Carolina as a member of Class XIII, receiving the prestigious Stanley Frank Class Award. This award is presented annually in honor of the late Stanley Frank, chair of the LNC Founding Committee, who gave his time, talents, and resources to make our State a better place to live and to work. Mr. Frank was a Greensboro businessman and a civic giant who was one of the earliest, and one of the strongest supporters of LNC. Each recipient of this award exemplifies the spirit of Stanley Frank as selected by their fellow participants. Tom was the Class XIII recipient, recognized for his demonstrated leadership, which has made a significant improvement in the quality of life, economic well-being, and sense of community in our State. Upon graduation, Mr. McSwain expanded his commitment to Leadership North Carolina, serving as program chair for Class XIV and joining the Leadership North Carolina Board of Directors.

Elected as chair of Leadership North Carolina in 2010, Tom has brought his considerable leadership experience to strengthen the organization during his 2-year tenure. His work has positioned the program for sustainability for years to come and strengthened its reputation among leaders in business, government, education, and nonprofits. The measure of a good leader is the legacy he or she leaves behind. Tom McSwain leaves North Carolina with 900 informed and engaged leaders to take the baton and help craft our State's future.

On June 30 of this year, Tom McSwain will complete his tenure as chair of Leadership North Carolina. We need strong, effective leaders now more than ever. Tom's service to Leadership North Carolina has been focused on engaging, challenging, and informing future leaders. I join the Board of Directors of Leadership North Carolina in recognizing Tom for his leadership, vision, and determination.

Tom embodies our State's motto Esse Quam Videri, to be rather than to seem, and I ask all my colleagues to join me in thanking Tom McSwain for his service to North Carolina.●

TRIBUTE TO DAN LYONS

● Mr. HELLER. Mr. President, today I am proud to recognize one of Nevada's veterans whose overwhelming sacrifice on behalf of those who served our great Nation is inspiring. As I speak, Mr. Lyons is traveling on foot from his hometown of Reno, NV to our Nation's capital to encourage legislators to assist our homeless veterans.

This is a serious issue that I have worked on since I was elected to Congress. Today, over 100,000 veterans are on America's streets. Many have serious problems and need support. That is why I stand with Mr. Lyons as he completes his 2,600 mile journey.

The brave men and women who served our country and fought to protect our freedom are coming back to a struggling economy with few job prospects, leaving them unable to afford housing. Our Nation's servicemembers have made great sacrifices for our country, and they deserve our gratitude and support. We must welcome them home and help them transition to civilian life. Assisting our Nation's veterans and families is of the utmost importance.

I am also grateful that Mr. Lyons is raising awareness for an issue that I am personally involved with. Having a family member who serves in the Armed Forces, I have always been an advocate for our troops. That is why I proudly cosponsored and voted in support of bipartisan legislation, the VOW to Hire Heroes Act, which was signed into law by President Obama. This legislation provides a tax credit to employers who hire veterans while also offering education and funding to provide on-the-job training and employment assistance to veterans. Ensuring our returning soldiers come home to good paying jobs is the least we can do and the VOW to Hire Heroes Act helps put our Nation's veterans back to work.

Mr. Lyons' selfless efforts to honor and acknowledge our Nation's veterans epitomize service over self. I commend Mr. Lyons for his steadfast determination in raising awareness for those who keep us safe. Today, I ask my colleagues to join me in recognizing Mr. Lyons for his service to our country and commitment to helping veterans in need.●

RECOGNIZING HOOSIER ESSAY CONTEST WINNERS

● Mr. LUGAR. Mr. President, I wish to take the opportunity to express my congratulations to the winners of the 2011–2012 Dick Lugar/Indiana Farm Bureau/Indiana Farm Bureau Insurance Companies Youth Essay Contest.

In 1985, I joined with the Indiana Farm Bureau to sponsor an essay contest for 8th grade students in my home State. The purpose of this contest is to encourage young Hoosiers to recognize and appreciate the importance of Indiana agriculture in their lives and subsequently craft an essay responding to the assigned theme. The theme chosen for this year was ''The Role of the Farm in a Healthy Diet.''

Along with my friends at the Indiana Farm Bureau and Indiana Farm Bureau Insurance Companies, I am pleased with the annual response to this contest and the quality of the essays received over the years. I applaud each of this year's participants on their thoughtful work and wish, especially, to highlight the submissions of the 2011–2012 contest winners—Travis Koester of Wadesville, IN, and Andrea Ledgerwood of Angola, IN. I ask unanimous consent to have printed in the RECORD the complete text of Travis' and Andrea's respective essays and I am pleased, also, to include the names of the many district and county winners of the contest.

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

THE ROLE OF THE FARM IN A HEALTHY DIET

(By Travis Koester)

Americans talk skinny, but eat fat. What can farmers do to help? American agriculture will feed the world with a safe, abundant, and affordable food supply. This has been our message in recent years. It is time for change. What word is missing? Healthy! Farmers can help Americans through education and making healthier food more available to low income families.

Living on a family dairy farm, what can I do? In a country where more than two-thirds of the population is overweight, adult food choices are often made on impulse, not intellect. Americans say they'd like restaurants to offer healthier items, but only 23 percent order those foods, according to research firm Technomic. We must reach the public at a young age. I can encourage teachers to welcome Farm Bureau Ag in the Classroom. These educational programs can influence my generation to eat healthy.

However, healthy food generally costs more than unhealthy food. How can we assist those with low incomes? Working with Partners in Food, our family farm donates lean healthy beef to local food banks, providing the underprivileged with nutritious protein. Furthermore, I live in a community with a plethora of gardens. Grandmother alone has four gardens! I will encourage my community to share excess garden items with the poor by using my family farm as a collection point. Neighbors and family can share healthy fruits and vegetables that I can deliver to local food banks promoting agriculture at the same time.

It is time for farmers to take action through education and making healthy food more available to the poor. One farmer at a time, we can make a difference and improve the health of our fellow Americans. Will you join me? American agriculture will feed the world with a safe, abundant, affordable, and healthy food supply.

THE ROLE OF THE FARM IN A HEALTHY DIET

(By Andrea Ledgerwood)

Indiana farms are crucial to our state's well-being. They provide healthy foods we eat every day, including milk, eggs, corn, and meat. The health of the animals occupying the farms ensures the quality of the food. Indiana farmers take pride in making sure only the healthiest products go to market.

On that note, we also get nutrients from these products. Milk from dairy cows can reduce the risk of health issues such as osteoporosis, some cancers, type two diabetes, and obesity to list just a few. It is just rich, cold, delicious, wholesome, fresh milk from our Hoosier dairy farmers who care about us. Hoosier farmers also grow sweet corn in the rich Indiana soil. Sweet corn contains only one gram of fat per ear of corn—that is seven times less fat than name brand granola bars. It also has significantly more vitamin C than most granola bars. Doesn't a crunchy, sweet, flavorful, fun to eat summer treat from our fellow Hoosier farmers sound delicious?

If Indiana were to have more farmers' markets in our cities and towns, I believe we could improve our state's average health, including obesity. When we incorporate educational and nutritional values, Hoosiers will soon realize that eating healthy can be easy, affordable, and fun. The Farm Bureau exhibit at the Indiana State Fair is an excellent example of people working together to educate the public about farm safety and the healthiness of homegrown farm products. They have demonstrations, food samples, and very knowledgeable people that care about your health. I believe if we had more of those types of facilities around Indiana, people will be more encouraged to consume the rich, tasty, fresh farm products from our local Hoosier farmers. Don't you agree . . . there's a lot more than corn in Indiana!!

2011–2012 DISTRICT ESSAY WINNERS

District 1: Rachel Stoner, Kyle Venditti; District 2: Luke Lashure, Andrea Ledgerwood; District 3: Ross Kindig, Grace Ringer; District 4: Will Harris, Carley Myers; District 5: Bailey Hayes, Jonathan Meredith; District 6: Aiden Foran, Karsyn Gaynor; District 7: Courtney Brown, Sam Ellis; District 8: Elizabeth Field, Brevin Runnebohn; District 9: Halie Klueg, Travis Koester; District 10: Jerry Clayton, Anne Franke.

2010–2011 COUNTY ESSAY WINNERS

Adams: Carley Myers and Triston Vetter, Adams Central Middle School. Allen: Haleigh DeVido and Luke Lashure, Saint Joseph Hessen Cassel School. Bartholomew: Aaron Kruchten and Audrey Wetzel, Central Middle School. Benton: Kendra Budreau and Joe Stembel, Benton Central Junior-Senior High School. Carroll: Morgan Dominguez, Delphi Community Middle School. Cass: Jodi Aleshire and Derek Sullivan, Southeastern School. Clay: Courtney Brown, Clay City Junior-Senior High School. Crawford: Nicholas Lahue and Nickki Parks, Crawford County Junior-Senior High School. Decatur: Sam Owens and Mika Shook, South Decatur Junior-Senior High School. Franklin: Sydney Browning and Dakota Busch, Mount Carmel School. Gibson: Cecilia Hall, Saint James Catholic School. Hamilton: Trenten Richardson, Carmel Middle School. Hendricks: Jonathan Meredith, Cascade Middle School. Howard: Will Harris and Anna Ortman, Northwestern Middle School.

Jackson: Anne Franke, Immanuel Lutheran School; Christopher Rust, Saint John's Lutheran School. Jay: Brett Laux and Abby Reier, East Jay Middle School. Lake: Mechai Sharks, Our Lady of Grace School; Kyle Venditti, Taft Middle School. Marion: Aiden Foran and Karsyn Gaynor, Immaculate Heart of Mary School. Monroe: Sam Ellis, Bachelor Middle School. Newton: Ross Kindig and Grace Wernert, South Newton Middle School. Owen: Caroline Sebastian, Owen Valley Middle School. Parke: Ross Akers and Bailey Hayes, Rockville Junior-Senior High School. Perry: Izic Holmes, Cannelton City Schools. Pike: Taylor Carlisle, Pike Central Middle School. Porter: Rachel Stoner, Morgan Township Middle School. Rush: Elizabeth Field and Brevin Runnebolun, Benjamin Rush Middle School. Steuben: Andrea Ledgerwood, Prairie Heights Middle School. Switzerland: Jerry Clayton and Destiny Marcum, Switzerland County Middle School. Vanderburgh: Halie Klueg, Thompkins Middle School; Travis Koester, Saint Wendel Catholic School. Wayne: Conner Allen and Amanda Wilson, Centerville Junior High School. White: Zeb Davis and Grace Ringer, Frontier Junior-Senior High School.●

TRIBUTE TO BRIGADIER GENERAL JOHN R. MCMAHON

● Mrs. MURRAY. Mr. President, it is with great privilege that I congratulate BG John R. McMahon, division commander of the Northwest Division of the U.S. Army Corps of Engineers, on his well-deserved retirement after a long and successful career serving our country. Brigadier General McMahon has been stationed with the Northwest Division since 2009, and my staff and I have had the pleasure of working extensively with him during that time.

An example of Brigadier General McMahon's leadership ability was his response to a storm that caused serious damage to the Howard Hanson Dam in King County. The storm raised the flood threat for hundreds of thousands of residents in the Green River Valley, which is home to one of the largest manufacturing and distribution bases on the west coast. Brigadier General McMahon and the Army Corps reacted quickly and decisively to respond and repair right abutment seepage issues and other potential failure modes, allowing the facility to return to normal operation in less than three years.

During his tenure, Brigadier General McMahon addressed the need to replace three lock gates on the Columbia-Snake River navigation system, and that was no small feat. He has also worked extensively to lay the groundwork with the Department of State in preparation for the upcoming renewal of the Columbia River Treaty. Brigadier General McMahon's hard work leaves a strong legacy upon which these important efforts may progress.

Additionally, as we all know, the Missouri River system witnessed some of the worst flooding in history in 2011. Under Brigadier General McMahon's leadership, the Army Corps responded quickly and efficiently to minimize the threats of rising floodwaters and to answer calls for help in repairing the extensive damage caused by these floods. For this, so many are grateful. His professionalism and expertise helped our Nation through this disaster and undoubtedly lessened the destruction and prevented loss of life.

On behalf of all who live in the Pacific Northwest, I thank Brigadier General McMahon for his dedication to the safety and well-being of the people of our region. His knowledge, experience, and tireless effort will be sorely missed. Mr. President, I congratulate General McMahon and wish him and his family the best of luck in their future endeavors.●

REMEMBERING PAUL SANDOVAL

● Mr. UDALL of Colorado. Mr. President, today I wish to honor a great Colorado leader and dear friend, Mr. Paul Sandoval. Two days ago, Paul passed away after a battle with pancreatic cancer, and I want to take this opportunity to honor his tremendous legacy and express my profound sadness at the loss of my dear friend a man who was the consummate public servant. I knew Paul as a fiercely compassionate person, tough yet kind, and he maintained these qualities throughout his battle with cancer.

Paul was a true family man. Known for his modesty and generosity, he gave as much to his family and friends as he did to his community and the State of Colorado. But it is not easy to express

just how much Paul meant to the people of Colorado.

He was perhaps most proud of this crowning achievement: being a tamale maker. He left an indelible impact on the culinary landscape of the State. I won't be the first or last to say this, but Paul's tamale shop, La Casita, makes the best tamales in Denver. People flocked to his restaurant, a landmark in north Denver, not only because of his delicious ''mile high traditional'' tamales but because of the community he created for all who visited. For the past four decades, anyone seeking fresh tamales and stimulating conversation about politics made a visit to Paul's restaurant.

The consummate public servant, Paul was often called the godfather of Colorado politics. He served the State faithfully as a State senator, a member of the Denver school board, and an adviser to elected officials at the local, State and Federal levels. I often relied on Paul's guidance, and I feel the loss of his counsel and friendship deeply.

I admire Paul because he never let partisanship get in the way of a good idea. As a supporter of Democrats, Republicans, and Independents, he valued a person's character and integrity, not party affiliation. Good people make the call to public service worth heeding, and Paul was one of the best. He embodied the Colorado principle that when you work together, things get done for the good of Colorado's families. Paul's example inspires my approach to bipartisanship and collaboration in the Senate today.

Paul's hard-working, entrepreneurial spirit stems from his early life and experiences. He started selling the Denver Post at the age of 6 and was delivering groceries for a local market by the eight grade. At that young age he even tracked down a customer who owed him for a newspaper, then negotiated with the man to pay interest for holding out. His early training in negotiation paid off for Colorado because Paul became one of our State's talented bridge-builders: he formulated commonsense public policy and then brought people together to achieve it.

The son of the founder of a meatpacking union, Paul had politics in his blood and was elected to the Colorado State Senate in 1974. In the Senate, Paul was a champion of many issues, but education issues held a special place in his heart and on his agenda. His leadership ensured the passage of Colorado's first bilingual education bill, and he cofounded the Chicano Education Project to implement bilingual curricula across the State. Paul furthered his commitment to educating Colorado's future leaders by later joining the Denver school board, and he personally set up scholarship funds to support undergraduate and graduate students.

For all of his work and in recognition of his leadership throughout the State, Paul received awards too numerous to recount here. Most recently, he was awarded the Hispanic Chamber of Commerce of Metro Denver's Lifetime Achievement Award. In addition, at this year's Jefferson Jackson Day Dinner, the Colorado Democratic Party honored him with its Lifetime Achievement Award.

My thoughts and prayers are with Paul's beloved wife Paula, his children, and his family, and I share their profound grief at the loss of my dear friend and confidant. But Paul's legacy will endure through the family he cherished, the generations of public servants he mentored, and the gift of inspiration he imparted to all of us.

I can think of no better way to describe Paul than as authentic, a real believer in what people could do through a good education and hard work, and a man who nourished a better political system the same way he nourished us with the best tamales in Denver. Paul Sandoval will be deeply missed but always remembered, for his extraordinary spirit.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and withdrawals which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:35 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1038. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960.

H.R. 2146. An act to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes.

H.R. 3336. An act to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act.

The message further announced that the House disagree to the amendment of the Senate to the bill (H.R. 4348) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a multiyear law reauthorizing such programs, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoint the following Members as managers of the conference on the part of the House:

From the Committee on Transportation and Infrastructure, for consideration of the House bill (except section 141) and the Senate amendment (except sections 1801, 40102, 40201, 40202, 40204, 40205, 40305, 40307, 40309–40312, 100112–100114, and 100116), and modifications committed to conference: Messrs. MICA, YOUNG of Alaska, DUNCAN of Tennessee, SHUSTER, Mrs. CAPITO, Mr. CRAWFORD, Ms. HERRERA BEUTLER, Messrs. BUCSHON, HANNA, SOUTHERLAND, LANKFORD, RIBBLE, RAHALL, DEFAZIO, COSTELLO, Ms. NORTON, Mr. NADLER, Ms. BROWN of Florida, Messrs. CUMMINGS, BOSWELL, and BISHOP of New York.

From the Committee on Energy and Commerce, for consideration of section 142 and titles II and V of the House bill, and sections 1113, 1201, 1202, subtitles B, C, D, and E of title I of division C, sections 32701–32705, 32710, 32713, 40101, and 40301 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, WHITFIELD, and WAXMAN.

From the Committee on Natural Resources, for consideration of sections 123, 142, 204, and titles III and VI of the House bill, and section 1116, subtitles C, F, and G of title I of division A, section 33009, titles VI and VII of division C, section 40101, subtitles A and B of title I of division F, and section 100301 of the Senate amendment, and modifications committed to conference: Messrs. HASTINGS of Washington, BISHOP of Utah, and MARKEY.

From the Committee on Science, Space, and Technology for consideration of sections 121, 123, 136, and 137 of the House bill, and section 1534, subtitle F of title I of division A, sections 20013, 20014, 20029, 31101, 31103, 31111, 31204, 31504, 32705, 33009, 34008, and division E of the Senate amendment, and modifications committed to conference: Messrs. HALL, CRAVAACK, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Ways and Means, for consideration of sections 141 and 142 of the House bill, and sections 1801, 40101, 40102, 40201, 40202, 40204, 40205, 40301–40307, 40309–40314, 100112–100114, and 100116 of the Senate amendment, and modifications committed to conference: Messrs. CAMP, TIBERI, and BLUMENAUER.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1038. An act to authorize the conveyance of two small parcels of land within the boundaries of the Coconino National Forest containing private improvements that were developed based upon the reliance of the landowners in an erroneous survey conducted in May 1960; to the Committee on Energy and Natural Resources.

H.R. 2146. An act to amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3336. An act to ensure the exclusion of small lenders from certain regulations of the Dodd-Frank Act; to the Committee on Agriculture, Nutrition, and Forestry.

MEASURES DISCHARGED

The following concurrent resolution was discharged from the Committee on the Budget pursuant to Section 300 of the Congressional Budget Act, and placed on the calendar:

S. Con. Res. 42. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5851. A communication from the Acting Director, National Institute of Food and Agriculture, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hispanic-Serving Agricultural Colleges and Universities (HSACU) Certification Process'' (RIN0524–AA39) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5852. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of fourteen (14) officers authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5853. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of four (4) officers authorized to wear the insignia of the grade of major general and brigadier general, respectively, in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC–5854. A communication from the Acting Assistant Secretary of Defense (Reserve Affairs), transmitting a report relative to additional Reserve component equipment procurement and military construction; to the Committee on Armed Services.

EC–5855. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Ireland; to the Committee on Banking, Housing, and Urban Affairs.

EC–5856. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to South Africa; to the Committee on Banking, Housing, and Urban Affairs.

EC–5857. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Republic of Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–5858. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Singapore; to the Committee on Banking, Housing, and Urban Affairs.

EC–5859. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the United Arab Emirates (UAE); to the Committee on Banking, Housing, and Urban Affairs.

EC–5860. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the Philippines; to the Committee on Banking, Housing, and Urban Affairs.

EC–5861. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–5862. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico; to the Committee on Banking, Housing, and Urban Affairs.

EC–5863. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Canada, Mexico, Chile, Colombia, Ecuador, China, Philippines, Japan, and South Korea; to the Committee on Banking, Housing, and Urban Affairs.

EC–5864. A communication from the Director of Congressional Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled ''Constraint on Releases of Airborne Radioactive Materials to the Environment for Licensees Other than Power Reactors'' (Regulatory Guide 4.20, Revision 1) received in the Office of the President of the Senate on April 24, 2012; to the Committee on Environment and Public Works.

EC–5865. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs; Changes in Provider and Supplier Enrollment, Ordering and Referring, and Documentation Requirements; and Changes in Provider Agreements'' (RIN0938–AQ01) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Finance.

EC–5866. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–5867. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC–5868. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; Passenger Vessel SAFARI EXPLORER Arrival/Departure, Kaunakakai Harbor, Molokai, Hawaii'' ((RIN1625–AA87) (Docket No. USCG–2011–1159)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5869. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zone; On the Waters in Kailua Bay, Oahu, HI'' ((RIN1625–AA87) (Docket No. USCG–2011–1142)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5870. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''West Oahu Offshore Security Zone'' ((RIN1625–AA87) (Docket No. USCG–2011–1048)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5871. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Security Zones; Cruise Ships, San Pedro Bay, California'' ((RIN1625–AA87) (Docket No. USCG–2011–0101)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5872. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Submarine Cable Installation Project; Chicago River South Branch, Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2011–1122)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5873. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Eisenhower Expressway Bridge Rehabilitation Project; Chicago River South Branch, Chicago, IL'' ((RIN1625–AA00) (Docket No. USCG–2011–1123)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5874. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zones; New Year's Eve Fireworks Displays within the Captain of the Port Miami Zone, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–1091)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5875. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Upper Mississippi River, Mile 389.4 to 403.1'' ((RIN1625–AA00) (Docket No. USCG–2011–1087)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5876. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; City of Beaufort's Tricentennial New Year's Eve Fireworks Display, Beaufort River, Beaufort, SC'' ((RIN1625–AA00) (Docket No. USCG–2011–1112)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5877. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Sausalito Yacht Club's Annual Lighted Boat Parade and Fireworks Display, Sausalito, CA'' ((RIN1625–AA00) (Docket No.

USCG–2011–0970)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5878. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Power Line Replacement, West Bay, Panama City, FL'' ((RIN1625–AA00) (Docket No. USCG–2011–0983)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5879. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Safety Zone; Mississippi River, Mile Marker 230 to Mile Marker 234, in the Vicinity of Baton Rouge, LA'' ((RIN1625–AA00) (Docket No. USCG–2011–0841)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5880. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Drawbridge Operation Regulation; New Jersey Intracoastal Waterway (NJICW), Atlantic City, NJ'' ((RIN1625–AA09) (Docket No. USCG–2011–0698)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5881. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; S99 Alford Street Bridge Rehabilitation Project, Mystic River, MA'' ((RIN1625–AA11) (Docket No. USCG–2011–1125)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5882. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Memorial Bridge Construction, Piscataqua River, Portsmouth, NH'' ((RIN1625–AA11) (Docket No. USCG–2011–1097)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5883. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Regulated Navigation Area; Arthur Kill, NY and NJ'' ((RIN1625–AA11) (Docket No. USCG–2011–0727)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5884. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Alternate Tonnage Threshold for Oil Spill Response Vessels'' ((RIN1625–AB82) (Docket No. USCG–2011–0966)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5885. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations and Safety Zones; Recurring Events in Captain of the Port New York Zone'' ((RIN1625–AA00) (Docket No. USCG–2010–1001)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5886. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations; Boca Raton Holiday Boat Parade, Intracoastal Waterway, Boca Raton, FL'' ((RIN1625–AA08) (Docket No. USCG–2011–1078)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5887. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Special Local Regulations and Safety Zones; Recurring Events in Captain of the Port Boston Zone'' ((RIN1625–AA08; AA00) (Docket No. USCG–2011–0109)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5888. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XB116) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5889. A communication from the Deputy Chief Counsel for Regulations and Security Standards, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Transportation Security Administration Postal Zip Code Change; Technical Amendment'' ((49 CFR Part 1572) (Amendment No. 1572–9)) received in the Office of the President of the Senate on April 23, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5890. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Douglas, AZ'' ((RIN2120–AA66) (Docket No. FAA–2011–1313)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5891. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace, and Establishment of Class E Airspace; Bozeman, MT'' ((RIN2120–AA66) (Docket No. FAA–2011–0783)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5892. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and E Airspace; Brooksville, FL'' ((RIN2120–AA66) (Docket No. FAA–2012–0013)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5893. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2011–0959)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5894. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc (RR) Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2010–0562)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5895. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0997)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5896. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc.'' ((RIN2120–AA64) (Docket No. FAA–2012–0190)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5897. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Thielert Aircraft Engines GmbH (TAE) Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2009–0201)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5898. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–0030)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5899. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0992)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5900. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–1087)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5901. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Burl A. Rogers (Type Certificate Previously Held by William Brad Mitchell and Aeronca, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0318)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5902. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2012–0191)) received in the Office of the President of the Senate on April

18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5903. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2011–0565)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5904. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2010–1311)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5905. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Robinson Helicopter Company Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2011–0588)) received in the Office of the President of the Senate on April 18, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5906. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Pacific Halibut Fisheries; Catch Sharing Plan'' (RIN0648–BB68) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5907. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Framework Adjustment 23'' (RIN0648–BB51) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5908. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Northeast Multispecies Fishery Management Plan; Secretarial Amendment'' (RIN0648–BB39) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5909. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2012 and 2013 Harvest Specifications'' (RIN0648–XA758) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5910. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''2012 Accountability Measures for Gulf of Mexico Commercial Greater Amberjack and Closure of the Commercial Sector for Greater Amberjack'' (RIN0648–XB074) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5911. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands; Correction'' (RIN0648–XB038) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5912. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure'' (RIN0648–XB076) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5913. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Western Pacific Pelagic Fisheries; American Samoa Longline Limited Entry Program'' (RIN0648–XB009) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5914. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (RIN0648–XB122) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5915. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska'' (RIN0648–XB149) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5916. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod for American Fisheries Act Catcher/Processors Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB136) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5917. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XB118) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5918. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District in the Gulf of Alaska'' (RIN0648–XB113) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5919. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer'' (RIN0648–XB103) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5920. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XB142) received in the Office of the President of the Senate on April 19, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5921. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Standards for Living Organisms in Ships' Ballast Water Discharged in U.S. Waters'' ((RIN1625–AA32) (Docket No. USCG–2001–10486)) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Commerce, Science, and Transportation.

EC–5922. A communication from the Program Manager, Centers for Disease Control, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''World Trade Center Health Program Requirements for the Addition of New WTC-Related Health Conditions'' (RIN0920–AA45) received in the Office of the President of the Senate on April 25, 2012; to the Committee on Health, Education, Labor, and Pensions.

EC–5923. A communication from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Cochineal Extract and Carmine in the Labeling of Wines, Distilled Spirits, and Malt Beverages'' (RIN1513–AB79) received in the Office of the President of the Senate on April 25, 2012; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. KOHL, from the Committee on Appropriations, without amendment:

S. 2375. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112–163).

By Mrs. FEINSTEIN, from the Committee on Appropriations, without amendment:

S. 2465. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes (Rept. No. 112–164).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

H.R. 1016. A bill to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Res. 401. A resolution expressing appreciation for Foreign Service and Civil Service professionals who represent the United States around the globe.

By Mr. KERRY, from the Committee on Foreign Relations, without amendment:

S. 2224. A bill to require the President to report to Congress on issues related to Syria.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Col. Donald S. Wenke, to be Brigadier General.

Air Force nomination of Lt. Gen. Burton M. Field, to be Lieutenant General.

Air Force nomination of Maj. Gen. Bruce A. Litchfield, to be Lieutenant General.

Air Force nomination of Lt. Gen. Charles R. Davis, to be Lieutenant General.

Air Force nomination of Maj. Gen. Salvatore A. Angelella, to be Lieutenant General.

Air Force nomination of Maj. Gen. James F. Jackson, to be Lieutenant General.

Air Force nomination of Maj. Gen. Andrew E. Busch, to be Lieutenant General.

Army nomination of Colonel Robert P. White, to be Brigadier General.

Army nomination of Col. Steven Ferrari, to be Brigadier General.

Army nominations beginning with Col. Kristin K. French and ending with Col. Walter E. Piatt, which nominations were received by the Senate and appeared in the Congressional Record on January 23, 2012.

Army nomination of Lt. Gen. Dennis L. Via, to be General.

Army nomination of Col. Todd A. Plimpton, to be Brigadier General.

Army nomination of Maj. Gen. Patricia E. McQuistion, to be Lieutenant General.

Army nomination of Maj. Gen. Raymond P. Palumbo, to be Lieutenant General.

Army nomination of Lt. Gen. Robert P. Lennox, to be Lieutenant General.

Army nomination of Maj. Gen. Robert B. Brown, to be Lieutenant General.

Army nomination of Maj. Gen. Jeffrey W. Talley, to be Lieutenant General.

Navy nomination of Capt. Eric C. Young, to be Rear Admiral (lower half).

Navy nomination of Rear Adm. (lh) Terry B. Kraft, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) Bryan P. Cutchen, to be Rear Admiral.

Navy nomination of Rear Adm. (lh) Jonathan W. White, to be Rear Admiral.

Navy nominations beginning with Rear Adm. (lh) Richard P. Breckenridge and ending with Rear Adm. (lh) Herman A. Shelanski, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2012.

Navy nomination of Vice Adm. Mark I. Fox, to be Vice Admiral.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Jennifer M. Agulto and ending with Kathryn W. Weiss, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2012.

Air Force nominations beginning with Mario Abejero and ending with Carl R. Young, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2012.

Air Force nominations beginning with Richard E. Aaron and ending with Eric D. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2012.

Army nomination of Carol A. Fensand, to be Major.

Army nominations beginning with Kelley R. Barnes and ending with David L. Gardner, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2012.

Army nomination of Troy W. Ross, to be Colonel.

Army nomination of Sean D. Pitman, to be Major.

Army nomination of Walter S. Carr, to be Major.

Army nomination of Marc E. Patrick, to be Major.

Army nomination of Demetres Williams, to be Major.

Army nominations beginning with Alyssa Adams and ending with Donald L. Potts, which nominations were received by the Senate and appeared in the Congressional Record on March 19, 2012.

Army nomination of James M. Veazey, Jr., to be Colonel.

Army nomination of Shari F. Shugart, to be Major.

Army nominations beginning with Daniel A. Galvin and ending with Thomas J. Sears, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with Anthony R. Camacho and ending with Richard J. Sloma, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with James M. Bledsoe and ending with Daniel J. Young, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with John R. Abella and ending with D010584, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with Drew Q. Abell and ending with G010092, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Army nominations beginning with Edward C. Adams and ending with D011050, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

Marine Corps nomination of Juan M. Ortiz, Jr., to be Lieutenant Colonel.

Navy nomination of David T. Carpenter, to be Captain.

Navy nomination of Michael Junge, to be Captain.

Navy nomination of Marc E. Bernath, to be Commander.

Navy nomination of Steven A. Khalil, to be Lieutenant Commander.

Navy nomination of Ashley A. Hockycko, to be Lieutenant Commander.

Navy nomination of Jason A. Langham, to be Commander.

Navy nomination of Will J. Chambers, to be Commander.

Navy nominations beginning with Patrick J. Fox, Jr. and ending with Leslie H. Trippe, which nominations were received by the Senate and appeared in the Congressional Record on March 21, 2012.

By Mr. BINGAMAN for the Committee on Energy and Natural Resources.

*Marcilynn A. Burke, of North Carolina, to be an Assistant Secretary of the Interior.

*Adam E. Sieminski, of Pennsylvania, to be Administrator of the Energy Information Administration.

*Anthony T. Clark, of North Dakota, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2016.

*John Robert Norris, of Iowa, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2017.

By Mr. KERRY for the Committee on Foreign Relations.

*Michael A. Raynor, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Benin.

Nominee Michael A. Raynor.

Post Cotonou, Benin.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: Kathleen M. Raynor: $25, 9/2008, Barack Obama.

3. Children and Spouses: Bradley J. Raynor: none; Emma C. Raynor: none.

4. Parents: Albert P. Raynor—deceased; Margaret B. Raynor—deceased.

5. Grandparents: Albert B. Raynor—deceased; Hazel P. Raynor—deceased; William Bradley—deceased; Beatrice Bradley—deceased.

6. Brothers and Spouses: Gregory P. Raynor—none; Geoffrey B. Raynor—deceased.

7. Sisters and Spouses: Catherine L. Raynor—none.

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*Scott H. DeLisi, of Minnesota, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uganda.

Nominee: Scott H. DeLisi.

Post: Kampala, Uganda.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self $112.58, Oct. 2008, Obama Presidential Campaign '08; $20.00, Dec. 2011, Obama for America.

2. Spouse: Leija C. DeLisi: $80.00, Oct. 2008, Obama Presidential Campaign '08.

3. Children and Spouses: Daughter/Son-in-law: Tjama & Joe Saitta: $75.00, Oct. 2008, Obama Presidential Campaign '08; Son: Anthony DeLisi: $120.00, Oct. 2008, Obama Presidential Campaign '08; Son: Joe DeLisi: None.

4. Parents: Glorie A. DeLisi: $75.00, Oct. 2008, Obama Presidential Campaign '08; Joseph DeLisi (deceased), none.

5. Grandparents: Agostino & Antonella DeLisi (deceased), none; Elmer & Katherine Minea (deceased), none.

6. Brothers and Spouses: Andrew & Ida DeLisi: none; Daniel (deceased) & Jill DeLisi: none.

7. Sisters and Spouses: Sister: Deborah Hannigan: $2,200.00, Oct. 2008, Obama Presidential Campaign '08; Brother-in-Law: James Hannigan: $500.00, Oct. 2008, Obama Presidential Campaign '08; Christine & Edmond Perz: none; Martha & David Bogie: none.

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*Makila James, of the District of Columbia, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Kingdom of Swaziland.

Nominee: Makila James

Post: Swaziland

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.

2. Spouse: $100.00, 2008, Barak Obama.

3. Children and Spouses: Louis Wells (spouse)

4. Parents: Eddie Mae James (mother) and Albert James (father) both deceased.

5. Grandparents: Cora Lester (grandmother); Lucius Lester (grandfather), Nellie James (grandmother), and Tal James (grandfather)—all deceased.

6. Brothers and Spouses: Albert James (brother) and Avonell James (sister-in-law): none.

7. Sisters and Spouses: Names: Helen Garrett (sister): none. Rosetta James (sister): $247.00, 2008, Hillary Clinton for President; $205.00, 2008, Obama Victory Fund; Patricia Boatner (sister) and Arnold Boatner (brother-in-law): none; Cynthia Jenkins (sister): none; Linda James (sister): none; Lisa Wise (sister) and Tony Wise (brother-in-law): none; Felice James (sister): none.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with Robert E. Drapcho and ending with Robert P. Schmidt, Jr., which nominations were received by the Senate and appeared in the Congressional Record on February 13, 2012.

Foreign Service nominations beginning with Kathryn E. Abate and ending with Timothy J. Riley, which nominations were received by the Senate and appeared in the Congressional Record on February 29, 2012.

By Mr. LEAHY for the Committee on the Judiciary.

Gonzalo P. Curiel, of California, to be United States District Judge for the Southern District of California.

Robert J. Shelby, of Utah, to be United States District Judge for the District of Utah.

Michael P. Shea, of Connecticut, to be United States District Judge for the District of Connecticut.

By Mrs. MURRAY for the Committee on Veterans' Affairs.

*Margaret Bartley, of Maryland, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Coral Wong Pietsch, of Hawaii, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WHITEHOUSE (for himself and Mr. GRASSLEY):

S. 2370. A bill to amend title 11, United States Code, to make bankruptcy organization more efficient for small business debtors, and for other purposes; to the Committee on the Judiciary.

By Mr. RUBIO (for himself, Mr. VITTER, Mr. DEMINT, and Mr. LEE):

S. 2371. A bill to amend the National Labor Relations Act to permit employers to pay higher wages to their employees; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR (for himself and Mrs. HAGAN):

S. 2372. A bill to authorize pedestrian and motorized vehicular access in Cape Hatteras National Seashore Recreational Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VITTER:

S. 2373. A bill to improve the consideration by the Securities and Exchange Commission of the costs and benefits of its regulations and orders; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BINGAMAN (for himself, Mr. BARRASSO, Mr. WYDEN, and Mr. ENZI):

S. 2374. A bill to amend the Helium Act to ensure the expedient and responsible drawdown of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KOHL:

S. 2375. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and related Agencies programs for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. SNOWE (for herself and Ms. CANTWELL):

S. 2376. A bill to recognize and clarify the authority of the States to regulate air ambulance medical standards pursuant to their authority over the regulation of health care services within their borders, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. GILLIBRAND:

S. 2377. A bill to provide to the Administrator of the Animal and Plant Health Inspection Service of the Department of Agriculture expedited authority to remove geese that threaten aircraft; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROCKEFELLER:

S. 2378. A bill to suspend temporarily the duty on vacuum-grade ferroniobium or ferrocolombium; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2379. A bill to reduce temporarily the duty on manganese flake containing at least 99.5 percent by weight of manganese; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2380. A bill to reduce temporarily the duty on ferroniobium; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2381. A bill to suspend temporarily the duty on mixtures containing imidacloprid and thiodicarb; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2382. A bill to suspend temporarily the duty on mixtures containing methyl 4-({[(3-methoxy-4-methyl-5-oxo-4,5-dihydro-1H-1,2,4-triazol-1-yl)carbonyl]-amino}sulfonyl)-5-methylthiophene-3-carboxylate, isoxaflutole, and cyprosulfamide; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2383. A bill to modify and extend the temporary reduction of duty on mixtures of imidacloprid with application adjuvants; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2384. A bill to reduce temporarily the duty on mixtures containing Imidacloprid and cyfluthrin or its B-cyfluthrin isomer; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2385. A bill to suspend temporarily the duty on Imidacloprid; to the Committee on Finance.

By Mr. ROCKEFELLER:

S. 2386. A bill to reduce temporarily the duty on Penflufen; to the Committee on Finance.

By Mr. PRYOR:

S. 2387. A bill to amend the Food, Conservation, and Energy Act of 2008 to require the Secretary of Agriculture to acknowledge that the Department is considering or rejecting a civil rights claim not later than 45 days after receipt of the claim and, once considering a claim, to process all civil rights complaints within 270 days; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. BEGICH (for himself, Mr. INOUYE, Ms. SNOWE, Ms. MURKOWSKI, and Mr. WHITEHOUSE):

S. 2388. A bill to reauthorize and amend the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BEGICH (for himself, Ms. MURKOWSKI, Mr. TESTER, and Mr. CRAPO):

S. 2389. A bill to deem the submission of certain claims to an Indian Health Service contracting officer as timely; to the Committee on Indian Affairs.

By Mr. GRAHAM:

S. 2390. A bill to direct the Attorney General to revise certain rules under titles II and III of the Americans with Disabilities Act of 1990 relating to accessible means of entry to pools; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN:

S. 2391. A bill to extend the temporary suspension of duty on bitolylene diisocyanate; to the Committee on Finance.

By Mr. CARDIN:

S. 2392. A bill to suspend temporarily the duty on ginger extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2393. A bill to suspend temporarily the duty on celery extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2394. A bill to suspend temporarily the duty on capsicum extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2395. A bill to suspend temporarily the duty on cassia extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2396. A bill to suspend temporarily the duty on turmeric extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2397. A bill to suspend temporarily the duty on white pepper extracted oleoresin; to the Committee on Finance.

By Mr. CARDIN:

S. 2398. A bill to suspend temporarily the duty on black pepper extracted oleoresin; to the Committee on Finance.

By Mrs. MURRAY:
S. 2399. A bill to suspend temporarily the duty on sports footwear for persons other than men or women, valued at $12/pair or higher, other than ski-boots, cross-country ski footwear and snowboard boots; to the Committee on Finance.

By Mrs. MURRAY:
S. 2400. A bill to suspend temporarily the duty on sports footwear for men (other than ski-boots, cross-country ski footwear and snowboard boots), valued $12/pair or higher, with spikes; to the Committee on Finance.

By Mrs. MURRAY:
S. 2401. A bill to suspend temporarily the duty on sports footwear for women (other than ski-boots, cross-country ski footwear, snowboard boots and golf shoes), with spikes; to the Committee on Finance.

By Mrs. MURRAY:
S. 2402. A bill to suspend temporarily the duty on sports footwear for men (other than ski-boots, cross-country ski footwear, snowboard boots and golf shoes), with spikes; to the Committee on Finance.

By Mrs. MURRAY:
S. 2403. A bill to suspend temporarily the duty on sports footwear for persons other than men (other than ski-boots, cross-country ski footwear and snowboard boots), valued $12/pair or higher, with spikes; to the Committee on Finance.

By Mr. KOHL (for himself and Mr. JOHNSON of Wisconsin):
S. 2404. A bill to authorize the award of the Medal of Honor to First Lieutenant Alonzo H. Cushing for acts of valor during the Civil War; to the Committee on Armed Services.

By Mr. LIEBERMAN:
S. 2405. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Finance.

By Mr. LIEBERMAN:
S. 2406. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Finance.

By Mr. LIEBERMAN:
S. 2407. A bill to suspend temporarily the duty on thermoplastic biodegradable polymer blend; to the Committee on Finance.

By Mr. SCHUMER:
S. 2408. A bill to suspend temporarily the duty on lenses for digital cameras with a focal length 55 mm or more but not over 300 mm; to the Committee on Finance.

By Mr. SCHUMER:
S. 2409. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 10 mm or more; to the Committee on Finance.

By Mr. SCHUMER:
S. 2410. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 70mm or more; to the Committee on Finance.

By Mr. SCHUMER:
S. 2411. A bill to suspend temporarily the duty on lightweight digital camera lenses measuring approximately 55 mm or more; to the Committee on Finance.

By Mr. SCHUMER:
S. 2412. A bill to extend the temporary suspension of duty on certain digital camera lenses not exceeding 765.5 grams in weight; to the Committee on Finance.

By Mr. SCHUMER:
S. 2413. A bill to extend temporary suspension of duty on certain plastic lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:
S. 2414. A bill to extend the temporary suspension of duty on certain porcelain lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:
S. 2415. A bill to extend the temporary suspension of duty on certain aluminum lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:
S. 2416. A bill to extend the temporary suspension of duty on certain brass lamp-holder housings; to the Committee on Finance.

By Mr. SCHUMER:
S. 2417. A bill to suspend temporarily the duty on certain occupancy sensors; to the Committee on Finance.

By Mr. SCHUMER:
S. 2418. A bill to suspend temporarily the duty on certain electrical connectors; to the Committee on Finance.

By Mr. SCHUMER:
S. 2419. A bill to suspend temporarily the duty on certain time switches; to the Committee on Finance.

By Mr. SCHUMER:
S. 2420. A bill to suspend temporarily the duty on certain surge protectors; to the Committee on Finance.

By Mr. SCHUMER:
S. 2421. A bill to suspend temporarily the duty on certain tamper resistant ground fault circuit interrupters; to the Committee on Finance.

By Mr. SCHUMER:
S. 2422. A bill to suspend temporarily the duty on certain adjustable metal lighting fixtures; to the Committee on Finance.

By Mr. SCHUMER:
S. 2423. A bill to suspend temporarily the duty on nightlights of plastic; to the Committee on Finance.

By Mr. SCHUMER:
S. 2424. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one, 1-hydroxypyridine-2-thione, zinc salt, and application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:
S. 2425. A bill to extend the temporary suspension of duty on mixtures containing n-butyl-1,2-benzisothiazolin-3-one and application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:
S. 2426. A bill to suspend temporarily the duty on p-toluenesulfonamide; to the Committee on Finance.

By Mr. SCHUMER:
S. 2427. A bill to suspend temporarily the duty on instant print film for analog photography; to the Committee on Finance.

By Mr. SCHUMER:
S. 2428. A bill to suspend temporarily the duty on cyflufenamid; to the Committee on Finance.

By Mr. SCHUMER:
S. 2429. A bill to extend the temporary suspension of duty on tebufenozide; to the Committee on Finance.

By Mr. SCHUMER:
S. 2430. A bill to extend the temporary reduction of duty on Acetamiprid, whether or not mixed with application adjuvants; to the Committee on Finance.

By Mr. SCHUMER:
S. 2431. A bill to extend the temporary suspension of duty on cis-3-hexen-1-ol; to the Committee on Finance.

By Mr. SCHUMER:
S. 2432. A bill to extend the temporary suspension of duty on Helional; to the Committee on Finance.

By Mr. SCHUMER:
S. 2433. A bill to extend the temporary suspension of duty on magnesium zinc aluminum hydroxide carbonate coated with stearic acid; to the Committee on Finance.

By Mr. SCHUMER:
S. 2434. A bill to extend the temporary suspension of duty on magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) and magnesium aluminum hydroxide carbonate (synthetic hydrotalcite) coated with stearic acid; to the Committee on Finance.

By Mr. SCHUMER:
S. 2435. A bill to extend the temporary suspension of duty on C12-18 alkenes, polymers (TPX) with 4-methyl-1-pentene; to the Committee on Finance.

By Mr. SCHUMER:
S. 2436. A bill to extend the temporary suspension of duty on cyanuric chloride; to the Committee on Finance.

By Mr. SCHUMER:
S. 2437. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Finance.

By Mr. SCHUMER:
S. 2438. A bill to extend the temporary suspension of duty on sorbic acid; to the Committee on Finance.

By Mr. SCHUMER:
S. 2439. A bill to renew the temporary suspension of duty on potassium sorbate; to the Committee on Finance.

By Mr. SCHUMER:
S. 2440. A bill to renew the temporary suspension of duty on N-propyl gallate; to the Committee on Finance.

By Mr. SCHUMER:
S. 2441. A bill to suspend temporarily the duty on thiourea dioxide; to the Committee on Finance.

By Mr. SCHUMER:
S. 2442. A bill to suspend temporarily the duty on 12-hydroxystearic acid; to the Committee on Finance.

By Mr. SCHUMER:
S. 2443. A bill to suspend temporarily the duty on sodium ferrocyanide; to the Committee on Finance.

By Mr. SCHUMER:
S. 2444. A bill to reduce temporarily the duty on certain ceramic frit rings; to the Committee on Finance.

By Mr. SCHUMER:
S. 2445. A bill to reduce temporarily the duty on certain metal iodide pellets; to the Committee on Finance.

By Mr. SCHUMER:
S. 2446. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin, valued $35/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:
S. 2447. A bill to suspend temporarily the duty on leather footwear for women with uppers other than of pigskin (other than house slippers, work footwear, tennis shoes, basketball shoes and the like), valued $20/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:
S. 2448. A bill to suspend temporarily the duty on footwear for women (other than house slippers, tennis shoes, basketball shoes, gym shoes, training shoes and the like and other than work footwear), valued $15/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:
S. 2449. A bill to suspend temporarily the duty on nonenumerated footwear for women, valued $25/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:
S. 2450. A bill to suspend temporarily the duty on nonenumerated footwear with textile uppers for women, other than house slippers, valued $13/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:
S. 2451. A bill to suspend temporarily the duty on footwear other than house slippers, for women, valued $9.00/pair or higher; to the Committee on Finance.

By Mr. SCHUMER:
S. 2452. A bill to suspend temporarily the duty on women's belts of leather or composition leather, each valued $7.00 or higher; to the Committee on Finance.

By Mr. SCHUMER:
S. 2453. A bill to suspend temporarily the duty on necklaces or bracelets, other than necklaces or bracelets containing jadeites or rubies, valued $10 each or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2454. A bill to suspend temporarily the duty on imitation jewelry earrings; to the Committee on Finance.

By Mr. SCHUMER:

S. 2455. A bill to suspend temporarily the duty on imitation jewelry necklaces or bracelets, valued $10 each or higher; to the Committee on Finance.

By Mr. SCHUMER:

S. 2456. A bill to extend the temporary suspension of duty on sodium hypophosphite monohydrate; to the Committee on Finance.

By Mr. SCHUMER:

S. 2457. A bill to suspend temporarily the duty on anatase titanium dioxide; to the Committee on Finance.

By Mr. SCHUMER:

S. 2458. A bill to suspend temporarily the duty on germanium unwrought; to the Committee on Finance.

By Mr. SCHUMER:

S. 2459. A bill to suspend temporarily the duty on germanium oxides; to the Committee on Finance.

By Mr. SCHUMER:

S. 2460. A bill to suspend temporarily the duty on gallium unwrought; to the Committee on Finance.

By Mr. SCHUMER:

S. 2461. A bill to renew and modify the temporary suspension of duty on certain low expansion stoppers, lids, and other closures; to the Committee on Finance.

By Mr. SCHUMER:

S. 2462. A bill to renew and modify the temporary reduction of duty on certain low expansion laboratory glassware; to the Committee on Finance.

By Mr. LEVIN:

S. 2463. A bill to suspend temporarily the duty on fireworks (Class 1 .4G), other than display or special fireworks; to the Committee on Finance.

By Mr. LEVIN:

S. 2464. A bill to suspend temporarily the duty on display or special fireworks (Class 1.3G); to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 2465. An original bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2013, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Mr. TESTER:

S. 2466. A bill to amend title 10, United States Code, to authorize the provision of behavioral health readiness services to certain members of the Selected Reserve of the Armed Forces based on need, and for other purposes; to the Committee on Armed Services.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 2467. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; to the Committee on Armed Services.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 2468. A bill to establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HELLER:

S. 2469. A bill to prohibit an agency or department of the United States from establishing or implementing an internal policy that discourages or prohibits the selection of a resort or vacation destination as the location for a conference or event, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PAUL (for himself and Mr. UDALL of Colorado):

S. 2470. A bill to amend title 13, United States Code, to provide for the more accurate and complete enumeration of members of the Armed Forces in any tabulation of total population by the Secretary of Commerce, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HATCH (for himself and Mr. LEE):

S. 2471. A bill to provide for the conveyance of a small parcel of National Forest System land in the Uinta-Wasatch-Cache National Forest in Utah to Brigham Young University, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Mr. ISAKSON):

S. 2472. A bill to provide for the issuance and sale of a semipostal by the United States Postal Service for research and demonstration projects relating to autism spectrum disorders; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEE (for himself, Mr. BARRASSO, Ms. MURKOWSKI, Mr. PAUL, and Mr. HATCH):

S. 2473. A bill to prohibit the establishment of new units of the National Forest System, National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, or any other system established by Federal law, or any national conservation or national recreation area without approval of the applicable State legislature; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 2474. A bill to improve the health of minority individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN of Ohio:

S. 2475. A bill to extend the temporary suspension of duty on Mixtures of N'-(3,4-dichloro-phenyl)-N,Ndimethylurea with acrylate rubber; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2476. A bill to suspend temporarily the duty on mixture of 1-(1,2,3,4,5,6,7,8-octahydro-2,3,8,8-tetramethyl-2-naphthalenyl)-ethan-1-one (and isomers); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2477. A bill to suspend temporarily the duty on certain warp knit open-work fabric; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2478. A bill to extend the temporary suspension of duty on 4,8-dicyclohexyl -6-2,10-dimethyl -12 H-dibenzo[d,g][1,3,2]-dioxaphosphocin); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2479. A bill to extend the temporary suspension of duty on o-Chloro-p-toluidine (3-chloro-4-methylaniline); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2480. A bill to suspend tempoarily the duty on 4-vinylbenzenesulfonic acid, lithium salt; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2481. A bill to extend the temporary suspension of duty on 1-octadecanaminium, N,N-dimethyl-N-octadecyl-,(Sp-4-2)-[29H,31H-phthalocyanine-2-sulfonato(3-)-kN29,kN30,kN31, kN32]cuprate(1-); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2482. A bill to suspend temporarily the duty on 4-vinylbenzenesulfonic acid, sodium salt hydrate; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2483. A bill to suspend temporarily the duty on 1,3-propanediaminium, N-[3-[[[dimethyl[3- [2-methyl-1- oxo-2- propenyl) amino] propyl] ammonio] acetyl]amino] propyl] -2- hydroxy- N,N,N',N',N'-pentamethyl-, trichloride, polymer with 2-propenamide; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2484. A bill to suspend temporarily the duty on p-toluidine; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2485. A bill to suspend temporarily the duty on certain plastic laminate sheets consisting of layers of polyethylene film, polyethylene coextrusion copolymer of low density polyethylene and ethylene acrylic acid, and aluminum foil; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2486. A bill to suspend temporarily the duty on Ethylene-Propylene polymer; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2487. A bill to suspend temporarily the duty on 2-cyclo-hexylidene-2-phenyl-acetonitrile; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2488. A bill to reduce temporarily the duty on frames and mountings for spectacles, goggles, or the like; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2489. A bill to extend the temporary suspension of duty on mixtures of caprolactam disulfide with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2490. A bill to suspend temporarily the duty on 3-trifluoromethyl-4-nitrophenol; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2491. A bill to extend the temporary suspension of duty on Copper Phthalocyanine Green 7, Crude; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2492. A bill to suspend temporarily the duty on sodium thiocyanate; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2493. A bill to suspend temporarily the duty on 1,3,5-triazine-2,4,6-triamine, polymer with formaldehyde; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2494. A bill to renew the temporary suspension of duty on 2-oxepanone, polymer with aziridine and tetrahydro-2H-pyran-2-one, dodecanoate ester; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2495. A bill to suspend temporarily the duty on certain clearcoat lacquer; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2496. A bill to extend the temporary suspension of duty on mixtures of zinc dicyanato diamine with an elastomer binder of ethylene-propylene-diene monomer and ethyl vinyl acetate, and dispersing agents; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2497. A bill to suspend temporarily the duty on mixtures of polyethylene glycol, C16–C18 fatty acids, and C2–C6 aliphatic hydrocarbons; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2498. A bill to extend the temporary suspension of duty on 4,4'-oxydiphthalic anhydride; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2499. A bill to suspend temporarily the duty on a mixture of alkali metal phenate, mineral oil, and p-Dodecylphenol; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2500. A bill to extend the temporary suspension of duty on 3-methyl-4-(2,6,6-trimethylcyclohex-2-enyl)but-3-en-2-one(Methylionone); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2501. A bill to extend the temporary suspension of duty on mixtures of (acetato) pentammine cobalt dinitrate with a polymeric or paraffinic carrier; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2502. A bill to suspend temporarily the duty on benzene, polypropene derivatives; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2503. A bill to extend the temporary suspension of duty on 1,3-Bis(4-aminophenoxy)benzene (RODA); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2504. A bill to suspend temporarily the duty on D-Galacto-D-mannan, 2-hydroxy-3-(trimethylammonio)propyl ether, chloride (83589-59-7), 1-Propanaminium, 2,3-dihydroxy-N,N,N-trimethyl-, chloride (34004-36-9) and water; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2505. A bill to extend the temporary suspension of duty on mixtures of benzenesulfonic acid, dodecyl-, with 2-aminoethanol and Poly (oxy-1,2-ethanediyl), a-[1-oxo-9- octadecenyl]- w-hydroxy-, (9Z); to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2506. A bill to suspend temporarily the duty on D-Galacto-D-mannan; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 2507. A bill to reduce temporarily the duty on parts of frames and mountings for spectacles, goggles, or the like; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. UDALL of Colorado (for himself, Mr. CORNYN, Mr. MENENDEZ, Mr. BINGAMAN, Mr. REID, Mr. BENNET, Mr. AKAKA, Ms. STABENOW, Mrs. FEINSTEIN, and Mrs. HUTCHISON):

S. Res. 440. A resolution recognizing the historic significance of the Mexican holiday of Cinco de Mayo; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Ms. KLOBUCHAR, Mr. PRYOR, and Mr. THUNE):

S. Res. 441. A resolution expressing support for the designation of May 2012 as National Youth Traffic Safety Month; considered and agreed to.

By Mr. JOHANNS (for himself and Mr. NELSON of Nebraska):

S. Res. 442. A resolution celebrating the 140th anniversary of Arbor Day; considered and agreed to.

By Mr. NELSON of Florida (for himself, Mr. RUBIO, and Mr. MENENDEZ):

S. Res. 443. A resolution honoring the life and legacy of Auxiliary Bishop Agustin Roman; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. THUNE):

S. Res. 444. A resolution designating the week of May 1 through May 7, 2012, as ''National Physical Education and Sport Week''; considered and agreed to.

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. Res. 445. A resolution expressing support for the designation of May 1, 2012, as ''Silver Star Service Banner Day''; considered and agreed to.

By Mr. RUBIO (for himself, Mr. MCCAIN, Mr. JOHANNS, and Ms. AYOTTE):

S. Res. 446. A resolution expressing the Senate of the Senate that the United Nations and other intergovernmental organizations should not be allowed to exercise control over the Internet; to the Committee on Foreign Relations.

By Mr. PAUL:

S. Con. Res. 42. A concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2013, revising the appropriate budgetary levels for fiscal year 2012, and setting forth the appropriate budgetary levels for fiscal years 2013 through 2022; placed on the calendar.

By Mr. REID:

S. Con. Res. 43. A concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives; considered and agreed to.

ADDITIONAL COSPONSORS

S. 207

At the request of Mr. KOHL, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 207, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 250

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 250, a bill to protect crime victims' rights, to eliminate the substantial backlog of DNA samples collected from crime scenes and convicted offenders, to improve and expand the DNA testing capacity of Federal, State, and local crime laboratories, to increase research and development of new DNA testing technologies, to develop new training programs regarding the collection and use of DNA evidence, to provide post conviction testing of DNA evidence to exonerate the innocent, to improve the performance of counsel in State capital cases, and for other purposes.

S. 434

At the request of Mr. COCHRAN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 491

At the request of Mr. PRYOR, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 750

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 750, a bill to reform the financing of Senate elections, and for other purposes.

S. 889

At the request of Mr. ROCKEFELLER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 889, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day.

S. 1133

At the request of Mr. WYDEN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1133, a bill to prevent the evasion of antidumping and countervailing duty orders, and for other purposes.

S. 1162

At the request of Mr. DEMINT, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Indiana (Mr. COATS), the Senator from Louisiana (Mr. VITTER), the Senator from Utah (Mr. LEE) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 1162, a bill to authorize the International Trade Commission to develop and recommend legislation for temporarily suspending duties, and for other purposes.

S. 1202

At the request of Mr. LEAHY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1202, a bill to amend the Immigration and Nationality Act to reaffirm the United States' historic commitment to protecting refugees who are fleeing persecution or torture.

S. 1301

At the request of Mr. LEAHY, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1301, a bill to authorize appropriations for fiscal years 2012 through 2015 for the Trafficking Victims Protection Act of 2000, to enhance measures to combat trafficking in persons, and for other purposes.

S. 1718

At the request of Mr. WYDEN, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 1718, a bill to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

S. 1773

At the request of Mr. BROWN of Ohio, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1773, a bill to promote local and

regional farm and food systems, and for other purposes.

S. 1872

At the request of Mr. CASEY, the names of the Senator from Maine (Ms. COLLINS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1872, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 1946

At the request of Mr. WHITEHOUSE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1946, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers.

S. 1989

At the request of Ms. CANTWELL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 1989, a bill to amend the Internal Revenue Code of 1986 to make permanent the minimum low-income housing tax credit rate for unsubsidized buildings and to provide a minimum 4 percent credit rate for existing buildings.

S. 1993

At the request of Mr. NELSON of Florida, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1993, a bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement.

S. 2010

At the request of Mr. KERRY, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 2010, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 2050

At the request of Ms. SNOWE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2050, a bill to amend the Internal Revenue Code of 1986 to extend certain provisions of the Creating Small Business Jobs Act of 2010, and for other purposes.

S. 2069

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2069, a bill to amend the Public Health Service Act to speed American innovation in research and drug development for the leading causes of death that are the most costly chronic conditions for our Nation, to save American families and the Federal and State governments money, and to help family caregivers.

S. 2112

At the request of Mr. BEGICH, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2112, a bill to amend title 10, United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 2121

At the request of Ms. KLOBUCHAR, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2121, a bill to modify the Department of Defense Program Guidance relating to the award of Post-Deployment/Mobilization Respite Absence administrative absence days to members of the reserve components to exempt any member whose qualified mobilization commenced before October 1, 2011, and continued on or after that date, from the changes to the program guidance that took effect on that date.

S. 2165

At the request of Mrs. BOXER, the names of the Senator from Delaware (Mr. COONS), the Senator from Utah (Mr. LEE) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 2165, a bill to enhance strategic cooperation between the United States and Israel, and for other purposes.

S. 2173

At the request of Mr. DEMINT, the names of the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mr. CORNYN), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Oklahoma (Mr. INHOFE), the Senator from Nevada (Mr. HELLER), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2173, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 2219

At the request of Mr. WHITEHOUSE, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 2219, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 2237

At the request of Mr. REID, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2237, a bill to provide a temporary income tax credit for increased payroll and extend bonus depreciation for an additional year, and for other purposes.

S. 2255

At the request of Mr. BURR, the names of the Senator from Alaska (Mr. BEGICH), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2255, a bill to amend chapter 1 of title 36, United States Code, to add Welcome Home Vietnam Veterans Day as a patriotic and National observance.

S. 2320

At the request of Ms. AYOTTE, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 2320, a bill to direct the American Battle Monuments Commission to provide for the ongoing maintenance of Clark Veterans Cemetery in the Republic of the Philippines, and for other purposes.

S. 2325

At the request of Mr. NELSON of Florida, the names of the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Mr. BEGICH), the Senator from Ohio (Mr. BROWN) and the Senator from Missouri (Mrs. MCCASKILL) were added as cosponsors of S. 2325, a bill to authorize further assistance to Israel for the Iron Dome anti-missile defense system.

S. 2338

At the request of Mr. JOHANNS, his name was added as a cosponsor of S. 2338, a bill to reauthorize the Violence Against Women Act of 1994.

S. 2343

At the request of Mr. REID, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New York (Mrs. GILLIBRAND), the Senator from Vermont (Mr. SANDERS), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Oregon (Mr. WYDEN), the Senator from Minnesota (Mr. FRANKEN), the Senator from Alaska (Mr. BEGICH), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 2343, a bill to amend the Higher Education Act of 1965 to extend the reduced interest rate for Federal Direct Stafford Loans, and for other purposes.

S. 2344

At the request of Mr. VITTER, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 2344, a bill to extend the National Flood Insurance Program until December 31, 2012.

S. 2366

At the request of Mr. ALEXANDER, the names of the Senator from Ohio (Mr. PORTMAN), the Senator from Nevada (Mr. HELLER), the Senator from Florida (Mr. RUBIO) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2366, a bill to extend student loan interest rates for undergraduate Federal Direct Stafford Loans.

S. RES. 227

At the request of Mr. WEBB, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor

of S. Res. 227, a resolution calling for the protection of the Mekong River Basin and increased United States support for delaying the construction of mainstream dams along the Mekong River.

S. RES. 380

At the request of Mr. GRAHAM, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. Res. 380, a resolution to express the sense of the Senate regarding the importance of preventing the Government of Iran from acquiring nuclear weapons capability.

S. RES. 419

At the request of Mr. CARDIN, his name was added as a cosponsor of S. Res. 419, a resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition week.

S. RES. 436

At the request of Mr. BEGICH, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Res. 436, a resolution designating the week of April 22 through 28, 2012, as the ''Week of the Young Child''.

S. RES. 439

At the request of Mr. BLUMENTHAL, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 439, a resolution expressing the sense of the Senate that Village Voice Media Holdings, LLC should eliminate the ''adult entertainment'' section of the classified advertising website Backpage.com.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Mr. BARRASSO, Mr. WYDEN, and Mr. ENZI:

S. 2374. A bill to amend the Helium Act to ensure the expedient and responsible draw-down of the Federal Helium Reserve in a manner that protects the interests of private industry, the scientific, medical, and industrial communities, commercial users, and Federal agencies, and for other purposes: to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I am pleased to introduce the Helium Stewardship Act of 2012, along with my cosponsors, Senators BARRASSO, WYDEN, and ENZI. This bipartisan bill addresses the need for ongoing stewardship of the nation's helium reserve in Amarillo, Texas. The helium reserve is not only a domestic treasure, but it also provides nearly 30 percent of the world's helium.

Helium is a commodity that is frequently overlooked and often only considered when you are going to the florist to purchase party balloons for your child's birthday party. I want to take a moment and highlight the importance of this commodity, as well as the importance of the U.S. helium reserve in the world's helium market.

Helium is critical to a wide range of industrial, scientific, and medical markets, including medical devices such as MRIs, industrial welding, high tech manufacturing of microchips and fiber optic cables, manufacturing magnets for wind turbines, space exploration at NASA, and other important scientific research that is conducted at national laboratories like those in my State.

The current sales and management structure for the helium reserve is distorting the private helium market and threatening helium supplies for Federal medical and scientific research, and other private commercial applications. The low government sales price is also a barrier to the development of private sources of helium. But more importantly, if Congress does not act, the helium program will disappear altogether in less than three years, leaving our hospitals, national labs, domestic manufacturers, and helium producers high and dry.

This bipartisan bill will address these issues by authorizing prudent helium sales and management beyond 2015 and securing private access to Federal supplies. It will also allow for the continued repayment of the national debt by selling helium at fair market prices—providing a good return on investment to the American taxpayer. This will bolster the private helium sector, and help to create long-term jobs in this American resource sector, as well as ensure the continued success of domestic manufacturers that utilize helium in their manufacturing process.

Finally, this bill will ensure secure access to helium for our national labs, scientific researchers, NASA, medical institutions, and universities, who rely on helium to push the boundaries of science and technology here in the USA. In particular, as the reserve is sold off, a 15 year supply of helium will be set aside exclusively for Federal researchers to guarantee continuity of our research programs as we transition to purely private sources of helium.

The bill is based on stakeholder input of the National Academies of Science, Bureau of Land Management staff, scientific researchers, high-tech manufacturers, and the private helium industry to address the most pressing problems facing Federal helium users and the helium industry today.

I would like to conclude by taking a moment to acknowledge the exceptional efforts of Dr. Marcius Extavour who was the AAAS Science policy fellow and physicist working on the Energy and Natural Resources Committee last year. He worked diligently to help craft this important piece of legislation and I thank him for his efforts.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2374

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Helium Stewardship Act of 2012''.

SEC. 2. DEFINITIONS.

Section 2 of the Helium Act (50 U.S.C. 167) is amended—

(1) in paragraph (1), by striking the semicolon at the end and inserting a period;

(2) in paragraph (2), by striking ''; and'' and inserting a period; and

(3) by adding at the end the following:

''(4) FEDERAL HELIUM RESERVE.—

''(A) IN GENERAL.—The term 'Federal Helium Reserve' means helium reserves owned by the United States.

''(B) INCLUSIONS.—The term 'Federal Helium Reserve' includes—

''(i) the Cliffside Field helium storage reservoir;

''(ii) the federally owned helium pipeline system; and

''(iii) all associated infrastructure owned, leased, or managed under contract by the Secretary for storage, transportation, withdrawal, purification, or management of helium.

''(5) LOW-BTU GAS.—The term 'low-Btu gas' means a fuel gas with a heating value of less than 250 Btu per standard cubic foot measured as the higher heating value resulting from the inclusion of noncombustible gases, including nitrogen, helium, argon, and carbon dioxide.''.

SEC. 3. SALE OF CRUDE HELIUM.

Section 6 of the Helium Act (50 U.S.C. 167d) is amended to read as follows:

''SEC. 6. SALE OF CRUDE HELIUM.

''(a) PHASE A: BUSINESS AS USUAL.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary may offer for sale crude helium for Federal, medical, scientific, and commercial uses in such quantities, at such times, and under such conditions as the Secretary, in consultation with the helium industry, determines necessary to carry out this subsection with minimum market disruption.

''(2) MINIMUM QUANTITY.—The Secretary shall offer for sale during each fiscal year under paragraph (1) a quantity of crude helium that is not less than the quantity of crude helium offered for sale by the Secretary during fiscal year 2012.

''(3) PURCHASE BY FEDERAL AGENCIES.—Federal agencies, and extramural holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal, medical, and scientific uses from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

''(4) DURATION.—This subsection applies during the period—

''(A) beginning on the date of enactment of the Helium Stewardship Act of 2012; and

''(B) ending on the date on which all amounts required to be repaid to the United States under this Act as of October 1, 1995, are repaid in full.

''(b) PHASE B: MAXIMIZING TOTAL RECOVERY OF HELIUM.—

''(1) IN GENERAL.—The Secretary may offer for sale crude helium for Federal, medical, scientific, and commercial uses in such quantities, at such times, and under such conditions as the Secretary, in consultation with the helium industry, determines necessary—

''(A) to maximize total recovery of helium from the Federal Helium Reserve over the long term;

''(B) to manage crude helium sales according to the ability of the Secretary to extract and produce helium from the Federal Helium Reserve;

''(C) to respond to helium market supply and demand;

''(D) to give priority to meeting the helium demand of Federal users in event of any disruption to the Federal Helium Reserve; and

''(E) to carry out this subsection.

''(2) PURCHASE BY FEDERAL AGENCIES.—Federal agencies, and extramural holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal, medical, and scientific uses from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

''(3) DURATION.—This subsection applies during the period—

''(A) beginning on the day after the date described in subsection (a)(4)(B); and

''(B) ending on the date on which the volume of recoverable crude helium at the Federal Helium Reserve (other than privately owned quantities of crude helium stored temporarily at the Federal Helium Reserve under section 5 and this section) is 3,000,000,000 standard cubic feet.

''(c) PHASE C: ACCESS FOR FEDERAL USERS.—

''(1) IN GENERAL.—The Secretary may offer for sale crude helium for Federal uses (including medical and scientific uses) in such quantities, at such times, and under such conditions as the Secretary determines necessary to carry out this subsection.

''(2) PURCHASE BY FEDERAL AGENCIES.—Federal agencies, and extramural holders of 1 or more Federal research grants, may purchase refined helium under this subsection for Federal uses (including medical and scientific uses) from persons who have entered into enforceable contracts to purchase an equivalent quantity of crude helium from the Secretary.

''(3) EFFECTIVE DATE.—This subsection applies beginning on the day after the date described in subsection (b)(3)(B).

''(d) PRICES AND DETERMINATIONS.—

''(1) IN GENERAL.—Sales of crude helium by the Secretary shall be at prices established by the Secretary that approximate the crude helium price in the private market as of the date of the offer for sale.

''(2) DETERMINATION OF SALE PRICE.—The Secretary may make a determination of the prices described in paragraph (1) using—

''(A) a confidential survey of qualifying domestic helium sourcing transactions to which any holder of a contract with the Secretary for the acceptance, storage, and redelivery of crude helium in the Cliffside Field helium storage reservoir is a party;

''(B) current market crude helium prices inferred from any amount received by the Secretary from the sale or disposition of helium on Federal land under subsection (f); and

''(C) in consultation with the helium industry, the volume-weighted average cost among helium refiners, producers, and liquefiers, in dollars per thousand cubic feet, of converting gaseous crude helium into bulk liquid helium.

''(3) AUTHORITY OF SECRETARY.—The Secretary shall require all persons or entities that are parties to a contract with the Secretary for the acceptance, storage, and redelivery of crude helium to disclose, on a strictly confidential basis in dollars per thousand cubic feet, the weighted average price of all crude helium and bulk liquid helium purchased or processed by the persons in all qualifying domestic helium sourcing transactions during the fiscal year.

''(4) QUALIFYING DOMESTIC HELIUM SOURCING TRANSACTIONS.—

''(A) IN GENERAL.—In establishing the prices described in paragraph (1), the Secretary shall consider subparagraphs (B) and (C) to ensure a reasonable number of transactions.

''(B) INCLUSIONS.—For the purposes of this subsection, qualifying domestic helium sourcing transactions include any new agreement in the United States for the purchase of at least 20,000,000 standard cubic feet of crude helium or liquid helium in the fiscal year in which the Secretary collects the data.

''(C) EXCLUSIONS.—For the purposes of this subsection, qualifying domestic helium sourcing transactions do not include—

''(i) purchases of crude helium from the Secretary; or

''(ii) transactions at prices indexed to the posted crude helium price of the Secretary.

''(5) USE OF INFORMATION.—The Secretary may use the information gathered under this subsection to approximate the current fair market price for crude helium to ensure recovery of fair value for the taxpayers of the United States from sales of crude helium.

''(6) PROTECTION OF CONFIDENTIALITY.—The Secretary shall adopt such administrative policies and procedures that the Secretary considers necessary and reasonable to ensure robust protection of the confidentiality of data submitted by private persons.

''(e) HELIUM PRODUCTION FUND.—

''(1) IN GENERAL.—All amounts received under this Act, including amounts from the sale of crude helium, shall be credited to the Helium Production Fund, which shall be available without fiscal year limitation for purposes considered necessary by the Secretary to carry out this subsection.

''(2) CAPITAL INVESTMENTS AND MAINTENANCE.—The Secretary may use funds credited to the Helium Production Fund to fund capital investments in upgrades and maintenance at the Federal Helium Reserve, including—

''(A) well head maintenance at the Cliffside Field helium storage reservoir;

''(B) capital investments in maintenance and upgrades of facilities that pressurize the Cliffside Field helium storage reservoir;

''(C) capital investments in maintenance and upgrades of equipment related to the storage, withdrawal, transportation, purification, and sale of crude helium at the Cliffside Field helium storage reservoir; and

''(D) any other scheduled or unscheduled maintenance of the Cliffside Field helium storage reservoir and helium pipeline.

''(3) EXCESS FUNDS.—Any amounts in the Fund described in paragraph (1) that exceed the amounts that the Secretary determines to be necessary to carry out paragraph (1) and any contracts negotiated under this Act shall be paid to the Treasury and credited against the amounts required to be repaid to the Treasury under subsection (a).

''(f) EXTRACTION OF HELIUM FROM DEPOSITS ON FEDERAL LAND.—All amounts received by the Secretary from the sale or disposition of helium on Federal land shall be paid to the Treasury and credited against the amounts required to be repaid to the Treasury under subsection (a).''.

SEC. 4. HELIUM RESOURCE ASSESSMENT, CONSERVATION RESEARCH, AND HELIUM-3 SEPARATION.

The Helium Act is amended by striking section 15 (50 U.S.C. 167m) and inserting the following:

''SEC. 15. HELIUM GAS RESOURCE ASSESSMENT.

''Not later than 2 years after the date of enactment of the Helium Stewardship Act of 2012, the Secretary, acting through the Director of the United States Geological Survey, shall—

''(1) in coordination with appropriate heads of State geological surveys—

''(A) complete a national helium gas assessment that identifies and quantifies the quantity of helium, including the isotope helium-3, in each reservoir, including assessments of the constituent gases found in each helium resource, such as carbon dioxide, nitrogen, and natural gas; and

''(B) make available the modern seismic and geophysical log data for characterization of the Bush Dome Reservoir;

''(2) in coordination with appropriate international agencies and the global geology community, complete a global helium gas assessment that identifies and quantifies the quantity of the helium, including the isotope helium-3, in each reservoir;

''(3) in coordination with the Secretary of Energy, acting through the Administrator of the Energy Information Administration, complete—

''(A) an assessment of trends in global demand for helium, including the isotope helium-3;

''(B) a 10-year forecast of domestic demand for helium across all sectors, including scientific and medical research, manufacturing, space technologies, cryogenics, and national defense; and

''(C) an inventory of medical, scientific, industrial, commercial, and other uses of helium in the United States, including Federal and commercial helium uses, that identifies the nature of the helium use, the amounts required, the technical and commercial viability of helium recapture and recycling in that use, and the availability of material substitutes wherever possible; and

''(4) submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report describing the results of the assessments required under this paragraph.

''SEC. 16. LOW-BTU GAS SEPARATION AND HELIUM CONSERVATION RESEARCH AND DEVELOPMENT.

''(a) AUTHORIZATION.—The Secretary of Energy shall support programs of research, development, commercial application, and conservation (including the programs described in subsection (b))—

''(1) to expand the domestic production of low-Btu gas and helium resources;

''(2) to separate and capture helium from natural gas streams at the wellhead; and

''(3) to reduce the venting of helium and helium-bearing low-Btu gas during natural gas exploration and production.

''(b) PROGRAMS.—

''(1) MEMBRANE TECHNOLOGY RESEARCH.—The Secretary of Energy, in consultation with other appropriate agencies, shall support a civilian research program to develop advanced membrane technology that is used in the separation of low-Btu gases, including technologies that remove helium and other constituent gases that lower the Btu content of natural gas.

''(2) HELIUM SEPARATION TECHNOLOGY.—The Secretary of Energy shall support a research program to develop technologies for separating, gathering, and processing helium in low concentrations that occur naturally in geological reservoirs or formations, including—

''(A) low-Btu gas production streams; and

''(B) technologies that minimize the atmospheric venting of helium gas during natural gas production.

''(3) INDUSTRIAL HELIUM PROGRAM.—The Secretary of Energy, working through the Industrial Technologies Program of the Department of Energy, shall carry out a research program—

''(A) to develop low-cost technologies and technology systems for recycling, reprocessing, and reusing helium; and

''(B) to develop industrial gathering technologies to capture helium from other chemical processing, including ammonia processing.

''SEC. 17. HELIUM-3 SEPARATION.

''(a) INTERAGENCY COOPERATION.—The Secretary shall cooperate with the Secretary of Energy, or a designee, on any assessment or research relating to the extraction and refining of the isotope helium-3 from crude helium at the Federal Helium Reserve or along the helium pipeline system, including—

''(1) gas analysis;

''(2) infrastructure studies; and

''(3) cooperation with private helium refiners.

''(b) FEASIBILITY STUDY.—The Secretary, in consultation with the Secretary of Energy, or a designee, may carry out a study to assess the feasibility of establishing a facility to separate the isotope helium-3 from crude helium at—

''(1) the Federal Helium Reserve; or

''(2) an existing helium separation or purification facility connected to the helium pipeline system.

''(c) REPORT.—Not later than 1 year after the date of enactment of the Helium Stewardship Act of 2012, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that contains a description of the results of the assessments conducted under this section.''.

SEC. 5. MISCELLANEOUS.

Section 102 of the Soda Ash Royalty Reduction Act of 2006 (30 U.S.C. 262 note; Public Law 109–338) is amended by striking ''5-year'' and inserting ''7-year''.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 2467. A bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2013, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, Senator MCCAIN and I are introducing, by request, the Administration's proposed National Defense Authorization Act for fiscal year 2013. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the administration's proposals before Congress and the public without expressing our own views on the substance of these proposals. As Chairman and Ranking Member of the Armed Services Committee, we look forward to giving the administration's requested legislation our most careful review and thoughtful consideration.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 2468. A bill to establish the Columbine-Hondo Wilderness in the State of New Mexico, to provide for the conveyance of certain parcels of National Forest System land in the State, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Columbine-Hondo Wilderness Act which will designate approximately 45,000 acres in the Sangre de Cristo Mountains in northern New Mexico as wilderness. I am pleased that my colleague, Senator TOM UDALL, is a cosponsor of this legislation.

Located in the Carson National Forest in Taos County, the Columbine-Hondo is one of the last remaining segments of this high alpine ecosystem to receive permanent wilderness protection. The concept of wilderness has deep roots and a long history in the Carson National Forest. For example, in the early 1900s, Aldo Leopold, known as the father of wilderness, spent his early career in the Forest Service in the Carson where he quickly reached the post of Forest Supervisor. There is no doubt that he spent much time traveling through this landscape that likely helped cultivate his thoughts on the importance of wilderness.

Leopold's concept of wilderness evolved over time and heavily influenced policy makers and the growing conservation community. He wrote, ''Wilderness is the raw material out of which man has hammered the artifact called civilization. . . . To the laborer in the sweat of his labor, the raw stuff on his anvil is an adversary to be conquered. So was wilderness an adversary to the pioneer. But to the laborer in repose, able for the moment to cast a philosophical eye on his world, that same raw stuff is something to be loved and cherished, because it gives definition and meaning to his life.'' One person who shared that definition and meaning with Aldo Leopold was former New Mexico Senator Clinton P. Anderson. In fact, due in large part to the conversations he had with Leopold forty years earlier, Senator Anderson led the effort in Congress to pass the Wilderness Act of 1964.

In that 1964 Act, the Wheeler Peak Wilderness became the first wilderness area in the Carson National Forest, which lies just south of the Columbine-Hondo area. Shortly thereafter in 1970, the Taos Pueblo-Blue Lake Wilderness, adjacent to Wheeler Peak, was established, further demonstrating that the idea of wilderness is a valuable concept to Indian tribes wishing to protect their most sacred sites for future generations. Another decade had to pass before Congress protected additional lands in New Mexico as wilderness in 1980, including the Latir Peak Wilderness, north of the Columbine-Hondo. In that same Act, the Columbine-Hondo was designated as a Wilderness Study Area to allow Congress further time to review the merits of designating this area as wilderness.

Aldo Leopold laments in A Sand County Almanac that progress in conservation is slow—a fact that hasn't changed much in modern times. ''Despite nearly a century of propaganda,'' he wrote, ''conservation still proceeds at a snail's pace.'' In this context, it is unfortunately not surprising that it has taken Congress over 30 years to review the merits of the Columbine-Hondo Wilderness Study Area.

But the time to permanently protect the Columbine-Hondo is now before us. After many years of hard work by local community leaders, a nearly unanimous consensus has formed in support of protecting this landscape as wilderness. This is due to the longstanding recognition by the surrounding communities and their residents of the benefits that wilderness provides them. The mountains provide communities with clean air and act as a watershed, providing them with fresh and clean water. Sportsmen benefit from the protection of quality habitat that will ensure the elk, deer, and antelope found in the mountains and the fish in the mountain streams will continue to thrive. Communities like the Towns of Taos and Red River and the Villages of Questa and Taos Ski Valley can find economic benefits by attracting visitors seeking opportunities for solitude and quiet recreation, including hiking, birding, horseback riding, and even the occasional llama trekking. And community members can create job opportunities through outfitting and other service industries to assist residents and visitors alike explore these gateways to a more primitive era.

Wilderness also ensures that the way of life of many local ranchers will remain protected from threats like mining or disruptive off-road vehicle use. Local mountain biking coalitions have also recognized that a balance can be reached to protect wilderness values while making practical and common sense boundary adjustments that will help promote sustainable mountain biking opportunities in the region.

During my tenure in the Senate, it has been relatively uncommon to find such overwhelming support for the establishment of a new wilderness area. I commend the dedication and perseverance exhibited by the many local wilderness advocates who have devoted many years to see this effort come to fruition. Without their help, it may have taken another decade before Congress addressed this long outstanding matter. Congress has had 32 years now to review the designation of the Columbine-Hondo Wilderness. With such broad support having been developed, I urge my colleagues to support this initiative to protect this area without further delay.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2468

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Columbine-Hondo Wilderness Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) RED RIVER CONVEYANCE MAP.—The term ''Red River Conveyance Map'' means the map entitled ''Town of Red River Town Site Act Proposal'' and dated April 19, 2012.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) STATE.—The term ''State'' means the State of New Mexico.

(4) TOWN.—The term ''Town'' means the town of Red River, New Mexico.

(5) VILLAGE.—The term ''Village'' means the village of Taos Ski Valley, New Mexico.

(6) WILDERNESS.—The term ''Wilderness'' means the Columbine-Hondo Wilderness designated by section 101(a).

(7) WILDERNESS MAP.—The term ''Wilderness Map'' means the map entitled ''Columbine-Hondo, Wheeler Peak Wilderness'' and dated April 19, 2012.

TITLE I—ADDITION TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

SEC. 101. DESIGNATION OF THE COLUMBINE-HONDO WILDERNESS.

(a) IN GENERAL.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the approximately 45,000 acres of land in the Carson National Forest in the State, as generally depicted on the Wilderness Map, is designated as wilderness and as a component of the National Wilderness Preservation System, which shall be known as the ''Columbine-Hondo Wilderness''.

(b) MANAGEMENT.—Subject to valid existing rights, the Wilderness shall be administered by the Secretary in accordance with this Act and the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be considered to be a reference to the date of enactment of this Act.

(c) INCORPORATION OF ACQUIRED LAND AND INTERESTS IN LAND.—Any land or interest in land that is within the boundary of the Wilderness that is acquired by the United States shall—

(1) become part of the Wilderness; and

(2) be managed in accordance with—

(A) the Wilderness Act (16 U.S.C. 1131 et seq.);

(B) this section; and

(C) any other applicable laws.

(d) GRAZING.—Grazing of livestock in the Wilderness, where established before the date of enactment of this Act, shall be administered in accordance with—

(1) section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)); and

(2) the guidelines set forth in the report of the Committee on Interior and Insular Affairs of the House of Representatives accompanying H.R. 5487 of the 96th Congress (H. Rept. 96–617).

(e) COLUMBINE HONDO WILDERNESS STUDY AREA.—

(1) FINDING.—Congress finds that, for purposes of section 103(a)(2) of Public Law 96–550 (16 U.S.C. 1132 note; 94 Stat. 3223), any Federal land in the Columbine Hondo Wilderness Study Area administered by the Forest Service that is not designated as wilderness by subsection (a) has been adequately reviewed for wilderness designation.

(2) APPLICABILITY.—The Federal land described in paragraph (1) is no longer subject to subsections (a)(2) and (b) of section 103 of Public Law 96–550 (16 U.S.C. 1132 note; 94 Stat. 3223).

(f) MAPS AND LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall prepare maps and legal descriptions of the Wilderness.

(2) FORCE OF LAW.—The maps and legal descriptions prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct errors in the maps and legal descriptions.

(3) PUBLIC AVAILABILITY.—The maps and legal descriptions prepared under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service.

(g) FISH AND WILDLIFE.—Nothing in this Act affects the jurisdiction of the State with respect to fish and wildlife located on public land in the State, except that the Secretary, after consultation with the New Mexico Department of Game and Fish, may designate zones in which, and establish periods during which, hunting or fishing shall not be allowed for reasons of public safety, administration, the protection for nongame species and associated habitats, or public use and enjoyment.

(h) WITHDRAWALS.—Subject to valid existing rights, the Federal land described in subsections (a) and (e)(1) and any land or interest in land that is acquired by the United States in the Wilderness after the date of enactment of this Act is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 102. WHEELER PEAK WILDERNESS BOUNDARY MODIFICATION.

(a) IN GENERAL.—The boundary of the Wheeler Peak Wilderness in the State is modified as generally depicted in the Wilderness Map.

(b) WITHDRAWAL.—Subject to valid existing rights, any Federal land added to or excluded from the boundary of the Wheeler Peak Wilderness under subsection (a) is withdrawn from—

(1) entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

SEC. 103. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title.

TITLE II—LAND CONVEYANCES AND SALES.

SEC. 201. TOWN OF RED RIVER LAND CONVEYANCE.

(a) IN GENERAL.—Subject to the provisions of this section, the Secretary shall convey to the Town, without consideration and by quitclaim deed, all right, title, and interest of the United States in and to the 1 or more parcels of Federal land described in subsection (b) for which the Town submits a request to the Secretary by the date that is not later than 1 year after the date of enactment of this Act.

(b) DESCRIPTION OF LAND.—The parcels of Federal land referred to in subsection (a) are the parcels of National Forest System land (including any improvements to the land) in Taos County, New Mexico, that are identified as ''Parcel 1'', ''Parcel 2'', ''Parcel 3'', and ''Parcel 4'' on the Red River Conveyance Map.

(c) CONDITIONS.—The conveyance under subsection (a) shall be subject to—

(1) valid existing rights;

(2) public rights-of-way through ''Parcel 1'', ''Parcel 3'', and ''Parcel 4'';

(3) an administrative right-of-way through ''Parcel 2'' reserved to the United States; and

(4) such additional terms and conditions as the Secretary may require.

(d) USE OF LAND.—As a condition of the conveyance under subsection (a), the Town shall use—

(1) ''Parcel 1'' for a wastewater treatment plant;

(2) ''Parcel 2'' for a cemetery;

(3) ''Parcel ''3'' for a public park; and

(4) ''Parcel 4'' for a public road.

(e) REVERSION.—In the quitclaim deed to the Town under subsection (a), the Secretary shall provide that any parcel of Federal land conveyed to the Town under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the parcel of Federal land is used for a purpose other than the purpose for which the parcel was conveyed, as required under subsection (d).

(f) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The Town shall pay the reasonable survey and other administrative costs associated with the conveyance.

SEC. 202. VILLAGE OF TAOS SKI VALLEY LAND CONVEYANCE.

(a) IN GENERAL.—Subject to the provisions of this section, the Secretary shall convey to the Village, without consideration and by quitclaim deed, all right, title, and interest of the United States in and to the parcel of Federal land described in subsection (b) for which the Village submits a request to the Secretary by the date that is not later than 1 year after the date of enactment of this Act.

(b) DESCRIPTION OF LAND.—The parcel of Federal land referred to in subsection (a) is the parcel comprising approximately 4.6 acres of National Forest System land (including any improvements to the land) in Taos County generally depicted as ''Parcel 1'' on the map entitled ''Village of Taos Ski Valley Town Site Act Proposal'' and dated April 19, 2012.

(c) CONDITIONS.—The conveyance under subsection (a) shall be subject to—

(1) valid existing rights;

(2) an administrative right-of-way through the parcel of Federal land described in subsection (b) reserved to the United States; and

(3) such additional terms and conditions as the Secretary may require.

(d) USE OF LAND.—As a condition of the conveyance under subsection (a), the Village shall use the parcel of Federal land described in subsection (b) for a wastewater treatment plant.

(e) REVERSION.—In the quitclaim deed to the Village, the Secretary shall provide that the parcel of Federal land conveyed to the Village under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the parcel of Federal land is used for a purpose other than the purpose for which the parcel was conveyed, as described in subsection (d).

(f) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The Village shall pay the reasonable survey and other administrative costs associated with the conveyance.

SEC. 203. AUTHORIZATION OF SALE OF CERTAIN NATIONAL FOREST SYSTEM LAND.

(a) IN GENERAL.—Subject to the provisions of this section and in exchange for consideration in an amount that is equal to the fair

market value of the applicable parcel of National Forest System land, the Secretary may convey—

(1) to the holder of the permit numbered ''QUE302101'' for use of the parcel, the parcel of National Forest System land comprising approximately 0.2 acres that is generally depicted as ''Parcel 5'' on the Red River Conveyance Map; and

(2) to the owner of the private property adjacent to the parcel, the parcel of National Forest System land comprising approximately 0.1 acres that is generally depicted as ''Parcel 6'' on the Red River Conveyance Map.

(b) DISPOSITION OF PROCEEDS.—Any amounts received by the Secretary as consideration for a conveyance under subsection (a) shall be—

(1) deposited in the fund established under Public Law 90–171 (commonly known as the ''Sisk Act'') (16 U.S.C. 484a); and

(2) available to the Secretary, without further appropriation and until expended, for the acquisition of land or interests in land in the Carson National Forest.

(c) CONDITIONS.—The conveyance under subsection (a) shall be subject to—

(1) valid existing rights; and

(2) such additional terms and conditions as the Secretary may require.

(d) SURVEY; ADMINISTRATIVE COSTS.—

(1) SURVEY.—The exact acreage and legal description of the National Forest System land conveyed under subsection (a) shall be determined by a survey approved by the Secretary.

(2) COSTS.—The reasonable survey and other administrative costs associated with the conveyance shall be paid by the holder of the permit or the owner of the private property, as applicable.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. 2474. A bill to improve the health of minority individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. AKAKA. Mr. President, I am proud to once again introduce legislation addressing the health care disparities in racial and ethnic minority communities, the Health Equity and Accountability Act of 2012. I would like to thank my cosponsor, Senator INOUYE, along with a number of our colleagues in the House of Representatives, for all their support and contributions to this important legislation, and for raising awareness of this widespread problem.

While there are glaring health disparities based on racial and ethnic identity alone, they are further exacerbated by factors such as socioeconomics, geography, and sexual orientation and identity. Although the exact causes for the current state of health disparities in our country may be debatable, it is undeniable that ethnic, racial, geographic, and other minorities across the United States are plagued by disproportionately high rates of disease and experience a diminished quality of health care. Statistics paint a disturbing picture of minority health, consistently showing higher rates of illness and death for members of minority and marginalized groups.

For instance, HIV/AIDS has had a devastating impact on minorities in the U.S. In 2009, ethnic minorities accounted for over 70 percent of newly diagnosed cases of HIV. That year, nine out of ten babies born with HIV belonged to minority groups. The Office of Minority Health reported that, compared to Caucasians, Hispanic individuals are 3 times more likely to be diagnosed with AIDS; Native Americans are 1.4 times more likely; and Native Hawaiians and Pacific Islanders are 2.4 times more likely to be diagnosed with AIDS.

Cancer is the number one killer of Asian American Pacific Islanders and the second leading cause of death for most other racial and ethnic minorities in the United States. Cancer also affects African Americans at particularly alarming rates and has a disproportionate prevalence in the population of Hispanic women, who are 1.6 times more likely to be diagnosed with cervical cancer than non-Hispanic women. In addition, Native Americans are twice as likely as non-Hispanic whites to develop stomach or liver cancer.

The infant mortality rates for African Americans are one-and-a-half to 3 times higher than the rates for infants born to women of other races and ethnicities. Hispanic individuals are three times more likely to be diagnosed with AIDS than Caucasian individuals. As our nation continues to struggle with obesity, trends show increasingly high rates of obesity in minority groups, with young Mexican-American men under the age of 20 experiencing obesity at a rate of 25 percent of the population, while white men of the same age have a rate of just 15 percent.

Circulatory diseases are a growing problem in the Pacific region. These diseases not only lower patients' quality of life, but they are also very costly. Data from the Agency for Healthcare Research and Quality shows that eliminating preventable hospitalizations that are associated with lower incomes would save $6.7 billion in health care costs each year. However, the numbers alone do not capture the full extent of health disparities since there are additional issues with data collection and multiple factors often contribute to deaths.

In 2005, I introduced a similar piece of legislation, S. 1580, because many of the indigenous and ethnic minority communities across the United States and its territories lacked essential access to health care and suffered from certain key diseases at disproportionately high rates. The bill I am introducing today addresses many of the same issues and also takes into account the strong advances made by the Patient Protection and Affordable Care Act. In 2008, the landmark health care reform legislation laid the foundation to start reducing some of those health disparities. Senator INOUYE and I are introducing this legislation today to build on the work of the Affordable Care Act, and to advance the national discussion on how we can better achieve health equity.

While the Affordable Care Act expanded care in diverse communities across the country, such as Asian Americans, Native Hawaiians, and Pacific Islanders, it is important that we take further steps to ensure that all Americans, regardless of racial, ethnic, socioeconomic, physical, and geographic circumstances, have affordable access to high-quality health care. Because the causes of health care disparities are wide-ranging, the scope of this bill must be equally encompassing. Therefore, my bill focuses on two main strategies: first, encouraging research on diseases and conditions that disproportionately impact minority individuals; and second, improving access to effective care for minority communities.

We must make it easier to identify existing disparities through comprehensive data collection, ensure workforce diversity, target diseases that disproportionately affect minorities, and make culturally and linguistically appropriate health care services available to all.

We need more comprehensive data on the most significant health care problems experienced by minority individuals and the factors that play a role in how these diseases affect different communities. The more we know about the way populations are affected by disease, the better prepared health care professionals will be to create strategies to both treat and prevent each high-impact disease in specific communities. My bill will help to accomplish this by strengthening both data collection and the reporting of health data.

To complement our efforts in data collection, we must also target disease awareness education and effective preventative services towards communities with large populations of ethnic and racial minorities at high risk for certain diseases. Community-based programs as well as comprehensive disease-specific programs already in place are helping to ensure that the health needs of minority communities are being met. My legislation would revitalize efforts in community health and preventive services, which are the most cost-effective ways of providing care.

This bill builds upon the Affordable Care Act's historic investment in prevention and calls for resources to target communities striving to overcome negative social factors. This bill encourages these investments and focuses on preventing fatal diseases, which could save thousands of lives each year and lower health care costs.

Although prevention plays a critical role in finding ways to close disparities, we also have to invest in research to develop better treatment plans for diseases that disproportionately affect indigenous, racial, and ethnic minorities, and to ensure that currently underserved communities have access to care. My bill proposes focused approaches to combat a variety of diseases and conditions, including heart disease, cancer, diabetes, and HIV/

AIDS, which have a disparate impact on racial and ethnic minorities. This legislation also helps to provide affordable and culturally appropriate access to care in several ways.

My bill, the Health Equity and Accountability Act of 2012, includes proposals to remove significant barriers to health care coverage and access and maximize the positive impact of federal investments in health care in minority communities. For example, it would re-establish Medicaid eligibility for citizens of the Compact of Free Association nations living in the United States. This would greatly ease the financial burden on States like Hawaii and Arkansas, which have been forced to absorb the costs of providing health and social services, education, and public safety for Compact migrants in accordance with unfunded Federal mandates since 1996.

My bill would also make health care more affordable and improve access by providing a 100 percent Federal Medicaid Assistance Percentage, FMAP, for Native Hawaiians who receive health care from Federally Qualified Health Centers or the Native Hawaiian Health Care System. The increased FMAP will ensure that Native Hawaiians have access to the essential health services provided by community health centers and the Native Hawaiian Health Care System. These provisions would provide treatment for Native Hawaiians that is similar to that already provided to Native Alaskans through the Indian Health Service or tribal organizations.

This legislation will make it easier for minorities with cultural and language barriers to improve their health outcomes by enhancing language access services, making health literacy a priority in patient care, and making sure there is culturally competent care in the health care delivery system. My bill will support professionals who are well-equipped to provide quality health care that is culturally and linguistically appropriate. As a part of this effort, this legislation creates training opportunities for willing and competent minority candidates to enter the health care workforce.

The Health Equity and Accountability Act also seeks to ensure that communities of color benefit from the rapid advances in health information technology, or health IT. It also encourages new investments in health IT infrastructure, which will serve as the foundation for improving the quality, effectiveness, and efficiency for all Americans in our future health care system. Improvements in health IT and health IT infrastructure will also make it possible for rural communities to access mobile health services and other treatment and diagnostics that were previously unavailable.

Another vital service that my bill seeks to make more accessible is mental health care. The Affordable Care Act fundamentally improved services for individuals with mental health and addiction disorders. Despite the improvements, mental health treatment remains underutilized, especially by minorities, due to social stigma and cultural resistance. To develop access and encourage treatment, my bill incorporates culturally competent strategies to address mental and behavioral health problems affecting minority communities and authorizes investment in researching and treating these serious conditions.

However, we cannot simply put these provisions in place and believe that they will eliminate all health disparities. We must have accountability and regular evaluation of these programs to ensure they are being carried out as they were intended, and that they are meeting their goals. To that end, my bill strengthens oversight by the Department of Health and Human Services, requiring the Department to make regular scheduled reports to Congress on the impact of these initiatives to ensure that they are continuing to reduce health disparities.

April is National Minority Health Month, and as we work diligently to transform health care in America, it is essential that we strive to eliminate the health disparities that affect our minority groups. This bill would significantly improve the quality of life for indigenous people, ethnic and racial minorities, as well as other marginalized groups. I encourage my colleagues to support this legislation, and begin an open dialogue on how we can close the gap in health care across the country.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 440—RECOGNIZING THE HISTORIC SIGNIFICANCE OF THE MEXICAN HOLIDAY OF CINCO DE MAYO

Mr. UDALL of Colorado (for himself, Mr. CORNYN, Mr. MENENDEZ, Mr. BINGAMAN, Mr. REID, Mr. BENNET, Mr. AKAKA, Ms. STABENOW, Mrs. FEINSTEIN, and Mrs. HUTCHISON) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 440

Whereas May 5, or ''Cinco de Mayo'' in Spanish, is celebrated each year as a date of great importance by the Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which Mexicans who were struggling for independence and freedom fought the Battle of Puebla;

Whereas Cinco de Mayo has become widely celebrated annually by nearly all Mexicans and Mexican-Americans, north and south of the United States-Mexico border;

Whereas the Battle of Puebla was but one of the many battles that the courageous Mexican people won in their long and brave struggle for independence and freedom;

Whereas the French army, confident that its battle-seasoned troops were far superior to the less-seasoned Mexican troops, expected little or no opposition from the Mexican army;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered and ill-equipped, but highly spirited and courageous, Mexican army;

Whereas, after 3 bloody assaults on Puebla in which more than 1,000 French soldiers lost their lives, the French troops were finally defeated and driven back by the outnumbered Mexican troops;

Whereas the courageous spirit that Mexican General Ignacio Zaragoza and his men displayed during that historic battle can never be forgotten;

Whereas many brave Mexicans willingly gave their lives for the causes of justice and freedom in the Battle of Puebla on Cinco de Mayo;

Whereas the sacrifice of the Mexican fighters was instrumental in keeping Mexico from falling under European domination while, in the United States, the Union Army battled Confederate forces in the Civil War;

Whereas Cinco de Mayo serves as a reminder that the foundation of the United States was built by people from many countries and diverse cultures who were willing to fight and die for freedom;

Whereas Cinco de Mayo also serves as a reminder of the close ties between the people of Mexico and the people of the United States;

Whereas, in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez, the president of Mexico during the Battle of Puebla, once said, ''El respeto al derecho ajeno es la paz'' (''Respect for the rights of others is peace''); and

Whereas many people celebrate Cinco de Mayo during the entire week in which the date falls: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic struggle of the people of Mexico for independence and freedom, which Cinco de Mayo commemorates; and

(2) encourages the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

Mr. UDALL of Colorado. Mr. President, I rise with Senators CORNYN, MENENDEZ, BINGAMAN, REID, BENNET, STABENOW, AKAKA, FEINSTEIN, and HUTCHISON to submit a resolution commemorating Cinco de Mayo.

We all love Cinco de Mayo for the food and festivities that we have grown so accustomed to across the country. However, the day is also of great historical relevance, commemorating the Battle of Puebla, an unlikely Mexican military victory over the French in 1852. Since then, Cinco de Mayo has come to represent Mexican-Americans' many contributions to the United States. For many decades Coloradans and communities across the country have celebrated this day in a way that brings pride to the contributions of the Mexican-American community of our state.

The commemoration of Cinco de Mayo also highlights the courage that Mexican forces displayed on May 5, 1862, a courage that was welcomed by the Union Army as it battled Confederate forces in the American Civil War. The victory of the beleaguered force of Mexican troops at the Battle of Puebla was a setback for Napoleon's France

that weakened France's immense resources and limited its ability to meddle in America's Civil War. As Mexico sought to defend itself from European aggression, the Battle of Puebla is a reminder for us that the foundation of the United States was also built through fights in which the United States often found itself as the underdog. But through perseverance, the willingness to fight and die for freedom, and the contributions of a diverse cultural mix of Americans from across the globe, we have been made stronger. This is something we should celebrate about our country's history.

This day in history has become especially important in Colorado, where the contributions of many Mexican-American families can be seen throughout our communities. As in years past, towns throughout Colorado and our nation will celebrate with food, educational activities, music and dancing, and I encourage my fellow Coloradans to join in their communities' celebrations.

SENATE RESOLUTION 441—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 2012 AS NATIONAL YOUTH TRAFFIC SAFETY MONTH

Mr. ROCKEFELLER (for himself, Mrs. HUTCHISON, Ms. KLOBUCHAR, Mr. PRYOR, and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 441

Whereas motor vehicle crashes are the leading cause of death for youth in the United States;

Whereas thousands of youth are injured or die each year in motor vehicle crashes;

Whereas on average, 11 youths die each day in motor vehicle crashes;

Whereas on average, May through August is the deadliest period for youths on our nation's highways;

Whereas on average, 8 of the top 10 deadliest days for youths on our nation's highways were between May and August;

Whereas events such as prom and graduation, and the summer driving season, contribute to the risk of a motor vehicle crash due to an increase in the amount of time youth spend on the road and in celebratory activities;

Whereas it is essential to teach our youths that driving is a privilege and with that privilege comes risks and responsibilities;

Whereas this education is essential to preventing risky behaviors that can result in tragic crashes;

Whereas the National Organizations For Youth Safety (NOYS) established a national youth campaign and National Youth Traffic Safety Month to draw attention to the increased rate of motor vehicle crashes involving youth between May and August, to help enforce youth safe driving laws, and to support youth and community education on youth traffic safety; and

Whereas NOYS invites all youths, families, and communities to participate in National Youth Traffic Safety Month:

Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of May 2012 as ''National Youth Traffic Safety Month'';

(2) supports youth traffic safety awareness; and

(3) encourages people across the United States to observe National Youth Traffic Safety Month with appropriate programs, activities, and ceremonies.

SENATE RESOLUTION 442—CELEBRATING THE 140TH ANNIVERSARY OF ARBOR DAY

Mr. JOHANNS (for himself and Mr. NELSON of Nebraska) submitted the following resolution; which was considered and agreed to:

S. RES. 442

Whereas Arbor Day was founded in Nebraska City, Nebraska on April 10, 1872, to recognize the importance of planting trees;

Whereas it is estimated that on the first Arbor Day, more than 1,000,000 trees were planted in the State of Nebraska alone;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas those activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 27, 2012, marks the 140th anniversary of Arbor Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes April 27, 2012, as National Arbor Day;

(2) celebrates the 140th anniversary of Arbor Day;

(3) supports the goals and ideals of Arbor Day; and

(4) encourages the people of United States to participate in Arbor Day activities.

SENATE RESOLUTION 443—HONORING THE LIFE AND LEGACY OF AUXILIARY BISHOP AGUSTIN ROMAN

Mr. NELSON of Florida (for himself, Mr. RUBIO, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 443

Whereas Agustín Román was appointed auxiliary bishop of the Archdiocese of Miami, Florida in 1979, becoming the first Cuban to be appointed bishop in the United States;

Whereas Agustín Román was expelled from Cuba in 1961 by the regime of Fidel Castro, along with many other Roman Catholic priests;

Whereas Agustín Román ministered in Chile for 4 years before coming to Miami, Florida in 1966, where he quickly became a spiritual leader and advocate for the Cuban community in Miami, as well as for many other immigrant communities, including Haitian refugees;

Whereas Agustín Román was fluent in Latin, English, French, and Spanish, and served on the Bishops' Committee for Hispanic Affairs, worked as a hospital chaplain, and became episcopal vicar for the Spanish-speaking people of the Archdiocese of Miami;

Whereas Agustín Román was the son of humble Cuban peasants, which influenced his commitment to humility, tenacity, and unceasing devotion to his ministry in southern Florida;

Whereas Agustín Román was instrumental in the construction of the Shrine of Our Lady of Charity on Biscayne Bay, which serves as a monument to the patron saint of Cuba, the Virgin of Charity of Cobre, and attracts hundreds of thousands of visitors each year;

Whereas in 1980 Agustín Román served as a mediator during the Mariel boatlift incident, helping more than 100,000 Cubans flee the island and safely resettle in the United States;

Whereas Agustín Román helped negotiate a peaceful resolution to the 1987 riots of Mariel prisoner uprisings in Federal prisons, earning him national recognition for his compassion, gentility, and humble spirit;

Whereas after his retirement at the age of 75, Agustín Román remained active at the Shrine of Our Lady Charity, greeting visitors and responding to letters from fellow Cuban exiles; and

Whereas Agustín Román passed away on Wednesday, April 11, 2012: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the life of Agustín Román;

(2) recognizes and honors the spiritual leadership of Agustín Román and his dedication to freedom and faith;

(3) offers heartfelt condolences to the family, friends, and loved ones of Agustín Román; and

(4) in memory of Agustín Román, calls on the United States to continue policies that promote respect for the fundamental principles of religious freedom, democracy, and human rights in Cuba, in a manner consistent with the aspirations of the people of Cuba.

SENATE RESOLUTION 444—DESIGNATING THE WEEK OF MAY 1 THROUGH MAY 7, 2012, AS ''NATIONAL PHYSICAL EDUCATION AND SPORT WEEK''

Ms. KLOBUCHAR (for herself and Mr. THUNE) submitted the following resolution; which was considered and agreed to:

S. RES. 444

Whereas a decline in physical activity has contributed to the unprecedented epidemic of childhood obesity, which has more than tripled in the United States since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to the continued health and well-being of children;

Whereas according to the Centers for Disease Control, overweight adolescents have a 70- to 80-percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as ''late in life'' or ''adult onset'' diabetes because type 2 diabetes presently occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans issued by the Department of Health and Human Services recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas according to the Centers for Disease Control, only 19 percent of high school students are meeting the goal of 60 minutes of physical activity each day;

Whereas children spend many of their waking hours at school and, as a result, need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas nationally, according to the Centers for Disease Control, 1 out of 4 children does not attend any school physical education classes, and fewer than 1 in 4 children get 20 minutes of vigorous activity every day;

Whereas teaching children about physical education and sports not only ensures that the children are physically active during the school day, but also educates the children on how to be physically active and the importance of physical activity;

Whereas according to a 2006 survey by the Department of Health and Human Services, 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education (or an equivalent) for the entire school year, and 22 percent of schools do not require students to take any physical education courses at all;

Whereas according to that 2006 survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provide physical education (or an equivalent) at least 3 days per week for the entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can help the attention, concentration, and achievement test scores of children;

Whereas participation in sports teams and physical activity clubs, often organized by the school and run outside of the regular school day, can improve grade point average, school attachment, educational aspirations, and the likelihood of graduation;

Whereas participation in sports and physical activity improves self-esteem and body image in children and adults;

Whereas children and youths who partake in physical activity and sports programs have increased motor skills, healthy lifestyles, social skills, a sense of fair play, strong teamwork skills, self-discipline, and avoidance of risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which the children live, and therefore, the people of the United States share a collective responsibility in reversing the childhood obesity epidemic;

Whereas if efforts are made to intervene with unfit children to bring those children to physically fit levels, then there may also be a concomitant rise in the academic performance of those children; and

Whereas Congress strongly supports efforts to increase physical activity and participation of children and youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2012, as ''National Physical Education and Sport Week'';

(2) recognizes National Physical Education and Sport Week and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) supports the implementation of local school wellness policies (as that term is described in section 9A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758b)) that include ambitious goals for physical education, physical activity, and other activities that address the childhood obesity epidemic and promote child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

SENATE RESOLUTION 445—EXPRESSING SUPPORT FOR THE DESIGNATION OF MAY 1, 2012, AS ''SILVER STAR SERVICE BANNER DAY''

Mrs. MCCASKILL (for herself and Mr. BLUNT) submitted the following resolution; which was considered and agreed to:

S. RES. 445

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1, 2012, is an appropriate date to designate as ''Silver Star Service Banner Day'': Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2012, as ''Silver Star Service Banner Day'' and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE RESOLUTION 446—EXPRESSING THE SENSE OF THE SENATE THAT THE UNITED NATIONS AND OTHER INTERGOVERNMENTAL ORGANIZATIONS SHOULD NOT BE ALLOWED TO EXERCISE CONTROL OVER THE INTERNET

Mr. RUBIO (for himself, Mr. MCCAIN, Mr. JOHANNS, and Ms. AYOTTE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 446

Whereas market-based policies and private sector leadership have given the Internet flexibility to evolve;

Whereas the position of the United States Government is and has been to advocate for the free flow of information, Internet freedom, and multi-stakeholder governance of the Internet internationally;

Whereas the current multi-stakeholder model of Internet governance has enabled the Internet to flourish and allowed the private sector, civil society, academia, and individual users to play an important role in charting the direction of the Internet;

Whereas, given the importance of the Internet to the global economy, it is essential that the underlying technical infrastructure of the Internet remain stable and secure;

Whereas the developing world deserves the benefits that the Internet provides, including access to knowledge, services, commerce, and communication, the accompanying benefits to economic development, education, health care, and social assembly, and the informed discussion that is the bedrock of democratic self-government;

Whereas the explosive and hugely beneficial growth of the Internet resulted not from increased government involvement but from the opening of the Internet to commerce and private sector innovation;

Whereas the governments of some countries that advocate radical change in the structure of Internet governance censor the information available to their citizens through the Internet, use the Internet to prevent democratization, and use the Internet as a tool of surveillance to curtail legitimate political discussion and dissent, and other countries operate telecommunications systems as state-controlled monopolies or highly regulated and highly taxed entities;

Whereas some countries that support transferring Internet governance to an entity affiliated with the United Nations, or to another intergovernmental organization, might seek to have such an entity or organization endorse policies of those countries that block access to information, stifle political dissent, and maintain outmoded communications structures; and

Whereas the structure and control of Internet governance has profound implications for democratization, free expression, competition and trade, access to information, privacy, security, and the protection of intellectual property, and the threat of some countries to take unilateral action that would fracture the root zone file would result in a less functional Internet with diminished benefits for all people: Now, therefore, be it

Resolved, That the Senate calls on the President—

(1) to continue to oppose any effort to transfer control of the Internet to the United Nations or any other intergovernmental organization;

(2) to recognize the need for, and pursue, a continuing and constructive dialogue with the international community on the future of Internet governance; and

(3) to advance the values of a free Internet in the broader trade and diplomatic efforts of the United States Government.

SENATE CONCURRENT RESOLUTION 42—SETTING FORTH THE CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2013, REVISING THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEAR 2012, AND SETTING FORTH THE APPROPRIATE BUDGETARY LEVELS FOR FISCAL YEARS 2013 THROUGH 2022.

Mr. PAUL submitted the following concurrent resolution; which was placed on the calendar:

S. CON. RES. 42

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2013.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2013 and that this resolution sets forth the appropriate budgetary levels for fiscal years 2013 through 2022.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2022:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012: $1,896,000,000,000.
Fiscal year 2013: $1,615,000,000,000.
Fiscal year 2014: $1,740,000,000,000.
Fiscal year 2015: $2,261,000,000,000.
Fiscal year 2016: $2,406,000,000,000.
Fiscal year 2017: $2,651,000,000,000.
Fiscal year 2018: $2,965,000,000,000.
Fiscal year 2019: $3,186,000,000,000.
Fiscal year 2020: $3,419,000,000,000.
Fiscal year 2021: $3,663,000,000,000.
Fiscal year 2022: $3,822,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012: −$23,000,000,000.
Fiscal year 2013: −$675,000,000,000.
Fiscal year 2014: −$845,000,000,000.
Fiscal year 2015: −$537,000,000,000.
Fiscal year 2016: −$559,000,000,000.
Fiscal year 2017: −$521,000,000,000.
Fiscal year 2018: −$365,000,000,000.
Fiscal year 2019: −$312,000,000,000.
Fiscal year 2020: −$257,000,000,000.
Fiscal year 2021: −$214,000,000,000.
Fiscal year 2022: −$263,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012: $3,519,858,000,000.
Fiscal year 2013: $3,084,004,000,000.
Fiscal year 2014: $3,106,658,000,000.
Fiscal year 2015: $3,117,000,000,000.
Fiscal year 2016: $3,283,243,000,000.
Fiscal year 2017: $3,458,011,000,000.
Fiscal year 2018: $3,659,956,000,000.
Fiscal year 2019: $3,893,357,000,000.
Fiscal year 2020: $4,090,845,000,000.
Fiscal year 2021: $4,262,660,000,000.
Fiscal year 2022: $4,464,458,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: $3,565,725,000,000.
Fiscal year 2013: $3,109,085,000,000.
Fiscal year 2014: $3,098,368,000,000.
Fiscal year 2015: $3,092,240,000,000.
Fiscal year 2016: $3,256,795,000,000.
Fiscal year 2017: $3,408,942,000,000.
Fiscal year 2018: $3,594,222,000,000.
Fiscal year 2019: $3,842,333,000,000.
Fiscal year 2020: $4,027,530,000,000.
Fiscal year 2021: $4,208,224,000,000.
Fiscal year 2022: $4,417,978,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 2012: $1,043,000,000,000.
Fiscal year 2013: $795,000,000,000.
Fiscal year 2014: $631,000,000,000.
Fiscal year 2015: $62,000,000,000.
Fiscal year 2016: $31,000,000,000.
Fiscal year 2017: −$111,000,000,000.
Fiscal year 2018: −$285,000,000,000.
Fiscal year 2019: −$302,000,000,000.
Fiscal year 2020: −$395,000,000,000.
Fiscal year 2021: −$504,000,000,000.
Fiscal year 2022: −$501,000,000,000.

(5) PUBLIC DEBT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: $11,368,000,000,000.
Fiscal year 2013: $12,197,000,000,000.
Fiscal year 2014: $12,912,000,000,000.
Fiscal year 2015: $13,084,000,000,000.
Fiscal year 2016: $13,230,000,000,000.
Fiscal year 2017: $13,147,000,000,000.
Fiscal year 2018: $12,912,000,000,000.
Fiscal year 2019: $12,631,000,000,000.
Fiscal year 2020: $12,261,000,000,000.
Fiscal year 2021: $11,787,000,000,000.
Fiscal year 2022: $11,328,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: $11,242,000,000,000.
Fiscal year 2013: $12,089,000,000,000.
Fiscal year 2014: $12,812,000,000,000.
Fiscal year 2015: $12,966,000,000,000.
Fiscal year 2016: $13,076,000,000,000.
Fiscal year 2017: $13,017,000,000,000.
Fiscal year 2018: $12,784,000,000,000.
Fiscal year 2019: $12,534,000,000,000.
Fiscal year 2020: $12,191,000,000,000.
Fiscal year 2021: $11,739,000,000,000.
Fiscal year 2022: $11,290,000,000,000.

SEC. 102. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2012: $627,000,000,000.
Fiscal year 2013: $698,000,000,000.
Fiscal year 2014: $728,000,000,000.
Fiscal year 2015: $770,000,000,000.
Fiscal year 2016: $819,000,000,000.
Fiscal year 2017: $868,000,000,000.
Fiscal year 2018: $914,000,000,000.
Fiscal year 2019: $958,000,000,000.
Fiscal year 2020: $1,004,000,000,000.
Fiscal year 2021: $1,049,000,000,000.
Fiscal year 2022: $1,096,000,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302 and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 2012: $770,420,000,000.
Fiscal year 2013: $813,569,000,000.
Fiscal year 2014: $857,048,000,000.
Fiscal year 2015: $901,705,000,000.
Fiscal year 2016: $950,000,000,000.
Fiscal year 2017: $1,004,219,000,000.
Fiscal year 2018: $1,063,321,000,000.
Fiscal year 2019: $1,127,719,000,000.
Fiscal year 2020: $1,197,313,000,000.
Fiscal year 2021: $1,269,310,000,000.
Fiscal year 2022: $1,345,264,000,000.

(c) SOCIAL SECURITY ADMINISTRATIVE EXPENSES.—In the Senate, the amounts of new budget authority and budget outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for administrative expenses are as follows:

Fiscal year 2012:
(A) New budget authority, $5,822,000,000.
(B) Outlays, $5,793,000,000.
Fiscal year 2013:
(A) New budget authority, $5,868,000,000.
(B) Outlays, $6,108,000,000.
Fiscal year 2014:
(A) New budget authority, $6,043,000,000.
(B) Outlays, $6,269,000,000.
Fiscal year 2015:
(A) New budget authority, $6,223,000,000.
(B) Outlays, $6,386,000,000.
Fiscal year 2016:
(A) New budget authority, $6,418,000,000.
(B) Outlays, $6,379,000,000.
Fiscal year 2017:
(A) New budget authority, $6,616,000,000.
(B) Outlays, $6,379,000,000.
Fiscal year 2018:
(A) New budget authority, $6,838,000,000.
(B) Outlays, $6,794,000,000.
Fiscal year 2019:
(A) New budget authority, $7,071,000,000.
(B) Outlays, $7,024,000,000.
Fiscal year 2020:
(A) New budget authority, $7,304,000,000.
(B) Outlays, $7,257,000,000.
Fiscal year 2021:
(A) New budget authority, $7,543,000,000.
(B) Outlays, $7,494,000,000.
Fiscal year 2022:
(A) New budget authority, $7,796,000,000.
(B) Outlays, $7,745,000,000.

SEC. 103. MAJOR FUNCTIONAL CATEGORIES.

Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

(1) National Defense (050):
Fiscal year 2012:
(A) New budget authority, $549,397,000,000.
(B) Outlays, $559,626,000,000.
Fiscal year 2013:
(A) New budget authority, $562,462,000,000.
(B) Outlays, $587,049,000,000.
Fiscal year 2014:
(A) New budget authority, $562,462,000,000.
(B) Outlays, $587,807,000,000.
Fiscal year 2015:
(A) New budget authority, $570,643,000,000.
(B) Outlays, $574,208,000,000.
Fiscal year 2016:
(A) New budget authority, $579,797,000,000.
(B) Outlays, $580,181,000,000.

Fiscal year 2017:
(A) New budget authority, $591,058,000,000.
(B) Outlays, $583,077,000,000.
Fiscal year 2018:
(A) New budget authority, $602,310,000,000.
(B) Outlays, $587,825,000,000.
Fiscal year 2019:
(A) New budget authority, $613,550,000,000.
(B) Outlays, $603,494,000,000.
Fiscal year 2020:
(A) New budget authority, $625,785,000,000.
(B) Outlays, $615,208,000,000.
Fiscal year 2021:
(A) New budget authority, $638,070,000,000.
(B) Outlays, $627,214,000,000.
Fiscal year 2022:
(A) New budget authority, $651,718,000,000.
(B) Outlays, $645,558,000,000.
(2) International Affairs (150):
Fiscal year 2012:
(A) New budget authority, $57,684,000,000.
(B) Outlays, $50,501,000,000.
Fiscal year 2013:
(A) New budget authority, $14,024,000,000.
(B) Outlays, $20,680,000,000.
Fiscal year 2014:
(A) New budget authority, $20,680,000,000.
(B) Outlays, $15,069,000,000.
Fiscal year 2015:
(A) New budget authority, $11,666,000,000.
(B) Outlays, $11,423,000,000.
Fiscal year 2016:
(A) New budget authority, $11,423,000,000.
(B) Outlays, $12,347,000,000.
Fiscal year 2017:
(A) New budget authority, $12,746,000,000.
(B) Outlays, $13,359,000,000.
Fiscal year 2018:
(A) New budget authority, $13,359,000,000.
(B) Outlays, $13,471,000,000.
Fiscal year 2019:
(A) New budget authority, $14,318,000,000.
(B) Outlays, $14,318,000,000.
Fiscal year 2020:
(A) New budget authority, $14,619,000,000.
(B) Outlays, $11,335,000,000.
Fiscal year 2021:
(A) New budget authority, $14,921,000,000.
(B) Outlays, $11,541,000,000.
Fiscal year 2022:
(A) New budget authority, $15,217,000,000.
(B) Outlays, $11,742,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2012:
(A) New budget authority, $29,836,000,000.
(B) Outlays, $31,175,000,000.
Fiscal year 2013:
(A) New budget authority, $19,605,000,000.
(B) Outlays, $18,914,000,000.
Fiscal year 2014:
(A) New budget authority, $19,962,000,000.
(B) Outlays, $19,222,000,000.
Fiscal year 2015:
(A) New budget authority, $20,319,000,000.
(B) Outlays, $18,518,000,000.
Fiscal year 2016:
(A) New budget authority, $20,682,000,000.
(B) Outlays, $18,849,000,000.
Fiscal year 2017:
(A) New budget authority, $21,052,000,000.
(B) Outlays, $19,186,000,000.
Fiscal year 2018:
(A) New budget authority, $21,249,000,000.
(B) Outlays, $19,529,000,000.
Fiscal year 2019:
(A) New budget authority, $21,812,000,000.
(B) Outlays, $19,878,000,000.
Fiscal year 2020:
(A) New budget authority, $22,203,000,000.
(B) Outlays, $20,234,000,000.
Fiscal year 2021:
(A) New budget authority, $22,600,000,000.
(B) Outlays, $20,596,000,000.
Fiscal year 2022:
(A) New budget authority, $23,005,000,000.
(B) Outlays, $20,964,000,000.
(4) Energy (270):
Fiscal year 2012:
(A) New budget authority, $9,886,000,000.
(B) Outlays, $18,342,000,000.
Fiscal year 2013:
(A) New budget authority, $923,000,000.
(B) Outlays, $2,882,000,000.
Fiscal year 2014:
(A) New budget authority, $976,000,000.
(B) Outlays, $2,349,000,000.
Fiscal year 2015:
(A) New budget authority, $1,003,000,000.
(B) Outlays, $1,649,000,000.
Fiscal year 2016:
(A) New budget authority, $857,000,000.
(B) Outlays, $801,000,000.
Fiscal year 2017:
(A) New budget authority, $886,000,000.
(B) Outlays, $829,000,000.
Fiscal year 2018:
(A) New budget authority, $914,000,000.
(B) Outlays, $856,000,000.
Fiscal year 2019:
(A) New budget authority, $944,000,000.
(B) Outlays, $885,000,000.
Fiscal year 2020:
(A) New budget authority, $973,000,000.
(B) Outlays, $912,000,000.
Fiscal year 2021:
(A) New budget authority, $1,003,000,000.
(B) Outlays, $940,000,000.
Fiscal year 2022:
(A) New budget authority, $1,021,000,000.
(B) Outlays, $955,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2012:
(A) New budget authority, $37,109,000,000.
(B) Outlays, $42,242,000,000.
Fiscal year 2013:
(A) New budget authority, $24,206,000,000.
(B) Outlays, $23,864,000,000.
Fiscal year 2014:
(A) New budget authority, $23,864,000,000.
(B) Outlays, $23,928,000,000.
Fiscal year 2015:
(A) New budget authority, $24,441,000,000.
(B) Outlays, $22,864,000,000.
Fiscal year 2016:
(A) New budget authority, $24,912,000,000.
(B) Outlays, $23,178,000,000.
Fiscal year 2017:
(A) New budget authority, $25,401,000,000.
(B) Outlays, $23,571,000,000.
Fiscal year 2018:
(A) New budget authority, $26,392,000,000.
(B) Outlays, $24,430,000,000.
Fiscal year 2019:
(A) New budget authority, $26,745,000,000.
(B) Outlays, $24,747,000,000.
Fiscal year 2020:
(A) New budget authority, $27,636,000,000.
(B) Outlays, $25,441,000,000.
Fiscal year 2021:
(A) New budget authority, $27,558,000,000.
(B) Outlays, $25,561,000,000.
Fiscal year 2022:
(A) New budget authority, $27,904,000,000.
(B) Outlays, $25,787,000,000.
(6) Agriculture (350):
Fiscal year 2012:
(A) New budget authority, $22,686,000,000.
(B) Outlays, $19,646,000,000.
Fiscal year 2013:
(A) New budget authority, $20,143,000,000.
(B) Outlays, $22,255,000,000.
Fiscal year 2014:
(A) New budget authority, $20,600,000,000.
(B) Outlays, $19,523,000,000.
Fiscal year 2015:
(A) New budget authority, $20,545,000,000.
(B) Outlays, $20,545,000,000.
Fiscal year 2016:
(A) New budget authority, $20,567,000,000.
(B) Outlays, $19,628,000,000.
Fiscal year 2017:
(A) New budget authority, $20,518,000,000.
(B) Outlays, $19,549,000,000.
Fiscal year 2018:
(A) New budget authority, $20,811,000,000.
(B) Outlays, $19,765,000,000.
Fiscal year 2019:
(A) New budget authority, $21,010,000,000.
(B) Outlays, $19,990,000,000.
Fiscal year 2020:
(A) New budget authority, $21,275,000,000.
(B) Outlays, $20,266,000,000.
Fiscal year 2021:
(A) New budget authority, $21,560,000,000.
(B) Outlays, $20,514,000,000.
Fiscal year 2022:
(A) New budget authority, $21,631,000,000.
(B) Outlays, $20,583,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2012:
(A) New budget authority, $42,288,000,000.
(B) Outlays, $42,685,000,000.
Fiscal year 2013:
(A) New budget authority, $12,386,000,000.
(B) Outlays, $11,996,000,000.
Fiscal year 2014:
(A) New budget authority, $12,332,000,000.
(B) Outlays, −$552,000,000.
Fiscal year 2015:
(A) New budget authority, $12,332,000,000.
(B) Outlays, −$1,240,000,000.
Fiscal year 2016:
(A) New budget authority, $11,997,000,000.
(B) Outlays, −$4,202,000,000.
Fiscal year 2017:
(A) New budget authority, $15,199,000,000.
(B) Outlays, −$4,255,000,000.
Fiscal year 2018:
(A) New budget authority, $15,864,000,000.
(B) Outlays, −$5,765,000,000.
Fiscal year 2019:
(A) New budget authority, $16,368,000,000.
(B) Outlays, $2,829,000,000.
Fiscal year 2020:
(A) New budget authority, $16,930,000,000.
(B) Outlays, $2,174,000,000.
Fiscal year 2021:
(A) New budget authority, $17,448,000,000.
(B) Outlays, $1,283,000,000.
Fiscal year 2022:
(A) New budget authority, $17,820,000,000.
(B) Outlays, $230,000,000.
(8) Transportation (400):
Fiscal year 2012:
(A) New budget authority, $88,325,000,000.
(B) Outlays, $91,171,000,000.
Fiscal year 2013:
(A) New budget authority, $77,499,000,000.
(B) Outlays, $80,200,000,000.
Fiscal year 2014:
(A) New budget authority, $76,644,000,000.
(B) Outlays, $80,149,000,000.
Fiscal year 2015:
(A) New budget authority, $77,240,000,000.
(B) Outlays, $81,869,000,000.
Fiscal year 2016:
(A) New budget authority, $78,217,000,000.
(B) Outlays, $83,149,000,000.
Fiscal year 2017:
(A) New budget authority, $79,069,000,000.
(B) Outlays, $84,439,000,000.
Fiscal year 2018:
(A) New budget authority, $79,014,000,000.
(B) Outlays, $83,270,000,000.
Fiscal year 2019:
(A) New budget authority, $80,669,000,000.
(B) Outlays, $84,969,000,000.
Fiscal year 2020:
(A) New budget authority, $81,266,000,000.
(B) Outlays, $85,940,000,000.
Fiscal year 2021:
(A) New budget authority, $81,783,000,000.
(B) Outlays, $87,078,000,000.
Fiscal year 2022:
(A) New budget authority, $82,635,000,000.
(B) Outlays, $88,495,000,000.
(9) Community and Regional Development (450):
Fiscal year 2012:
(A) New budget authority, $18,783,000,000.
(B) Outlays, $24,628,000,000.
Fiscal year 2013:

(A) New budget authority, $11,998,000,000.
(B) Outlays, $13,439,000,000.
Fiscal year 2014:
(A) New budget authority, $12,036,000,000.
(B) Outlays, $13,336,000,000.
Fiscal year 2015:
(A) New budget authority, $12,256,000,000.
(B) Outlays, $12,761,000,000.
Fiscal year 2016:
(A) New budget authority, $12,478,000,000.
(B) Outlays, $12,725,000,000.
Fiscal year 2017:
(A) New budget authority, $12,701,000,000.
(B) Outlays, $11,854,000,000.
Fiscal year 2018:
(A) New budget authority, $12,932,000,000.
(B) Outlays, $11,621,000,000.
Fiscal year 2019:
(A) New budget authority, $13,163,000,000.
(B) Outlays, $11,835,000,000.
Fiscal year 2020:
(A) New budget authority, $13,401,000,000.
(B) Outlays, $12,073,000,000.
Fiscal year 2021:
(A) New budget authority, $13,645,000,000.
(B) Outlays, $12,325,000,000.
Fiscal year 2022:
(A) New budget authority, $13,890,000,000.
(B) Outlays, $12,647,000,000.
(10) Education, Training, Employment, and Social Services (500):
Fiscal year 2012:
(A) New budget authority, $88,578,000,000.
(B) Outlays, $105,484,000,000.
Fiscal year 2013:
(A) New budget authority, $33,898,000,000.
(B) Outlays, $42,292,000,000.
Fiscal year 2014:
(A) New budget authority, $30,868,000,000.
(B) Outlays, $32,933,000,000.
Fiscal year 2015:
(A) New budget authority, $32,868,000,000.
(B) Outlays, $29,490,000,000.
Fiscal year 2016:
(A) New budget authority, $33,437,000,000.
(B) Outlays, $29,870,000,000.
Fiscal year 2017:
(A) New budget authority, $42,660,000,000.
(B) Outlays, $37,022,000,000.
Fiscal year 2018:
(A) New budget authority, $46,337,000,000.
(B) Outlays, $43,104,000,000.
Fiscal year 2019:
(A) New budget authority, $49,313,000,000.
(B) Outlays, $45,960,000,000.
Fiscal year 2020:
(A) New budget authority, $49,859,000,000.
(B) Outlays, $47,385,000,000.
Fiscal year 2021:
(A) New budget authority, $50,122,000,000.
(B) Outlays, $50,122,000,000.
Fiscal year 2022:
(A) New budget authority, $50,554,000,000.
(B) Outlays, $47,920,000,000.
(11) Health (550):
Fiscal year 2012:
(A) New budget authority, $357,821,000,000.
(B) Outlays, $358,737,000,000.
Fiscal year 2013:
(A) New budget authority, $338,159,000,000.
(B) Outlays, $334,163,000,000.
Fiscal year 2014:
(A) New budget authority, $348,397,000,000.
(B) Outlays, $338,935,000,000.
Fiscal year 2015:
(A) New budget authority, $359,620,000,000.
(B) Outlays, $357,023,000,000.
Fiscal year 2016:
(A) New budget authority, $365,157,000,000.
(B) Outlays, $364,094,000,000.
Fiscal year 2017:
(A) New budget authority, $374,943,000,000.
(B) Outlays, $373,308,000,000.
Fiscal year 2018:
(A) New budget authority, $385,894,000,000.
(B) Outlays, $381,726,000,000.
Fiscal year 2019:
(A) New budget authority, $397,015,000,000.
(B) Outlays, $392,850,000,000.
Fiscal year 2020:
(A) New budget authority, $417,710,000,000.
(B) Outlays, $403,283,000,000.
Fiscal year 2021:
(A) New budget authority, $419,586,000,000.
(B) Outlays, $415,086,000,000.
Fiscal year 2022:
(A) New budget authority, $431,913,000,000.
(B) Outlays, $427,453,000,000.
(12) Medicare (570):
Fiscal year 2012:
(A) New budget authority, $487,762,000,000.
(B) Outlays, $487,661,000,000.
Fiscal year 2013:
(A) New budget authority, $509,976,000,000.
(B) Outlays, $510,212,000,000.
Fiscal year 2014:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2015:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2016:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2017:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2018:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2019:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2020:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2021:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2022:
(A) New budget authority, $0.
(B) Outlays, $0.
(13) Income Security (600):
Fiscal year 2012:
(A) New budget authority, $534,107,000,000.
(B) Outlays, $533,175,000,000.
Fiscal year 2013:
(A) New budget authority, $355,125,000,000.
(B) Outlays, $347,966,000,000.
Fiscal year 2014:
(A) New budget authority, $362,716,000,000.
(B) Outlays, $355,966,000,000.
Fiscal year 2015:
(A) New budget authority, $362,163,000,000.
(B) Outlays, $357,163,000,000.
Fiscal year 2016:
(A) New budget authority, $369,163,000,000.
(B) Outlays, $369,695,000,000.
Fiscal year 2017:
(A) New budget authority, $368,254,000,000.
(B) Outlays, $364,817,000,000.
Fiscal year 2018:
(A) New budget authority, $371,087,000,000.
(B) Outlays, $636,453,000,000.
Fiscal year 2019:
(A) New budget authority, $385,838,000,000.
(B) Outlays, $383,743,000,000.
Fiscal year 2020:
(A) New budget authority, $396,715,000,000.
(B) Outlays, $395,180,000,000.
Fiscal year 2021:
(A) New budget authority, $408,219,000,000.
(B) Outlays, $407,134,000,000.
Fiscal year 2022:
(A) New budget authority, $422,855,000,000.
(B) Outlays, $427,176,000,000.
(14) Social Security (650):
Fiscal year 2012:
(A) New budget authority, $779,797,000,000.
(B) Outlays, $776,213,000,000.
Fiscal year 2013:
(A) New budget authority, $823,017,000,000.
(B) Outlays, $819,677,000,000.
Fiscal year 2014:
(A) New budget authority, $866,901,000,000.
(B) Outlays, $863,317,000,000.
Fiscal year 2015:
(A) New budget authority, $912,103,000,000.
(B) Outlays, $908,091,000,000.
Fiscal year 2016:
(A) New budget authority, $960,918,000,000.
(B) Outlays, $956,379,000,000.
Fiscal year 2017:
(A) New budget authority, $1,075,559,000,000.
(B) Outlays, $1,010,794,000,000.
Fiscal year 2018:
(A) New budget authority, $1,075,559,000,000.
(B) Outlays, $1,070,115,000,000.
Fiscal year 2019:
(A) New budget authority, $1,140,590,000,000.
(B) Outlays, $1,134,743,000,000.
Fiscal year 2020:
(A) New budget authority, $1,210,617,000,000.
(B) Outlays, $1,204,570,000,000.
Fiscal year 2021:
(A) New budget authority, $1,283,153,000,000.
(B) Outlays, $1,276,804,000,000.
Fiscal year 2022:
(A) New budget authority, $1,360,160,000,000.
(B) Outlays, $1,353,009,000,000.
(15) Veterans Benefits and Services (700):
Fiscal year 2012:
(A) New budget authority, $126,263,000,000.
(B) Outlays, $126,262,000,000.
Fiscal year 2013:
(A) New budget authority, $132,924,000,000.
(B) Outlays, $133,660,000,000.
Fiscal year 2014:
(A) New budget authority, $135,032,000,000.
(B) Outlays, $135,471,000,000.
Fiscal year 2015:
(A) New budget authority, $138,369,000,000.
(B) Outlays, $138,367,000,000.
Fiscal year 2016:
(A) New budget authority, $147,201,000,000.
(B) Outlays, $146,698,000,000.
Fiscal year 2017:
(A) New budget authority, $146,175,000,000.
(B) Outlays, $145,526,000,000.
Fiscal year 2018:
(A) New budget authority, $145,004,000,000.
(B) Outlays, $144,303,000,000.
Fiscal year 2019:
(A) New budget authority, $154,685,000,000.
(B) Outlays, $153,943,000,000.
Fiscal year 2020:
(A) New budget authority, $159,160,000,000.
(B) Outlays, $158,409,000,000.
Fiscal year 2021:
(A) New budget authority, $163,701,000,000.
(B) Outlays, $163,701,000,000.
Fiscal year 2022:
(A) New budget authority, $173,802,000,000.
(B) Outlays, $172,995,000,000.
(16) Administration of Justice (750):
Fiscal year 2012:
(A) New budget authority, $51,700,000,000.
(B) Outlays, $54,471,000,000.
Fiscal year 2013:
(A) New budget authority, $50,998,000,000.
(B) Outlays, $38,113,000,000.
Fiscal year 2014:
(A) New budget authority, $41,766,000,000.
(B) Outlays, $40,926,000,000.
Fiscal year 2015:
(A) New budget authority, $42,296,000,000.
(B) Outlays, $40,215,000,000.
Fiscal year 2016:
(A) New budget authority, $45,028,000,000.
(B) Outlays, $42,812,000,000.
Fiscal year 2017:
(A) New budget authority, $43,922,000,000.
(B) Outlays, $41,759,000,000.
Fiscal year 2018:
(A) New budget authority, $44,527,000,000.
(B) Outlays, $42,294,000,000.
Fiscal year 2019:
(A) New budget authority, $45,216,000,000.
(B) Outlays, $41,863,000,000.
Fiscal year 2020:
(A) New budget authority, $45,915,000,000.
(B) Outlays, $41,951,000,000.
Fiscal year 2021:
(A) New budget authority, $46,787,000,000.

(B) Outlays, $42,718,000,000.
Fiscal year 2022:
(A) New budget authority, $51,306,000,000.
(B) Outlays, $47,151,000,000.
(17) General Government (800):
Fiscal year 2012:
(A) New budget authority, $24,163,000,000,000.
(B) Outlays, $30,033,000,000.
Fiscal year 2013:
(A) New budget authority, $21,262,000,000.
(B) Outlays, $18,354,000,000.
Fiscal year 2014:
(A) New budget authority, $21,414,000,000.
(B) Outlays, $19,949,000,000.
Fiscal year 2015:
(A) New budget authority, $21,586,000,000.
(B) Outlays, $20,149,000,000.
Fiscal year 2016:
(A) New budget authority, $21,762,000,000.
(B) Outlays, $20,373,000,000.
Fiscal year 2017:
(A) New budget authority, $22,114,000,000.
(B) Outlays, $20,531,000,000.
Fiscal year 2018:
(A) New budget authority, $22,470,000,000.
(B) Outlays, $20,836,000,000.
Fiscal year 2019:
(A) New budget authority, $22,893,000,000.
(B) Outlays, $21,252,000,000.
Fiscal year 2020:
(A) New budget authority, $23,227,000,000.
(B) Outlays, $21,614,000,000.
Fiscal year 2021:
(A) New budget authority, $23,622,000,000.
(B) Outlays, $21,904,000,000.
Fiscal year 2022:
(A) New budget authority, $23,933,000,000.
(B) Outlays, $22,217,000,000.
(18) Net Interest (900):
Fiscal year 2012:
(A) New budget authority, $224,064,000,000.
(B) Outlays, $224,064,000,000.
Fiscal year 2013:
(A) New budget authority, $183,281,000,000.
(B) Outlays, $183,281,000,000.
Fiscal year 2014:
(A) New budget authority, $184,653,000,000.
(B) Outlays, $184,653,000,000.
Fiscal year 2015:
(A) New budget authority, $211,497,000,000.
(B) Outlays, $211,497,000,000.
Fiscal year 2016:
(A) New budget authority, $293,109,000,000.
(B) Outlays, $293,109,000,000.
Fiscal year 2017:
(A) New budget authority, $361,394,000,000.
(B) Outlays, $361,394,000,000.
Fiscal year 2018:
(A) New budget authority, $440,040,000,000.
(B) Outlays, $440,040,000,000.
Fiscal year 2019:
(A) New budget authority, $501,224,000,000.
(B) Outlays, $501,224,000,000.
Fiscal year 2020:
(A) New budget authority, $536,534,000,000.
(B) Outlays, $536,534,000,000.
Fiscal year 2021:
(A) New budget authority, $565,473,000,000.
(B) Outlays, $565,473,000,000.
Fiscal year 2022:
(A) New budget authority, −$588,933,000,000.
(B) Outlays, −$588,933,000,000.
(19) Allowances (920):
Fiscal year 2012
(A) New budget authority, −$45,400,000,000.
(B) Outlays, −$45,400,000,000.
Fiscal year 2013:
(A) New budget authority, −$57,358,000,000.
(B) Outlays, −$57,358,000,000.
Fiscal year 2014:
(A) New budget authority, −$71,118,000,000.
(B) Outlays, −$71,118,000,000.
Fiscal year 2015:
(A) New budget authority, −$79,148,000,000.
(B) Outlays, −$79,148,000,000.
Fiscal year 2016:
(A) New budget authority, −$92,742,000,000.
(B) Outlays, −$92,742,000,000.
Fiscal year 2017:
(A) New budget authority, −$91,236,000,000.
(B) Outlays, −$91,236,000,000.
Fiscal year 2018:
(A) New budget authority, −$86,010,000,000.
(B) Outlays, −$86,010,000,000.
Fiscal year 2019:
(A) New budget authority, −$56,114,000,000.
(B) Outlays, −$56,114,000,000.
Fiscal year 2020:
(A) New budget authority, −$58,063,000,000.
(B) Outlays, −$58,063,000,000.
Fiscal year 2021:
(A) New budget authority, −$58,990,000,000.
(B) Outlays, −$58,990,000,000.
Fiscal year 2022:
(A) New budget authority, −$55,589,000,000.
(B) Outlays, −$55,589,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2012:
(A) New budget authority, −$91,535,000,000.
(B) Outlays, −$91,535,000,000.
Fiscal year 2013:
(A) New budget authority, −$95,678,000,000.
(B) Outlays, −$95,678,000,000.
Fiscal year 2014:
(A) New budget authority, −$96,030,000,000.
(B) Outlays, −$96,030,000,000.
Fiscal year 2015:
(A) New budget authority, −$101,010,000,000.
(B) Outlays, −$101,010,000,000.
Fiscal year 2016:
(A) New budget authority, −$104,680,000,000.
(B) Outlays, −$104,680,000,000.
Fiscal year 2017:
(A) New budget authority, −$117,921,000,000.
(B) Outlays, −$117,921,000,000.
Fiscal year 2018:
(A) New budget authority, −$123,045,000,000.
(B) Outlays, −$123,045,000,000.
Fiscal year 2019:
(A) New budget authority, −$133,352,000,000.
(B) Outlays, −$133,352,000,000.
Fiscal year 2020:
(A) New budget authority, −$138,451,000,000.
(B) Outlays, −$138,451,000,000.
Fiscal year 2021:
(A) New budget authority, −$144,197,000,000.
(B) Outlays, −$144,197,000,000.
Fiscal year 2022:
(A) New budget authority, −$150,911,000,000.
(B) Outlays, −$150,911,000,000.
(21) Global War on Terrorism (970):
Fiscal year 2012:
(A) New budget authority, $126,544,000,000.
(B) Outlays, $126,544,000,000.
Fiscal year 2013:
(A) New budget authority, $50,000,000,000.
(B) Outlays, $50,000,000,000.
Fiscal year 2014:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2015:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2016:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2017:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2018:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2019:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2020:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2021:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2022:
(A) New budget authority, $0.
(B) Outlays, $0.
(22) Congressional Health Insurance for Seniors (990):
Fiscal year 2012:
(A) New budget authority, $0.
(B) Outlays, $0.
Fiscal year 2013:
(A) New budget authority, $3,125,000,000.
(B) Outlays, $3,125,000,000.
Fiscal year 2014:
(A) New budget authority, $539,435,000,000.
(B) Outlays, $532,135,000,000.
Fiscal year 2015:
(A) New budget authority, $466,210,000,000.
(B) Outlays, $468,810,000,000.
Fiscal year 2016:
(A) New budget authority, $494,278,000,000.
(B) Outlays, $494,278,000,000.
Fiscal year 2017:
(A) New budget authority, $513,342,000,000.
(B) Outlays, $511,342,000,000.
Fiscal year 2018:
(A) New budget authority, $544,406,000,000.
(B) Outlays, $542,406,000,000.
Fiscal year 2019:
(A) New budget authority, $577,470,000,000.
(B) Outlays, $575,470,000,000.
Fiscal year 2020:
(A) New budget authority, $623,534,000,000.
(B) Outlays, $623,534,000,000.
Fiscal year 2021:
(A) New budget authority, $666,598,000,000.
(B) Outlays, $664,598,000,000.
Fiscal year 2022:
(A) New budget authority, $712,662,000,000.
(B) Outlays, $710,662,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF UNUSED OR VACANT FEDERAL PROPERTIES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any unused or vacant Federal properties. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 202. DEFICIT-REDUCTION RESERVE FUND FOR SELLING EXCESS FEDERAL LAND.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling any excess Federal land. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 203. DEFICIT-REDUCTION RESERVE FUND FOR THE REPEAL OF DAVIS-BACON PREVAILING WAGE LAWS.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills,

joint resolutions, amendments, motions, or conference reports from savings achieved by repealing the Davis-Bacon prevailing wage laws. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 204. DEFICIT-REDUCTION RESERVE FUND FOR THE REDUCTION OF PURCHASING AND MAINTAINING FEDERAL VEHICLES.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by reducing the federal vehicles fleet. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

SEC. 205. DEFICIT-REDUCTION RESERVE FUND FOR THE SALE OF FINANCIAL ASSETS PURCHASED THROUGH THE TROUBLED ASSET RELIEF PROGRAM.

The Chairman of the Committee on the Budget of the Senate may reduce the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that achieve savings by selling financial instruments and equity accumulated through the Troubled Asset Relief Program. The Chairman may also make adjustments to the Senate's pay-as-you-go ledger over 10 years to ensure that the deficit reduction achieved is used for deficit reduction only. The adjustments authorized under this section shall be of the amount of deficit reduction achieved.

TITLE III—BUDGET PROCESS

Subtitle A—Budget Enforcement

SEC. 301. DISCRETIONARY SPENDING LIMITS FOR FISCAL YEARS 2012 THROUGH 2022, PROGRAM INTEGRITY INITIATIVES, AND OTHER ADJUSTMENTS.

(a) SENATE POINT OF ORDER.—

(1) IN GENERAL.—Except as otherwise provided in this section, it shall not be in order in the Senate to consider any bill or joint resolution (or amendment, motion, or conference report on that bill or joint resolution) that would cause the discretionary spending limits in this section to be exceeded.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—This subsection may be waived or suspended in the Senate only by the affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution. An affirmative vote of two-thirds of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(b) SENATE DISCRETIONARY SPENDING LIMITS.—In the Senate and as used in this section, the term ''discretionary spending limit'' means—

(1) for fiscal year 2012, $1,201,863,000,000 in new budget authority and $1,308,512,000,000 in outlays;

(2) for fiscal year 2013, $934,104,000,000 in new budget authority and $1,023,435,000,000 in outlays;

(3) for fiscal year 2014, $891,861,000,000 in new budget authority and $965,519,000,000 in outlays;

(4) for fiscal year 2015, $906,188,000,000 in new budget authority and $943,141,000,000 in outlays;

(5) for fiscal year 2016 $921,824,000,000 in new budget authority and $955,362,000,000 in outlays;

(6) for fiscal year 2017, $939,918,000,000 in new budget authority and $964,874,000,000 in outlays;

(7) for fiscal year 2018, $958,654,000,000 in new budget authority and $974,728,000,000 in outlays;

(8) for fiscal year 2019, $977,693,000,000 in new budget authority and $998,696,000,000 in outlays;

(9) for fiscal year 2020, $997,939,000,000 in new budget authority and $1,018,172,000,000 in outlays;

(10) for fiscal year 2021, $1,018,340,000,000 in new budget authority and $1,038,189,000,000 in outlays; and

(11) for fiscal year 2022, $1,040,081,000,000 in new budget authority and $1,064,838,000,000 in outlays;

as adjusted in conformance with the adjustment procedures in subsection (c).

(c) ADJUSTMENTS IN THE SENATE.—

(1) IN GENERAL.—After the reporting of a bill or joint resolution relating to any matter described in paragraph (2), or the offering of an amendment or motion thereto or the submission of a conference report thereon—

(A) the Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, budgetary aggregates, and allocations pursuant to section 302(a) of the Congressional Budget Act of 1974, by the amount of new budget authority in that measure for that purpose and the outlays flowing therefrom; and

(B) following any adjustment under subparagraph (A), the Committee on Appropriations of the Senate may report appropriately revised suballocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this subsection.

(2) ADJUSTMENTS TO SUPPORT ONGOING OVERSEAS DEPLOYMENTS AND OTHER ACTIVITIES.—

(A) ADJUSTMENTS.—The Chairman of the Committee on the Budget of the Senate may adjust the discretionary spending limits, allocations to the Committee on Appropriations of the Senate, and aggregates for one or more—

(i) bills reported by the Committee on Appropriations of the Senate or passed by the House of Representatives;

(ii) joint resolutions or amendments reported by the Committee on Appropriations of the Senate;

(iii) amendments between the Houses received from the House of Representatives or Senate amendments offered by the authority of the Committee on Appropriations of the Senate; or

(iv) conference reports;

making appropriations for overseas deployments and other activities in the amounts specified in subparagraph (B).

(B) AMOUNTS SPECIFIED.—The amounts specified are—

(i) for fiscal year 2012, $126,544,000,000 in new budget authority and the outlays flowing therefrom;

(ii) for fiscal year 2013, $50,000,000,000 in new budget authority and the outlays flowing therefrom;

(iii) for fiscal year 2014, $0 in new budget authority and the outlays flowing therefrom;

(iv) for fiscal year 2015, $0 in new budget authority and the outlays flowing therefrom;

(v) for fiscal year 2016, $0 in new budget authority and the outlays flowing therefrom;

(vi) for fiscal year 2017, $0 in new budget authority and the outlays flowing therefrom;

(vii) for fiscal year 2018, $0 in new budget authority and the outlays flowing therefrom;

(viii) for fiscal year 2019, $0 in new budget authority and the outlays flowing therefrom;

(ix) for fiscal year 2020, $0 in new budget authority and the outlays flowing therefrom;

(x) for fiscal year 2021, $0 in new budget authority and the outlays flowing therefrom; and

(xi) for fiscal year 2022, $0 in new budget authority and the outlays flowing therefrom.

SEC. 302. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) POINT OF ORDER.—It shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, or conference report that would provide an advance appropriation.

(b) DEFINITION.—In this section, the term ''advance appropriation'' means any new budget authority provided in a bill or joint resolution making appropriations for fiscal year 2013 that first becomes available for any fiscal year after 2012, or any new budget authority provided in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2013, that first becomes available for any fiscal year after 2013.

SEC. 303. EMERGENCY LEGISLATION.

(a) AUTHORITY TO DESIGNATE.—In the Senate, with respect to a provision of direct spending or receipts legislation or appropriations for discretionary accounts that Congress designates as an emergency requirement in such measure, the amounts of new budget authority, outlays, and receipts in all fiscal years resulting from that provision shall be treated as an emergency requirement for the purpose of this section.

(b) EXEMPTION OF EMERGENCY PROVISIONS.—Any new budget authority, outlays, and receipts resulting from any provision designated as an emergency requirement, pursuant to this section, in any bill, joint resolution, amendment, or conference report shall not count for purposes of sections 302 and 311 of the Congressional Budget Act of 1974, section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go), section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits), and section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits), and section 301 of this resolution (relating to discretionary spending). Designated emergency provisions shall not count for the purpose of revising allocations, aggregates, or other levels pursuant to procedures established under section 301(b)(7) of the Congressional Budget Act of 1974 for deficit-neutral reserve funds and revising discretionary spending limits set pursuant to section 301 of this resolution.

(c) DESIGNATIONS.—If a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in subsection (f).

(d) DEFINITIONS.—In this section, the terms ''direct spending'', ''receipts'', and ''appropriations for discretionary accounts'' mean any provision of a bill, joint resolution, amendment, motion, or conference report that affects direct spending, receipts, or appropriations as those terms have been defined and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(e) POINT OF ORDER.—

(1) IN GENERAL.—When the Senate is considering a bill, resolution, amendment, motion, or conference report, if a point of order

is made by a Senator against an emergency designation in that measure, that provision making such a designation shall be stricken from the measure and may not be offered as an amendment from the floor.

(2) SUPERMAJORITY WAIVER AND APPEALS.—

(A) WAIVER.—Paragraph (1) may be waived or suspended in the Senate only by an affirmative vote of two-thirds of the Members, duly chosen and sworn.

(B) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this subsection shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required to sustain an appeal of the ruling of the Chair on a point of order raised under this subsection.

(3) DEFINITION OF AN EMERGENCY DESIGNATION.—For purposes of paragraph (1), a provision shall be considered an emergency designation if it designates any item as an emergency requirement pursuant to this subsection.

(4) FORM OF THE POINT OF ORDER.—A point of order under paragraph (1) may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

(5) CONFERENCE REPORTS.—When the Senate is considering a conference report on, or an amendment between the Houses in relation to, a bill, upon a point of order being made by any Senator pursuant to this section, and such point of order being sustained, such material contained in such conference report shall be deemed stricken, and the Senate shall proceed to consider the question of whether the Senate shall recede from its amendment and concur with a further amendment, or concur in the House amendment with a further amendment, as the case may be, which further amendment shall consist of only that portion of the conference report or House amendment, as the case may be, not so stricken. Any such motion in the Senate shall be debatable. In any case in which such point of order is sustained against a conference report (or Senate amendment derived from such conference report by operation of this subsection), no further amendment shall be in order.

(f) CRITERIA.—

(1) IN GENERAL.—For purposes of this section, any provision is an emergency requirement if the situation addressed by such provision is—

(A) necessary, essential, or vital (not merely useful or beneficial);

(B) sudden, quickly coming into being, and not building up over time;

(C) an urgent, pressing, and compelling need requiring immediate action;

(D) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(E) not permanent, temporary in nature.

(2) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(g) INAPPLICABILITY.—In the Senate, section 403 of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, shall no longer apply.

SEC. 304. ADJUSTMENTS FOR THE EXTENSION OF CERTAIN CURRENT POLICIES.

(a) ADJUSTMENT.—For the purposes of determining points of order specified in subsection (b), the Chairman of the Committee on the Budget of the Senate may adjust the estimate of the budgetary effects of a bill, joint resolution, amendment, motion, or conference report that contains one or more provisions meeting the criteria of subsection (c) to exclude the amounts of qualifying budgetary effects.

(b) COVERED POINTS OF ORDER.—The Chairman of the Committee on the Budget of the Senate may make adjustments pursuant to this section for the following points of order only:

(1) Section 201 of S. Con. Res. 21 (110th Congress) (relating to pay-as-you-go).

(2) Section 311 of S. Con. Res. 70 (110th Congress) (relating to long-term deficits).

(3) Section 404 of S. Con. Res. 13 (111th Congress) (relating to short-term deficits).

(c) QUALIFYING LEGISLATION.—The Chairman of the Committee on the Budget of the Senate may make adjustments authorized under subsection (a) for legislation containing provisions that—

(1) amend or supersede the system for updating payments made under subsections 1848 (d) and (f) of the Social Security Act, consistent with section 7(c) of the Statutory Pay-As-You-Go Act of 2010 (Public Law 111–139);

(2) amend the Internal Revenue Code of 1986, in order to establish a single, flat tax rate of 17 percent consistent with section 7(d) of the Statutory Pay-As-You-Go Act of 2010; and

(3) extend relief from the Alternative Minimum Tax for individuals under sections 55–59 of the Internal Revenue Code of 1986, consistent with section 7(e) of the Statutory Pay-As-You-Go Act of 2010.

(d) DEFINITION.—For the purposes of this section, the terms ''budgetary effects'' or ''effects'' mean the amount by which a provision changes direct spending or revenues relative to the baseline.

(e) SUNSET.—This section shall expire on December 31, 2012.

Subtitle B—Other Provisions

SEC. 311. OVERSIGHT OF GOVERNMENT PERFORMANCE.

In the Senate, all committees are directed to review programs and tax expenditures within their jurisdiction to identify waste, fraud, abuse or duplication, and increase the use of performance data to inform committee work. Committees are also directed to review the matters for congressional consideration identified on the Government Accountability Office's High Risk list reports. Based on these oversight efforts and performance reviews of programs within their jurisdiction, committees are directed to include recommendations for improved governmental performance in their annual views and estimates reports required under section 301(d) of the Congressional Budget Act of 1974 to the Committees on the Budget.

SEC. 312. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 313. ADJUSTMENTS TO REFLECT CHANGES IN CONCEPTS AND DEFINITIONS.

Upon the enactment of a bill or joint resolution providing for a change in concepts or definitions, the Chairman of the Committee on the Budget of the Senate may make adjustments to the levels and allocations in this resolution in accordance with section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as in effect prior to September 30, 2002).

SEC. 314. RESCIND UNSPENT OR UNOBLIGATED BALANCES AFTER 36 MONTHS.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall require that any unobligated or unspent allocations be rescinded after 36 months.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments resulting from the required rescissions shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

TITLE IV—RECONCILIATION

SEC. 401. RECONCILIATION IN THE SENATE.

(a) SUBMISSION TO PROVIDE FOR THE REFORM OF MANDATORY SPENDING.—

(1) IN GENERAL.—Not later than September 1, 2012, the Senate committees named in paragraph (2) shall submit their recommendations to the Committee on the Budget of the United States Senate. After receiving those recommendations from the applicable committees of the Senate, the Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON FOREIGN RELATIONS.—The Committee on Foreign Relations shall report changes in law within its jurisdiction sufficient to reduce direct spending by $2,864,000,000 for the period of fiscal years 2013 through 2022.

(B) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Committee on Commerce, Science, and Transportation shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $2,432,000,000 for the period of fiscal years 2013 through 2022.

(C) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Committee on Agriculture, Nutrition, and Forestry shall report changes in law within its jurisdiction sufficient to reduce direct spending outlays by $6,100,000,000 for the period of fiscal years 2013 through 2022.

(D) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Committee on Environment and Public Works shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $3,422,000,000 for the period of fiscal years 2013 through 2022.

(E) COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS.—The Committee on Health, Education, Labor, and Pensions shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $1,584,000,000,000 for the period of fiscal years 2013 through 2022.

(F) COMMITTEE ON FINANCE.—The Committee on Finance shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by

$3,473,634,000,000 for the period of fiscal years 2013 through 2022.

(G) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce direct spending outlays by $7,818,000,000 for the period of fiscal years 2013 through 2022.

(b) SUBMISSION OF REVISED ALLOCATIONS.—Upon the submission to the Committee on the Budget of the Senate of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(c) of the Congressional Budget Act of 1974, the chairman of that committee may file with the Senate revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

TITLE V—CONGRESSIONAL POLICY CHANGES

SEC. 501. POLICY STATEMENT ON SOCIAL SECURITY.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure the Social Security System achieves solvency over the 75 year window as follows:

(1) The legislation must modify the Primary Insurance Amount formula between 2018 and 2055 to gradually reduce benefits on a progressive basis for works with career-average earnings above the 40th percentile of new retired workers.

(2) The normal retirement age will increase by 3 months each year starting with individuals reaching age 62 in 2017 and stopping with the normal retirement age reaches the age of 70 for individuals reaching the age of 62 in 2032.

(3) The earliest eligibility age will be increased by 3 months per year starting with individuals reaching age 62 in 2021 and will stop with the reaches age 64 for individuals reaching the age 62 in 2028 or later.

SEC. 502. POLICY STATEMENT ON MEDICARE.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a reduction in the unfunded liabilities of Medicare as follows:

(1) Enrolls seniors in the same health care plan as Federal employees and Members of Congress, similar to the Federal Employee Health Benefits Plan (FEHBP).

(2) Beginning on January 1, 2014, the Director of the Office of Personnel Management shall ensure seniors currently enrolled or eligible for Medicare will have access to Congressional Health Care for Seniors Act.

(3) Prevents the Office of Personnel and Management from placing onerous new mandates on health insurance plans, but allows the agency to continue to enforce reasonable minimal stands for plans, ensure the plans are fiscally solvent, and enforces rules for consumer protections.

(4) The legislation must create a new ''high-risk pool'' for the highest cost patients, providing a direct reimbursement to health care plans that enroll the costliest 5 percent of patients.

(5) Ensures that every senior can afford the high-quality insurance offered by FEHBP, providing support for 75 percent of the total costs, providing additional premium assistance to those who cannot afford the remaining share.

(6) The legislation must increase the age of eligibility gradually over 20 years, increasing the age from 65 to 70, resulting in a 3-month increase per year.

(7) High-income seniors will be provided less premium support than low-income seniors.

SEC. 503. POLICY STATEMENT ON TAX REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a tax reform that broadens the tax base, reduces tax complexity, includes a consumption-based income tax, and a globally competitive flat tax as follows:

(1) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax rate of 17 percent on adjusted gross income. The individual tax code shall remove all credits and deductions, with exception to the mortgage interest deduction, offsetting these with a substantially higher standard deduction and personal exemption. The standard deduction for joint filers is $30,320, $19,350 for head of household, and $15,160 for single filers. The personal exemption amount is $6,530. This proposal eliminates the individual alternative minimum tax (AMT). The tax reform would repeal all tax on savings and investments, including capital gains, qualified and ordinary dividends, estate, gift, and interest saving taxes.

(2) This concurrent resolution shall eliminate all tax brackets and have one standard flat tax of 17 percent on adjusted gross income. The business tax code shall remove all credits and deductions, offsetting these with a lower tax rate and immediate expensing of all business inputs. Such inputs shall be determined by total revenue from the sale of good and services less purchases of inputs from other firms less wages, salaries, and pensions paid to workers less purchases of plant and equipment.

(3) The individuals and businesses would be subject to taxation on only those incomes that are produced or derived, as a territorial system in the United States. The aggregate taxes paid should provide the ability to fill out a tax return no larger than a postcard.

TITLE VI—SENSE OF CONGRESS

SEC. 601. REGULATORY REFORM.

It is the policy of this concurrent resolution that Congress and the relevant committees of jurisdiction enact legislation to ensure a regulatory reform as follows:

(1) APPLY REGULATORY ANALYSIS REQUIREMENTS TO INDEPENDENT AGENCIES.—It shall be the policy of Congress to pass into law a requirement for independent agencies to abide by the same regulatory analysis requirement as those required by executive branch agencies

(2) ADOPT THE REGULATIONS FROM THE EXECUTIVE IN NEED OF SCRUTINY ACT (REINS).—It shall be the of Congress to vote on the Executive In Need of Scrutiny Act, legislation that would require all regulations that impose a burden greater than $100 million in economic aggregate may not be implement as law unless Congress gives their consent by voting on the rule.

(3) SUNSET ALL REGULATIONS.—It shall be the policy of Congress that regulations imposed by the Federal Government shall automatically sunset every 2 years unless repromulgated by Congress.

(4) PROCESS REFORM.—It shall be the policy of Congress to implement regulatory process reform by instituting statutorily require regulatory impact analysis for all agencies, require the publication of regulatory impact analysis before the regulation is finalized, and ensure that not only are regulatory impact analysis conducted, but applied to the issued regulation or rulemaking.

(5) INCORPORATION OF FORMAL RULEMAKING FOR MAJOR RULES.—It shall be the policy of Congress to apply formal rulemaking procedures to all major regulations or those regulations that exceed $100,000,000 in aggregate economic costs.

SENATE CONCURRENT RESOLUTION 43—PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND AN ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 43

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, April 26, 2012, through Sunday, May 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12 noon on Monday, May 7, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, May 4, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, May 7, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2091. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table.

SA 2092. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2093. Mr. REID (for Mr. LEAHY) proposed an amendment to the bill S. 1925, supra.

SA 2094. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, supra.

SA 2095. Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, Mr. CORKER, and Mr. JOHANNS) proposed an amendment to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, supra.

SA 2096. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1925, supra; which was ordered to lie on the table.

SA 2097. Mr. BLUMENTHAL (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1925, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2091. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an

amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 364, strike line 3 and all that follows through page 377, line 17, and insert the following:

''(3) APPLICABILITY.—Nothing in this section—

''(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

''(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

''(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

''(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

''(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

''(A) occurs in the Indian country of the participating tribe; and

''(B) violates the portion of a protection order that—

''(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(ii) was issued against the defendant;

''(iii) is enforceable by the participating tribe; and

''(iv) is consistent with section 2265(b) of title 18, United States Code.

''(d) DISMISSAL OF CERTAIN CASES.—

''(1) DEFINITION OF VICTIM.—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

''(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

''(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

''(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

''(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse or intimate partner of a member of the participating tribe.

''(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

''(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

''(1) all applicable rights under this Act;

''(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

''(3) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

''(f) PETITIONS TO STAY DETENTION.—

''(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

''(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

''(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

''(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

''(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

''(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

''(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(B) prosecution;

''(C) trial and appellate courts;

''(D) probation systems;

''(E) detention and correctional facilities;

''(F) alternative rehabilitation centers;

''(G) culturally appropriate services and assistance for victims and their families; and

''(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

''(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.''.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.''.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(F) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon,

assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2011''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2012 and 2013''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

Nothing in this Act or an amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

SA 2092. Ms. MURKOWSKI (for herself and Mr. BEGICH) submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

Beginning on page 364, strike line 3 and all that follows through page 377, line 17, and insert the following:

''(3) APPLICABILITY.—Nothing in this section—

''(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

''(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

''(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

''(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

''(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

''(A) occurs in the Indian country of the participating tribe; and

''(B) violates the portion of a protection order that—

''(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(ii) was issued against the defendant;

''(iii) is enforceable by the participating tribe; and

''(iv) is consistent with section 2265(b) of title 18, United States Code.

''(d) DISMISSAL OF CERTAIN CASES.—

''(1) DEFINITION OF VICTIM.—In this subsection and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a criminal violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

''(2) NON-INDIAN VICTIMS AND DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the alleged offense did not involve an Indian; and

''(B) the participating tribe fails to prove that the defendant or an alleged victim is an Indian.

''(3) TIES TO INDIAN TRIBE.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the case shall be dismissed if—

''(A) the defendant files a pretrial motion to dismiss on the grounds that the defendant and the alleged victim lack sufficient ties to the Indian tribe; and

''(B) the prosecuting tribe fails to prove that the defendant or an alleged victim—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse or intimate partner of a member of the participating tribe.

''(4) WAIVER.—A knowing and voluntary failure of a defendant to file a pretrial motion described in paragraph (2) or (3) shall be considered a waiver of the right to seek a dismissal under this subsection.

''(e) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

''(1) all applicable rights under this Act;

''(2) if a term of imprisonment of any length is imposed, all rights described in section 202(c); and

''(3) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

''(f) PETITIONS TO STAY DETENTION.—

''(1) IN GENERAL.—A person has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

''(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

''(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

''(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

''(g) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

''(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

''(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(B) prosecution;

''(C) trial and appellate courts;

''(D) probation systems;

''(E) detention and correctional facilities;

''(F) alternative rehabilitation centers;

''(G) culturally appropriate services and assistance for victims and their families; and

''(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic

violence or dating violence or a criminal violation of a protection order;

''(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(h) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (g) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.''.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.''.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(F) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2011''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2012 and 2013''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (e) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (e) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

Nothing in this Act or an amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

SA 2093. Mr. REID (for Mr. LEAHY) proposed an amendment to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Violence Against Women Reauthorization Act of 2011''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by redesignating—

(A) paragraph (1) as paragraph (2);

(B) paragraph (2) as paragraph (3);

(C) paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;

(E) paragraphs (10) through (16) as paragraphs (13) through (19), respectively;

(F) paragraph (18) as paragraph (20);

(G) paragraphs (19) and (20) as paragraphs (23) and (24), respectively;

(H) paragraphs (21) through (23) as paragraphs (26) through (28), respectively;

(I) paragraphs (24) through (33) as paragraphs (30) through (39), respectively;

(J) paragraphs (34) and (35) as paragraphs (43) and (44); and

(K) paragraph (37) as paragraph (45);

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).'';

(3) in paragraph (3), as redesignated, by striking ''serious harm.'' and inserting ''serious harm to an unemancipated minor.'';

(4) in paragraph (4), as redesignated, by striking ''The term'' through ''that—'' and inserting ''The term 'community-based organization' means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—'';

(5) by striking paragraph (5), as in effect before the amendments made by this subsection;

(6) by inserting after paragraph (7), as redesignated, the following:

''(6) CULTURALLY SPECIFIC SERVICES.—The term 'culturally specific services' means community-based services that include culturally relevant and linguistically specific services and resources to culturally specific communities.

''(7) CULTURALLY SPECIFIC.—The term 'culturally specific' means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300u–6(g)).'';

(7) in paragraph (8), as redesignated, by inserting ''or intimate partner'' after ''former spouse'' and ''as a spouse'';

(8) by inserting after paragraph (11), as redesignated, the following:

''(12) HOMELESS.—The term 'homeless' has the meaning provided in 42 U.S.C. 14043e–2(6).'';

(9) in paragraph (18), as redesignated, by inserting ''or Village Public Safety Officers'' after ''government victim service programs;

(10) in paragraph (21), as redesignated, by inserting at the end the following:

''Intake or referral, by itself, does not constitute legal assistance.'';

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (20), as redesignated, to read as follows:

''(20) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number, driver license number, passport number, or student identification number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.'';

(13) by inserting after paragraph (20), as redesignated, the following:

''(21) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

''(22) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.'';

(14) in paragraph (23), as redesignated, by striking ''services'' and inserting ''assistance'';

(15) by inserting after paragraph (24), as redesignated, the following:

''(25) RAPE CRISIS CENTER.—The term 'rape crisis center' means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be

part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.'';

(16) in paragraph (26), as redesignated—

(A) in subparagraph (A), by striking ''or'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by inserting at the end the following:

''(C) any federally recognized Indian tribe.'';

(17) in paragraph (27), as redesignated—

(A) by striking ''52'' and inserting ''57''; and

(B) by striking ''150,000'' and inserting ''250,000'';

(18) by striking paragraph (28), as redesignated, and inserting the following:

''(28) SEXUAL ASSAULT.—The term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.'';

(19) by inserting after paragraph (28), as redesignated, the following:

''(29) SEX TRAFFICKING.—The term 'sex trafficking' means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.'';

(20) by striking paragraph (35), as redesignated, and inserting the following:

''(35) TRIBAL COALITION.—The term 'tribal coalition' means an established nonprofit, nongovernmental Indian organization, Alaska Native organization, or a Native Hawaiian organization that—

''(A) provides education, support, and technical assistance to member Indian service providers in a manner that enables those member providers to establish and maintain culturally appropriate services, including shelter and rape crisis services, designed to assist Indian women and the dependents of those women who are victims of domestic violence, dating violence, sexual assault, and stalking; and

''(B) is comprised of board and general members that are representative of—

''(i) the member service providers described in subparagraph (A); and

''(ii) the tribal communities in which the services are being provided;'';

(21) by amending paragraph (39), as redesignated, to read as follows:

''(39) UNDERSERVED POPULATIONS.—The term 'underserved populations' means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, religion, sexual orientation, gender identity, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.'';

(22) by inserting after paragraph (39), as redesignated, the following:

''(40) UNIT OF LOCAL GOVERNMENT.—The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.'';

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

''(41) VICTIM SERVICES OR SERVICES.—The terms 'victim services' and 'services' means services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

''(42) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.''; and

(24) by striking paragraph (43), as redesignated, and inserting the following:

''(43) YOUTH.—The term 'youth' means a person who is 11 to 24 years old.''.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

''(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.'';

(B) by amending subparagraph (D), to read as follows:

''(D) INFORMATION SHARING.—

''(i) Grantees and subgrantees may share—

''(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

''(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

''(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

''(ii) In no circumstances may—

''(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

''(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.'';

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

''(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.''; and

(E) by inserting after subparagraph (F), as redesignated, the following:

''(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.'';

(2) by striking paragraph (3) and inserting the following:

''(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.'';

(3) in paragraph (7), by inserting at the end the following:

''Final reports of such evaluations shall be made available to the public via the agency's website.''; and

(4) by inserting after paragraph (11) the following:

''(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

''(13) CIVIL RIGHTS.—

''(A) NONDISCRIMINATION.—No person in the United States shall, on the basis of actual or perceived race, color, religion, national origin, sex, gender identity (as defined in paragraph 249(c)(4) of title 18, United States Code), sexual orientation, or disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

''(B) EXCEPTION.—If sex segregation or sex-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's sex. In such circumstances, grantees may meet the requirements of this paragraph by providing comparable services to individuals who cannot be provided with the sex-segregated or sex-specific programming.

''(C) DISCRIMINATION.—The authority of the Attorney General and the Office of Justice Programs to enforce this paragraph shall be the same as it is under section 3789d of title 42, United States Code.

''(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

''(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance under this title also include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(15) CONFERRAL.—

''(A) IN GENERAL.—The Office on Violence Against Women shall establish a biennial conferral process with State and tribal coalitions and technical assistance providers who receive funding through grants administered by the Office on Violence Against Women and authorized by this Act, and other key stakeholders.

''(B) AREAS COVERED.—The areas of conferral under this paragraph shall include—

''(i) the administration of grants;

''(ii) unmet needs;

''(iii) promising practices in the field; and

''(iv) emerging trends.

''(C) INITIAL CONFERRAL.—The first conferral shall be initiated not later than 6 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011.

''(D) REPORT.—Not later than 90 days after the conclusion of each conferral period, the Office on Violence Against Women shall publish a comprehensive report that—

''(i) summarizes the issues presented during conferral and what, if any, policies it intends to implement to address those issues;

''(ii) is made available to the public on the Office on Violence Against Women's website and submitted to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

''(16) ACCOUNTABILITY.—All grants awarded by the Attorney General under this Act shall be subject to the following accountability provisions:

''(A) AUDIT REQUIREMENT.—

''(i) IN GENERAL.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

''(ii) DEFINITION.—In this paragraph, the term 'unresolved audit finding' means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

''(iii) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the following 2 fiscal years.

''(iv) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that did not have an unresolved audit finding during the 3 fiscal years prior to submitting an application for a grant under this Act.

''(v) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

''(I) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(II) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(B) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(i) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(ii) PROHIBITION.—The Attorney General may not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

''(C) CONFERENCE EXPENDITURES.—

''(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than $20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

''(ii) WRITTEN APPROVAL.—Written approval under clause (i) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

''(iii) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this paragraph.

''(D) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Attorney General shall submit, to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives, an annual certification that—

''(i) all audits issued by the Office of the Inspector General under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

''(ii) all mandatory exclusions required under subparagraph (A)(iii) have been issued;

''(iii) all reimbursements required under subparagraph (A)(v) have been made; and

''(iv) includes a list of any grant recipients excluded under subparagraph (A) from the previous year.''.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specifically provided in this Act, the provisions of titles I, II, III, IV, VII, and sections 3, 602, 901, and 902 of this Act shall not take effect until the beginning of the fiscal year following the date of enactment of this Act.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST WOMEN

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking ''$225,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$222,000,000 for each of fiscal years 2012 through 2016'';

(2) in section 2001(b) (42 U.S.C. 3796gg(b))—

(A) in the matter preceding paragraph (1)—

(i) by striking ''equipment'' and inserting ''resources''; and

(ii) by inserting ''for the protection and safety of victims,'' after ''women,'';

(B) in paragraph (1), by striking ''sexual assault'' and all that follows through ''dating violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, including the appropriate use of nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a))'';

(C) in paragraph (2), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(D) in paragraph (3), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims'';

(E) in paragraph (4)—

(i) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(ii) by inserting '', classifying,'' after ''identifying'';

(F) in paragraph (5)—

(i) by inserting ''and legal assistance'' after ''victim services'';

(ii) by striking ''domestic violence and dating violence'' and inserting ''domestic violence, dating violence, and stalking''; and

(iii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(I) in paragraph (7), as redesignated by subparagraph (G), by striking ''and dating violence'' and inserting ''dating violence, and stalking'';

(J) in paragraph (9), as redesignated by subparagraph (G), by striking ''domestic violence or sexual assault'' and inserting '' domestic violence, dating violence, sexual assault, or stalking'';

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking ''triage protocols to ensure that dangerous or potentially lethal cases are identified and

prioritized'' and inserting ''the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases''; and

(ii) by striking ''and'' at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking ''to provide'' and inserting ''providing'';

(ii) by striking ''nonprofit nongovernmental'';

(iii) by striking the comma after ''local governments'';

(iv) in the matter following subparagraph (C), by striking ''paragraph (14)'' and inserting ''paragraph (13)''; and

(v) by striking the period at the end and inserting a semicolon; and

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

''(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

''(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

''(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

''(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

''(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims;

''(19) developing, enlarging, or strengthening programs and projects to provide services and responses targeting male and female victims of domestic violence, dating violence, sexual assault, or stalking, whose ability to access traditional services and responses is affected by their sexual orientation or gender identity, as defined in section 249(c) of title 18, United States Code; and

''(20) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.'';

(3) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking ''nonprofit nongovernmental victim service programs'' and inserting ''victim service providers'';

(B) in subsection (b)(6), by striking ''(not including populations of Indian tribes)'';

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

''(2) grantees and subgrantees shall develop a plan for implementation and shall consult and coordinate with—

''(A) the State sexual assault coalition;

''(B) the State domestic violence coalition;

''(C) the law enforcement entities within the State;

''(D) prosecution offices;

''(E) State and local courts;

''(F) Tribal governments in those States with State or federally recognized Indian tribes;

''(G) representatives from underserved populations, including culturally specific populations;

''(H) victim service providers;

''(I) population specific organizations; and

''(J) other entities that the State or the Attorney General identifies as needed for the planning process;'';

(ii) by redesignating paragraph (3) as paragraph (4);

(iii) by inserting after paragraph (2), as amended by clause (i), the following:

''(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the programs described in section 1404 of the Victims of Crime Act of 1984 (42 U.S.C. 10603) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b).'';

(iv) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking ''and not less than 25 percent shall be allocated for prosecutors'';

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

''(B) not less than 25 percent shall be allocated for prosecutors;''; and

(IV) in subparagraph (D) as redesignated by subclause (II) by striking ''for'' and inserting ''to''; and

(v) by adding at the end the following:

''(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 20 percent of the total amount granted to a State under this subchapter shall be allocated for programs or projects in 2 or more allocations listed in paragraph (4) that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.'';

(D) by striking subsection (d) and inserting the following:

''(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

''(1) the certifications of qualification required under subsection (c);

''(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

''(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

''(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

''(5) an implementation plan required under subsection (i); and

''(6) any other documentation that the Attorney General may require.'';

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''domestic violence and sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(II) in subparagraph (D), by striking ''linguistically and''; and

(ii) by adding at the end the following:

''(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other program requirements.'';

(F) in subsection (f), by striking the period at the end and inserting '', except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.''; and

(G) by adding at the end the following:

''(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

''(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part, including how the State will meet the requirements of subsection (c)(5); and

''(2) submit to the Attorney General—

''(A) the implementation plan developed under paragraph (1);

''(B) documentation from each member of the planning committee as to their participation in the planning process;

''(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

''(i) the need for the grant funds;

''(ii) the intended use of the grant funds;

''(iii) the expected result of the grant funds; and

''(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

''(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

''(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

''(F) a description of how the State plans to meet the regulations issued pursuant to subsection (e)(2);

''(G) goals and objectives for reducing domestic violence-related homicides within the State; and

''(H) any other information requested by the Attorney General.

''(j) REALLOCATION OF FUNDS.—A State may use any returned or remaining funds for any authorized purpose under this part if—

''(1) funds from a subgrant awarded under this part are returned to the State; or

''(2) the State does not receive sufficient eligible applications to award the full funding within the allocations in subsection (c)(4)'';

(4) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this subchapter unless the State, Indian tribal government, unit of local government, or another governmental entity—

''(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

''(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''or'' after the semicolon;

(ii) in paragraph (2), by striking ''; or'' and inserting a period; and

(iii) by striking paragraph (3); and

(C) by amending subsection (d) to read as follows:

''(d) NONCOOPERATION.—

''(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

''(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this section.''; and

(5) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting ''modification, enforcement, dismissal, withdrawal'' after ''registration,'' each place it appears;

(B) by inserting '', dating violence, sexual assault, or stalking'' after ''felony domestic violence''; and

(C) by striking ''victim of domestic violence'' and all that follows through ''sexual assault'' and inserting ''victim of domestic violence, dating violence, sexual assault, or stalking''.

SEC. 102. GRANTS TO ENCOURAGE ARREST POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''States,'' and all that follows through ''units of local government'' and inserting ''grantees'';

(ii) in paragraph (1), by inserting ''and enforcement of protection orders across State and tribal lines'' before the period;

(iii) in paragraph (2), by striking ''and training in police departments to improve tracking of cases'' and inserting ''data collection systems, and training in police departments to improve tracking of cases and classification of complaints'';

(iv) in paragraph (4), by inserting ''and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking'' after ''computer tracking systems'';

(v) in paragraph (5), by inserting ''and other victim services'' after ''legal advocacy service programs'';

(vi) in paragraph (6), by striking ''judges'' and inserting ''Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel'';

(vii) in paragraph (8), by striking ''and sexual assault'' and inserting ''dating violence, sexual assault, and stalking'';

(viii) in paragraph (10), by striking ''nonprofit, non-governmental victim services organizations,'' and inserting ''victim service providers, staff from population specific organizations,''; and

(ix) by adding at the end the following:

''(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

''(15) To develop or strengthen policies, protocols, and training for law enforcement, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking against immigrant victims, including the appropriate use of applications for nonimmigrant status under subparagraphs (T) and (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)).

''(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

''(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

''(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

''(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

''(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

''(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

''(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

''(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

''(B) identifying and managing high-risk offenders; and

''(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.'';

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''except for a court,'' before ''certify''; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting ''except for a court,'' before ''demonstrate'';

(iii) in paragraph (3)—

(I) by striking ''spouses'' each place it appears and inserting ''parties''; and

(II) by striking ''spouse'' and inserting ''party'';

(iv) in paragraph (4)—

(I) by inserting '', dating violence, sexual assault, or stalking'' after ''felony domestic violence'';

(II) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears;

(III) by inserting ''dating violence,'' after ''victim of domestic violence,''; and

(IV) by striking ''and'' at the end;

(v) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking '', not later than 3 years after January 5, 2006'';

(II) by inserting '', trial of, or sentencing for'' after ''investigation of'' each place it appears;

(III) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(IV) in clause (ii), as redesignated by subclause (III) of this clause, by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(V) by striking the period at the end and inserting ''; and'';

(vi) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vii) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking ''grantees are States'' and inserting the following: ''grantees are—

''(1) States''; and

(viii) by adding at the end the following:

''(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting '', policy,'' after ''law''; and

(II) in subparagraph (A), by inserting ''and the defendant is in custody or has been served with the information or indictment'' before the semicolon; and

(ii) in paragraph (2), by striking ''it'' and inserting ''its''; and

(D) by adding at the end the following:

''(f) ALLOCATION FOR TRIBAL COALITIONS.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 5 percent shall be available for grants under section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg).

''(g) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 25 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.''; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting ''court,'' after ''tribal government,''; and

(B) in paragraph (4), by striking ''nonprofit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, population specific organizations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking ''$75,000,000'' and all that follows through ''2011.'' and inserting ''$73,000,000 for each of fiscal years 2012 through 2016.''; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''arising as a consequence of'' and inserting ''relating to or arising out of''; and

(B) in the second sentence, by inserting ''or arising out of'' after ''relating to'';

(2) in subsection (b)—

(A) in the heading, by inserting ''AND GRANT CONDITIONS'' after ''DEFINITIONS''; and

(B) by inserting ''and grant conditions'' after ''definitions'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''victims services organizations'' and inserting ''victim service providers''; and

(B) by striking paragraph (3) and inserting the following:

''(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''this section has completed'' and all that follows and inserting the following: ''this section—''

''(A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault, or stalking in the targeted population; or

''(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

''(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;''; and

(B) in paragraph (2), by striking ''stalking organization'' and inserting ''stalking victim service provider''; and

(5) in subsection (f) in paragraph (1), by striking ''this section'' and all that follows and inserting the following: ''this section $57,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 316), and inserting the following:

''SEC. 1301. GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

''(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

''(b) USE OF FUNDS.—A grant under this section may be used to—

''(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

''(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

''(3) educate court-based and court-related personnel and court-appointed personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

''(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

''(5) enable courts or court-based or court-related programs to develop or enhance—

''(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

''(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

''(C) offender management, monitoring, and accountability programs;

''(D) safe and confidential information-storage and information-sharing databases within and between court systems;

''(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

''(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

''(6) provide civil legal assistance and advocacy services, including legal information and resources in cases in which the victim proceeds pro se, to—

''(A) victims of domestic violence; and

''(B) nonoffending parents in matters—

''(i) that involve allegations of child sexual abuse;

''(ii) that relate to family matters, including civil protection orders, custody, and divorce; and

''(iii) in which the other parent is represented by counsel;

''(7) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or who are proceeding with the assistance of a legal advocate; and

''(8) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

''(c) CONSIDERATIONS.—

''(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (7) of subsection (b), the Attorney General shall consider—

''(A) the number of families to be served by the proposed programs and services;

''(B) the extent to which the proposed programs and services serve underserved populations;

''(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

''(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

''(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

''(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

''(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

''(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

''(3) for a court-based program, certifies that victims of domestic violence, dating violence, sexual assault, or stalking are not charged fees or any other costs related to the filing, petitioning, modifying, issuance, registration, enforcement, withdrawal, or dismissal of matters relating to the domestic violence, dating violence, sexual assault, or stalking;

''(4) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

''(5) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

''(6) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

''(7) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking victim service provider or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

''(f) ALLOTMENT FOR INDIAN TRIBES.—

''(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

''(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking ''$5,000,000'' and all that follows and inserting ''$5,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking ''January 1, 2010'' and inserting ''January 1, 2015'';

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking ''Code of Ethics'' in section (c)(2) and inserting ''Standards for Programs''; and

(B) by adding at the end the following:

''(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.''; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

(a) INTERSTATE DOMESTIC VIOLENCE.—Section 2261(a)(1) of title 18, United States Code, is amended—

(1) by inserting ''is present'' after ''Indian Country or''; and

(2) by inserting ''or presence'' after ''as a result of such travel'';

(b) STALKING.—Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Stalking

''Whoever—

''(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

''(A) places that person in reasonable fear of the death of, or serious bodily injury to—

''(i) that person;

''(ii) an immediate family member (as defined in section 115) of that person; or

''(iii) a spouse or intimate partner of that person; or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

''(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

''(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title.''.

(c) INTERSTATE VIOLATION OF PROTECTION ORDER.—Section 2262(a)(2) of title 18, United States Code, is amended by inserting ''is present'' after ''Indian Country or''.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

''SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult or youth victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (2) shall not apply to this grant program.

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Combat Violent Crimes Against Women).

''(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program).

''(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

''(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities, or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

''(2) victim service providers offering population specific services for a specific underserved population; or

''(3) victim service providers working in partnership with a national, State, tribal, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

''(c) PLANNING GRANTS.—The Attorney General may use up to 25 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

''(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

''(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

''(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

''(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

''(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

''(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific services;

''(2) strengthening the capacity of underserved populations to provide population specific services;

''(3) strengthening the capacity of traditional victim service providers to provide population specific services;

''(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

''(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

''(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

''(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

''(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.''.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking ''**AND LINGUISTICALLY"**;

(2) by striking ''and linguistically'' each place it appears;

(3) by striking ''and linguistic'' each place it appears;

(4) by striking subsection (a)(2) and inserting:

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Arrest Policies and Enforcement of Protection Orders).

''(B) Section 14201 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

''(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

''(D) Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

''(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).''; and

(5) in subsection (g), by striking ''linguistic and''.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1), by striking ''other programs'' and all that follows and inserting ''other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.'';

(2) in paragraph (2)—

(A) in subparagraph (B), by inserting ''or tribal programs and activities'' after ''nongovernmental organizations''; and

(B) in subparagraph (C)(v), by striking ''linguistically and''; and

(3) in paragraph (4)—

(A) by inserting ''(including the District of Columbia and Puerto Rico)'' after ''The Attorney General shall allocate to each State'';

(B) by striking ''the District of Columbia, Puerto Rico,'' after ''Guam'';

(C) by striking ''0.125 percent'' and inserting ''0.25 percent''; and

(D) by striking ''The District of Columbia shall be treated as a territory for purposes of calculating its allocation under the preceding formula.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking ''$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011'' and inserting ''$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016''.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting '', including sexual assault forensic examiners'' before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''victim advocacy groups'' and inserting ''victim service providers''; and

(ii) by inserting '', including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides'' before the semicolon;

(B) in paragraph (2)—

(i) by striking ''and other long- and short-term assistance'' and inserting ''legal assistance, and other long-term and short-term victim and population specific services''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.

''(5) developing programs and strategies that focus on the specific needs of victims of domestic violence, dating violence, sexual assault, and stalking who reside in remote rural and geographically isolated areas, including addressing the challenges posed by the lack of access to shelters and victims services, and limited law enforcement resources and training, and providing training and resources to Community Health Aides involved in the delivery of Indian Health Service programs.''; and

(3) in subsection (e)(1), by striking ''$55,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)'' after ''risk reduction'';

(B) in paragraph (4), by striking ''victim service organizations'' and inserting ''victim service providers''; and

(C) in paragraph (5), by striking ''victim services organizations'' and inserting ''victim service providers'';

(2) in subsection (c)(1)(D), by striking ''nonprofit and nongovernmental victim services organization, such as a State'' and inserting ''victim service provider, such as a State or tribal''; and

(3) in subsection (e), by striking ''$10,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$9,000,000 for each of fiscal years 2012 through 2016''.

SEC. 204. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

(a) IN GENERAL.—Subtitle H of the Violence Against Women Act of 1994 (42 U.S.C. 14041 et seq.) is amended to read as follows:

''Subtitle H—Enhanced Training and Services to End Abuse Later in Life

''SEC. 40801. ENHANCED TRAINING AND SERVICES TO END ABUSE IN LATER LIFE.

''(a) DEFINITIONS.—In this section—

''(1) the term 'exploitation' has the meaning given the term in section 2011 of the Social Security Act (42 U.S.C. 1397j);

''(2) the term 'later life', relating to an individual, means the individual is 50 years of age or older; and

''(3) the term 'neglect' means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

''(b) GRANT PROGRAM.—

''(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

''(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

''(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

''(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

''(ii) provide or enhance services for victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect;

''(iii) establish or support multidisciplinary collaborative community responses to victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; and

''(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect.

''(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use the funds received under the grant to—

''(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect; or

''(ii) conduct outreach activities and awareness campaigns to ensure that victims of abuse in later life, including domestic violence, dating violence, sexual assault, stalking, exploitation, and neglect receive appropriate assistance.

''(C) WAIVER.—The Attorney General may waive 1 or more of the activities described in subparagraph (A) upon making a determination that the activity would duplicate services available in the community.

''(D) LIMITATION.—An eligible entity receiving a grant under this section may use not more than 10 percent of the total funds received under the grant for an activity described in subparagraph (B)(ii).

''(3) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this section if—

''(A) the entity is—

''(i) a State;

''(ii) a unit of local government;

''(iii) a tribal government or tribal organization;

''(iv) a population specific organization with demonstrated experience in assisting individuals over 50 years of age;

''(v) a victim service provider with demonstrated experience in addressing domestic violence, dating violence, sexual assault, and stalking; or

''(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

''(B) the entity demonstrates that it is part of a multidisciplinary partnership that includes, at a minimum—

''(i) a law enforcement agency;

''(ii) a prosecutor's office;

''(iii) a victim service provider; and

''(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

''(4) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing services to culturally specific and underserved populations.

''(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2012 through 2016.''.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION AND EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', territorial or tribal'' after ''crisis centers, State''; and

(B) in paragraph (6), by inserting ''and alcohol'' after ''about drugs''; and

(2) in subsection (c)—

(A) in paragraph (1), by striking ''$80,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''; and

(B) by adding at the end the following:

''(3) BASELINE FUNDING FOR STATES, THE DISTRICT OF COLUMBIA, AND PUERTO RICO.—A minimum allocation of $150,000 shall be awarded in each fiscal year for each of the States, the District of Columbia, and Puerto Rico. A minimum allocation of $35,000 shall be awarded in each fiscal year for each Territory. Any unused or remaining funds shall be allotted to each State, the District of Columbia, and Puerto Rico on the basis of population.''.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c–3) and inserting the following:

''SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH ('CHOOSE CHILDREN & YOUTH').

''(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

''(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

''(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

''(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

''(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

''(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, and stalking, and to properly refer such children, youth, and their families to appropriate services.

''(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

''(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

''(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call;

''(D) implement developmentally appropriate educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking and the impact of such violence on youth; or

''(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

''(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth who are, including runaway or homeless youth affected by, victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth; or

''(C) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(2) PARTNERSHIPS.—

''(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

''(i) a State, tribe, unit of local government, or territory;

''(ii) a population specific or community-based organization;

''(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

''(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

''(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

''(1) require and include appropriate referral systems for child and youth victims;

''(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

''(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault and stalking.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2012 through 2016.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968. The requirements of this section shall not apply to funds allocated under this paragraph.

''(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.''.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''stalking on campuses, and'' and inserting ''stalking on campuses,'';

(ii) by striking ''crimes against women on'' and inserting ''crimes on''; and

(iii) by inserting '', and to develop and strengthen prevention education and awareness programs'' before the period; and

(B) in paragraph (2), by striking ''$500,000'' and inserting ''$300,000'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', strengthen,'' after ''To develop''; and

(ii) by inserting ''including the use of technology to commit these crimes,'' after ''sexual assault and stalking,'';

(B) in paragraph (4)—

(i) by inserting ''and population specific services'' after ''strengthen victim services programs'';

(ii) by striking ''entities carrying out'' and all that follows through ''stalking victim services programs'' and inserting ''victim service providers''; and

(iii) by inserting '', regardless of whether the services are provided by the institution or in coordination with community victim service providers'' before the period at the end; and

(C) by adding at the end the following:

''(9) To develop or adapt and provide developmental, culturally appropriate, and linguistically accessible print or electronic materials to address both prevention and intervention in domestic violence, dating violence, sexual violence, and stalking.

''(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''any non-profit'' and all that follows through ''victim services programs'' and inserting ''victim service providers'';

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

''(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;''; and

(B) in paragraph (3), by striking ''2007 through 2011'' and inserting ''2012 through 2016'';

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

''(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

''(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

''(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

''(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

''(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.''; and

(5) in subsection (e), by striking ''there are'' and all that follows through the period and inserting ''there is authorized to be appropriated $12,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C)(iii), by striking the period at the end and inserting '', when the victim of such crime elects or is unable to make such a report.''; and

(B) in subparagraph (F)—

(i) in clause (i)(VIII), by striking ''and'' after the semicolon;

(ii) in clause (ii)—

(I) by striking ''sexual orientation'' and inserting '' national origin, sexual orientation, gender identity,''; and

(II) by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.'';

(2) in paragraph (3), by inserting '', that withholds the names of victims as confidential,'' after ''that is timely'';

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

''(i) The terms 'dating violence', 'domestic violence', and 'stalking' have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).''; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

''(v) The term 'sexual assault' means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.'';

(4) in paragraph (7)—

(A) by striking ''paragraph (1)(F)'' and inserting ''clauses (i) and (ii) of paragraph (1)(F)''; and

(B) by inserting after ''Hate Crime Statistics Act.'' the following: ''For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).'';

(5) by striking paragraph (8) and inserting the following:

''(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

''(i) such institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

''(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

''(B) The policy described in subparagraph (A) shall address the following areas:

''(i) Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, which shall include—

''(I) primary prevention and awareness programs for all incoming students and new employees, which shall include—

''(aa) a statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;

''(bb) the definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction;

''(cc) the definition of consent, in reference to sexual activity, in the applicable jurisdiction;

''(dd) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;

''(ee) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; and

''(ff) the information described in clauses (ii) through (vii); and

''(II) ongoing prevention and awareness campaigns for students and faculty, including information described in items (aa) through (ff) of subclause (I).

''(ii) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

''(iii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

''(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

''(II) to whom the alleged offense should be reported;

''(III) options regarding law enforcement and campus authorities, including notification of the victim's option to—

''(aa) notify proper law enforcement authorities, including on-campus and local police;

''(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

''(cc) decline to notify such authorities; and

''(IV) where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

''(iv) Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking, which shall include a clear statement that—

''(I) such proceedings shall—

''(aa) provide a prompt, fair, and impartial investigation and resolution; and

''(bb) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;

''(II) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and

''(III) both the accuser and the accused shall be simultaneously informed, in writing, of—

''(aa) the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

''(bb) the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding;

''(cc) of any change to the results that occurs prior to the time that such results become final; and

''(dd) when such results become final.

''(v) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

''(vi) Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

''(vii) Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

''(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or

employee's rights and options, as described in clauses (ii) through (vii) of subparagraph (B).'';

(6) in paragraph (9), by striking ''The Secretary'' and inserting ''The Secretary, in consultation with the Attorney General of the United States,'';

(7) by striking paragraph (16) and inserting the following:

''(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

''(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.''; and

(8) by striking paragraph (17) and inserting the following:

''(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking ''$2,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$1,000,000 for each of the fiscal years 2012 through 2016''.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

''SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

''(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

''(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

''(A) age and developmentally-appropriate education on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

''(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

''(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

''(D) policy development targeted to prevention, including school-based policies and protocols.

''(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

''(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

''(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

''(3) ENGAGING MEN AS LEADERS AND ROLE MODELS.—To develop, maintain or enhance programs that work with men to prevent domestic violence, dating violence, sexual assault, and stalking by helping men to serve as role models and social influencers of other men and youth at the individual, school, community or statewide levels.

''(c) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be—

''(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

''(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following that has expertise in serving children exposed to domestic violence, dating violence, sexual assault, or stalking, youth domestic violence, dating violence, sexual assault, or stalking prevention, or engaging men to prevent domestic violence, dating violence, sexual assault, or stalking:

''(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

''(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

''(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization with a demonstrated history of effective work addressing the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking.

''(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

''(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

''(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program; or

''(3) a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(d) GRANTEE REQUIREMENTS.—

''(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

''(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

''(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

''(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

''(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

''(D) document how prevention programs are coordinated with service programs in the community.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

''(A) include outcome-based evaluation; and

''(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $15,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated under this section may only be used for programs and activities described under this section.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this

section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (b).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations. If an insufficient number of applications are received from Indian tribes or tribal organizations, such funds shall be allotted to other population-specific programs.''.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

''SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) IN GENERAL.—The Secretary shall award grants for—

''(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

''(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

''(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

''(b) USE OF FUNDS.—

''(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

''(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

''(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

''(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

''(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

''(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

''(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements, in accordance with the multi-stakeholder and quality measurement processes established under paragraphs (7) and (8) of section 1890(b) and section 1890A of the Social Security Act (42 U.S.C. 1395aaa(b)(7) and (8); 42 U.S.C. 1890A); and

''(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

''(2) PERMISSIBLE USES.—

''(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

''(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

''(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for —

''(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

''(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

''(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

''(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

''(c) REQUIREMENTS FOR GRANTEES.—

''(1) CONFIDENTIALITY AND SAFETY.—

''(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

''(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

''(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

''(3) APPLICATION.—

''(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

''(B) SUBSECTION (A)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

''(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

''(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

''(II) a health care facility or system; or

''(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

''(C) SUBSECTION (A)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be

integrated into prevention, intervention, and treatment activities;

''(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

''(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

''(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

''(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

''(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

''(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

''(C) a health care provider membership or professional organization, or a health care system; or

''(D) a State, tribal, territorial, or local entity.

''(2) SUBSECTION (A)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

''(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

''(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

''(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

''(3) REPORTING.—The Secretary shall publish a biennial report on—

''(A) the distribution of funds under this section; and

''(B) the programs and activities supported by such funds.

''(f) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

''(A) grants awarded under this section; and

''(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

''(2) RESEARCH.—Research authorized in paragraph (1) may include—

''(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

''(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

''(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

''(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.''.

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

''CHAPTER 1—GRANT PROGRAMS'';

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter'';

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter''; and

(4) by adding at the end the following:

''CHAPTER 2—HOUSING RIGHTS

''SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) DEFINITIONS.—In this chapter:

''(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

''(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

''(B) any individual, tenant, or lawful occupant living in the household of that individual.

''(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

''(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

''(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

''(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

''(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

''(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

''(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

''(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 17151(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

''(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

''(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

''(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

''(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

''(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

''(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

''(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

''(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

''(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

''(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

''(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the

basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

''(B) BIFURCATION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

''(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

''(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

''(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

''(II) the distribution or possession of property among members of a household in a case;

''(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

''(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

''(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

''(c) DOCUMENTATION.—

''(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

''(2) FAILURE TO PROVIDE CERTIFICATION.—

''(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

''(i) deny admission by the applicant or tenant to the covered program;

''(ii) deny assistance under the covered program to the applicant or tenant;

''(iii) terminate the participation of the applicant or tenant in the covered program; or

''(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

''(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

''(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

''(A) a certification form approved by the appropriate agency that—

''(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

''(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

''(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

''(B) a document that—

''(i) is signed by—

''(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

''(II) the applicant or tenant; and

''(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

''(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

''(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

''(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

''(A) requested or consented to by the individual in writing;

''(B) required for use in an eviction proceeding under subsection (b); or

''(C) otherwise required by applicable law.

''(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

''(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

''(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

''(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

''(d) NOTIFICATION.—

''(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

''(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

''(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

''(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

''(C) with any notification of eviction or notification of termination of assistance; and

''(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

''(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

''(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another

available and safe dwelling unit assisted under a covered housing program if—

''(A) the tenant expressly requests the transfer; and

''(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

''(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

''(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

''(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

''(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(ii) in paragraph (6), by striking ''; except that'' and all that follows through ''stalking.''; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking ''and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in clause (iii), by striking '', except that:'' and all that follows through ''stalking.'';

(C) in subsection (f)—

(i) in paragraph (6), by adding ''and'' at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking ''and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in subparagraph (D), by striking ''; except that'' and all that follows through ''stalking.''; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of subtitle B of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**''; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**'';

(B) in subsection (a)(1), by striking ''fleeing'';

(C) in subsection (b)(3)—

(i) in subparagraph (A), by striking '' and'' at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C);

(iii) by inserting after subparagraph (A) the following:

''(B) secure employment, including obtaining employment counseling, occupational training, job retention counseling, and counseling concerning re-entry in to the workforce; and''; and

(iv) in subparagraph (C), as redesignated by clause (ii), by striking '' employment counseling,''; and

(D) in subsection (g)—

(i) in paragraph (1), by striking ''$40,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$35,000,000 for each of fiscal years 2012 through 2016''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''eligible'' and inserting ''qualified''; and

(II) by adding at the end the following:

''(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term 'qualified application' means an application that—

''(i) has been submitted by an eligible applicant;

''(ii) does not propose any activities that may compromise victim safety, including—

''(I) background checks of victims; or

''(II) clinical evaluations to determine eligibility for services;

''(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

''(iv) does not propose prohibited activities, including mandatory services for victims.''.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

TITLE VIII—PROTECTION OF BATTERED IMMIGRANTS

SEC. 801. U NONIMMIGRANT DEFINITION.

Section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)) is amended by inserting ''stalking;'' after ''sexual exploitation;''.

SEC. 802. ANNUAL REPORT ON IMMIGRATION APPLICATIONS MADE BY VICTIMS OF ABUSE.

Not later than December 1, 2012, and annually thereafter, the Secretary of Homeland Security shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes the following:

(1) The number of aliens who—

(A) submitted an application for nonimmigrant status under paragraph (15)(T)(i), (15)(U)(i), or (51) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) during the preceding fiscal year;

(B) were granted such nonimmigrant status during such fiscal year; or

(C) were denied such nonimmigrant status during such fiscal year.

(2) The mean amount of time and median amount of time to adjudicate an application for such nonimmigrant status during such fiscal year.

(3) The mean amount of time and median amount of time between the receipt of an application for such nonimmigrant status and the issuance of work authorization to an eligible applicant during the preceding fiscal year.

(4) The number of aliens granted continued presence in the United States under section 107(c)(3) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(3)) during the preceding fiscal year.

(5) A description of any actions being taken to reduce the adjudication and processing time, while ensuring the safe and competent processing, of an application described in paragraph (1) or a request for continued presence referred to in paragraph (4).

SEC. 803. PROTECTION FOR CHILDREN OF VAWA SELF-PETITIONERS.

Section 204(l)(2) of the Immigration and Nationality Act (8 U.S.C. 1154(l)(2)) is amended—

(1) in subparagraph (E), by striking ''or'' at the end;

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following:

''(F) a child of an alien who filed a pending or approved petition for classification or application for adjustment of status or other benefit specified in section 101(a)(51) as a VAWA self-petitioner; or''.

SEC. 804. PUBLIC CHARGE.

Section 212(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(4)) is amended by adding at the end the following:

''(E) SPECIAL RULE FOR QUALIFIED ALIEN VICTIMS.—Subparagraphs (A), (B), and (C) shall not apply to an alien who—

''(i) is a VAWA self-petitioner;

''(ii) is an applicant for, or is granted, nonimmigrant status under section 101(a)(15)(U); or

''(iii) is a qualified alien described in section 431(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (8 U.S.C. 1641(c)).''.

SEC. 805. REQUIREMENTS APPLICABLE TO U VISAS.

(a) RECAPTURE OF UNUSED U VISAS.—Section 214(p)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(2)) is amended by—

(1) in subparagraph (A), by striking ''The number'' and inserting ''Except as provided in subparagraph (C), the number''; and

(2) by adding at the end the following:

''(C) Beginning in fiscal year 2012, if the numerical limitation set forth in subparagraph (A) is reached before the end of the fiscal year, up to 5,000 additional visas, of the aggregate number of visas that were available and not issued to nonimmigrants described in section 101(a)(15)(U) in fiscal years 2006 through 2011, may be issued until the end of the fiscal year.''.

(3) SUNSET DATE.—The amendments made by paragraphs (1) and (2) are repealed on the date on which the aggregate number of visas that were available and not issued in fiscal years 2006 through 2011 have been issued pursuant to section 214(p)(2)(C) of the Immigration and Nationality Act.

(b) AGE DETERMINATIONS.—Section 214(p) of the Immigration and Nationality Act (8 U.S.C. 1184(p)) is amended by adding at the end the following:

''(7) AGE DETERMINATIONS.—

''(A) CHILDREN.—An unmarried alien who seeks to accompany, or follow to join, a parent granted status under section 101(a)(15)(U)(i), and who was under 21 years of age on the date on which such parent petitioned for such status, shall continue to be classified as a child for purposes of section 101(a)(15)(U)(ii), if the alien attains 21 years of age after such parent's petition was filed but while it was pending.

''(B) PRINCIPAL ALIENS.—An alien described in clause (i) of section 101(a)(15)(U) shall continue to be treated as an alien described in clause (ii)(I) of such section if the alien attains 21 years of age after the alien's application for status under such clause (i) is filed but while it is pending.''.

SEC. 806. HARDSHIP WAIVERS.

(a) IN GENERAL.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)) is amended—

(1) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(2) in subparagraph (B), by striking ''(1), or'' and inserting ''(1); or'';

(3) in subparagraph (C), by striking the period at the end and inserting a semicolon and ''or''; and

(4) by inserting after subparagraph (C) the following:

''(D) the alien meets the requirements under section 204(a)(1)(A)(iii)(II)(aa)(BB) and following the marriage ceremony was battered by or subject to extreme cruelty perpetrated by the alien's intended spouse and was not at fault in failing to meet the requirements of paragraph (1).''.

(b) TECHNICAL CORRECTIONS.—Section 216(c)(4) of the Immigration and Nationality Act (8 U.S.C. 1186a(c)(4)), as amended by subsection (a), is further amended—

(1) in the matter preceding subparagraph (A), by striking ''The Attorney General, in the Attorney General's'' and inserting ''The Secretary of Homeland Security, in the Secretary's''; and

(2) in the undesignated paragraph at the end—

(A) in the first sentence, by striking ''Attorney General'' and inserting ''Secretary of Homeland Security'';

(B) in the second sentence, by striking ''Attorney General'' and inserting ''Secretary'';

(C) in the third sentence, by striking ''Attorney General.'' and inserting ''Secretary.''; and

(D) in the fourth sentence, by striking ''Attorney General'' and inserting ''Secretary''.

SEC. 807. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).'';

(B) in paragraph (2)(A), in the matter preceding clause (i)—

(i) by striking ''a consular officer'' and inserting ''the Secretary of Homeland Security''; and

(ii) by striking ''the officer'' and inserting ''the Secretary''; and

(C) in paragraph (3)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''; and

(2) in subsection (r)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).''; and

(B) by amending paragraph (4)(B)(ii) to read as follows:

''(ii) To notify the beneficiary as required by clause (i), the Secretary of Homeland Security shall provide such notice to the Secretary of State for inclusion in the mailing to the beneficiary described in section 833(a)(5)(A)(i) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(5)(A)(i)).''; and

(3) in paragraph (5)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''.

(b) PROVISION OF INFORMATION TO K NONIMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended—

(1) in subsection (a)(5)(A)—

(A) in clause (iii)—

(i) by striking ''State any'' and inserting ''State, for inclusion in the mailing described in clause (i), any''; and

(ii) by striking the last sentence; and

(B) by adding at the end the following:

''(iv) The Secretary of Homeland Security shall conduct a background check of the National Crime Information Center's Protection Order Database on each petitioner for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184). Any appropriate information obtained from such background check—

''(I) shall accompany the criminal background information provided by the Secretary of Homeland Security to the Secretary of State and shared by the Secretary of State with a beneficiary of a petition referred to in clause (iii); and

''(II) shall not be used or disclosed for any other purpose unless expressly authorized by law.

''(v) The Secretary of Homeland Security shall create a cover sheet or other mechanism to accompany the information required to be provided to an applicant for a visa under subsection (d) or (r) of section 214 of the Immigration and Nationality Act (8 U.S.C. 1184) by clauses (i) through (iv) of this paragraph or by clauses (i) and (ii) of subsection (r)(4)(B) of such section 214, that calls to the applicant's attention—

''(I) whether the petitioner disclosed a protection order, a restraining order, or criminal history information on the visa petition;

''(II) the criminal background information and information about any protection order obtained by the Secretary of Homeland Security regarding the petitioner in the course of adjudicating the petition; and

''(III) whether the information the petitioner disclosed on the visa petition regarding any previous petitions filed under subsection (d) or (r) of such section 214 is consistent with the information in the multiple visa tracking database of the Department of Homeland Security, as described in subsection (r)(4)(A) of such section 214.''; and

(2) in subsection (b)(1)(A), by striking ''or'' after ''orders'' and inserting ''and''.

SEC. 808. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—

(1) FINDINGS.—Congress finds the following:

(A) The International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) has not been fully implemented with regard to investigating and prosecuting violations of the law, and for other purposes.

(B) Six years after Congress enacted the International Marriage Broker Act of 2005 to regulate the activities of the hundreds of for-profit international marriage brokers operating in the United States, the Attorney General has not determined which component of the Department of Justice will investigate and prosecute violations of such Act.

(2) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the following:

(A) The name of the component of the Department of Justice responsible for investigating and prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109–162; 119 Stat. 3066) and the amendments made by this Act.

(B) A description of the policies and procedures of the Attorney General for consultation with the Secretary of Homeland Security and the Secretary of State in investigating and prosecuting such violations.

(b) TECHNICAL CORRECTION.—Section 833(a)(2)(H) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(a)(2)(H)) is amended by striking ''Federal and State sex offender public registries'' and inserting ''the National Sex Offender Public Website''.

(c) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

''(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with the personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

''(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

''(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

''(ii) indicate on such certificate or document the date it was received by the international marriage broker;

''(iii) retain the original of such certificate or document for 7 years after such date of receipt; and

''(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.'';

(2) in paragraph (2)—

(A) in subparagraph (A)(i)—

(i) in the heading, by striking ''REGISTRIES.—'' and inserting ''WEBSITE.—''; and

(ii) by striking ''Registry or State sex offender public registry,'' and inserting ''Website,''; and

(B) in subparagraph (B)(ii), by striking ''or stalking.'' and inserting ''stalking, or an attempt to commit any such crime.'';

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i), by striking ''Registry, or of the relevant State sex offender public registry for any State not yet participating in the National Sex Offender Public Registry, in which the United States client has resided during the previous 20 years,'' and inserting ''Website''; and

(ii) in clause (iii)(II), by striking ''background information collected by the international marriage broker under paragraph (2)(B);'' and inserting ''signed certification and accompanying documentation or attestation regarding the background information collected under paragraph (2)(B);''; and

(B) by striking subparagraph (C);

(4) in paragraph (5)—

(A) in subparagraph (A)(ii), by striking ''A penalty may be imposed under clause (i) by the Attorney General only'' and inserting ''At the discretion of the Attorney General, a penalty may be imposed under clause (i) either by a Federal judge, or by the Attorney General'';

(B) by amending subparagraph (B) to read as follows:

''(B) FEDERAL CRIMINAL PENALTIES.—

''(i) FAILURE OF INTERNATIONAL MARRIAGE BROKERS TO COMPLY WITH OBLIGATIONS.—Except as provided in clause (ii), an international marriage broker that, in circumstances in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States—

''(I) except as provided in subclause (II), violates (or attempts to violate) paragraph (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both; or

''(II) knowingly violates or attempts to violate paragraphs (1), (2), (3), or (4) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 5 years, or both.

''(ii) MISUSE OF INFORMATION.—A person who knowingly discloses, uses, or causes to be used any information obtained by an international marriage broker as a result of a requirement under paragraph (2) or (3) for any purpose other than the disclosures required under paragraph (3) shall be fined in accordance with title 18, United States Code, or imprisoned for not more than 1 year, or both.

''(iii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.

''(iv) RELATIONSHIP TO OTHER PENALTIES.—The penalties provided in clauses (i), (ii), and (iii) are in addition to any other civil or criminal liability under Federal or State law to which a person may be subject for the misuse of information, including misuse to threaten, intimidate, or harass any individual.

''(v) CONSTRUCTION.—Nothing in this paragraph or paragraph (3) or (4) may be construed to prevent the disclosure of information to law enforcement or pursuant to a court order.''; and

(C) in subparagraph (C), by striking the period at the end and inserting ''including equitable remedies.'';

(5) by redesignating paragraphs (6) and (7) as paragraphs (7) and (8), respectively; and

(6) by inserting after paragraph (5) the following:

''(6) ENFORCEMENT.—

''(A) AUTHORITY.—The Attorney General shall be responsible for the enforcement of the provisions of this section, including the prosecution of civil and criminal penalties provided for by this section.

''(B) CONSULTATION.—The Attorney General shall consult with the Director of the Office on Violence Against Women of the Department of Justice to develop policies and public education designed to promote enforcement of this section.''.

(d) GAO STUDY AND REPORT.—Section 833(f) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(f)) is amended—

(1) in the subsection heading, by striking ''STUDY AND REPORT.—'' and inserting ''STUDIES AND REPORTS.—''; and

(2) by adding at the end the following:

''(4) CONTINUING IMPACT STUDY AND REPORT.—

''(A) STUDY.—The Comptroller General shall conduct a study on the continuing impact of the implementation of this section and of section of 214 of the Immigration and Nationality Act (8 U.S.C. 1184) on the process for granting K nonimmigrant visas, including specifically a study of the items described in subparagraphs (A) through (E) of paragraph (1).

''(B) REPORT.—Not later than 2 years after the date of the enactment of the Violence Against Women Reauthorization Act of 2011, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report setting forth the results of the study conducted under subparagraph (A).

''(C) DATA COLLECTION.—The Attorney General, the Secretary of Homeland Security, and the Secretary of State shall collect and maintain the data necessary for the Comptroller General to conduct the study required by paragraph (1)(A).''.

SEC. 809. ELIGIBILITY OF CRIME AND TRAFFICKING VICTIMS IN THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS TO ADJUST STATUS.

Section 705(c) of the Consolidated Natural Resources Act of 2008 (Public Law 110–229; 48 U.S.C. 1806 note), is amended by striking ''except that,'' and all that follows through the end, and inserting the following: ''except that—

''(1) for the purpose of determining whether an alien lawfully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) has abandoned or lost such status by reason of absence from the United States, such alien's presence in the Commonwealth, before, on or after November 28, 2009, shall be considered to be presence in the United States; and

''(2) for the purpose of determining whether an alien whose application for status under subparagraph (T) or (U) of section 101(a)(15) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)) was granted is subsequently eligible for adjustment under subsection (l) or (m) of section 245 of such Act (8 U.S.C. 1255), such alien's physical presence in the Commonwealth before, on, or after November 28, 2009, and subsequent to the grant of the application, shall be considered as equivalent to presence in the United States pursuant to a nonimmigrant admission in such status.''.

SEC. 810. DIVERSITY IMMIGRANT VISA PETITION FEE.

(a) REQUIREMENT FOR FEE.—Section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)) is amended by adding at the end the following:

''(iv) Each petition filed under this subparagraph shall include a petition fee in the amount of $30.''.

(b) DEPOSIT OF FEE.—

(1) IN GENERAL.—For purposes of fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(I)), as added by subsection (a), a portion of such funds shall be transferred to and deposited in the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) (referred to in this section as the ''Trust Funds''), at such times and in such manner as is determined appropriate by the Secretary of the Treasury, in such amounts as are equal to the increases in disbursements from the Trust Funds by reason of the application of section 805(a).

(2) REMAINDER.—To the extent the total amount collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act exceeds the total amount transferred to the Trust Funds pursuant to paragraph (1), such excess amount shall not be available for obligation and shall be deposited, in its entirety, in the general fund of the Treasury.

(c) SUNSET OF FEES.—The fees collected pursuant to clause (iv) of section 204(a)(1)(I) of the Immigration and Nationality Act (8

U.S.C. 1154(a)(1)(I)), as added by subsection (a), shall apply only to petitions filed before December 31, 2015.

SEC. 811. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 812. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may''; and

(B) by inserting ''Secretary's or the'' before ''Attorney General's discretion'';

(2) in paragraph (2)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may'';

(B) by inserting ''Secretary or the'' before ''Attorney General for''; and

(C) by inserting ''in a manner that protects the confidentiality of such information'' after ''law enforcement purpose'';

(3) in paragraph (5), by striking ''Attorney General is'' and inserting ''Secretary of Homeland Security and the Attorney General are''; and

(4) by adding at the end a new paragraph as follows:

''(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.''.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended—

(1) by inserting '', Secretary of State,'' after ''The Attorney General'';

(2) by inserting '', Department of State,'' after ''Department of Justice''; and

(3) by inserting ''and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))'' after ''domestic violence''.

(c) IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Attorney General, the Secretary of State, and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking ''241(a)(2)'' in the matter following subparagraph (F) and inserting ''237(a)(2)''.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting ''sex trafficking,'' after ''sexual assault,'';

(2) in paragraph (4), by inserting ''sex trafficking,'' after ''sexual assault,'';

(3) in paragraph (5), by striking ''and stalking'' and all that follows and inserting ''sexual assault, sex trafficking, and stalking;'';

(4) in paragraph (7)—

(A) by inserting ''sex trafficking,'' after ''sexual assault,'' each place it appears; and

(B) by striking ''and'' at the end;

(5) in paragraph (8)—

(A) by inserting ''sex trafficking,'' after ''stalking,''; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

''(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of youth and children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the youth or child; and

''(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.''.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg) is amended by striking subsection (d) and inserting the following:

''(d) TRIBAL COALITION GRANTS.—

''(1) PURPOSE.—The Attorney General shall award a grant to tribal coalitions for purposes of—

''(A) increasing awareness of domestic violence and sexual assault against Indian women;

''(B) enhancing the response to violence against Indian women at the Federal, State, and tribal levels;

''(C) identifying and providing technical assistance to coalition membership and tribal communities to enhance access to essential services to Indian women victimized by domestic and sexual violence, including sex trafficking; and

''(D) assisting Indian tribes in developing and promoting State, local, and tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.

''(2) GRANTS.—The Attorney General shall award grants on an annual basis under paragraph (1) to—

''(A) each tribal coalition that—

''(i) meets the criteria of a tribal coalition under section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a));

''(ii) is recognized by the Office on Violence Against Women; and

''(iii) provides services to Indian tribes; and

''(B) organizations that propose to incorporate and operate a tribal coalition in areas where Indian tribes are located but no tribal coalition exists.

''(3) USE OF AMOUNTS.—For each of fiscal years 2012 through 2016, of the amounts appropriated to carry out this subsection—

''(A) not more than 10 percent shall be made available to organizations described in paragraph (2)(B), provided that 1 or more organizations determined by the Attorney General to be qualified apply;

''(B) not less than 90 percent shall be made available to tribal coalitions described in paragraph (2)(A), which amounts shall be distributed equally among each eligible tribal coalition for the applicable fiscal year

''(4) ELIGIBILITY FOR OTHER GRANTS.—Receipt of an award under this subsection by a tribal coalition shall not preclude the tribal coalition from receiving additional grants under this title to carry out the purposes described in paragraph (1).

''(5) MULTIPLE PURPOSE APPLICATIONS.—Nothing in this subsection prohibits any tribal coalition or organization described in paragraph (2) from applying for funding to address sexual assault or domestic violence needs in the same application.''.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ''and the Violence Against Women Act of 2000'' and inserting '', the Violence Against Women Act of 2000''; and

(B) by inserting '', and the Violence Against Women Reauthorization Act of 2011'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Department of Health and Human Services'' and inserting ''Secretary of Health and Human Services, the Secretary of the Interior,''; and

(B) in paragraph (2), by striking ''and stalking'' and inserting ''stalking, and sex trafficking''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

''(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

''(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

''(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

''(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.''.

SEC. 904. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

Title II of Public Law 90–284 (25 U.S.C. 1301 et seq.) (commonly known as the ''Indian Civil Rights Act of 1968'') is amended by adding at the end the following:

''SEC. 204. TRIBAL JURISDICTION OVER CRIMES OF DOMESTIC VIOLENCE.

''(a) DEFINITIONS.—In this section:

''(1) DATING VIOLENCE.—The term 'dating violence' means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

''(2) DOMESTIC VIOLENCE.—The term 'domestic violence' means violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the victim under the domestic- or family- violence laws of an Indian tribe that has jurisdiction over the Indian country where the violence occurs.

''(3) INDIAN COUNTRY.—The term 'Indian country' has the meaning given the term in section 1151 of title 18, United States Code.

''(4) PARTICIPATING TRIBE.—The term 'participating tribe' means an Indian tribe that

elects to exercise special domestic violence criminal jurisdiction over the Indian country of that Indian tribe.

''(5) PROTECTION ORDER.—The term 'protection order'—

''(A) means any injunction, restraining order, or other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; and

''(B) includes any temporary or final order issued by a civil or criminal court, whether obtained by filing an independent action or as a pendent lite order in another proceeding, if the civil or criminal order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection.

''(6) SPECIAL DOMESTIC VIOLENCE CRIMINAL JURISDICTION.—The term 'special domestic violence criminal jurisdiction' means the criminal jurisdiction that a participating tribe may exercise under this section but could not otherwise exercise.

''(7) SPOUSE OR INTIMATE PARTNER.—The term 'spouse or intimate partner' has the meaning given the term in section 2266 of title 18, United States Code.

''(b) NATURE OF THE CRIMINAL JURISDICTION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, in addition to all powers of self-government recognized and affirmed by sections 201 and 203, the powers of self-government of a participating tribe include the inherent power of that tribe, which is hereby recognized and affirmed, to exercise special domestic violence criminal jurisdiction over all persons.

''(2) CONCURRENT JURISDICTION.—The exercise of special domestic violence criminal jurisdiction by a participating tribe shall be concurrent with the jurisdiction of the United States, of a State, or of both.

''(3) APPLICABILITY.—Nothing in this section—

''(A) creates or eliminates any Federal or State criminal jurisdiction over Indian country; or

''(B) affects the authority of the United States or any State government that has been delegated authority by the United States to investigate and prosecute a criminal violation in Indian country.

''(4) EXCEPTIONS.—

''(A) VICTIM AND DEFENDANT ARE BOTH NON-INDIANS.—

''(i) IN GENERAL.—A participating tribe may not exercise special domestic violence criminal jurisdiction over an alleged offense if neither the defendant nor the alleged victim is an Indian.

''(ii) DEFINITION OF VICTIM.—In this subparagraph and with respect to a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction based on a violation of a protection order, the term 'victim' means a person specifically protected by a protection order that the defendant allegedly violated.

''(B) DEFENDANT LACKS TIES TO THE INDIAN TRIBE.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant only if the defendant—

''(i) resides in the Indian country of the participating tribe;

''(ii) is employed in the Indian country of the participating tribe; or

''(iii) is a spouse, intimate partner, or dating partner of—

''(I) a member of the participating tribe; or

''(II) an Indian who resides in the Indian country of the participating tribe.

''(c) CRIMINAL CONDUCT.—A participating tribe may exercise special domestic violence criminal jurisdiction over a defendant for criminal conduct that falls into one or more of the following categories:

''(1) DOMESTIC VIOLENCE AND DATING VIOLENCE.—An act of domestic violence or dating violence that occurs in the Indian country of the participating tribe.

''(2) VIOLATIONS OF PROTECTION ORDERS.—An act that—

''(A) occurs in the Indian country of the participating tribe; and

''(B) violates the portion of a protection order that—

''(i) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person;

''(ii) was issued against the defendant;

''(iii) is enforceable by the participating tribe; and

''(iv) is consistent with section 2265(b) of title 18, United States Code.

''(d) RIGHTS OF DEFENDANTS.—In a criminal proceeding in which a participating tribe exercises special domestic violence criminal jurisdiction, the participating tribe shall provide to the defendant—

''(1) all applicable rights under this Act;

''(2) if a term of imprisonment of any length may be imposed, all rights described in section 202(c);

''(3) the right to a trial by an impartial jury that is drawn from sources that—

''(A) reflect a fair cross section of the community; and

''(B) do not systematically exclude any distinctive group in the community, including non-Indians; and

''(4) all other rights whose protection is necessary under the Constitution of the United States in order for Congress to recognize and affirm the inherent power of the participating tribe to exercise special domestic violence criminal jurisdiction over the defendant.

''(e) PETITIONS TO STAY DETENTION.—

''(1) IN GENERAL.—A person who has filed a petition for a writ of habeas corpus in a court of the United States under section 203 may petition that court to stay further detention of that person by the participating tribe.

''(2) GRANT OF STAY.—A court shall grant a stay described in paragraph (1) if the court—

''(A) finds that there is a substantial likelihood that the habeas corpus petition will be granted; and

''(B) after giving each alleged victim in the matter an opportunity to be heard, finds by clear and convincing evidence that under conditions imposed by the court, the petitioner is not likely to flee or pose a danger to any person or the community if released.

''(3) NOTICE.—An Indian tribe that has ordered the detention of any person has a duty to timely notify such person of his rights and privileges under this subsection and under section 203.

''(f) GRANTS TO TRIBAL GOVERNMENTS.—The Attorney General may award grants to the governments of Indian tribes (or to authorized designees of those governments)—

''(1) to strengthen tribal criminal justice systems to assist Indian tribes in exercising special domestic violence criminal jurisdiction, including—

''(A) law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);

''(B) prosecution;

''(C) trial and appellate courts;

''(D) probation systems;

''(E) detention and correctional facilities;

''(F) alternative rehabilitation centers;

''(G) culturally appropriate services and assistance for victims and their families; and

''(H) criminal codes and rules of criminal procedure, appellate procedure, and evidence;

''(2) to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;

''(3) to ensure that, in criminal proceedings in which a participating tribe exercises special domestic violence criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and

''(4) to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with tribal law and custom.

''(g) SUPPLEMENT, NOT SUPPLANT.—Amounts made available under this section shall supplement and not supplant any other Federal, State, tribal, or local government amounts made available to carry out activities described in this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2012 through 2016 to carry out subsection (f) and to provide training, technical assistance, data collection, and evaluation of the criminal justice systems of participating tribes.''.

SEC. 905. TRIBAL PROTECTION ORDERS.

(a) IN GENERAL.—Section 2265 of title 18, United States Code, is amended by striking subsection (e) and inserting the following:

''(e) TRIBAL COURT JURISDICTION.—For purposes of this section, a court of an Indian tribe shall have full civil jurisdiction to issue and enforce protection orders involving any person, including the authority to enforce any orders through civil contempt proceedings, to exclude violators from Indian land, and to use other appropriate mechanisms, in matters arising anywhere in the Indian country of the Indian tribe (as defined in section 1151) or otherwise within the authority of the Indian tribe.''.

(b) APPLICABILITY.—Nothing in this Act, including an amendment made by this Act, alters or modifies the jurisdiction or authority of an Indian tribe in the State of Alaska under section 2265(e) of title 18, United States Code (as in effect on the day before the date of enactment of this Act).

SEC. 906. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(F) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating,

or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means intentionally, knowingly, or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means intentionally, knowingly, or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 907. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National''; and

(B) by inserting ''and in Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2011''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $1,000,000 for each of fiscal years 2012 and 2013''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 908. EFFECTIVE DATES; PILOT PROJECT.

(a) GENERAL EFFECTIVE DATE.—Except as provided in section 4 and subsection (b) of this section, the amendments made by this title shall take effect on the date of enactment of this Act.

(b) EFFECTIVE DATE FOR SPECIAL DOMESTIC-VIOLENCE CRIMINAL JURISDICTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (b) through (d) of section 204 of Public Law 90–284 (as added by section 904) shall take effect on the date that is 2 years after the date of enactment of this Act.

(2) PILOT PROJECT.—

(A) IN GENERAL.—At any time during the 2-year period beginning on the date of enactment of this Act, an Indian tribe may ask the Attorney General to designate the tribe as a participating tribe under section 204(a) of Public Law 90–284 on an accelerated basis.

(B) PROCEDURE.—The Attorney General may grant a request under subparagraph (A) after coordinating with the Secretary of the Interior, consulting with affected Indian tribes, and concluding that the criminal justice system of the requesting tribe has adequate safeguards in place to protect defendants' rights, consistent with section 204 of Public Law 90–284.

(C) EFFECTIVE DATES FOR PILOT PROJECTS.—An Indian tribe designated as a participating tribe under this paragraph may commence exercising special domestic violence criminal jurisdiction pursuant to subsections (b) through (d) of section 204 of Public Law 90–284 on a date established by the Attorney General, after consultation with that Indian tribe, but in no event later than the date that is 2 years after the date of enactment of this Act.

SEC. 909. INDIAN LAW AND ORDER COMMISSION; REPORT ON THE ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

(a) IN GENERAL.—Section 15(f) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(f)) is amended by striking ''2 years'' and inserting ''3 years''.

(b) REPORT.—The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than one year after enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

SEC. 910. LIMITATION.

Nothing in this Act or any amendment made by this Act limits, alters, expands, or diminishes the civil or criminal jurisdiction of the State of Alaska, any subdivision of the State of Alaska, or any Indian tribe in the State of Alaska.

TITLE X—OTHER MATTERS

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

''(b) OF A WARD.—

''(1) OFFENSES.—

''(A) IN GENERAL.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

''(i) in official detention or under official supervision or other official control of, the United States—

''(I) during or after arrest;

''(II) after release pretrial;

''(III) while on bail, probation, supervised release, or parole;

''(IV) after release following a finding of juvenile delinquency; or

''(V) after release pending any further judicial proceedings;

''(ii) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

''(iii) at the time of the sexual act—

''(I) in the special maritime and territorial jurisdiction of the United States;

''(II) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

''(III) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

''(B) SEXUAL CONTACT.—It shall be unlawful for any person to knowingly engage in sexual contact with, or cause sexual contact by, another person, if to do so would violate subparagraph (A) had the sexual contact been a sexual act.

''(2) PENALTIES.—

''(A) IN GENERAL.—A person that violates paragraph (1)(A) shall—

''(i) be fined under this title, imprisoned for not more than 15 years, or both; and

''(ii) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.

''(B) SEXUAL CONTACT.—A person that violates paragraph (1)(B) shall be fined under this title, imprisoned for not more than 2 years, or both.''.

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''§ 250. Penalties for sexual abuse

''(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

''(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''250. Penalties for sexual abuse.''.

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)''.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18)''.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

''(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Homeland Security shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

''(5) DEFINITION.—As used in this section, the term 'detention facilities operated under contract with the Department' includes, but is not limited to contract detention facilities and detention facilities operated through an intergovernmental service agreement with the Department of Homeland Security.

''(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).''.

SEC. 1003. ANONYMOUS ONLINE HARASSMENT.

Section 223(a)(1) of the Communications Act of 1934 (47 U.S.C. 223(a)(1)) is amended—

(1) in subparagraph (A), in the undesignated matter following clause (ii), by striking ''annoy,'';

(2) in subparagraph (C)—

(A) by striking ''annoy,''; and

(B) by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''; and

(3) in subparagraph (E), by striking ''harass any person at the called number or who receives the communication'' and inserting ''harass any specific person''.

SEC. 1004. STALKER DATABASE.

Section 40603 of the Violence Against Women Act of 1994 (42 U.S.C. 14032) is amended by striking ''$3,000,000'' and all that follows and inserting ''$3,000,000 for fiscal years 2012 through 2016.''.

SEC. 1005. FEDERAL VICTIM ASSISTANTS REAUTHORIZATION.

Section 40114 of the Violence Against Women Act of 1994 (Public Law 103–322; 108 Stat. 1910) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 1006. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking ''$2,300,000'' and all that follows and inserting ''$2,300,000 for each of fiscal years 2012 through 2016.''.

SEC. 1007. MANDATORY MINIMUM SENTENCE.

Section 2241(a) of title 18, United States Code, is amended in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 5 years or imprisoned for life''.

SEC. 1008. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is amended by striking ''for which the term of imprisonment'' and inserting '', including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act; and

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SA 2094. Ms. KLOBUCHAR submitted an amendment intended to be proposed to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

At the appropriate place, insert the following:

SEC. ___. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following:

''(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.

''(7) To ensure that the collection and processing of DNA evidence from crimes, including sexual assault and other serious violent crimes, is carried out in an appropriate and timely manner.

''(8) To ensure effective communication among emergency response providers, law enforcement personnel, prosecutors, courts, defense counsel, crime laboratory personnel, and crime victims regarding the status of crime scene evidence to be tested.'';

(2) in subsection (c)(3)(B)—

(A) by striking ''2014'' and inserting ''2017''; and

(B) by striking ''40'' and inserting ''70'';

(3) by striking subsection (j) and inserting the following:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General for grants under this section $151,000,000 for each of fiscal years 2013 through 2017.''; and

(4) by adding at the end the following:

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall, not later than 1 year after receiving such grant, complete the audit described in paragraph (1)(A) in accordance with the plan submitted under such paragraph.

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

''(4) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) POSSESSION.—

''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal rights or privileges for non-governmental vendor laboratories described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).

''(o) DEVELOPMENT OF PROTOCOLS AND PRACTICES.—

''(1) PROTOCOLS AND PRACTICES.—Not later than 18 months after the date of enactment of the Violence Against Women Reauthorization Act of 2011 the Director of the National Institute of Justice, in consultation with Federal, State, and local government laboratories and law enforcement agencies, shall develop and publish a description of protocols and practices the Director considers appropriate for the accurate, timely, and effective collection and processing of DNA evidence, including protocols and practices specific to sexual assault cases, which shall address appropriate steps in the investigation of cases that might involve DNA evidence.

''(2) TECHNICAL ASSISTANCE AND TRAINING.—The Director shall make available technical assistance and training to support States and units of local government in adopting and implementing the protocols and practices developed under paragraph (1) on and after the date on which the protocols and practices are published.

''(3) DEFINITION OF BACKLOG FOR DNA CASE WORK.—The Director shall develop and publish a definition of the term 'backlog for

DNA case work' for purposes of this section—

''(A) taking into consideration the different stages at which a backlog may develop, including the investigation and prosecution of a crime by law enforcement personnel, prosecutors, and others, and the laboratory analysis of crime scene samples; and

''(B) which may include different criteria or thresholds for the different stages.''.

SA 2095. Mrs. HUTCHISON (for herself, Mr. GRASSLEY, Mr. MCCONNELL, Mr. CORNYN, Mr. KYL, Mr. ALEXANDER, Mr. MORAN, Mr. CORKER, and Mr. JOHANNS) proposed an amendment to amendment SA 2093 proposed by Mr. REID (for Mr. LEAHY) to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Violence Against Women Reauthorization Act of 2012''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

SEC. 3. UNIVERSAL DEFINITIONS AND GRANT CONDITIONS.

(a) DEFINITIONS.—Subsection (a) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)) is amended—

(1) by redesignating—

(A) paragraph (1) as paragraph (2);

(B) paragraph (2) as paragraph (4);

(C) paragraphs (3) through (5) as paragraphs (5) through (7), respectively;

(D) paragraphs (6) through (9) as paragraphs (8) through (11), respectively;

(E) paragraphs (10) through (16) as paragraphs (14) through (20), respectively;

(F) paragraph (18) as paragraph (23);

(G) paragraphs (19) and (20) as paragraphs (25) and (26), respectively;

(H) paragraphs (21) and (22) as paragraphs (28) and (29), respectively;

(I) paragraphs (23) through (33) as paragraphs (31) through (41), respectively;

(J) paragraphs (34) and (35) as paragraphs (43) and (44); and

(K) paragraph (37) as paragraph (47);

(2) by inserting before paragraph (2), as redesignated, the following:

''(1) ALASKA NATIVE VILLAGE.—The term 'Alaska Native village' has the same meaning given such term in the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).'';

(3) by inserting after paragraph (2), as redesignated, the following:

''(2) CHILD.—The term 'child' means a person who is under 11 years of age.'';

(4) in paragraph (4), as redesignated, by striking ''serious harm.'' and inserting ''serious harm to unemancipated minor.'';

(5) in paragraph (5), as redesignated, by striking ''The term'' through ''that—'' and inserting ''The term 'community-based organization' means a nonprofit, nongovernmental, or tribal organization that serves a specific geographic community that—'';

(6) by inserting after paragraph (7), as redesignated, the following:

''(8) CULTURALLY SPECIFIC SERVICES.—The term 'culturally specific services' means community-based services that offer culturally relevant and linguistically specific services and resources to culturally specific communities.

''(9) CULTURALLY SPECIFIC.—The term 'culturally specific' means primarily directed toward racial and ethnic minority groups (as defined in section 1707(g) of the Public Health Service Act (42 U.S.C. 300–u–6(g)).'';

(7) in paragraph (10), as redesignated, by inserting ''or intimate partner'' after ''former spouse'' and ''as a spouse'';

(8) by inserting after paragraph (13), as redesignated, the following:

''(14) HOMELESS.—The term 'homeless' has the meaning provided in 42 U.S.C. 14043e–2(6).'';

(9) in paragraph (18), as redesignated, by inserting ''or Village Public Safety Officers'' after ''government victim service programs'';

(10) in paragraph (21), as redesignated, by inserting at the end the following:

''Intake or referral, by itself, does not constitute legal assistance.'';

(11) by striking paragraph (17), as in effect before the amendments made by this subsection;

(12) by amending paragraph (22), as redesignated, to read as follows:

''(22) PERSONALLY IDENTIFYING INFORMATION OR PERSONAL INFORMATION.—The term 'personally identifying information' or 'personal information' means individually identifying information for or about an individual including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including—

''(A) a first and last name;

''(B) a home or other physical address;

''(C) contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);

''(D) a social security number, driver license number, passport number, or student identification number; and

''(E) any other information, including date of birth, racial or ethnic background, or religious affiliation, that would serve to identify any individual.'';

(13) by inserting after paragraph (22), as redesignated, the following:

''(23) POPULATION SPECIFIC ORGANIZATION.—The term 'population specific organization' means a nonprofit, nongovernmental organization that primarily serves members of a specific underserved population and has demonstrated experience and expertise providing targeted services to members of that specific underserved population.

''(24) POPULATION SPECIFIC SERVICES.—The term 'population specific services' means victim-centered services that address the safety, health, economic, legal, housing, workplace, immigration, confidentiality, or other needs of victims of domestic violence, dating violence, sexual assault, or stalking, and that are designed primarily for and are targeted to a specific underserved population.'';

(14) in paragraph (25), as redesignated, by striking ''services'' and inserting ''assistance'';

(15) in paragraph (26), as redesignated, by striking ''52'' and inserting ''57'';

(16) by inserting after paragraph (26), as redesignated, the following:

''(27) RAPE CRISIS CENTER.—The term 'rape crisis center' means a nonprofit, nongovernmental, or tribal organization, or governmental entity in a State other than a Territory that provides intervention and related assistance, as specified in 42 U.S.C. 14043g(b)(2)(C), to victims of sexual assault without regard to their age. In the case of a governmental entity, the entity may not be part of the criminal justice system (such as a law enforcement agency) and must be able to offer a comparable level of confidentiality as a nonprofit entity that provides similar victim services.'';

(17) in paragraph (28), as redesignated—

(A) in subparagraph (A), by striking ''or'' after the semicolon;

(B) in subparagraph (B), by striking the period and inserting ''; or''; and

(C) by inserting at the end the following:

''(C) any federally recognized Indian tribe.'';

(18) in paragraph (29), as redesignated, by striking ''150,000'' and inserting ''250,000'';

(19) by inserting after paragraph (29), as redesignated, the following:

''(30) SEX TRAFFICKING.—The term 'sex trafficking' means any conduct proscribed by 18 U.S.C. 1591, whether or not the conduct occurs in interstate or foreign commerce or within the special maritime and territorial jurisdiction of the United States.'';

(20) by striking paragraph (31), as redesignated, and inserting the following:

''(31) SEXUAL ASSAULT.—The term 'sexual assault' means any nonconsensual sexual act proscribed by Federal, tribal, or State law, including when the victim lacks capacity to consent.'';

(21) by amending paragraph (41), as redesignated, to read as follows:

''(41) UNDERSERVED POPULATIONS.—The term 'underserved populations' means populations who face barriers in accessing and using victim services, and includes populations underserved because of geographic location, underserved racial and ethnic populations, populations underserved because of special needs (such as language barriers, disabilities, alienage status, or age), and any other population determined to be underserved by the Attorney General or by the Secretary of Health and Human Services, as appropriate.'';

(22) by inserting after paragraph (41), as redesignated, the following:

''(42) UNIT OF LOCAL GOVERNMENT.—The term 'unit of local government' means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.'';

(23) by striking paragraph (36), as in effect before the amendments made by this subsection, and inserting the following:

''(45) VICTIM SERVICES OR SERVICES.—The terms 'victim services' and 'services' mean services provided to victims of domestic violence, dating violence, sexual assault, or stalking, including telephonic or web-based hotlines, legal advocacy, economic advocacy, emergency and transitional shelter, accompaniment and advocacy through medical, civil or criminal justice, immigration, and social support systems, crisis intervention, short-term individual and group support services, information and referrals, culturally specific services, population specific services, and other related supportive services.

''(46) VICTIM SERVICE PROVIDER.—The term 'victim service provider' means a nonprofit, nongovernmental or tribal organization or rape crisis center, including a State or tribal coalition, that assists domestic violence, dating violence, sexual assault, or stalking victims, including domestic violence shelters, faith-based organizations, and other organizations, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking.''; and

(24) by striking paragraph (47), as redesignated, and inserting the following:

''(47) YOUTH.—The term 'youth' means a person who is 11 to 20 years old.''.

(b) GRANTS CONDITIONS.—Subsection (b) of section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B), by striking clauses (i) and (ii) and inserting the following:

''(i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or

''(ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor.

If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.'';

(B) by amending subparagraph (D), to read as follows:

''(D) INFORMATION SHARING.—

''(i) Grantees and subgrantees may share—

''(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

''(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

''(III) law enforcement-generated and prosecution-generated information necessary for law enforcement, intelligence, national security, or prosecution purposes.

''(ii) In no circumstances may—

''(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

''(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.'';

(C) by redesignating subparagraph (E) as subparagraph (F);

(D) by inserting after subparagraph (D) the following:

''(E) STATUTORILY MANDATED REPORTS OF ABUSE OR NEGLECT.—Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined by law, where specifically mandated by the State or tribe involved.''; and

(E) by inserting after subparagraph (F), as redesignated, the following:

''(G) CONFIDENTIALITY ASSESSMENT AND ASSURANCES.—Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.'';

(2) by striking paragraph (3) and inserting the following:

''(3) APPROVED ACTIVITIES.—In carrying out the activities under this title, grantees and subgrantees may collaborate with, or provide information to Federal, State, local, tribal, and territorial public officials and agencies to develop and implement policies and develop and promote State, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.'';

(3) in paragraph (7), by inserting at the end the following:

''Final reports of such evaluations shall be made available to the public via the agency's website.''; and

(4) by inserting after paragraph (11) the following:

''(12) DELIVERY OF LEGAL ASSISTANCE.—Any grantee or subgrantee providing legal assistance with funds awarded under this title shall comply with the eligibility requirements in section 1201(d) of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6(d)).

''(13) CIVIL RIGHTS.—

''(A) NONDISCRIMINATION.—No person in the United States shall on the basis of actual or perceived race, color, religion, national origin, sex, or disability be excluded from participation in, be denied the benefits of, or be

subjected to discrimination under any program or activity funded in whole or in part with funds made available under the Violence Against Women Act of 1994 (title IV of Public Law 103–322; 108 Stat. 1902), the Violence Against Women Act of 2000 (division B of Public Law 106–386; 114 Stat. 1491), the Violence Against Women and Department of Justice Reauthorization Act of 2005 (title IX of Public Law 109–162; 119 Stat. 3080), the Violence Against Women Reauthorization Act of 2011, and any other program or activity funded in whole or in part with funds appropriated for grants, cooperative agreements, and other assistance administered by the Office on Violence Against Women.

''(B) EXCEPTION.—If gender segregation or gender-specific programming is necessary to the essential operation of a program, nothing in this paragraph shall prevent any such program or activity from consideration of an individual's gender. In such circumstances, alternative reasonable accommodations are sufficient to meet the requirements of this paragraph.

''(C) DISCRIMINATION.—The provisions of paragraphs (2) through (4) of section 809(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3789d(c)) apply to violations of subparagraph (A).

''(D) CONSTRUCTION.—Nothing contained in this paragraph shall be construed, interpreted, or applied to supplant, displace, preempt, or otherwise diminish the responsibilities and liabilities under other State or Federal civil rights law, whether statutory or common.

''(14) CLARIFICATION OF VICTIM SERVICES AND LEGAL ASSISTANCE.—Victim services and legal assistance provided under this title may include services and assistance to victims of domestic violence, dating violence, sexual assault, or stalking who are also victims of severe forms of trafficking in persons as defined by section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

''(15) ACCOUNTABILITY.—All grants awarded by the Attorney General that are authorized under this Act shall be subject to the following accountability provisions:

''(A) AUDIT REQUIREMENT.—Beginning in fiscal year 2013 , and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct an audit of not fewer than 10 percent of all recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees.

''(B) MANDATORY EXCLUSION.—A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in subparagraph (E).

''(C) PRIORITY.—In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

''(D) REIMBURSEMENT.—If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under subparagraph (B), the Attorney General shall—

''(i) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

''(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

''(E) UNRESOLVED AUDIT FINDING DEFINED.—In this paragraph, the term 'unresolved audit finding' means an audit report finding, statement, or recommendation that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date of an initial notification of the finding or recommendation.

''(F) NONPROFIT ORGANIZATION REQUIREMENTS.—

''(i) DEFINITION.—For purposes of this section and the grant programs described in this Act, the term 'nonprofit organization' means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

''(ii) PROHIBITION.—The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

''(iii) DISCLOSURE.—Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

''(G) ADMINISTRATIVE EXPENSES.—Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

''(H) CONFERENCE EXPENDITURES.—

''(i) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice, or Department of Health and Human Services under this Act may be used by the Attorney General, the Secretary of Health and Human Services, or by any individual or organization awarded funds under this Act, to host or support any expenditure for conferences, unless in the case of the Department of Justice, the Deputy Attorney General or the appropriate Assistant Attorney General, or in the case of the Department of Health and Human Services the Deputy Secretary, provides prior written authorization that the funds may be expended to host a conference.

''(ii) WRITTEN APPROVAL.—Written approval under clause (i) may not be delegated and shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

''(iii) REPORT.—The Deputy Attorney General and Deputy Secretary shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved and denied.

''(I) PROHIBITION ON LOBBYING ACTIVITY.—

''(i) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

''(I) lobby any representative of the Department of Justice regarding the award of grant funding; or

''(II) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

''(ii) PENALTY.—If the Attorney General determines that any recipient of a grant under this Act has violated clause (i), the Attorney General shall—

''(I) require the grant recipient to repay the grant in full; and

''(II) prohibit the grant recipient from receiving another grant under this Act for not less than 5 years.

''(J) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of the enactment of this Act, the Assistant Attorney General for the Office of Justice Programs, the Director of the Office on Violence Against Women, and the Deputy Secretary for Health and Human Services shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives an annual certification that—

''(i) all audits issued by the Office of the Inspector General under subparagraph (A) have been completed and reviewed by the Assistant Attorney General for the Office of Justice Programs;

''(ii) all mandatory exclusions required under subparagraph (B) have been issued;

''(iii) all reimbursements required under subparagraph (D) have been made; and

''(iv) includes a list of any grant recipients excluded under subparagraph (B) from the previous year.''.

TITLE I—ENHANCING JUDICIAL AND LAW ENFORCEMENT TOOLS TO COMBAT VIOLENCE AGAINST VICTIMS

SEC. 101. STOP GRANTS.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 1001(a)(18) (42 U.S.C. 3793(a)(18)), by striking ''$225,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$222,000,000 for each of fiscal years 2012 through 2016'';

(2) in section 2001 (42 U.S.C. 3796gg), by striking ''against women'' each place that term appears and inserting ''against victims'';

(3) in section 2001(b) (42 U.S.C. 3796gg(b)), as amended by paragraph (2)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''equipment'' and inserting ''resources''; and

(ii) by inserting ''for the protection and safety of victims,'' before ''and specifically,'';

(B) in paragraph (1), by striking ''sexual assault'' and all that follows through ''dating violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(C) in paragraph (2), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(D) in paragraph (3), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking, as well as the appropriate treatment of victims'';

(E) in paragraph (4)—

(i) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(ii) by inserting '', classifying,'' after ''identifying'';

(F) in paragraph (5)—

(i) by inserting ''and legal assistance'' after ''victim services'';

(ii) by striking ''domestic violence and dating violence'' and inserting ''domestic violence, dating violence, and stalking'';

(iii) by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(iv) by striking ''including crimes'' and all that follows and inserting ''including crimes of domestic violence, dating violence, sexual assault, and stalking;'';

(G) by striking paragraph (6) and redesignating paragraphs (7) through (14) as paragraphs (6) through (13), respectively;

(H) in paragraph (6), as redesignated by subparagraph (G), by striking ''sexual assault and domestic violence'' and inserting ''domestic violence, dating violence, sexual assault, and stalking'';

(I) in paragraph (7), as redesignated by subparagraph (G), by striking ''and dating violence'' and inserting ''dating violence, and stalking'';

(J) in paragraph (9), as redesignated by subparagraph (G), by striking ''domestic violence or sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, or stalking'';

(K) in paragraph (12), as redesignated by subparagraph (G)—

(i) in subparagraph (A), by striking ''triage protocols to ensure that dangerous or potentially lethal cases are identified and prioritized'' and inserting ''the use of evidence-based indicators to assess the risk of domestic and dating violence homicide and prioritize dangerous or potentially lethal cases''; and

(ii) by striking ''and'' at the end;

(L) in paragraph (13), as redesignated by subparagraph (G)—

(i) by striking ''to provide'' and inserting ''providing'';

(ii) by striking ''nonprofit nongovernmental'';

(iii) by striking the comma after ''local governments''; and

(iv) by striking the period at the end and inserting a semicolon;

(M) by inserting after paragraph (13), as redesignated by subparagraph (G), the following:

''(14) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to domestic violence, dating violence, sexual assault, and stalking;

''(15) developing, implementing, or enhancing Sexual Assault Response Teams, or other similar coordinated community responses to sexual assault;

''(16) developing and strengthening policies, protocols, best practices, and training for law enforcement agencies and prosecutors relating to the investigation and prosecution of sexual assault cases and the appropriate treatment of victims;

''(17) developing, enlarging, or strengthening programs addressing sexual assault against men, women, and youth in correctional and detention settings;

''(18) identifying and conducting inventories of backlogs of sexual assault evidence collection kits and developing protocols and policies for responding to and addressing such backlogs, including protocols and policies for notifying and involving victims; and

''(19) developing, enhancing, or strengthening prevention and educational programming to address domestic violence, dating violence, sexual assault, or stalking, with not more than 5 percent of the amount allocated to a State to be used for this purpose.''; and

(N) in the flush text at the end, by striking ''paragraph (14)'' and inserting ''paragraph (13)'';

(4) in section 2007 (42 U.S.C. 3796gg–1)—

(A) in subsection (a), by striking ''nonprofit nongovernmental victim service programs'' and inserting ''victim service providers'';

(B) in subsection (b)(6), by striking ''(not including populations of Indian tribes)'';

(C) in subsection (c)—

(i) by striking paragraph (2) and inserting the following:

''(2) grantees and subgrantees shall develop a plan for implementation and may consult and coordinate with—

''(A) the State sexual assault coalition;

''(B) the State domestic violence coalition;

''(C) the law enforcement entities within the State;

''(D) prosecution offices;

''(E) State and local courts;

''(F) Tribal governments in those States with State or federally recognized Indian tribes;

''(G) representatives from underserved populations;

''(H) victim service providers;

''(I) population specific organizations; and

''(J) other entities that the State or the Attorney General identifies as needed for the planning process;'';

(ii) by striking paragraph (4);

(iii) by redesignating paragraph (3) as paragraph (4);

(iv) by inserting after paragraph (2), as amended by clause (i), the following:

''(3) grantees shall coordinate the State implementation plan described in paragraph (2) with the State plans described in section 307 of the Family Violence Prevention and Services Act (42 U.S.C. 10407) and the plans described in the Victims of Crime Act of 1984 (42 U.S.C. 10601 et seq.) and section 393A of the Public Health Service Act (42 U.S.C. 280b–1b).'';

(v) in paragraph (4), as redesignated by clause (ii)—

(I) in subparagraph (A), by striking ''and not less than 25 percent shall be allocated for prosecutors'';

(II) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D);

(III) by inserting after subparagraph (A), the following:

''(B) not less than 25 percent shall be allocated for prosecutors;'';

(IV) in subparagraph (C), as redesignated by subclause (II), by striking ''culturally specific community based'' and inserting ''population specific''; and

(V) in subparagraph (D) as redesignated by subclause (II) by striking ''for'' and inserting ''to''; and

(vi) by adding at the end the following:

''(5) not later than 2 years after the date of enactment of this Act, and every year thereafter, not less than 30 percent of the total amount granted to a State under this part shall be allocated for programs or projects that meaningfully address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.'';

(D) by striking subsection (d) and inserting the following:

''(d) APPLICATION REQUIREMENTS.—An application for a grant under this section shall include—

''(1) the certifications of qualification required under subsection (c);

''(2) proof of compliance with the requirements for the payment of forensic medical exams and judicial notification, described in section 2010;

''(3) proof of compliance with the requirements for paying fees and costs relating to domestic violence and protection order cases, described in section 2011 of this title;

''(4) proof of compliance with the requirements prohibiting polygraph examinations of victims of sexual assault, described in section 2013 of this title;

''(5) an implementation plan required under subsection (i); and

''(6) any other documentation that the Attorney General may require.'';

(E) in subsection (e)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''domestic violence and sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, and stalking''; and

(II) in subparagraph (D), by striking ''linguistically and culturally'' and inserting ''population''; and

(ii) by adding at the end the following:

''(3) CONDITIONS.—In disbursing grants under this part, the Attorney General may impose reasonable conditions on grant awards to ensure that the States meet statutory, regulatory, and other programs requirements.'';

(F) in subsection (f), by striking the period at the end and inserting '', except that, for purposes of this subsection, the costs of the projects for victim services or tribes for which there is an exemption under section 40002(b)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)(1)) shall not count toward the total costs of the projects.''; and

(G) by adding at the end the following:

''(i) IMPLEMENTATION PLANS.—A State applying for a grant under this part shall—

''(1) develop an implementation plan in consultation with the entities listed in subsection (c)(2), that identifies how the State will use the funds awarded under this part; and

''(2) submit to the Attorney General—

''(A) the implementation plan developed under paragraph (1);

''(B) documentation from each member of the planning committee as to their participation in the planning process;

''(C) documentation from the prosecution, law enforcement, court, and victim services programs to be assisted, describing—

''(i) the need for the grant funds;

''(ii) the intended use of the grant funds;

''(iii) the expected result of the grant funds; and

''(iv) the demographic characteristics of the populations to be served, including age, disability, race, ethnicity, and language background;

''(D) a description of how the State will ensure that any subgrantees will consult with victim service providers during the course of developing their grant applications in order to ensure that the proposed activities are designed to promote the safety, confidentiality, and economic independence of victims;

''(E) demographic data on the distribution of underserved populations within the State and a description of how the State will meet the needs of underserved populations, including the minimum allocation for population specific services required under subsection (c)(4)(C);

''(F) a description of how the State plans to meet the requirements of subsection (c)(5);

''(G) goals and objectives for reducing domestic violence-related homicides within the State; and

''(H) any other information requested by the Attorney General.'';

(5) in section 2010 (42 U.S.C. 3796gg–4)—

(A) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) IN GENERAL.—A State, Indian tribal government, or unit of local government shall not be entitled to funds under this part unless the State, Indian tribal government, unit of local government, or another governmental entity—

''(A) incurs the full out-of-pocket cost of forensic medical exams described in subsection (b) for victims of sexual assault; and

''(B) coordinates with health care providers in the region to notify victims of sexual assault of the availability of rape exams at no cost to the victims.'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''or'' after the semicolon;

(ii) in paragraph (2), by striking ''; or'' and inserting a period; and

(iii) by striking paragraph (3);

(C) in subsection (c), by striking '', except that such funds'' and all that follows and inserting a period; and

(D) by amended subsection (d) to read as follows:

''(d) NONCOOPERATION.—

''(1) IN GENERAL.—To be in compliance with this section, a State, Indian tribal government, or unit of local government shall comply with subsection (b) without regard to whether the victim participates in the criminal justice system or cooperates with law enforcement.

''(2) COMPLIANCE PERIOD.—States, territories, and Indian tribal governments shall have 3 years from the date of enactment of this Act to come into compliance with this subsection.''; and

(6) in section 2011(a)(1) (42 U.S.C. 3796gg–5(a)(1))—

(A) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears; and

(B) by striking ''domestic violence'' and all that follows through ''sexual assault'' and inserting ''domestic violence, dating violence, sexual assault, or stalking''.

SEC. 102. GRANTS TO ENCOURAGE ACCOUNTABILITY POLICIES AND ENFORCEMENT OF PROTECTION ORDERS.

(a) IN GENERAL.—Part U of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796hh et seq.) is amended—

(1) in section 2101 (42 U.S.C. 3796hh)—

(A) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''States,'' and all that follows through ''units of local government'' and inserting ''grantees'';

(ii) in paragraph (1), by inserting ''and enforcement of protection orders across State and tribal lines but not policies that mandate the arrest of an individual by law enforcement in responding to an incident of domestic violence in the absence of probable cause'' before the period;

(iii) in paragraph (2), by striking ''and training in police departments to improve tracking of cases'' and inserting ''data collection systems, and training in police departments to improve tracking of cases and classification of complaints'';

(iv) in paragraph (4), by inserting ''and provide the appropriate training and education about domestic violence, dating violence, sexual assault, and stalking'' after ''computer tracking systems'';

(v) in paragraph (5), by inserting ''and other victim services'' after ''legal advocacy service programs'';

(vi) in paragraph (6), by striking ''judges'' and inserting ''Federal, State, tribal, territorial, and local judges, courts, and court-based and court-related personnel'';

(vii) in paragraph (8), by striking ''and sexual assault'' and inserting ''dating violence, sexual assault, and stalking'';

(viii) in paragraph (10), by striking ''non-profit, non-governmental victim services organizations,'' and inserting ''victim service providers, population specific organizations,''; and

(ix) by adding at the end the following:

''(14) To develop and implement training programs for prosecutors and other prosecution-related personnel regarding best practices to ensure offender accountability, victim safety, and victim consultation in cases involving domestic violence, dating violence, sexual assault, and stalking.

''(15) To develop or strengthen policies, protocols, and training for law enforcement officers, prosecutors, and the judiciary in recognizing, investigating, and prosecuting instances of domestic violence, dating violence, sexual assault, and stalking.

''(16) To develop and promote State, local, or tribal legislation and policies that enhance best practices for responding to the crimes of domestic violence, dating violence, sexual assault, and stalking, including the appropriate treatment of victims.

''(17) To develop, implement, or enhance sexual assault nurse examiner programs or sexual assault forensic examiner programs, including the hiring and training of such examiners.

''(18) To develop, implement, or enhance Sexual Assault Response Teams or similar coordinated community responses to sexual assault.

''(19) To develop and strengthen policies, protocols, and training for law enforcement officers and prosecutors regarding the investigation and prosecution of sexual assault cases and the appropriate treatment of victims.

''(20) To provide human immunodeficiency virus testing programs, counseling, and prophylaxis for victims of sexual assault.

''(21) To identify and inventory backlogs of sexual assault evidence collection kits and to develop protocols for responding to and addressing such backlogs, including policies and protocols for notifying and involving victims.

''(22) To develop multidisciplinary high-risk teams focusing on reducing domestic violence and dating violence homicides by—

''(A) using evidence-based indicators to assess the risk of homicide and link high-risk victims to immediate crisis intervention services;

''(B) identifying and managing high-risk offenders; and

''(C) providing ongoing victim advocacy and referrals to comprehensive services including legal, housing, health care, and economic assistance.'';

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''except for a court,'' before ''certify''; and

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(ii) in paragraph (2), by inserting ''except for a court,'' before ''demonstrate'';

(iii) in paragraph (4)—

(I) by inserting ''modification, enforcement, dismissal,'' after ''registration,'' each place it appears;

(II) by inserting ''dating violence,'' after ''domestic violence,''; and

(III) by striking ''and'' at the end;

(iv) in paragraph (5)—

(I) in the matter preceding subparagraph (A), by striking '', not later than 3 years after the date of enactment of this section,'';

(II) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), and adjusting the margin accordingly;

(III) in clause (ii), as redesignated by subclause (III) of this clause, by striking ''subparagraph (A)'' and inserting ''clause (i)''; and

(IV) by striking the period at the end and inserting ''; and'';

(v) by redesignating paragraphs (1) through (5), as amended by this subparagraph, as subparagraphs (A) through (E), respectively;

(vi) in the matter preceding subparagraph (A), as redesignated by clause (v) of this subparagraph—

(I) by striking the comma that immediately follows another comma; and

(II) by striking ''grantees are States'' and inserting the following: ''grantees are—

''(1) States''; and

(vii) by adding at the end the following:

''(2) a State, tribal, or territorial domestic violence or sexual assault coalition or a victim service provider that partners with a State, Indian tribal government, or unit of local government that certifies that the State, Indian tribal government, or unit of local government meets the requirements under paragraph (1).'';

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting '', policy,'' after ''law''; and

(II) in subparagraph (A), by inserting ''and the defendant is in custody or has been served with the information or indictment'' before the semicolon; and

(ii) in paragraph (2), by striking ''it'' and inserting ''its''; and

(D) by adding at the end the following:

''(f) ALLOCATION FOR SEXUAL ASSAULT.—Of the amounts appropriated for purposes of this part for each fiscal year, not less than 30 percent shall be available for projects that address sexual assault, including stranger rape, acquaintance rape, alcohol or drug-facilitated rape, and rape within the context of an intimate partner relationship.''; and

(2) in section 2102(a) (42 U.S.C. 3796hh–1(a))—

(A) in paragraph (1), by inserting ''court,'' after ''tribal government,''; and

(B) in paragraph (4), by striking ''non-profit, private sexual assault and domestic violence programs'' and inserting ''victim service providers and, as appropriate, population specific organizations''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1001(a)(19) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(19)) is amended—

(1) by striking ''$75,000,000'' and all that follows through ''2011.'' and inserting ''$73,000,000 for each of fiscal years 2012 through 2016.''; and

(2) by striking the period that immediately follows another period.

SEC. 103. LEGAL ASSISTANCE FOR VICTIMS.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking ''arising as a consequence of'' and inserting ''relating to or arising out of''; and

(B) in the second sentence, by inserting ''or arising out of'' after ''relating to'';

(2) in subsection (b)—

(A) in the heading, by inserting ''AND GRANT CONDITIONS'' after ''DEFINITIONS''; and

(B) by inserting ''and grant conditions'' after ''definitions'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''victims services organizations'' and inserting ''victim service providers''; and

(B) by striking paragraph (3) and inserting the following:

''(3) to implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of domestic violence, dating violence, sexual assault, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for the purpose described in this paragraph.'';

(4) in subsection (d)—

(A) in paragraph (1), by striking ''this section has completed'' and all that follows and inserting the following: ''this section—''

''(A) has demonstrated expertise in providing legal assistance or advocacy to victims of domestic violence, dating violence,

sexual assault, or stalking in the targeted population; or

''(B)(i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and

''(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;''; and

(B) in paragraph (2), by striking ''stalking organization'' and inserting ''stalking victim service provider''; and

(5) in subsection (f)(1), by striking ''this section'' and all that follows and inserting the following: ''this section $57,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 104. CONSOLIDATION OF GRANTS TO SUPPORT FAMILIES IN THE JUSTICE SYSTEM.

(a) IN GENERAL.—Title III of division B of the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386; 114 Stat. 1509) is amended by striking the section preceding section 1302 (42 U.S.C. 10420), as amended by section 306 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 316), and inserting the following:

''SEC. 1301. COURT TRAINING AND SUPERVISED VISITATION IMPROVEMENTS.

''(a) IN GENERAL.—The Attorney General may make grants to States, units of local government, courts (including juvenile courts), Indian tribal governments, nonprofit organizations, legal services providers, and victim services providers to improve the response of all aspects of the civil and criminal justice system to families with a history of domestic violence, dating violence, sexual assault, or stalking, or in cases involving allegations of child sexual abuse.

''(b) USE OF FUNDS.—A grant under this section may be used to—

''(1) provide supervised visitation and safe visitation exchange of children and youth by and between parents in situations involving domestic violence, dating violence, child sexual abuse, sexual assault, or stalking;

''(2) develop and promote State, local, and tribal legislation, policies, and best practices for improving civil and criminal court functions, responses, practices, and procedures in cases involving a history of domestic violence or sexual assault, or in cases involving allegations of child sexual abuse, including cases in which the victim proceeds pro se;

''(3) educate court-based and court-related personnel (including custody evaluators and guardians ad litem) and child protective services workers on the dynamics of domestic violence, dating violence, sexual assault, and stalking, including information on perpetrator behavior, evidence-based risk factors for domestic and dating violence homicide, and on issues relating to the needs of victims, including safety, security, privacy, and confidentiality, including cases in which the victim proceeds pro se;

''(4) provide appropriate resources in juvenile court matters to respond to dating violence, domestic violence, sexual assault (including child sexual abuse), and stalking and ensure necessary services dealing with the health and mental health of victims are available;

''(5) enable courts or court-based or court-related programs to develop or enhance—

''(A) court infrastructure (such as specialized courts, consolidated courts, dockets, intake centers, or interpreter services);

''(B) community-based initiatives within the court system (such as court watch programs, victim assistants, pro se victim assistance programs, or community-based supplementary services);

''(C) offender management, monitoring, and accountability programs;

''(D) safe and confidential information-storage and information-sharing databases within and between court systems;

''(E) education and outreach programs to improve community access, including enhanced access for underserved populations; and

''(F) other projects likely to improve court responses to domestic violence, dating violence, sexual assault, and stalking;

''(6) collect data and provide training and technical assistance, including developing State, local, and tribal model codes and policies, to improve the capacity of grantees and communities to address the civil justice needs of victims of domestic violence, dating violence, sexual assault, and stalking who have legal representation, who are proceeding pro se, or are proceeding with the assistance of a legal advocate; and

''(7) to improve training and education to assist judges, judicial personnel, attorneys, child welfare personnel, and legal advocates in the civil justice system.

''(c) CONSIDERATIONS.—

''(1) IN GENERAL.—In making grants for purposes described in paragraphs (1) through (6) of subsection (b), the Attorney General shall consider—

''(A) the number of families to be served by the proposed programs and services;

''(B) the extent to which the proposed programs and services serve underserved populations;

''(C) the extent to which the applicant demonstrates cooperation and collaboration with nonprofit, nongovernmental entities in the local community with demonstrated histories of effective work on domestic violence, dating violence, sexual assault, or stalking, including State or tribal domestic violence coalitions, State or tribal sexual assault coalitions, local shelters, and programs for domestic violence and sexual assault victims; and

''(D) the extent to which the applicant demonstrates coordination and collaboration with State, tribal, and local court systems, including mechanisms for communication and referral.

''(2) OTHER GRANTS.—In making grants under subsection (b)(8) the Attorney General shall take into account the extent to which the grantee has expertise addressing the judicial system's handling of family violence, child custody, child abuse and neglect, adoption, foster care, supervised visitation, divorce, and parentage.

''(d) APPLICANT REQUIREMENTS.—The Attorney General may make a grant under this section to an applicant that—

''(1) demonstrates expertise in the areas of domestic violence, dating violence, sexual assault, stalking, or child sexual abuse, as appropriate;

''(2) ensures that any fees charged to individuals for use of supervised visitation programs and services are based on the income of those individuals, unless otherwise provided by court order;

''(3) demonstrates that adequate security measures, including adequate facilities, procedures, and personnel capable of preventing violence, and adequate standards are, or will be, in place (including the development of protocols or policies to ensure that confidential information is not shared with courts, law enforcement agencies, or child welfare agencies unless necessary to ensure the safety of any child or adult using the services of a program funded under this section), if the applicant proposes to operate supervised visitation programs and services or safe visitation exchange;

''(4) certifies that the organizational policies of the applicant do not require mediation or counseling involving offenders and victims being physically present in the same place, in cases where domestic violence, dating violence, sexual assault, or stalking is alleged;

''(5) certifies that any person providing legal assistance through a program funded under this section has completed or will complete training on domestic violence, dating violence, sexual assault, and stalking, including child sexual abuse, and related legal issues; and

''(6) certifies that any person providing custody evaluation or guardian ad litem services through a program funded under this section has completed or will complete training developed with input from and in collaboration with a tribal, State, territorial, or local domestic violence, dating violence, sexual assault, or stalking organization or coalition on the dynamics of domestic violence and sexual assault, including child sexual abuse, that includes training on how to review evidence of past abuse and the use of evidenced-based theories to make recommendations on custody and visitation.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $22,000,000 for each of fiscal years 2012 through 2016. Amounts appropriated pursuant to this subsection shall remain available until expended.

''(f) ALLOTMENT FOR INDIAN TRIBES.—

''(1) IN GENERAL.—Not less than 10 percent of the total amount available under this section for each fiscal year shall be available for grants under the program authorized by section 3796gg–10 of this title.

''(2) APPLICABILITY OF PART.—The requirements of this section shall not apply to funds allocated for the program described in paragraph (1).''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subtitle J of the Violence Against Women Act of 1994 (42 U.S.C. 14043 et seq.) is repealed.

SEC. 105. SEX OFFENDER MANAGEMENT.

Section 40152(c) of the Violence Against Women Act of 1994 (42 U.S.C. 13941) is amended by striking ''$5,000,000'' and all that follows and inserting ''$5,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 106. COURT-APPOINTED SPECIAL ADVOCATE PROGRAM.

Subtitle B of title II of the Crime Control Act of 1990 (42 U.S.C. 13011 et seq.) is amended—

(1) in section 216 (42 U.S.C. 13012), by striking ''January 1, 2010'' and inserting ''January 1, 2015'';

(2) in section 217 (42 U.S.C. 13013)—

(A) by striking ''Code of Ethics'' in section (c)(2) and inserting ''Standards for Programs''; and

(B) by adding at the end the following:

''(e) REPORTING.—An organization that receives a grant under this section for a fiscal year shall submit to the Administrator a report regarding the use of the grant for the fiscal year, including a discussion of outcome performance measures (which shall be established by the Administrator) to determine the effectiveness of the programs of the organization in meeting the needs of children in the child welfare system.''; and

(3) in section 219(a) (42 U.S.C. 13014(a)), by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 107. CRIMINAL PROVISION RELATING TO STALKING, INCLUDING CYBERSTALKING.

Section 2261A of title 18, United States Code, is amended to read as follows:

''§ 2261A. Stalking

''Whoever—

''(1) travels in interstate or foreign commerce or is present within the special maritime and territorial jurisdiction of the United States, or enters or leaves Indian country, with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, and in the course of, or as a result of, such travel or presence engages in conduct that—

''(A) places that person in reasonable fear of the death of, or serious bodily injury to—

''(i) that person;

''(ii) an immediate family member (as defined in section 115) of that person; or

''(iii) a spouse or intimate partner of that person; or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of subparagraph (A); or

''(2) with the intent to kill, injure, harass, intimidate, or place under surveillance with intent to kill, injure, harass, or intimidate another person, uses the mail, any interactive computer service or electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to engage in a course of conduct that—

''(A) places that person in reasonable fear of the death of or serious bodily injury to a person described in clause (i), (ii), or (iii) of paragraph (1)(A); or

''(B) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person described in clause (i), (ii), or (iii) of paragraph (1)(A),

shall be punished as provided in section 2261(b) of this title.''.

SEC. 108. OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS GRANT.

Section 120 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045) is amended to read as follows:

''SEC. 120. GRANTS FOR OUTREACH AND SERVICES TO UNDERSERVED POPULATIONS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—Of the amounts appropriated under the grant programs identified in paragraph (2), the Attorney General shall take 2 percent of such appropriated amounts and combine them to award grants to eligible entities described in subsection (b) of this section to develop and implement outreach strategies targeted at adult, or youth, victims of domestic violence, dating violence, sexual assault, or stalking in underserved populations and to provide victim services to meet the needs of adult and youth victims of domestic violence, dating violence, sexual assault, and stalking in underserved populations. The requirements of the grant programs identified in paragraph (3) shall not apply to this grant program.

''(2) PROGRAMS COVERED.—The programs covered by paragraph (2) are the programs carried out under the following provisions:

''(A) Section 2001 of the Omnibus Crime Control and Safe Streets Act of 1968 (STOP Grants).

''(B) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies).

''(b) ELIGIBLE ENTITIES.—Eligible entities under this section are—

''(1) population specific organizations that have demonstrated experience and expertise in providing population specific services in the relevant underserved communities or population specific organizations working in partnership with a victim service provider or domestic violence or sexual assault coalition;

''(2) victim service providers offering population specific services for a specific underserved population; or

''(3) victim service providers working in partnership with a national, State, or local organization that has demonstrated experience and expertise in providing population specific services in the relevant underserved population.

''(c) PLANNING GRANTS.—The Attorney General may use up to 20 percent of funds available under this section to make one-time planning grants to eligible entities to support the planning and development of specially designed and targeted programs for adult and youth victims in one or more underserved populations, including—

''(1) identifying, building and strengthening partnerships with potential collaborators within underserved populations, Federal, State, tribal, territorial or local government entities, and public and private organizations;

''(2) conducting a needs assessment of the community and the targeted underserved population or populations to determine what the barriers are to service access and what factors contribute to those barriers, using input from the targeted underserved population or populations;

''(3) identifying promising prevention, outreach and intervention strategies for victims from a targeted underserved population or populations; and

''(4) developing a plan, with the input of the targeted underserved population or populations, for implementing prevention, outreach and intervention strategies to address the barriers to accessing services, promoting community engagement in the prevention of domestic violence, dating violence, sexual assault, and stalking within the targeted underserved populations, and evaluating the program.

''(d) IMPLEMENTATION GRANTS.—The Attorney General shall make grants to eligible entities for the purpose of providing or enhancing population specific outreach and services to adult and youth victims in one or more underserved populations, including—

''(1) working with Federal, State, tribal, territorial and local governments, agencies, and organizations to develop or enhance population specific victim services;

''(2) strengthening the capacity of underserved populations to provide population specific victim services;

''(3) strengthening the capacity of traditional victim service providers to provide population specific services;

''(4) strengthening the effectiveness of criminal and civil justice interventions by providing training for law enforcement, prosecutors, judges and other court personnel on domestic violence, dating violence, sexual assault, or stalking in underserved populations; or

''(5) working in cooperation with an underserved population to develop and implement outreach, education, prevention, and intervention strategies that highlight available resources and the specific issues faced by victims of domestic violence, dating violence, sexual assault, or stalking from underserved populations.

''(e) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Director of the Office on Violence Against Women at such time, in such form, and in such manner as the Director may prescribe.

''(f) REPORTS.—Each eligible entity receiving a grant under this section shall submit to the Director of the Office on Violence Against Women a report that describes the activities carried out with grant funds.

''(g) AUTHORIZATION OF APPROPRIATIONS.—In addition to the funds identified in subsection (a)(1), there are authorized to be appropriated to carry out this section $2,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS AND GRANT CONDITIONS.—In this section the definitions and grant conditions in section 40002 of the Violence Against Women Act of 1994 (42 U.S.C. 13925) shall apply.''.

SEC. 109. CULTURALLY SPECIFIC SERVICES GRANT.

Section 121 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045a) is amended—

(1) in the section heading, by striking ''and linguistically'';

(2) by striking ''and linguistically'' each place it appears;

(3) by striking ''and linguistic'' each place it appears;

(4) by striking subsection (a)(2) and inserting:

''(2) PROGRAMS COVERED.—The programs covered by paragraph (1) are the programs carried out under the following provisions:

''(A) Section 2101 of the Omnibus Crime Control and Safe Streets Act of 1968 (Grants to Encourage Accountability Policies and Enforcement of Protection Orders).

''(B) Section 1401 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–6) (Legal Assistance for Victims).

''(C) Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) (Rural Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Child Abuse Enforcement Assistance).

''(D) Section 40802a of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) (Enhanced Training and Services to End Violence Against Women Later in Life).

''(E) Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) (Education, Training, and Enhanced Services to End Violence Against and Abuse of Women with Disabilities).''; and

(5) in subsection (g), by striking ''linguistic and''.

SEC. 110. REAUTHORIZATION OF CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS.

Section 224(a) of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024(a)) is amended by striking ''$2,300,000'' and all that follows and inserting ''$2,300,000 for each of fiscal years 2012 through 2016.''.

SEC. 111. OFFSET OF RESTITUTION AND OTHER STATE JUDICIAL DEBTS AGAINST INCOME TAX REFUND.

(a) IN GENERAL.—Section 6402 of the Internal Revenue Code of 1986 (relating to authority to make credits or refunds) is amended—

(1) by redesignating subsections (g) through (l) as subsections (h) through (m), respectively; and

(2) by inserting after subsection (f) the following:

''(g) COLLECTION OF PAST-DUE, LEGALLY ENFORCEABLE RESTITUTION AND OTHER STATE JUDICIAL DEBTS.—

''(1) IN GENERAL.—In any State which wishes to collect past-due, legally enforceable State judicial debts, the chief justice of the State's highest court shall designate a single State entity to communicate judicial debt information to the Secretary. In making such designation, the chief justice of the State's highest court shall select, whenever practicable, a relevant State official or agency responsible under State law for collecting the State's income tax or other statewide excise at the time of the designation. Upon receiving notice from a State designated entity that a named person owes a past-due, legally enforceable State judicial debt to or in such State, the Secretary shall, under such conditions as may be prescribed by the Secretary—

''(A) reduce the amount of any overpayment payable to such person by the amount of such State judicial debt;

''(B) pay the amount by which such overpayment is reduced under subparagraph (A) to such State designated entity and notify such State designated entity of such person's name, taxpayer identification number, address, and the amount collected; and

''(C) notify the person making such overpayment that the overpayment has been reduced by an amount necessary to satisfy a past-due, legally enforceable State judicial debt.

If an offset is made pursuant to a joint return, the notice under subparagraph (B) shall include the names, taxpayer identification numbers, and addresses of each person filing such return.

''(2) PRIORITIES FOR OFFSET.—Any overpayment by a person shall be reduced pursuant to this subsection—

''(A) after such overpayment is reduced pursuant to—

''(i) subsection (a) with respect to any liability for any internal revenue tax on the part of the person who made the overpayment;

''(ii) subsection (c) with respect to past-due support;

''(iii) subsection (d) with respect to any past-due, legally enforceable debt owed to a Federal agency; and

''(iv) subsection (e) with respect to any past-due, legally enforceable State income tax obligations; and

''(B) before such overpayment is credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).

If the Secretary receives notice from 1 or more State designated entities of more than 1 debt subject to paragraph (1) that is owed by such person to such State agency or State judicial branch, any overpayment by such person shall be applied against such debts in the order in which such debts accrued.

''(3) NOTICE; CONSIDERATION OF EVIDENCE.—Rules similar to the rules of subsection (e)(4) shall apply with respect to debts under this subsection.

''(4) PAST-DUE, LEGALLY ENFORCEABLE STATE JUDICIAL DEBT.—

''(A) IN GENERAL.—For purposes of this subsection, the term 'past-due, legally enforceable State judicial debt' means a debt—

''(i) which resulted from a judgment or sentence rendered by any court or tribunal of competent jurisdiction which—

''(I) handles criminal or traffic cases in the State; and

''(II) has determined an amount of State judicial debt to be due; and

''(ii) which resulted from a State judicial debt which has been assessed and is past-due but not collected.

''(B) STATE JUDICIAL DEBT.—For purposes of this paragraph, the term 'State judicial debt' includes court costs, fees, fines, assessments, restitution to victims of crime, and other monies resulting from a judgment or sentence rendered by any court or tribunal of competent jurisdiction handling criminal or traffic cases in the State.

''(5) REGULATIONS.—The Secretary shall issue regulations prescribing the time and manner in which State designated entities must submit notices of past-due, legally enforceable State judicial debts and the necessary information that must be contained in or accompany such notices. The regulations shall specify the types of State judicial monies and the minimum amount of debt to which the reduction procedure established by paragraph (1) may be applied. The regulations shall require State designated entities to pay a fee to reimburse the Secretary for the cost of applying such procedure. Any fee paid to the Secretary pursuant to the preceding sentence shall be used to reimburse appropriations which bore all or part of the cost of applying such procedure.

''(6) ERRONEOUS PAYMENT TO STATE.—Any State designated entity receiving notice from the Secretary that an erroneous payment has been made to such State designated entity under paragraph (1) shall pay promptly to the Secretary, in accordance with such regulations as the Secretary may prescribe, an amount equal to the amount of such erroneous payment (without regard to whether any other amounts payable to such State designated entity under such paragraph have been paid to such State designated entity).''.

(b) DISCLOSURE OF RETURN INFORMATION.—Section 6103(l)(10) of the Internal Revenue Code of 1986 (relating to disclosure of certain information to agencies requesting a reduction under subsection (c), (d), (e), or (f) of section 6402) is amended by striking ''or (f)'' each place it appears in the text and heading and inserting ''(f), or (g)''.

(c) CONFORMING AMENDMENTS.—

(1) Section 6402(a) of the Internal Revenue Code of 1986 is amended by striking ''and (f)'' and inserting ''(f), and (g),''.

(2) Paragraph (2) of section 6402(d) of such Code is amended by striking ''subsections (e) and (f)'' and inserting ''subsections (e), (f), and (g)''.

(3) Paragraph (3)(B) of section 6402(e) of such Code is amended to read as follows:

''(B) before such overpayment is—

''(i) reduced pursuant to subsection (g) with respect to past-due, legally enforceable State judicial debts, and

''(ii) credited to the future liability for any Federal internal revenue tax of such person pursuant to subsection (b).''.

(4) Section 6402(h) of such Code, as so redesignated, is amended by striking ''or (f)'' and inserting ''(f), or (g)''.

(5) Section 6402(j) of such Code, as so redesignated, is amended by striking ''or (f)'' and inserting ''(f), or (g)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to refunds payable for taxable years beginning after December 31, 2011.

TITLE II—IMPROVING SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 201. SEXUAL ASSAULT SERVICES PROGRAM.

(a) GRANTS TO STATES AND TERRITORIES.—Section 41601(b) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''governmental and nongovernmental''; and

(B) by striking ''other programs'' and all that follows and inserting ''other nongovernmental or tribal programs and projects to assist individuals who have been victimized by sexual assault, without regard to the age of the individual.''; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking ''nonprofit, nongovernmental organizations for programs and activities'' and inserting ''nongovernmental or tribal programs and activities''; and

(B) in subparagraph (C)(v), by striking ''linguistically and''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 41601(f)(1) of the Violence Against Women Act of 1994 (42 U.S.C. 14043g(f)(1)) is amended by striking ''$50,000,000 to remain available until expended for each of the fiscal years 2007 through 2011'' and inserting ''$40,000,000 to remain available until expended for each of fiscal years 2012 through 2016''.

SEC. 202. RURAL DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, STALKING, AND CHILD ABUSE ENFORCEMENT ASSISTANCE.

Section 40295 of the Violence Against Women Act of 1994 (42 U.S.C. 13971) is amended—

(1) in subsection (a)(1)(H), by inserting '', including sexual assault forensic examiners'' before the semicolon;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''victim advocacy groups'' and inserting ''victim service providers''; and

(ii) by inserting '', including developing multidisciplinary teams focusing on high risk cases with the goal of preventing domestic and dating violence homicides'' before the semicolon;

(B) in paragraph (2)—

(i) by striking ''and other long- and short-term assistance'' and inserting ''legal assistance, and other long-term and short-term victim and population specific services''; and

(ii) by striking ''and'' at the end;

(C) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(4) developing, enlarging, or strengthening programs addressing sexual assault, including sexual assault forensic examiner programs, Sexual Assault Response Teams, law enforcement training, and programs addressing rape kit backlogs.''; and

(3) in subsection (e)(1), by striking ''$55,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''.

SEC. 203. TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN WITH DISABILITIES GRANTS.

Section 1402 of division B of the Victims of Trafficking and Violence Protection Act of 2000 (42 U.S.C. 3796gg–7) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by inserting ''(including using evidence-based indicators to assess the risk of domestic and dating violence homicide)'' after ''risk reduction'';

(B) in paragraph (4), by striking ''victim service organizations'' and inserting ''victim service providers''; and

(C) in paragraph (5), by striking ''victim services organizations'' and inserting ''victim service providers'';

(2) in subsection (c)(1)(D), by striking ''nonprofit and nongovernmental victim services organization, such as a State'' and inserting ''victim service provider, such as a State or tribal''; and

(3) in subsection (e), by striking ''$10,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$9,000,000 for each of fiscal years 2012 through 2016''.

SEC. 204. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

Section 40802 of the Violence Against Women Act of 1994 (42 U.S.C. 14041a) is amended to read as follows:

''SEC. 40802. GRANT FOR TRAINING AND SERVICES TO END VIOLENCE AGAINST WOMEN IN LATER LIFE.

''(a) DEFINITIONS.—In this section—

''(1) the term 'eligible entity' means an entity that—

''(A) is—

''(i) a State;

''(ii) a unit of local government;

''(iii) a tribal government or tribal organization;

''(iv) a population specific organization with demonstrated experience in assisting individuals in later life;

''(v) a victim service provider; or

''(vi) a State, tribal, or territorial domestic violence or sexual assault coalition; and

''(B) is partnered with—

''(i) a law enforcement agency;

''(ii) an office of a prosecutor;

''(iii) a victim service provider; or

''(iv) a nonprofit program or government agency with demonstrated experience in assisting individuals in later life;

''(2) the term 'exploitation' means domestic violence, dating violence, sexual assault, or stalking;

''(3) the term 'later life', relating to an individual, means the individual is 60 years of age or older; and

''(4) the term 'neglect' means the failure of a caregiver or fiduciary to provide the goods or services that are necessary to maintain the health or safety of an individual in later life.

''(b) GRANT PROGRAM.—

''(1) GRANTS AUTHORIZED.—The Attorney General may make grants to eligible entities to carry out the activities described in paragraph (2).

''(2) MANDATORY AND PERMISSIBLE ACTIVITIES.—

''(A) MANDATORY ACTIVITIES.—An eligible entity receiving a grant under this section shall use the funds received under the grant to—

''(i) provide training programs to assist law enforcement agencies, prosecutors, agencies of States or units of local government, population specific organizations, victim service providers, victim advocates, and relevant officers in Federal, tribal, State, territorial, and local courts in recognizing and addressing instances of elder abuse;

''(ii) provide or enhance services for victims of elder abuse;

''(iii) establish or support multidisciplinary collaborative community responses to victims of elder abuse; and

''(iv) conduct cross-training for law enforcement agencies, prosecutors, agencies of States or units of local government, attorneys, health care providers, population specific organizations, faith-based advocates, victim service providers, and courts to better serve victims of elder abuse.

''(B) PERMISSIBLE ACTIVITIES.—An eligible entity receiving a grant under this section may use not more than 10 percent of the funds received under the grant to—

''(i) provide training programs to assist attorneys, health care providers, faith-based leaders, or other community-based organizations in recognizing and addressing instances of elder abuse; or

''(ii) conduct outreach activities and awareness campaigns to ensure that victims of elder abuse receive appropriate assistance.

''(3) UNDERSERVED POPULATIONS.—In making grants under this section, the Attorney General shall give priority to proposals providing culturally specific or population specific services.

''(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $9,000,000 for each of fiscal years 2012 through 2016.''.

TITLE III—SERVICES, PROTECTION, AND JUSTICE FOR YOUNG VICTIMS OF VIOLENCE

SEC. 301. RAPE PREVENTION EDUCATION GRANT.

Section 393A of the Public Health Service Act (42 U.S.C. 280b–1b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting '', territorial or tribal'' after ''crisis centers, State''; and

(B) in paragraph (6), by inserting ''and alcohol'' after ''about drugs''; and

(2) in subsection (c)(1), by striking ''$80,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$50,000,000 for each of fiscal years 2012 through 2016''.

SEC. 302. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH.

(a) IN GENERAL.—Subtitle L of the Violence Against Women Act of 1994 is amended by striking sections 41201 through 41204 (42 U.S.C. 14043c through 14043c–3) and inserting the following:

''SEC. 41201. CREATING HOPE THROUGH OUTREACH, OPTIONS, SERVICES, AND EDUCATION FOR CHILDREN AND YOUTH ('CHOOSE CHILDREN & YOUTH').

''(a) GRANTS AUTHORIZED.—The Attorney General, working in collaboration with the Secretary of Health and Human Services and the Secretary of Education, shall award grants to enhance the safety of youth and children who are victims of, or exposed to, domestic violence, dating violence, sexual assault, or stalking and prevent future violence.

''(b) PROGRAM PURPOSES.—Funds provided under this section may be used for the following program purpose areas:

''(1) SERVICES TO ADVOCATE FOR AND RESPOND TO YOUTH.—To develop, expand, and strengthen victim-centered interventions and services that target youth who are victims of domestic violence, dating violence, sexual assault, and stalking. Services may include victim services, counseling, advocacy, mentoring, educational support, transportation, legal assistance in civil, criminal and administrative matters, such as family law cases, housing cases, child welfare proceedings, campus administrative proceedings, and civil protection order proceedings, services to address the co-occurrence of sex trafficking, population-specific services, and other activities that support youth in finding safety, stability, and justice and in addressing the emotional, cognitive, and physical effects of trauma. Funds may be used to—

''(A) assess and analyze currently available services for youth victims of domestic violence, dating violence, sexual assault, and stalking, determining relevant barriers to such services in a particular locality, and developing a community protocol to address such problems collaboratively;

''(B) develop and implement policies, practices, and procedures to effectively respond to domestic violence, dating violence, sexual assault, or stalking against youth; or

''(C) provide technical assistance and training to enhance the ability of school personnel, victim service providers, child protective service workers, staff of law enforcement agencies, prosecutors, court personnel, individuals who work in after school programs, medical personnel, social workers, mental health personnel, and workers in other programs that serve children and youth to improve their ability to appropriately respond to the needs of children and youth who are victims of domestic violence, dating violence, sexual assault, stalking, as well as runaway and homeless youth, and to properly refer such children, youth, and their families to appropriate services.

''(2) SUPPORTING YOUTH THROUGH EDUCATION AND PROTECTION.—To enable middle schools, high schools, and institutions of higher education to—

''(A) provide training to school personnel, including healthcare providers and security personnel, on the needs of students who are victims of domestic violence, dating violence, sexual assault, or stalking;

''(B) develop and implement prevention and intervention policies in middle and high schools, including appropriate responses to, and identification and referral procedures for, students who are experiencing or perpetrating domestic violence, dating violence, sexual assault, or stalking, and procedures for handling the requirements of court protective orders issued to or against students;

''(C) provide support services for student victims of domestic violence, dating violence, sexual assault or stalking, such as a resource person who is either on-site or on-call;

''(D) provide scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities; or

''(E) develop strategies to increase identification, support, referrals, and prevention programming for youth who are at high risk of domestic violence, dating violence, sexual assault, or stalking.

''(c) ELIGIBLE APPLICANTS.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, an entity shall be—

''(A) a victim service provider, tribal nonprofit, or population-specific or community-based organization with a demonstrated history of effective work addressing the needs of youth, including runaway or homeless youth, who are victims of domestic violence, dating violence, sexual assault, or stalking; or

''(B) a victim service provider that is partnered with an entity that has a demonstrated history of effective work addressing the needs of youth.

''(2) PARTNERSHIPS.—

''(A) EDUCATION.—To be eligible to receive a grant for the purposes described in subsection (b)(2), an entity described in paragraph (1) shall be partnered with a public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, a school district, or an institution of higher education.

''(B) OTHER PARTNERSHIPS.—All applicants under this section are encouraged to work in partnership with organizations and agencies that work with the relevant population. Such entities may include—

''(i) a State, tribe, unit of local government, or territory;

''(ii) a population specific or community-based organization;

''(iii) batterer intervention programs or sex offender treatment programs with specialized knowledge and experience working with youth offenders; or

''(iv) any other agencies or nonprofit, nongovernmental organizations with the capacity to provide effective assistance to the adult, youth, and child victims served by the partnership.

''(d) GRANTEE REQUIREMENTS.—Applicants for grants under this section shall establish and implement policies, practices, and procedures that—

''(1) require and include appropriate referral systems for child and youth victims;

''(2) protect the confidentiality and privacy of child and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers all with priority on victim safety and autonomy; and

''(3) ensure that all individuals providing intervention or prevention programming to children or youth through a program funded under this section have completed, or will complete, sufficient training in connection with domestic violence, dating violence, sexual assault, and stalking.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2012 through 2016.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 50 percent of the total amount appropriated under this section for each fiscal year shall be used for the purposes described in subsection (b)(1).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amount appropriated under this section for each fiscal year shall be made available for grants under the program authorized by section 2015 of the Omnibus Crime Control and Safe Streets Act of 1968.

''(h) PRIORITY.—The Attorney General shall prioritize grant applications under this section that coordinate with prevention programs in the community.''.

(b) VAWA GRANT REQUIREMENTS.—Section 40002(b) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(b)) is amended by adding at the end the following:

''(12) REQUIREMENT FOR SCIENTIFICALLY VALID PROGRAMS.—All grant funds made available by this Act shall be used to provide scientifically valid educational programming, training, public awareness communications regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities, as appropriate.''.

SEC. 303. GRANTS TO COMBAT VIOLENT CRIMES ON CAMPUSES.

Section 304 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''stalking on campuses, and'' and inserting ''stalking on campuses,'';

(ii) by striking ''crimes against women on'' and inserting ''crimes on''; and

(iii) by inserting '', and to develop and strengthen prevention education and awareness programs'' before the period; and

(B) in paragraph (2), by striking ''$500,000'' and inserting ''$300,000'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by inserting '', strengthen,'' after ''To develop''; and

(ii) by inserting ''including the use of technology to commit these crimes,'' after ''sexual assault and stalking,'';

(B) in paragraph (4)—

(i) by inserting ''and population specific services'' after ''strengthen victim services programs'';

(ii) by striking ''entities carrying out'' and all that follows through ''stalking victim services programs'' and inserting ''victim service providers''; and

(iii) by inserting '', regardless of whether the services are provided by the institution or in coordination with community victim service providers'' before the period at the end; and

(C) by adding at the end the following:

''(9) To provide scientifically valid educational programming for students regarding domestic violence, dating violence, sexual assault, and stalking that is produced by accredited entities.

''(10) To develop or adapt population specific strategies and projects for victims of domestic violence, dating violence, sexual assault, and stalking from underserved populations on campus.'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (B), by striking ''any non-profit'' and all that follows through ''victim services programs'' and inserting ''victim service providers'';

(ii) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(iii) by inserting after subparagraph (C), the following:

''(D) describe how underserved populations in the campus community will be adequately served, including the provision of relevant population specific services;''; and

(B) in paragraph (3), by striking ''2007 through 2011'' and inserting ''2012 through 2016'';

(4) in subsection (d)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2), the following:

''(3) GRANTEE MINIMUM REQUIREMENTS.—Each grantee shall comply with the following minimum requirements during the grant period:

''(A) The grantee shall create a coordinated community response including both organizations external to the institution and relevant divisions of the institution.

''(B) The grantee shall establish a mandatory prevention and education program on domestic violence, dating violence, sexual assault, and stalking for all incoming students.

''(C) The grantee shall train all campus law enforcement to respond effectively to domestic violence, dating violence, sexual assault, and stalking.

''(D) The grantee shall train all members of campus disciplinary boards to respond effectively to situations involving domestic violence, dating violence, sexual assault, or stalking.''; and

(5) in subsection (e), by striking ''there are'' and all that follows through the period and inserting ''there is authorized to be appropriated $12,000,000 for each of fiscal years 2012 through 2016.''.

SEC. 304. CAMPUS SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING EDUCATION AND PREVENTION.

(a) IN GENERAL.—Section 485(f) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)) is amended—

(1) in paragraph (1)(F)—

(A) in clause (i)(VIII), by striking ''and'' after the semicolon;

(B) in clause (ii)—

(i) by striking ''sexual orientation'' and inserting ''national origin, sexual orientation,''; and

(ii) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(iii) of domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or local police agencies.'';

(2) in paragraph (3), by inserting '', that withholds the names of victims as confidential,'' after ''that is timely'';

(3) in paragraph (6)(A)—

(A) by redesignating clauses (i), (ii), and (iii) as clauses (ii), (iii), and (iv), respectively;

(B) by inserting before clause (ii), as redesignated by subparagraph (A), the following:

''(i) The terms 'dating violence', 'domestic violence', and 'stalking' have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).''; and

(C) by inserting after clause (iv), as redesignated by subparagraph (A), the following:

''(v) The term 'sexual assault' means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.'';

(4) in paragraph (7)—

(A) by striking ''paragraph (1)(F)'' and inserting ''clauses (i) and (ii) of paragraph (1)(F)''; and

(B) by inserting after ''Hate Crime Statistics Act.'' the following: ''For the offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).'';

(5) by striking paragraph (8) and inserting the following:

''(8)(A) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964, other than a foreign institution of higher education, shall develop and distribute as part of the report described in paragraph (1) a statement of policy regarding—

''(i) such institution's programs to prevent domestic violence, dating violence, sexual assault, and stalking; and

''(ii) the procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported.

''(B) The policy described in subparagraph (A) shall address the following areas:

''(i) Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

''(ii) Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about—

''(I) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order;

''(II) to whom the alleged offense should be reported;

''(III) options regarding law enforcement and campus authorities, including notification of the victim's option to—

''(aa) notify proper law enforcement authorities, including on-campus and local police;

''(bb) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and

''(cc) decline to notify such authorities; and

''(IV) where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

''(iii) Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

''(iv) Notification of students about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

''(v) Notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

''(C) A student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee's rights and options, as described

in clauses (ii) through (vii) of subparagraph (B).'';

(6) in paragraph (9), by striking ''The Secretary'' and inserting ''The Secretary, in consultation with the Attorney General of the United States,'';

(7) by striking paragraph (16) and inserting the following:

''(16)(A) The Secretary shall seek the advice and counsel of the Attorney General of the United States concerning the development, and dissemination to institutions of higher education, of best practices information about campus safety and emergencies.

''(B) The Secretary shall seek the advice and counsel of the Attorney General of the United States and the Secretary of Health and Human Services concerning the development, and dissemination to institutions of higher education, of best practices information about preventing and responding to incidents of domestic violence, dating violence, sexual assault, and stalking, including elements of institutional policies that have proven successful based on evidence-based outcome measurements.''; and

(8) by striking paragraph (17) and inserting the following:

''(17) No officer, employee, or agent of an institution participating in any program under this title shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of this subsection.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to the annual security report under section 485(f)(1) of the Higher Education Act of 1965 (20 U.S.C. 1092(f)(1)) prepared by an institution of higher education 1 calendar year after the date of enactment of this Act, and each subsequent calendar year.

TITLE IV—VIOLENCE REDUCTION PRACTICES

SEC. 401. STUDY CONDUCTED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION.

Section 402(c) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 280b–4(c)) is amended by striking ''$2,000,000 for each of the fiscal years 2007 through 2011'' and inserting ''$500,000 for each of fiscal years 2012 through 2016''.

SEC. 402. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION GRANTS.

(a) SMART PREVENTION.—Section 41303 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–2) is amended to read as follows:

''SEC. 41303. SAVING MONEY AND REDUCING TRAGEDIES THROUGH PREVENTION (SMART PREVENTION).

''(a) GRANTS AUTHORIZED.—The Attorney General, in consultation with the Secretary of Health and Human Services and the Secretary of Education, is authorized to award grants for the purpose of preventing domestic violence, dating violence, sexual assault, and stalking by taking a comprehensive approach that focuses on youth, children exposed to violence, and men as leaders and influencers of social norms.

''(b) USE OF FUNDS.—Funds provided under this section may be used for the following purposes:

''(1) TEEN DATING VIOLENCE AWARENESS AND PREVENTION.—To develop, maintain, or enhance programs that change attitudes and behaviors around the acceptability of domestic violence, dating violence, sexual assault, and stalking and provide education and skills training to young individuals and individuals who influence young individuals. The prevention program may use evidence-based, evidence-informed, or innovative strategies and practices focused on youth. Such a program should include—

''(A) scientifically valid age appropriate education that is produced by accredited entities on domestic violence, dating violence, sexual assault, stalking, and sexual coercion, as well as healthy relationship skills, in school, in the community, or in health care settings;

''(B) community-based collaboration and training for those with influence on youth, such as parents, teachers, coaches, healthcare providers, faith-leaders, older teens, and mentors;

''(C) education and outreach to change environmental factors contributing to domestic violence, dating violence, sexual assault, and stalking; and

''(D) policy development targeted to prevention, including school-based policies and protocols.

''(2) CHILDREN EXPOSED TO VIOLENCE AND ABUSE.—To develop, maintain or enhance programs designed to prevent future incidents of domestic violence, dating violence, sexual assault, and stalking by preventing, reducing and responding to children's exposure to violence in the home. Such programs may include—

''(A) providing services for children exposed to domestic violence, dating violence, sexual assault or stalking, including direct counseling or advocacy, and support for the non-abusing parent; and

''(B) training and coordination for educational, after-school, and childcare programs on how to safely and confidentially identify children and families experiencing domestic violence, dating violence, sexual assault, or stalking and properly refer children exposed and their families to services and violence prevention programs.

''(c) ELIGIBLE ENTITIES.—To be an eligible to receive a grant under this section, an entity shall be—

''(1) a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and expertise in the specific area for which they are applying for funds; or

''(2) a partnership between a victim service provider, community-based organization, tribe or tribal organization, or other non-profit, nongovernmental organization that has a history of effective work preventing domestic violence, dating violence, sexual assault, or stalking and at least one of the following:

''(A) A public, charter, tribal, or nationally accredited private middle or high school, a school administered by the Department of Defense under section 2164 of title 10, United States Code or section 1402 of the Defense Dependents' Education Act of 1978, a group of schools, or a school district.

''(B) A local community-based organization, population-specific organization, or faith-based organization that has established expertise in providing services to youth.

''(C) A community-based organization, population-specific organization, university or health care clinic, faith-based organization, or other non-profit, nongovernmental organization.

''(D) A nonprofit, nongovernmental entity providing services for runaway or homeless youth affected by domestic violence, dating violence, sexual assault, or stalking.

''(E) Healthcare entities eligible for reimbursement under title XVIII of the Social Security Act, including providers that target the special needs of children and youth.

''(F) Any other agencies, population-specific organizations, or nonprofit, nongovernmental organizations with the capacity to provide necessary expertise to meet the goals of the program.

''(d) GRANTEE REQUIREMENTS.—

''(1) IN GENERAL.—Applicants for grants under this section shall prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director may require that demonstrates the capacity of the applicant and partnering organizations to undertake the project.

''(2) POLICIES AND PROCEDURES.—Applicants under this section shall establish and implement policies, practices, and procedures that—

''(A) include appropriate referral systems to direct any victim identified during program activities to highly qualified follow-up care;

''(B) protect the confidentiality and privacy of adult and youth victim information, particularly in the context of parental or third party involvement and consent, mandatory reporting duties, and working with other service providers;

''(C) ensure that all individuals providing prevention programming through a program funded under this section have completed or will complete sufficient training in connection with domestic violence, dating violence, sexual assault or stalking; and

''(D) document how prevention programs are coordinated with service programs in the community.

''(3) PREFERENCE.—In selecting grant recipients under this section, the Attorney General shall give preference to applicants that—

''(A) include outcome-based evaluation; and

''(B) identify any other community, school, or State-based efforts that are working on domestic violence, dating violence, sexual assault, or stalking prevention and explain how the grantee or partnership will add value, coordinate with other programs, and not duplicate existing efforts.

''(e) DEFINITIONS AND GRANT CONDITIONS.—In this section, the definitions and grant conditions provided for in section 40002 shall apply.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2012 through 2016.

''(g) ALLOTMENT.—

''(1) IN GENERAL.—Not less than 25 percent of the total amounts appropriated under this section in each fiscal year shall be used for each set of purposes described in paragraphs (1), (2), and (3) of subsection (a).

''(2) INDIAN TRIBES.—Not less than 10 percent of the total amounts appropriated under this section in each fiscal year shall be made available for grants to Indian tribes or tribal organizations.''.

(b) REPEALS.—The following provisions are repealed:

(1) Sections 41304 and 41305 of the Violence Against Women Act of 1994 (42 U.S.C. 14043d–3 and 14043d–4).

(2) Section 403 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045c).

TITLE V—STRENGTHENING THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 501. CONSOLIDATION OF GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) GRANTS.—Section 399P of the Public Health Service Act (42 U.S.C. 280g–4) is amended to read as follows:

"SEC. 399P. GRANTS TO STRENGTHEN THE HEALTHCARE SYSTEM'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) IN GENERAL.—The Secretary shall award grants for—

''(1) the development or enhancement and implementation of interdisciplinary training for health professionals, public health staff, and allied health professionals;

''(2) the development or enhancement and implementation of education programs for medical, nursing, dental, and other health profession students and residents to prevent and respond to domestic violence, dating violence, sexual assault, and stalking; and

''(3) the development or enhancement and implementation of comprehensive statewide strategies to improve the response of clinics, public health facilities, hospitals, and other health settings (including behavioral and mental health programs) to domestic violence, dating violence, sexual assault, and stalking.

''(b) USE OF FUNDS.—

''(1) REQUIRED USES.—Amounts provided under a grant under this section shall be used to—

''(A) fund interdisciplinary training and education programs under paragraphs (1) and (2) of subsection (a) that—

''(i) are designed to train medical, psychology, dental, social work, nursing, and other health profession students, interns, residents, fellows, or current health care providers to identify and provide health care services (including mental or behavioral health care services and referrals to appropriate community services) to individuals who are or who have been victims of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) plan and develop culturally competent clinical training components for integration into approved internship, residency, and fellowship training or continuing medical or other health education training that address physical, mental, and behavioral health issues, including protective factors, related to domestic violence, dating violence, sexual assault, stalking, and other forms of violence and abuse, focus on reducing health disparities and preventing violence and abuse, and include the primacy of victim safety and confidentiality;

''(B) design and implement comprehensive strategies to improve the response of the health care system to domestic or sexual violence in clinical and public health settings, hospitals, clinics, and other health settings (including behavioral and mental health), under subsection (a)(3) through—

''(i) the implementation, dissemination, and evaluation of policies and procedures to guide health professionals and public health staff in identifying and responding to domestic violence, dating violence, sexual assault, and stalking, including strategies to ensure that health information is maintained in a manner that protects the patient's privacy and safety, and safely uses health information technology to improve documentation, identification, assessment, treatment, and follow-up care;

''(ii) the development of on-site access to services to address the safety, medical, and mental health needs of patients by increasing the capacity of existing health care professionals and public health staff to address domestic violence, dating violence, sexual assault, and stalking, or by contracting with or hiring domestic or sexual assault advocates to provide such services or to model other services appropriate to the geographic and cultural needs of a site;

''(iii) the development of measures and methods for the evaluation of the practice of identification, intervention, and documentation regarding victims of domestic violence, dating violence, sexual assault, and stalking, including the development and testing of quality improvement measurements; and

''(iv) the provision of training and follow-up technical assistance to health care professionals, and public health staff, and allied health professionals to identify, assess, treat, and refer clients who are victims of domestic violence, dating violence, sexual assault, or stalking, including using tools and training materials already developed.

''(2) PERMISSIBLE USES.—

''(A) CHILD AND ELDER ABUSE.—To the extent consistent with the purpose of this section, a grantee may use amounts received under this section to address, as part of a comprehensive programmatic approach implemented under the grant, issues relating to child or elder abuse.

''(B) RURAL AREAS.—Grants funded under paragraphs (1) and (2) of subsection (a) may be used to offer to rural areas community-based training opportunities, which may include the use of distance learning networks and other available technologies needed to reach isolated rural areas, for medical, nursing, and other health profession students and residents on domestic violence, dating violence, sexual assault, stalking, and, as appropriate, other forms of violence and abuse.

''(C) OTHER USES.—Grants funded under subsection (a)(3) may be used for—

''(i) the development of training modules and policies that address the overlap of child abuse, domestic violence, dating violence, sexual assault, and stalking and elder abuse, as well as childhood exposure to domestic and sexual violence;

''(ii) the development, expansion, and implementation of sexual assault forensic medical examination or sexual assault nurse examiner programs;

''(iii) the inclusion of the health effects of lifetime exposure to violence and abuse as well as related protective factors and behavioral risk factors in health professional training schools including medical, dental, nursing, social work, and mental and behavioral health curricula, and allied health service training courses; or

''(iv) the integration of knowledge of domestic violence, dating violence, sexual assault, and stalking into health care accreditation and professional licensing examinations, such as medical, dental, social work, and nursing boards, and where appropriate, other allied health exams.

''(c) REQUIREMENTS FOR GRANTEES.—

''(1) CONFIDENTIALITY AND SAFETY.—

''(A) IN GENERAL.—Grantees under this section shall ensure that all programs developed with grant funds address issues of confidentiality and patient safety and comply with applicable confidentiality and nondisclosure requirements under section 40002(b)(2) of the Violence Against Women Act of 1994 and the Family Violence Prevention and Services Act, and that faculty and staff associated with delivering educational components are fully trained in procedures that will protect the immediate and ongoing security and confidentiality of the patients, patient records, and staff. Such grantees shall consult entities with demonstrated expertise in the confidentiality and safety needs of victims of domestic violence, dating violence, sexual assault, and stalking on the development and adequacy of confidentially and security procedures, and provide documentation of such consultation.

''(B) ADVANCE NOTICE OF INFORMATION DISCLOSURE.—Grantees under this section shall provide to patients advance notice about any circumstances under which information may be disclosed, such as mandatory reporting laws, and shall give patients the option to receive information and referrals without affirmatively disclosing abuse.

''(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—A grantee shall use not more than 10 percent of the amounts received under a grant under this section for administrative expenses.

''(3) APPLICATION.—

''(A) PREFERENCE.—In selecting grant recipients under this section, the Secretary shall give preference to applicants based on the strength of their evaluation strategies, with priority given to outcome based evaluations.

''(B) SUBSECTION (a)(1) AND (2) GRANTEES.—Applications for grants under paragraphs (1) and (2) of subsection (a) shall include—

''(i) documentation that the applicant represents a team of entities working collaboratively to strengthen the response of the health care system to domestic violence, dating violence, sexual assault, or stalking, and which includes at least one of each of—

''(I) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or other health field;

''(II) a health care facility or system; or

''(III) a government or nonprofit entity with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking; and

''(ii) strategies for the dissemination and sharing of curricula and other educational materials developed under the grant, if any, with other interested health professions schools and national resource repositories for materials on domestic violence, dating violence, sexual assault, and stalking.

''(C) SUBSECTION (a)(3) GRANTEES.—An entity desiring a grant under subsection (a)(3) shall submit an application to the Secretary at such time, in such a manner, and containing such information and assurances as the Secretary may require, including—

''(i) documentation that all training, education, screening, assessment, services, treatment, and any other approach to patient care will be informed by an understanding of violence and abuse victimization and trauma-specific approaches that will be integrated into prevention, intervention, and treatment activities;

''(ii) strategies for the development and implementation of policies to prevent and address domestic violence, dating violence, sexual assault, and stalking over the lifespan in health care settings;

''(iii) a plan for consulting with State and tribal domestic violence or sexual assault coalitions, national nonprofit victim advocacy organizations, State or tribal law enforcement task forces (where appropriate), and population specific organizations with demonstrated expertise in domestic violence, dating violence, sexual assault, or stalking;

''(iv) with respect to an application for a grant under which the grantee will have contact with patients, a plan, developed in collaboration with local victim service providers, to respond appropriately to and make correct referrals for individuals who disclose that they are victims of domestic violence, dating violence, sexual assault, stalking, or other types of violence, and documentation provided by the grantee of an ongoing collaborative relationship with a local victim service provider; and

''(v) with respect to an application for a grant proposing to fund a program described in subsection (b)(2)(C)(ii), a certification that any sexual assault forensic medical examination and sexual assault nurse examiner programs supported with such grant funds will adhere to the guidelines set forth by the Attorney General.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—To be eligible to receive funding under paragraph (1) or (2) of subsection (a), an entity shall be—

''(A) a nonprofit organization with a history of effective work in the field of training health professionals with an understanding of, and clinical skills pertinent to, domestic violence, dating violence, sexual assault, or stalking, and lifetime exposure to violence and abuse;

''(B) an accredited school of allopathic or osteopathic medicine, psychology, nursing, dentistry, social work, or allied health;

''(C) a health care provider membership or professional organization, or a health care system; or

''(D) a State, tribal, territorial, or local entity.

''(2) SUBSECTION (a)(3) GRANTEES.—To be eligible to receive funding under subsection (a)(3), an entity shall be—

''(A) a State department (or other division) of health, a State, tribal, or territorial domestic violence or sexual assault coalition or victim service provider, or any other nonprofit, nongovernmental organization with a history of effective work in the fields of domestic violence, dating violence, sexual assault, or stalking, and health care, including physical or mental health care; or

''(B) a local victim service provider, a local department (or other division) of health, a local health clinic, hospital, or health system, or any other community-based organization with a history of effective work in the field of domestic violence, dating violence, sexual assault, or stalking and health care, including physical or mental health care.

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may make grants or enter into contracts to provide technical assistance with respect to the planning, development, and operation of any program, activity or service carried out pursuant to this section. Not more than 8 percent of the funds appropriated under this section in each fiscal year may be used to fund technical assistance under this subsection.

''(2) AVAILABILITY OF MATERIALS.—The Secretary shall make publicly available materials developed by grantees under this section, including materials on training, best practices, and research and evaluation.

''(3) REPORTING.—The Secretary shall publish a biennial report on—

''(A) the distribution of funds under this section; and

''(B) the programs and activities supported by such funds.

''(f) RESEARCH AND EVALUATION.—

''(1) IN GENERAL.—Of the funds made available to carry out this section for any fiscal year, the Secretary may use not more than 20 percent to make a grant or enter into a contract for research and evaluation of—

''(A) grants awarded under this section; and

''(B) other training for health professionals and effective interventions in the health care setting that prevent domestic violence, dating violence, and sexual assault across the lifespan, prevent the health effects of such violence, and improve the safety and health of individuals who are currently being victimized.

''(2) RESEARCH.—Research authorized in paragraph (1) may include—

''(A) research on the effects of domestic violence, dating violence, sexual assault, and childhood exposure to domestic, dating or sexual violence on health behaviors, health conditions, and health status of individuals, families, and populations, including underserved populations;

''(B) research to determine effective health care interventions to respond to and prevent domestic violence, dating violence, sexual assault, and stalking;

''(C) research on the impact of domestic, dating and sexual violence, childhood exposure to such violence, and stalking on the health care system, health care utilization, health care costs, and health status; and

''(D) research on the impact of adverse childhood experiences on adult experience with domestic violence, dating violence, sexual assault, stalking, and adult health outcomes, including how to reduce or prevent the impact of adverse childhood experiences through the health care setting.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2012 through 2016.

''(h) DEFINITIONS.—Except as otherwise provided herein, the definitions provided for in section 40002 of the Violence Against Women Act of 1994 shall apply to this section.''.

(b) REPEALS.—The following provisions are repealed:

(1) Section 40297 of the Violence Against Women Act of 1994 (42 U.S.C. 13973).

(2) Section 758 of the Public Health Service Act (42 U.S.C. 294h).

TITLE VI—SAFE HOMES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

SEC. 601. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

(a) AMENDMENT.—Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) by inserting after the subtitle heading the following:

''CHAPTER 1—GRANT PROGRAMS'';

(2) in section 41402 (42 U.S.C. 14043e–1), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter'';

(3) in section 41403 (42 U.S.C. 14043e–2), in the matter preceding paragraph (1), by striking ''subtitle'' and inserting ''chapter''; and

(4) by adding at the end the following:

''CHAPTER 2—HOUSING RIGHTS

''SEC. 41411. HOUSING PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

''(a) DEFINITIONS.—In this chapter:

''(1) AFFILIATED INDIVIDUAL.—The term 'affiliated individual' means, with respect to an individual—

''(A) a spouse, parent, brother, sister, or child of that individual, or an individual to whom that individual stands in loco parentis; or

''(B) any individual, tenant, or lawful occupant living in the household of that individual.

''(2) APPROPRIATE AGENCY.—The term 'appropriate agency' means, with respect to a covered housing program, the Executive department (as defined in section 101 of title 5, United States Code) that carries out the covered housing program.

''(3) COVERED HOUSING PROGRAM.—The term 'covered housing program' means—

''(A) the program under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q);

''(B) the program under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013);

''(C) the program under subtitle D of title VIII of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12901 et seq.);

''(D) the program under subtitle A of title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.);

''(E) the program under subtitle A of title II of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12741 et seq.);

''(F) the program under paragraph (3) of section 221(d) of the National Housing Act (12 U.S.C. 17151(d)) that bears interest at a rate determined under the proviso under paragraph (5) of such section 221(d);

''(G) the program under section 236 of the National Housing Act (12 U.S.C. 1715z–1);

''(H) the programs under sections 6 and 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f);

''(I) rural housing assistance provided under sections 514, 515, 516, 533, and 538 of the Housing Act of 1949 (42 U.S.C. 1484, 1485, 1486, 1490m, and 1490p–2); and

''(J) the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986.

''(b) PROHIBITED BASIS FOR DENIAL OR TERMINATION OF ASSISTANCE OR EVICTION.—

''(1) IN GENERAL.—An applicant for or tenant of housing assisted under a covered housing program may not be denied admission to, denied assistance under, terminated from participation in, or evicted from the housing on the basis that the applicant or tenant is or has been a victim of domestic violence, dating violence, sexual assault, or stalking, if the applicant or tenant otherwise qualifies for admission, assistance, participation, or occupancy.

''(2) CONSTRUCTION OF LEASE TERMS.—An incident of actual or threatened domestic violence, dating violence, sexual assault, or stalking shall not be construed as—

''(A) a serious or repeated violation of a lease for housing assisted under a covered housing program by the victim or threatened victim of such incident; or

''(B) good cause for terminating the assistance, tenancy, or occupancy rights to housing assisted under a covered housing program of the victim or threatened victim of such incident.

''(3) TERMINATION ON THE BASIS OF CRIMINAL ACTIVITY.—

''(A) DENIAL OF ASSISTANCE, TENANCY, AND OCCUPANCY RIGHTS PROHIBITED.—No person may deny assistance, tenancy, or occupancy rights to housing assisted under a covered housing program to a tenant solely on the basis of criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking that is engaged in by a member of the household of the tenant or any guest or other person under the control of the tenant, if the tenant or an affiliated individual of the tenant is the victim or threatened victim of such domestic violence, dating violence, sexual assault, or stalking.

''(B) BIFURCATION.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), a public housing agency or owner or manager of housing assisted under a covered housing program may bifurcate a lease for the housing in order to evict, remove, or terminate assistance to any individual who is a tenant or lawful occupant of the housing and who engages in criminal activity directly relating to domestic violence, dating violence, sexual assault, or stalking against an affiliated individual or other individual, without evicting, removing, terminating assistance to, or otherwise penalizing a victim of such criminal activity who is also a tenant or lawful occupant of the housing.

''(ii) EFFECT OF EVICTION ON OTHER TENANTS.—If public housing agency or owner or manager of housing assisted under a covered housing program evicts, removes, or terminates assistance to an individual under clause (i), and the individual is the sole tenant eligible to receive assistance under a covered housing program, the public housing agency or owner or manager of housing assisted under the covered housing program shall provide any remaining tenant an opportunity to establish eligibility for the covered

housing program. If a tenant described in the preceding sentence cannot establish eligibility, the public housing agency or owner or manager of the housing shall provide the tenant a reasonable time, as determined by the appropriate agency, to find new housing or to establish eligibility for housing under another covered housing program.

''(C) RULES OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed—

''(i) to limit the authority of a public housing agency or owner or manager of housing assisted under a covered housing program, when notified of a court order, to comply with a court order with respect to—

''(I) the rights of access to or control of property, including civil protection orders issued to protect a victim of domestic violence, dating violence, sexual assault, or stalking; or

''(II) the distribution or possession of property among members of a household in a case;

''(ii) to limit any otherwise available authority of a public housing agency or owner or manager of housing assisted under a covered housing program to evict or terminate assistance to a tenant for any violation of a lease not premised on the act of violence in question against the tenant or an affiliated person of the tenant, if the public housing agency or owner or manager does not subject an individual who is or has been a victim of domestic violence, dating violence, or stalking to a more demanding standard than other tenants in determining whether to evict or terminate;

''(iii) to limit the authority to terminate assistance to a tenant or evict a tenant from housing assisted under a covered housing program if a public housing agency or owner or manager of the housing can demonstrate that an actual and imminent threat to other tenants or individuals employed at or providing service to the property would be present if the assistance is not terminated or the tenant is not evicted; or

''(iv) to supersede any provision of any Federal, State, or local law that provides greater protection than this section for victims of domestic violence, dating violence, sexual assault, or stalking.

''(c) DOCUMENTATION.—

''(1) REQUEST FOR DOCUMENTATION.—If an applicant for, or tenant of, housing assisted under a covered housing program represents to a public housing agency or owner or manager of the housing that the individual is entitled to protection under subsection (b), the public housing agency or owner or manager may request, in writing, that the applicant or tenant submit to the public housing agency or owner or manager a form of documentation described in paragraph (3).

''(2) FAILURE TO PROVIDE CERTIFICATION.—

''(A) IN GENERAL.—If an applicant or tenant does not provide the documentation requested under paragraph (1) within 14 business days after the tenant receives a request in writing for such certification from a public housing agency or owner or manager of housing assisted under a covered housing program, nothing in this chapter may be construed to limit the authority of the public housing agency or owner or manager to—

''(i) deny admission by the applicant or tenant to the covered program;

''(ii) deny assistance under the covered program to the applicant or tenant;

''(iii) terminate the participation of the applicant or tenant in the covered program; or

''(iv) evict the applicant, the tenant, or a lawful occupant that commits violations of a lease.

''(B) EXTENSION.—A public housing agency or owner or manager of housing may extend the 14-day deadline under subparagraph (A) at its discretion.

''(3) FORM OF DOCUMENTATION.—A form of documentation described in this paragraph is—

''(A) a certification form approved by the appropriate agency that—

''(i) states that an applicant or tenant is a victim of domestic violence, dating violence, sexual assault, or stalking;

''(ii) states that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b); and

''(iii) includes the name of the individual who committed the domestic violence, dating violence, sexual assault, or stalking, if the name is known and safe to provide;

''(B) a document that—

''(i) is signed by—

''(I) an employee, agent, or volunteer of a victim service provider, an attorney, a medical professional, or a mental health professional from whom an applicant or tenant has sought assistance relating to domestic violence, dating violence, sexual assault, or stalking, or the effects of the abuse; and

''(II) the applicant or tenant; and

''(ii) states under penalty of perjury that the individual described in clause (i)(I) believes that the incident of domestic violence, dating violence, sexual assault, or stalking that is the ground for protection under subsection (b) meets the requirements under subsection (b);

''(C) a record of a Federal, State, tribal, territorial, or local law enforcement agency, court, or administrative agency; or

''(D) at the discretion of a public housing agency or owner or manager of housing assisted under a covered housing program, a statement or other evidence provided by an applicant or tenant.

''(4) CONFIDENTIALITY.—Any information submitted to a public housing agency or owner or manager under this subsection, including the fact that an individual is a victim of domestic violence, dating violence, sexual assault, or stalking shall be maintained in confidence by the public housing agency or owner or manager and may not be entered into any shared database or disclosed to any other entity or individual, except to the extent that the disclosure is—

''(A) requested or consented to by the individual in writing;

''(B) required for use in an eviction proceeding under subsection (b); or

''(C) otherwise required by applicable law.

''(5) DOCUMENTATION NOT REQUIRED.—Nothing in this subsection shall be construed to require a public housing agency or owner or manager of housing assisted under a covered housing program to request that an individual submit documentation of the status of the individual as a victim of domestic violence, dating violence, sexual assault, or stalking.

''(6) COMPLIANCE NOT SUFFICIENT TO CONSTITUTE EVIDENCE OF UNREASONABLE ACT.—Compliance with subsection (b) by a public housing agency or owner or manager of housing assisted under a covered housing program based on documentation received under this subsection, shall not be sufficient to constitute evidence of an unreasonable act or omission by the public housing agency or owner or manager or an employee or agent of the public housing agency or owner or manager. Nothing in this paragraph shall be construed to limit the liability of a public housing agency or owner or manager of housing assisted under a covered housing program for failure to comply with subsection (b).

''(7) RESPONSE TO CONFLICTING CERTIFICATION.—If a public housing agency or owner or manager of housing assisted under a covered housing program receives documentation under this subsection that contains conflicting information, the public housing agency or owner or manager may require an applicant or tenant to submit third-party documentation, as described in subparagraph (B), (C), or (D) of paragraph (3).

''(8) PREEMPTION.—Nothing in this subsection shall be construed to supersede any provision of any Federal, State, or local law that provides greater protection than this subsection for victims of domestic violence, dating violence, sexual assault, or stalking.

''(d) NOTIFICATION.—

''(1) DEVELOPMENT.—The Secretary of Housing and Urban Development shall develop a notice of the rights of individuals under this section, including the right to confidentiality and the limits thereof.

''(2) PROVISION.—Each public housing agency or owner or manager of housing assisted under a covered housing program shall provide the notice developed under paragraph (1), together with the form described in subsection (c)(3)(A), to an applicant for or tenants of housing assisted under a covered housing program—

''(A) at the time the applicant is denied residency in a dwelling unit assisted under the covered housing program;

''(B) at the time the individual is admitted to a dwelling unit assisted under the covered housing program;

''(C) with any notification of eviction or notification of termination of assistance; and

''(D) in multiple languages, consistent with guidance issued by the Secretary of Housing and Urban Development in accordance with Executive Order 13166 (42 U.S.C. 2000d–1 note; relating to access to services for persons with limited English proficiency).

''(e) EMERGENCY TRANSFERS.—Each appropriate agency shall adopt a model emergency transfer plan for use by public housing agencies and owners or managers of housing assisted under covered housing programs that—

''(1) allows tenants who are victims of domestic violence, dating violence, sexual assault, or stalking to transfer to another available and safe dwelling unit assisted under a covered housing program if—

''(A) the tenant expressly requests the transfer; and

''(B)(i) the tenant reasonably believes that the tenant is threatened with imminent harm from further violence if the tenant remains within the same dwelling unit assisted under a covered housing program; or

''(ii) in the case of a tenant who is a victim of sexual assault, the sexual assault occurred on the premises during the 90 day period preceding the request for transfer; and

''(2) incorporates reasonable confidentiality measures to ensure that the public housing agency or owner or manager does not disclose the location of the dwelling unit of a tenant to a person that commits an act of domestic violence, dating violence, sexual assault, or stalking against the tenant.

''(f) POLICIES AND PROCEDURES FOR EMERGENCY TRANSFER.—The Secretary of Housing and Urban Development shall establish policies and procedures under which a victim requesting an emergency transfer under subsection (e) may receive, subject to the availability of tenant protection vouchers, assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)).

''(g) IMPLEMENTATION.—The appropriate agency with respect to each covered housing program shall implement this section, as this section applies to the covered housing program.''.

(b) CONFORMING AMENDMENTS.—

(1) SECTION 6.—Section 6 of the United States Housing Act of 1937 (42 U.S.C. 1437d) is amended—

(A) in subsection (c)—

(i) by striking paragraph (3); and

(ii) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively;

(B) in subsection (l)—

(i) in paragraph (5), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(ii) in paragraph (6), by striking ''; except that'' and all that follows through ''stalking.''; and

(C) by striking subsection (u).

(2) SECTION 8.—Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) is amended—

(A) in subsection (c), by striking paragraph (9);

(B) in subsection (d)(1)—

(i) in subparagraph (A), by striking ''and that an applicant or participant is or has been a victim of domestic violence, dating violence, or stalking is not an appropriate basis for denial of program assistance or for denial of admission if the applicant otherwise qualifies for assistance or admission''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking '', and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in clause (iii), by striking '', except that:'' and all that follows through ''stalking.'';

(C) in subsection (f)—

(i) in paragraph (6), by adding ''and'' at the end;

(ii) in paragraph (7), by striking the semicolon at the end and inserting a period; and

(iii) by striking paragraphs (8), (9), (10), and (11);

(D) in subsection (o)—

(i) in paragraph (6)(B), by striking the last sentence;

(ii) in paragraph (7)—

(I) in subparagraph (C), by striking ''and that an incident or incidents of actual or threatened domestic violence, dating violence, or stalking shall not be construed as a serious or repeated violation of the lease by the victim or threatened victim of that violence and shall not be good cause for terminating the tenancy or occupancy rights of the victim of such violence''; and

(II) in subparagraph (D), by striking ''; except that'' and all that follows through ''stalking.''; and

(iii) by striking paragraph (20); and

(E) by striking subsection (ee).

(3) RULE OF CONSTRUCTION.—Nothing in this Act, or the amendments made by this Act, shall be construed—

(A) to limit the rights or remedies available to any person under section 6 or 8 of the United States Housing Act of 1937 (42 U.S.C. 1437d and 1437f), as in effect on the day before the date of enactment of this Act;

(B) to limit any right, remedy, or procedure otherwise available under any provision of part 5, 91, 880, 882, 883, 884, 886, 891, 903, 960, 966, 982, or 983 of title 24, Code of Federal Regulations, that—

(i) was issued under the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109–162; 119 Stat. 2960) or an amendment made by that Act; and

(ii) provides greater protection for victims of domestic violence, dating violence, sexual assault, and stalking than this Act; or

(C) to disqualify an owner, manager, or other individual from participating in or receiving the benefits of the low income housing tax credit program under section 42 of the Internal Revenue Code of 1986 because of noncompliance with the provisions of this Act.

SEC. 602. TRANSITIONAL HOUSING ASSISTANCE GRANTS FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Chapter 11 of the Violence Against Women Act of 1994 (42 U.S.C. 13975 et seq.) is amended—

(1) in the chapter heading, by striking ''**CHILD VICTIMS OF DOMESTIC VIOLENCE, STALKING, OR SEXUAL ASSAULT**'' and inserting ''**VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING**''; and

(2) in section 40299 (42 U.S.C. 13975)—

(A) in the header, by striking ''child victims of domestic violence, stalking, or sexual assault'' and inserting ''victims of domestic violence, dating violence, sexual assault, or stalking'';

(B) in subsection (a)(1), by striking ''fleeing''; and

(C) in subsection (g)—

(i) in paragraph (1), by striking ''$40,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$35,000,000 for each of fiscal years 2012 through 2016''; and

(ii) in paragraph (3)—

(I) in subparagraph (A), by striking ''eligible'' and inserting ''qualified''; and

(II) by adding at the end the following:

''(D) QUALIFIED APPLICATION DEFINED.—In this paragraph, the term 'qualified application' means an application that—

''(i) has been submitted by an eligible applicant;

''(ii) does not propose any significant activities that may compromise victim safety;

''(iii) reflects an understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking; and

''(iv) does not propose prohibited activities, including mandatory services for victims, background checks of victims, or clinical evaluations to determine eligibility for services.''.

SEC. 603. ADDRESSING THE HOUSING NEEDS OF VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING.

Subtitle N of the Violence Against Women Act of 1994 (42 U.S.C. 14043e et seq.) is amended—

(1) in section 41404(i) (42 U.S.C. 14043e–3(i)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''; and

(2) in section 41405(g) (42 U.S.C. 14043e–4(g)), by striking ''$10,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$4,000,000 for each of fiscal years 2012 through 2016''.

TITLE VII—ECONOMIC SECURITY FOR VICTIMS OF VIOLENCE

SEC. 701. NATIONAL RESOURCE CENTER ON WORKPLACE RESPONSES TO ASSIST VICTIMS OF DOMESTIC AND SEXUAL VIOLENCE.

Section 41501(e) of the Violence Against Women Act of 1994 (42 U.S.C. 14043f(e)) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

TITLE VIII—IMMIGRATION PROVISIONS

SEC. 801. APPLICATION OF SPECIAL RULE FOR BATTERED SPOUSE OR CHILD.

Section 240A(b)(2) of the Immigration and Nationality Act (8 U.S.C. 1229b) is amended by striking subparagraph (D) and inserting the following:

''(D) CREDIBLE EVIDENCE CONSIDERED.—In adjudicating applications under this paragraph, the Secretary of Homeland Security shall consider any credible evidence relevant to the application, including credible evidence submitted by a national of the United States or an alien lawfully admitted for permanent residence accused of the conduct described in subparagraph (A)(i). The determination of what evidence is credible and the weight to be given that evidence shall be within the sole discretion of the Secretary of Homeland Security.

''(E) FRAUD DETECTION EFFORTS.—

''(i) IN GENERAL.—Upon filing of an application under this paragraph, the Director of United States Citizenship and Immigration Services shall—

''(I) review such an application for completeness and clear indicators of fraud or misrepresentation of material fact;

''(II) conduct an in-person interview of the alien who filed the application; and

''(III) facilitate cooperation between the service center that adjudicates all applications under this paragraph and the local service centers that have the resources to investigate and interview the applicant to review any evidence that may pertain to the application.

''(ii) GUIDELINES.—The Director may issue guidelines for alternatives to the in-person interview so long as the guidelines do not jeopardize national security and include measures to detect fraud and abuse.

''(iii) EVIDENCE.—The Director may gather other evidence and interview other witnesses, including the accused United States citizen or legal permanent resident, if such individual consents to be interviewed.

''(F) PRIORITY OF ONGOING IMMIGRATION AND LAW ENFORCEMENT INVESTIGATIONS OR PROSECUTIONS.—

''(i) DETERMINATION.—During the adjudication of an application under this paragraph, the Director shall determine whether any Federal, State, territorial, tribal, or local law enforcement agency has undertaken an investigation or prosecution of the petitioning alien for—

''(I) conduct relating to the battering or abuse alleged by the petitioning alien under this paragraph;

''(II) a violation of any immigration law; or

''(III) a violation of any other criminal law.

''(ii) USE OF INFORMATION.—If such an investigation or prosecution was commenced, the investigative officer of United States Citizenship and Immigration Services shall—

''(I) obtain as much information as possible about the investigation or prosecution; and

''(II) consider that information as part of the adjudication of the application.

''(iii) PENDING INVESTIGATION.—If such an investigation or prosecution is pending, the adjudication of the application shall be stayed pending the conclusion of the investigation or prosecution. If no investigation has been undertaken or if a prosecutor's office has not commenced a prosecution after the matter was referred to it, that fact shall be considered by the investigative officer as part of the adjudication of the application.

''(iv) EFFECT OF DETERMINATION TO REMOVE OR INDICT.—If such an investigation determines that the alien is removable, or if the alien is indicted, the application under this paragraph shall be denied.

''(v) EFFECT OF NOT GUILTY DETERMINATION.—If an investigation has been undertaken and a determination was made that a prosecution was not warranted or if a criminal proceeding finds the United States citizen or legal permanent resident not guilty

of the charges, such determination shall be binding and the application under this paragraph shall be denied.

''(G) EFFECT OF MATERIAL MISREPRESENTATION.—If an alien makes a material misrepresentation during the application process under this paragraph, the Secretary of Homeland Security shall—

''(i) deny the application and remove the alien on an expedited basis; and

''(ii) make the alien ineligible for any taxpayer funded benefits or immigration benefits.''.

SEC. 802. CLARIFICATION OF THE REQUIREMENTS APPLICABLE TO U VISAS.

Section 214(p)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(p)(1)) is amended as follows:

(1) By striking ''The petition'' and inserting the following:

''(A) IN GENERAL.—The petition''.

(2) By adding at the end the following:

''(B) CERTIFICATION REQUIREMENTS.—Each certification submitted under subparagraph (A) shall confirm under penalty of perjury that—

''(i) the petitioner reported the criminal activity to a law enforcement agency within 120 days of its occurrence;

''(ii) the statute of limitations for prosecuting an offense based on the criminal activity has not lapsed;

''(iii) the criminal activity is actively under investigation or a prosecution has been commenced; and

''(iv) the petitioner has provided to a law enforcement agency information that will assist in identifying the perpetrator of the criminal activity, or the perpetrator's identity is known.

''(C) REQUIREMENT FOR CERTIFICATION.—No application for a visa under section 101(a)(15)(U) may be granted unless accompanied by the certification as described in this paragraph.''.

SEC. 803. PROTECTIONS FOR A FIANCÉE OR FIANCÉ OF A CITIZEN.

(a) IN GENERAL.—Section 214 of the Immigration and Naturalization Act (8 U.S.C. 1184) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (3)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in paragraph (3)(B)(i).''; and

(B) in paragraph (3)(B)(i), by striking ''abuse, and stalking.'' And inserting ''abuse, stalking, or an attempt to commit any such crime.''; and

(2) in subsection (r)—

(A) in paragraph (1), by striking ''crime.'' and inserting ''crime described in paragraph (5)(B) and information on any permanent protection or restraining order issued against the petitioner related to any specified crime described in subsection (5)(B)(i).''; and

(B) in paragraph (5)(B)(i), by striking ''abuse, and stalking.'' and inserting ''abuse, stalking, or an attempt to commit any such crime.''.

(b) PROVISION OF INFORMATION TO K NON-IMMIGRANTS.—Section 833 of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a) is amended in subsection (b)(1)(A), by striking ''or'' after ''orders'' and inserting ''and''.

SEC. 804. REGULATION OF INTERNATIONAL MARRIAGE BROKERS.

(a) IMPLEMENTATION OF THE INTERNATIONAL MARRIAGE BROKER ACT OF 2005.—Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to Congress a report that includes the name of the component of the Department of Justice responsible for prosecuting violations of the International Marriage Broker Act of 2005 (subtitle D of Public Law 109-162; 119 Stat. 3066) and the amendments made by this title.

(b) REGULATION OF INTERNATIONAL MARRIAGE BROKERS.—Section 833(d) of the International Marriage Broker Regulation Act of 2005 (8 U.S.C. 1375a(d)) is amended as follows:

(1) By amending paragraph (1) to read as follows:

''(1) PROHIBITION ON MARKETING OF OR TO CHILDREN.—

''(A) IN GENERAL.—An international marriage broker shall not provide any individual or entity with personal contact information, photograph, or general information about the background or interests of any individual under the age of 18.

''(B) COMPLIANCE.—To comply with the requirements of subparagraph (A), an international marriage broker shall—

''(i) obtain a valid copy of each foreign national client's birth certificate or other proof of age document issued by an appropriate government entity;

''(ii) indicate on such certificate or document the date it was received by the international marriage broker;

''(iii) retain the original of such certificate or document for 5 years after such date of receipt; and

''(iv) produce such certificate or document upon request to an appropriate authority charged with the enforcement of this paragraph.''.

(2) In paragraph (2)(B)(ii), by striking ''or stalking.'' and inserting ''stalking, or an attempt to commit any such crime.''.

(3) In paragraph (5)(B)—

(A) by striking ''In circumstances'' and inserting the following:

''(i) IN GENERAL.—In circumstances''; and

(B) by adding at the end the following:

''(ii) FRAUDULENT FAILURES OF UNITED STATES CLIENTS TO MAKE REQUIRED SELF-DISCLOSURES.—A person who knowingly and with intent to defraud another person outside the United States in order to recruit, solicit, entice, or induce that other person into entering a dating or matrimonial relationship, makes false or fraudulent representations regarding the disclosures described in clause (i), (ii), (iii), or (iv) of subsection (d)(2)(B), including by failing to make any such disclosures, shall be fined in accordance with title 18, United States Code, imprisoned for not more than 1 year, or both.''.

SEC. 805. GAO REPORT.

(a) REQUIREMENT FOR REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the adjudication of petitions and applications under section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)) and the self-petitioning process for VAWA self-petitioners (as that term is defined in section 101(a)(51) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(51)).

(b) CONTENTS.—The report required by subsection (a) shall—

(1) assess the efficiency and reliability of the process for reviewing such petitions and applications, including whether the process includes adequate safeguards against fraud and abuse; and

(2) identify possible improvements to the adjudications of petitions and applications in order to reduce fraud and abuse.

SEC. 806. DISCLOSURE OF INFORMATION FOR NATIONAL SECURITY PURPOSES.

(a) INFORMATION SHARING.—Section 384(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(b)) is amended—

(1) in paragraph (1)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may''; and

(B) by inserting ''Secretary's or the'' before ''Attorney General's discretion'';

(2) in paragraph (2)—

(A) by inserting ''Secretary of Homeland Security or the'' before ''Attorney General may'';

(B) by inserting ''Secretary or the'' before ''Attorney General for''; and

(C) by inserting ''in a manner that protects the confidentiality of such information'' after ''law enforcement purpose'';

(3) in paragraph (5), by striking ''Attorney General is'' and inserting ''Secretary of Homeland Security and the Attorney General are''; and

(4) by adding at the end a new paragraph as follows:

''(8) Notwithstanding subsection (a)(2), the Secretary of Homeland Security, the Secretary of State, or the Attorney General may provide in the discretion of either such Secretary or the Attorney General for the disclosure of information to national security officials to be used solely for a national security purpose in a manner that protects the confidentiality of such information.''.

(b) GUIDELINES.—Section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)) is amended by inserting ''and severe forms of trafficking in persons or criminal activity listed in section 101(a)(15)(U) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(u))'' after ''domestic violence''.

(c) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Attorney General and Secretary of Homeland Security shall provide the guidance required by section 384(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1367(d)), consistent with the amendments made by subsections (a) and (b).

(d) CLERICAL AMENDMENT.—Section 384(a)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1986 is amended by striking ''241(a)(2)'' in the matter following subparagraph (F) and inserting ''237(a)(2)''.

TITLE IX—SAFETY FOR INDIAN WOMEN

SEC. 901. GRANTS TO INDIAN TRIBAL GOVERNMENTS.

Section 2015(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg–10(a)) is amended—

(1) in paragraph (2), by inserting ''sex trafficking,'' after ''sexual assault,'';

(2) in paragraph (4), by inserting ''sex trafficking,'' after ''sexual assault,'';

(3) in paragraph (5), by striking ''and stalking'' and all that follows and inserting ''sexual assault, sex trafficking, and stalking;'';

(4) in paragraph (7)—

(A) by inserting ''sex trafficking,'' after ''sexual assault,'' each place it appears; and

(B) by striking ''and'' at the end;

(5) in paragraph (8)—

(A) by inserting ''sex trafficking,'' after ''stalking,''; and

(B) by striking the period at the end and inserting a semicolon; and

(6) by adding at the end the following:

''(9) provide services to address the needs of youth who are victims of domestic violence, dating violence, sexual assault, sex trafficking, or stalking and the needs of children exposed to domestic violence, dating violence, sexual assault, or stalking, including support for the nonabusing parent or the caretaker of the child; and

''(10) develop and promote legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, sex trafficking, and stalking.''.

SEC. 902. GRANTS TO INDIAN TRIBAL COALITIONS.

Section 2001(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796gg(d)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(D) developing and promoting State, local, or tribal legislation and policies that enhance best practices for responding to violent crimes against Indian women, including the crimes of domestic violence, dating violence, sexual assault, stalking, and sex trafficking.''; and

(2) in paragraph (2)(B), by striking ''individuals or''.

SEC. 903. CONSULTATION.

Section 903 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 14045d) is amended—

(1) in subsection (a)—

(A) by striking ''and the Violence Against Women Act of 2000'' and inserting '', the Violence Against Women Act of 2000''; and

(B) by inserting '', and the Violence Against Women Reauthorization Act of 2011'' before the period at the end;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Secretary of the Department of Health and Human Services'' and inserting ''Secretary of Health and Human Services, the Secretary of the Interior,''; and

(B) in paragraph (2), by striking ''and stalking'' and inserting ''stalking, and sex trafficking''; and

(3) by adding at the end the following:

''(c) ANNUAL REPORT.—The Attorney General shall submit to Congress an annual report on the annual consultations required under subsection (a) that—

''(1) contains the recommendations made under subsection (b) by Indian tribes during the year covered by the report;

''(2) describes actions taken during the year covered by the report to respond to recommendations made under subsection (b) during the year or a previous year; and

''(3) describes how the Attorney General will work in coordination and collaboration with Indian tribes, the Secretary of Health and Human Services, and the Secretary of the Interior to address the recommendations made under subsection (b).

''(d) NOTICE.—Not later than 120 days before the date of a consultation under subsection (a), the Attorney General shall notify tribal leaders of the date, time, and location of the consultation.''.

SEC. 904. AMENDMENTS TO THE FEDERAL ASSAULT STATUTE.

(a) IN GENERAL.—Section 113 of title 18, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraph (1) and inserting the following:

''(1) Assault with intent to commit murder or a violation of section 2241 or 2242, by a fine under this title, imprisonment for not more than 20 years, or both.'';

(B) in paragraph (2), by striking ''felony under chapter 109A'' and inserting ''violation of section 2241 or 2242'';

(C) in paragraph (3) by striking ''and without just cause or excuse,'';

(D) in paragraph (4), by striking ''six months'' and inserting ''1 year'';

(E) in paragraph (5), by striking ''1 year,'' and inserting ''5 years,'';

(F) in paragraph (7)—

(i) by striking ''substantial bodily injury to an individual who has not attained the age of 16 years'' and inserting ''substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years''; and

(ii) by striking ''fine'' and inserting ''a fine''; and

(G) by adding at the end the following:

''(8) Assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate, by a fine under this title, imprisonment for not more than 10 years, or both.''; and

(2) in subsection (b)—

(A) by striking ''(b) As used in this subsection—'' and inserting the following:

''(b) DEFINITIONS.—In this section—'';

(B) in paragraph (1)(B), by striking ''and'' at the end;

(C) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(3) the terms 'dating partner' and 'spouse or intimate partner' have the meanings given those terms in section 2266;

''(4) the term 'strangling' means knowingly or recklessly impeding the normal breathing or circulation of the blood of a person by applying pressure to the throat or neck, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim; and

''(5) the term 'suffocating' means knowingly or recklessly impeding the normal breathing of a person by covering the mouth of the person, the nose of the person, or both, regardless of whether that conduct results in any visible injury or whether there is any intent to kill or protractedly injure the victim.''.

(b) INDIAN MAJOR CRIMES.—Section 1153(a) of title 18, United States Code, is amended by striking ''assault with intent to commit murder, assault with a dangerous weapon, assault resulting in serious bodily injury (as defined in section 1365 of this title)'' and inserting ''a felony assault under section 113''.

(c) REPEAT OFFENDERS.—Section 2265A(b)(1)(B) of title 18, United States Code, is amended by inserting ''or tribal'' after ''State''.

SEC. 905. ANALYSIS AND RESEARCH ON VIOLENCE AGAINST INDIAN WOMEN.

(a) IN GENERAL.—Section 904(a) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (42 U.S.C. 3796gg–10 note) is amended—

(1) in paragraph (1)—

(A) by striking ''The National'' and inserting ''Not later than 2 years after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the National''; and

(B) by inserting ''and in Native villages'' (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602))'' before the period at the end;

(2) in paragraph (2)(A)—

(A) in clause (iv), by striking ''and'' at the end;

(B) in clause (v), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(vi) sex trafficking.'';

(3) in paragraph (4), by striking ''this Act'' and inserting ''the Violence Against Women Reauthorization Act of 2011''; and

(4) in paragraph (5), by striking ''this section $1,000,000 for each of fiscal years 2007 and 2008'' and inserting ''this subsection $500,000 for each of fiscal years 2012 and 2013''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 905(b)(2) of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (28 U.S.C. 534 note) is amended by striking ''fiscal years 2007 through 2011'' and inserting ''fiscal years 2012 through 2016''.

SEC. 906. EFFECTIVE DATE.

The amendments made by this title shall take effect on the date of enactment of this Act.

SEC. 907. TRIBAL PROTECTION ORDERS.

Section 2265(e) of title 18, United States Code, is amended—

(1) in the subsection heading, by striking ''COURT JURISDICTION'' and inserting ''PROTECTION ORDERS'';

(2) by striking ''For purposes of this section'' and inserting the following:

''(1) TRIBAL COURT JURISDICTION.—For purposes of this section and subject to paragraph (2)''; and

(3) by adding at the end the following:

''(2) UNITED STATES COURT JURISDICTION.—

''(A) IN GENERAL.—An Indian tribe may petition a district court of the United States in whose district the tribe is located for an appropriately tailored protection order excluding any person from areas within the Indian country of the tribe.

''(B) REQUIRED SHOWING.—The court shall issue a protection order prohibiting the person identified in a petition under subparagraph (A) from entering all or part of the Indian country of the tribe upon a showing that—

''(i) the person identified in the petition has assaulted an Indian spouse or intimate partner who resides or works in such Indian country, or an Indian child who resides with or is in the care or custody of such spouse or intimate partner; and

''(ii) a protection order is reasonably necessary to protect the safety and well-being of the spouse, intimate partner, or child described in clause (i).

''(C) FACTORS TO CONSIDER.—In determining the areas from which the person identified in a protection order issued under subparagraph (B) shall be excluded, the court shall consider all appropriate factors, including the places of residence, work, or school of—

''(i) the person identified in the protection order; and

''(ii) the spouse, intimate partner, or child described in subparagraph (B)(i).

''(D) PENALTY FOR WILLFUL VIOLATION.—A person who willfully violates a protection order issued under subparagraph (B) shall be punished as provided in section 2261(b).''.

SEC. 908. ALASKA RURAL JUSTICE AND LAW ENFORCEMENT COMMISSION.

The Attorney General, in consultation with the Attorney General of the State of Alaska, the Commissioner of Public Safety of the State of Alaska, the Alaska Federation of Natives, and Federally recognized Indian tribes in the State of Alaska, shall report to Congress not later than 1 year after the date of enactment of this Act with respect to whether the Alaska Rural Justice and Law Enforcement Commission established under Section 112(a)(1) of the Consolidated Appropriations Act, 2004 should be continued and appropriations authorized for the continued work of the commission. The report may contain recommendations for legislation with respect to the scope of work and composition of the commission.

TITLE X—VIOLENT CRIME AGAINST WOMEN

SEC. 1001. CRIMINAL PROVISIONS RELATING TO SEXUAL ABUSE.

(a) SEXUAL ABUSE OF A MINOR OR WARD.—Section 2243(b) of title 18, United States Code, is amended to read as follows:

''(b) OF A WARD.—

''(1) OFFENSES.—It shall be unlawful for any person to knowingly engage, or knowingly attempt to engage, in a sexual act with another person who is—

''(A) in official detention or supervised by, or otherwise under the control of, the United States—

''(i) during arrest;

''(ii) during pretrial release;

''(iii) while in official detention or custody; or

''(iv) while on probation, supervised release, or parole;

''(B) under the professional custodial, supervisory, or disciplinary control or authority of the person engaging or attempting to engage in the sexual act; and

''(C) at the time of the sexual act—

''(i) in the special maritime and territorial jurisdiction of the United States;

''(ii) in a Federal prison, or in any prison, institution, or facility in which persons are held in custody by direction of, or pursuant to a contract or agreement with, the United States; or

''(iii) under supervision or other control by the United States, or by direction of, or pursuant to a contract or agreement with, the United States.

''(2) PENALTIES.—A person that violates paragraph (1) shall—

''(A) be fined under this title, imprisoned for not more than 15 years, or both; and

''(B) if, in the course of committing the violation of paragraph (1), the person engages in conduct that would constitute an offense under section 2241 or 2242 if committed in the special maritime and territorial jurisdiction of the United States, be subject to the penalties provided for under section 2241 or 2242, respectively.''.

(b) PENALTIES FOR SEXUAL ABUSE.—

(1) IN GENERAL.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''§ 250. Penalties for sexual abuse

''(a) OFFENSE.—It shall be unlawful for any person, in the course of committing an offense under this chapter or under section 901 of the Fair Housing Act (42 U.S.C. 3631) to engage in conduct that would constitute an offense under chapter 109A if committed in the special maritime and territorial jurisdiction of the United States.

''(b) PENALTIES.—A person that violates subsection (a) shall be subject to the penalties under the provision of chapter 109A that would have been violated if the conduct was committed in the special maritime and territorial jurisdiction of the United States, unless a greater penalty is otherwise authorized by law.''.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

''250. Penalties for sexual abuse.''.

SEC. 1002. SEXUAL ABUSE IN CUSTODIAL SETTINGS.

(a) SUITS BY PRISONERS.—Section 7(e) of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997e(e)) is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18, United States Code)''.

(b) UNITED STATES AS DEFENDANT.—Section 1346(b)(2) of title 28, United States Code, is amended by inserting before the period at the end the following: ''or the commission of a sexual act (as defined in section 2246 of title 18)''.

(c) ADOPTION AND EFFECT OF NATIONAL STANDARDS.—Section 8 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15607) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

''(c) APPLICABILITY TO DETENTION FACILITIES OPERATED BY THE DEPARTMENT OF HOMELAND SECURITY.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Homeland Security shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of aliens detained for a violation of the immigrations laws of the United States.

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to detention facilities operated by the Department of Homeland Security and to detention facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Homeland Security shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Homeland Security.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Homeland Security shall give due consideration to the recommended national standards provided by the Commission under section 7(e).

''(d) APPLICABILITY TO CUSTODIAL FACILITIES OPERATED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Violence Against Women Reauthorization Act of 2011, the Secretary of Health and Human Services shall publish a final rule adopting national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied alien children (as defined in section 462(g) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))).

''(2) APPLICABILITY.—The standards adopted under paragraph (1) shall apply to facilities operated by the Department of Health and Human Services and to facilities operated under contract with the Department.

''(3) COMPLIANCE.—The Secretary of Health and Human Services shall—

''(A) assess compliance with the standards adopted under paragraph (1) on a regular basis; and

''(B) include the results of the assessments in performance evaluations of facilities completed by the Department of Health and Human Services.

''(4) CONSIDERATIONS.—In adopting standards under paragraph (1), the Secretary of Health and Human Services shall give due consideration to the recommended national standards provided by the Commission under section 7(e).''.

SEC. 1003. REPORT ON COMPLIANCE WITH THE DNA FINGERPRINT ACT OF 2005.

(a) REPORT REQUIRED.—Not later than 180 days after date of the enactment of this Act, the Secretary of Homeland Security shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that—

(1) describes, in detail, the measures and procedures taken by the Secretary to comply with any regulation promulgated pursuant to section 3(e)(1) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135a(e)(1)); and

(2) provides a detailed explanation of the circumstances and specific cases, if available, in which—

(A) the Secretary failed to comply with any regulation promulgated pursuant to such section 3(e)(1);

(B) the Secretary requested the Attorney General approve additional limitations to, or exceptions from, any regulation promulgated pursuant to such section 3(e)(1); or

(C) the Secretary consulted with the Attorney General to determine that the collection of DNA samples is not feasible because of operational exigencies or resource limitations.

SEC. 1004. REDUCING THE RAPE KIT BACKLOG.

Section 2(c)(3) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(c)(3)) is amended by adding at the end the following:

''(C) For each of fiscal years 2012 through 2014, not less than 75 percent of the total grant amounts shall be awarded for a combination of purposes under paragraphs (2) and (3) of subsection (a).''.

SEC. 1005. REPORT ON CAPACITY UTILIZATION.

(a) REPORT REQUIRED.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall prepare a study on the availability of services for victims of domestic violence, dating violence, sexual assault, and stalking.

(b) CONTENT.—The report required by subsection (a) shall address the following:

(1) The services or categories of services that are currently being offered or provided to victims of domestic violence, dating violence, sexual assault, and stalking.

(2) The approximate number of victims receiving these services.

(3) The approximate number of victims, and the percentage of the total population of victims, who request services but are not provided services.

(4) The reasons why victims are not provided services, including—

(A) shelter or service organization lack of resources;

(B) shelter or organization limitations not associated with funding;

(C) geographical, logistical, or physical barriers;

(D) characteristics of the perpetrator; and

(E) characteristics or background of the victim.

(5) For any refusal to provide services to a victim, the reasons for the denial of services, including victim characteristics or background, including—

(A) employment history;

(B) criminal history;

(C) illegal or prescription drug use;

(D) financial situation;

(E) status of the victim as a parent;

(F) personal hygiene;

(G) current or past disease or illness;

(H) religious association or belief;

(I) physical characteristics of the victim or the provider facility

(J) gender;

(K) race;

(L) national origin or status as alien;

(M) failure to follow shelter or organization rules or procedures;

(N) previous contact or experiences with the shelter or service organization; or

(O) any other victim characteristic or background that is determined to be the cause of the denial of services.

(6) The frequency or prevalence of denial of services from organizations who receive Federal funds.

(7) The frequency or prevalence of denial of service from organizations who do not receive Federal funds.

SEC. 1006. MANDATORY MINIMUM SENTENCE FOR AGGRAVATED SEXUAL ABUSE.

Section 2241 of title 18, United States Code, is amended—

(1) in subsection (a), in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 10 years or imprisoned for life''; and

(2) in subsection (b), in the undesignated matter following paragraph (2), by striking ''any term of years or life'' and inserting ''not less than 5 years or imprisoned for life''.

SEC. 1007. REMOVAL OF DRUNK DRIVERS.

(a) IN GENERAL.—Section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)) is amended by striking ''for which the term of imprisonment'' and inserting '', including a third drunk driving conviction, regardless of the States in which the convictions occurred or whether the offenses are classified as misdemeanors or felonies under State or Federal law, for which the term of imprisonment is''.

(b) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

(2) APPLICATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the amendment made by subsection (a) shall apply to a conviction for drunk driving that occurred before, on, or after such date.

(B) TWO OR MORE PRIOR CONVICTIONS.—An alien who has received two or more convictions for drunk driving prior to the date of the enactment of this Act may not be subject to removal for the commission of an aggravated felony pursuant to section 101(a)(43)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(43)(F)), as amended by subsection (a), on the basis of such convictions until the date that the alien is convicted of a drunk driving offense after such date of enactment.

SEC. 1008. ENHANCED PENALTIES FOR INTERSTATE DOMESTIC VIOLENCE RESULTING IN DEATH, LIFE-THREATENING BODILY INJURY, PERMANENT DISFIGUREMENT, AND SERIOUS BODILY INJURY.

Section 2261(b) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting ''not less than 15 years'' after ''any term of years'';

(2) in paragraph (2), by striking ''20 years'' and inserting ''25 years''; and

(3) in paragraph (3), by striking ''10 years'' and inserting ''15 years''.

SEC. 1009. FINDING FUGITIVE SEX OFFENDERS ACT.

(a) IN GENERAL.—Section 3486(a)(1) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i)(II), by striking ''or'' at the end;

(B) by redesignating clause (ii) as clause (iii); and

(C) by inserting after clause (i) the following:

''(ii) an unregistered sex offender conducted by the United States Marshals Service, the Director of the United States Marshals Service; or''; and

(2) in subparagraph (D)—

(A) by striking ''paragraph, the term'' and inserting the following: ''paragraph—

''(i) the term'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(ii) the term 'sex offender' means an individual required to register under the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.).''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3486(a) of title 18, United States Code, is amended—

(1) in paragraph (6)(A), by striking ''United State'' and inserting ''United States'';

(2) in paragraph (9), by striking ''(1)(A)(ii)'' and inserting ''(1)(A)(iii)''; and

(3) in paragraph (10), by striking ''paragraph (1)(A)(ii)'' and inserting ''paragraph (1)(A)(iii)''.

(c) SUBPOENA AUTHORITY.—Section 566(e)(1) of title 28, United States Code, is amended—

(1) in subparagraph (A), by striking ''and'' at the end;

(2) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(C) issue administrative subpoenas in accordance with section 3486 of title 18, solely for the purpose of investigating unregistered sex offenders (as defined in such section 3486).''.

SEC. 1010. MINIMUM PENALTIES FOR THE POSSESSION OF CHILD PORNOGRAPHY.

(a) CERTAIN ACTIVITIES RELATING TO MATERIAL INVOLVING THE SEXUAL EXPLOITATION OF MINORS.—Section 2252(b)(2) of title 18, United States Code, is amended by inserting after ''but if'' the following: ''any visual depiction involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not less than 1 year nor more than 20 years, or if''.

(b) CERTAIN ACTIVITIES RELATING TO MATERIAL CONSTITUTING OR CONTAINING CHILD PORNOGRAPHY.—Section 2252A(b)(2) of title 18, United States Code, is amended by inserting after ''but, if'' the following: ''any image of child pornography involved in the offense involved a prepubescent minor or a minor who had not attained 12 years of age, such person shall be fined under this title and imprisoned for not less than 1 year nor more than 20 years, or if''.

SEC. 1011. AUDIT OF OFFICE FOR VICTIMS OF CRIME.

(a) AUDIT.—The Comptroller General of the United States shall conduct an objective and credible audit of the expenditure of funds by the Office for Victims of Crime (in this section referred to as the ''Office'') from the Crime Victims Fund established under section 1402 of the Victims of Crime Act of 1984 (42 U.S.C. 10601) (in this section referred to as the ''Fund'').

(b) REPORT.—Not later than 9 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report regarding the audit conducted under subsection (a) that—

(1) addresses whether the Office provides amounts from the Fund to individuals or entities that support individuals who are not victims of crime;

(2) addresses whether the Office is authorized to provide amounts from the Fund to individuals or entities described in paragraph (1);

(3) addresses whether the Office provides amounts from the Fund for legal services for victims of crime; and

(4) if the Office no longer provides amounts from the Fund for the services described in paragraph (3), contains an explanation for why the Office no longer provides amounts for such services.

TITLE XI—THE SAFER ACT

SEC. 1101. SHORT TITLE.

This title may be cited as the ''Sexual Assault Forensic Evidence Registry Act of 2012'' or the ''SAFER Act of 2012''.

SEC. 1102. DEBBIE SMITH GRANTS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.

Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

''(6) To conduct an audit consistent with subsection (n) of the samples of sexual assault evidence that are in the possession of the State or unit of local government and are awaiting testing.'';

(2) in subsection (c), by adding at the end the following new paragraph:

''(4) ALLOCATION OF GRANT AWARDS FOR AUDITS.—For each of fiscal years 2012 through 2016, not less than 7 percent of the grant amounts distributed under paragraph (1) shall be awarded for the purpose described in subsection (a)(6).''; and

(3) by adding at the end the following new subsection:

''(n) USE OF FUNDS FOR AUDITING SEXUAL ASSAULT EVIDENCE BACKLOGS.—

''(1) ELIGIBILITY.—The Attorney General may award a grant under this section to a State or unit of local government for the purpose described in subsection (a)(6) only if the State or unit of local government—

''(A) submits a plan for performing the audit of samples described in such subsection; and

''(B) includes in such plan a good-faith estimate of the number of such samples.

''(2) GRANT CONDITIONS.—A State or unit of local government receiving a grant for the purpose described in subsection (a)(6) shall—

''(A) not later than 1 year after receiving such grant—

''(i) complete the audit referred to in paragraph (1)(A) in accordance with the plan submitted under such paragraph; and

''(ii) for each sample of sexual assault evidence identified in such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry established under subsection (o) the information listed in subsection (o)(2);

''(B) not later than 21 days after receiving possession of a sample of sexual assault evidence that was not in the possession of the State or unit of local government at the time of such audit, subject to paragraph (4), enter into the Sexual Assault Forensic Evidence Registry the information listed in subsection (o)(2) with respect to the sample; and

''(C) not later than 30 days after a change in the status referred to in subsection (o)(2)(A)(v) of a sample with respect to which the State or unit of local government has entered information into such Registry, update such status.

''(3) EXTENSION OF INITIAL DEADLINE.—The Attorney General may grant an extension of the deadline under paragraph (2)(A) to a State or unit of local government that demonstrates that more time is required for compliance with such paragraph.

''(4) SAMPLES EXEMPT FROM REGISTRY REQUIREMENT.—A State or unit of local government is not required under paragraph (2) to enter into the Registry described in such paragraph information with respect to a sample of sexual assault evidence if—

''(A) the sample is not considered criminal evidence (such as a sample collected anonymously from a victim who is unwilling to make a criminal complaint); or

''(B) the sample relates to a sexual assault for which the prosecution of each perpetrator is barred by a statute of limitations.

''(5) DEFINITIONS.—In this subsection:

''(A) AWAITING TESTING.—The term 'awaiting testing' means, with respect to a sample of sexual assault evidence, that—

''(i) the sample has been collected and is in the possession of a State or unit of local government;

''(ii) DNA and other appropriate forensic analyses have not been performed on such sample; and

''(iii) the sample is related to a criminal case or investigation in which final disposition has not yet been reached.

''(B) FINAL DISPOSITION.—The term 'final disposition' means, with respect to a criminal case or investigation to which a sample of sexual assault evidence relates—

''(i) the conviction or acquittal of all suspected perpetrators of the crime involved;

''(ii) a determination by the State or unit of local government in possession of the sample that the case is unfounded; or

''(iii) a declaration by the victim of the crime involved that the act constituting the basis of the crime was not committed.

''(C) POSSESSION.—

''(i) IN GENERAL.—The term 'possession', used with respect to possession of a sample of sexual assault evidence by a State or unit of local government, includes possession by an individual who is acting as an agent of the State or unit of local government for the collection of the sample.

''(ii) RULE OF CONSTRUCTION.—Nothing in clause (i) shall be construed to create or amend any Federal right or privilege for a private laboratory described in regulations promulgated under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131).''.

SEC. 1103. SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.

(a) IN GENERAL.—Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135), as amended by section 1102 of this title, is further amended by adding at the end the following new subsection:

''(o) SEXUAL ASSAULT FORENSIC EVIDENCE REGISTRY.—

''(1) IN GENERAL.—Subject to subsection (j), not later than 1 year after the date of enactment of the SAFER Act of 2012, the Attorney General shall establish a Sexual Assault Forensic Evidence Registry (in this subsection referred to as the 'Registry') that—

''(A) allows States and units of local government to enter information into the Registry about samples of sexual assault evidence that are in the possession of such States or units of local government and are awaiting testing; and

''(B) tracks the testing and processing of such samples.

''(2) INFORMATION IN REGISTRY.—

''(A) IN GENERAL.—A State or unit of local government that chooses to enter information into the Registry about a sample of sexual assault evidence shall include the following information:

''(i) The date of the sexual assault to which the sample relates.

''(ii) The city, county, or other appropriate locality in which the sexual assault occurred.

''(iii) The date on which the sample was collected.

''(iv) The date on which information relating to the sample was entered into the Registry.

''(v) The status of the progression of the sample through testing and other stages of the evidentiary handling process, including the identity of the entity in possession of the sample.

''(vi) The date or dates after which the State or unit of local government would be barred by any applicable statutes of limitations from prosecuting a perpetrator of the sexual assault for the sexual assault.

''(vii) Such other information as the Attorney General considers appropriate.

''(B) PERSONALLY IDENTIFIABLE INFORMATION.—The Attorney General shall ensure that the Registry does not include personally identifiable information or details about a sexual assault that might lead to the identification of the individuals involved, except for the information listed in subparagraph (A).

''(3) SAMPLE IDENTIFICATION NUMBER.—

''(A) IN GENERAL.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall assign to the sample a unique numeric or alphanumeric identifier.

''(B) UNIQUE IDENTIFIER REQUIRED.—In assigning the identifier under subparagraph (A), a State or unit of local government may use a case-numbering system used for other purposes, but the Attorney General shall ensure that the identifier assigned to each sample is unique with respect to all samples entered by all States and units of local government.

''(4) UPDATE OF INFORMATION.—A State or unit of local government that chooses to enter information about a sample of sexual assault evidence into the Registry shall, not later than 30 days after a change in the status of the sample referred to in paragraph (2)(A)(v), update such status.

''(5) INTERNET ACCESS.—The Attorney General shall make publicly available aggregate non-individualized and non-personally identifying data gathered from the Registry, to allow for comparison of backlog data by States and units of local government, on an appropriate Internet website.

''(6) TECHNICAL ASSISTANCE.—The Attorney General shall—

''(A) provide a means by which an entity that does not have access to the Internet may enter information into the Registry; and

''(B) provide the technical assistance necessary to allow States and units of local government to participate in the Registry.''.

(b) FUNDING.—Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(j)) is amended—

(1) by inserting ''and for carrying out subsection (o)'' after ''for grants under subsection (a)''; and

(2) by adding at the end the following new sentence: ''For each of fiscal years 2012 through 2016, not less than 1 percent of the amount authorized to be appropriated under the previous sentence for such fiscal year shall be for carrying out subsection (o).''

SEC. 1104. REPORTS TO CONGRESS.

Not later than 90 days after the end of each fiscal year for which a grant is made for the purpose described in section 2(a)(6) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title, the Attorney General shall submit to Congress a report that—

(1) lists the States and units of local government that have been awarded such grants and the amount of the grant received by each such State or unit of local government;

(2) states the number of extensions granted by the Attorney General under section 2(n)(3) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1102 of this title; and

(3) summarizes the processing status of the samples of sexual assault evidence about which information has been entered into the Sexual Assault Forensic Evidence Registry established under section 2(o) of the DNA Analysis Backlog Elimination Act of 2000, as added by section 1103(a) of this title, including the number of samples that have not been tested.

SA 2096. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

On page 200, line 3, insert ''transportation,'' after ''shelter,''.

SA 2097. Mr. BLUMENTHAL (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 1925, to reauthorize the Violence Against Women Act of 1994; which was ordered to lie on the table; as follows:

On page 256, after line 17, insert the following:

SEC. 110. FACILITATION OF STALKING, DOMESTIC VIOLENCE, AND SEXUAL OFFENSES BY IMPERSONATION OR OTHER MEANS.

(a) IN GENERAL.—Chapter 110A of title 18, United States Code, is amended by inserting after section 2265A the following:

''§ 2265B. Electronic disclosure of identifying information intended to facilitate interstate stalking, domestic violence, sexual offenses, or other offenses

''(a) DEFINITIONS.—In this section—

''(1) the term 'domestic assault' has the meaning given that term in section 117(b);

''(2) the term 'interactive computer service' has the meaning given that term in section 230(f) of the Communications Act of 1934 (47 U.S.C. 230(f));

''(3) the term 'means of identification' has the meaning given that term in section 1028(d); and

''(4) the term 'telecommunications device' has the meaning given that term in section 223(h) of the Communications Act of 1934 (47 U.S.C. 223(h)).

''(b) OFFENSE.—It shall be unlawful for any person to use the mail, any interactive computer service, telecommunications device, electronic communication service or electronic communication system of interstate commerce, or any other facility of interstate or foreign commerce to knowingly and intentionally publish or otherwise disclose the name, address, telephone number, picture, or means of identification of another individual with the intent, by such publication or disclosure, to facilitate—

''(1) any violation of section 1589, 1591, 1592, 2241, 2242, 2243, 2244, 2251, 2251A, 2260, 2261A, 2421, 2422, or 2423;

''(2) any conduct that would constitute a violation of section 2261 if the conduct were directly committed by such person; or

''(3) any conduct that would constitute domestic assault if the conduct were directly committed by such person, if such person has a final conviction on not less than 2 separate prior occasions in Federal, State, or Indian tribal court proceedings for offenses that would be, if subject to Federal jurisdiction—

''(A) an assault, sexual abuse, or a serious violent felony against a spouse or intimate partner; or

''(B) an offense under chapter 110A.

''(c) PENALTY.—Any person who commits a violation—

''(1) under subsection (b)(1) shall be imprisoned for not more than the maximum term of imprisonment or fined not more than the maximum fine prescribed for the punishment of the specific underlying crime at issue; and

''(2) under subsection (b)(3) shall be fined not more than the maximum fine prescribed for a violation of section 117, imprisoned not more than the maximum term of imprisonment prescribed for section 117, or both.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 110A of title 18, United States Code, is amended by inserting after the item relating to section 2265 the following:

''2265A. Repeat offenders.

''2265B. Electronic disclosure of identifying information intended to facilitate interstate stalking, domestic violence, sexual offenses, or other offenses.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on April 26, 2012, at 10:30 a.m. in room SR–328A of the Russell Senate Office Building.

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

COMMITTEE ON ARMED SERVICES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 26, 2012, at 9:30 a.m.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m. to conduct a hearing entitled ''Legislative Proposals in the United States Department of Housing and Urban Development's FY 2013 Budget.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on April 26, 2012, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FINANCE

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Tax Filing Season: Improving the Taxpayer Experience.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 26, 2012, at 2 p.m., to hold a business meeting.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m. to conduct a hearing entitled ''Biological Security: The Risk of Dual-Use Research.''

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

COMMITTEE ON THE JUDICIARY

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on April 26, 2012, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

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

COMMITTEE ON VETERANS AFFAIRS

Mr. SCHUMER. Mr. President, I ask for unanimous consent that the Committee on Veterans' Affairs be authorized to meet during session on April 26, 2012.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 26, 2012, at 3 p.m., to hold an East Asian and Pacific Affairs subcommittee hearing entitled, ''U.S. Policy on Burma.''

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on April 26, 2012, at 2:30 p.m. to conduct a hearing entitled, ''Financial Literacy: Empowering Americans to Prevent the Next Financial Crisis.''

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

SUBCOMMITTEE ON SEAPOWER

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on April 26, 2012, at 10 a.m.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that two fellows in the office of Senator PATTY MURRAY, Stephanie Doherty Wilkinson and Eric Brooks, be granted floor privileges for the remainder of the 112th Congress.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that John Tracy of my staff be granted the privileges of the floor for the rest of today.

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

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to Calendar Nos. 371 through 381 en bloc, all post office naming bills.

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

The Senate proceeded to consider the bills.

Mr. REID. I ask unanimous consent that the bills be read a third time and passed en bloc, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and that any statements relating to the bills be printed in the RECORD.

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

ARMY SPECIALIST MATTHEW TROY MORRIS POST OFFICE BUILDING

The bill (H.R. 298) to designate the facility of the United States Postal Service located at 500 East Whitestone Boulevard in Cedar Park, Texas, as the ''Army Specialist Matthew Troy Morris Post Office Building'' was ordered to a third reading, read the third time, and passed.

SPECIALIST MICHEAL E. PHILLIPS POST OFFICE

The bill (H.R. 1423) to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the ''Specialist Micheal E. Phillips Post Office'' was ordered to a third reading, read the third time, and passed.

JOHN J. COOK POST OFFICE

The bill (H.R. 2079) to designate the facility of the United States Postal Service located at 10 Main Street in East Rockaway, New York, as the ''John J. Cook Post Office'' was ordered to a third reading, read the third time, and passed.

SERGEANT JASON W. VAUGHN POST OFFICE

The bill (H.R. 2213) to designate the facility of the United States Postal Service located at 801 West Eastport Street in Luka, Mississippi, as the ''Sergeant Jason W. Vaughn Post Office'' was ordered to a third reading, read the third time, and passed.

CORPORAL STEVEN BLAINE RICCIONE POST OFFICE

The bill (H.R. 2244) to designate the facility of the United States Postal Service located at 67 Castle Street in Geneva, New York, as the ''Corporal Steven Blaine Riccione Post Office'' was ordered to a third reading, read the third time, and passed.

TOMBALL VETERANS POST OFFICE

The bill (H.R. 2660) to designate the facility of the United States Postal Service located at 122 North Holderrieth Boulevard in Tomball, Texas, as the ''Tomball Veterans Post Office'' was ordered to a third reading, read the third time, and passed.

WILLIAM T. TRANT POST OFFICE BUILDING

The bill (H.R. 2767) to designate the facility of the United States Postal Service located at 8 West Silver Street in Westfield, Massachusetts, as the ''William T. Trant Post Office Building'' was ordered to a third reading, read the third time, and passed.

PRIVATE FIRST CLASS ALEJANDRO R. RUIZ POST OFFICE BUILDING

The bill (H.R. 3004) to designate the facility of the United States Postal Service located at 260 California Drive in Yountville, California, as the ''Private First Class Alejandro R. Ruiz Post Office Building'' was ordered to a third reading, read the third time, and passed.

SPECIALIST PETER J. NAVARRO POST OFFICE BUILDING

The bill (H.R. 3246) to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building'' was ordered to a third reading, read the third time, and passed.

LANCE CORPORAL MATTHEW P. PATHENOS POST OFFICE BUILDING

The bill (H.R. 3247) to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the ''Lance Corporal Matthew P. Pathenos Post Office Building'' was ordered to a third reading, read the third time, and passed.

LANCE CORPORAL DREW W. WEAVER POST OFFICE BUILDING

The bill (H.R. 3248) to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the ''Lance Corporal Drew W. Weaver Post Office Building'' was ordered to a third reading, read the third time, and passed.

PUBLIC SERVICE RECOGNITION WEEK

Mr. REID. Mr. President, I ask unanimous consent that we proceed to Calendar No. 369, S. Res. 419.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 419) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the United States during Public Service Recognition Week.

Without objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any related statements be printed in the RECORD.

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

The resolution (S. Res. 419) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 419

Whereas the week of May 6 through 12, 2012, has been designated as ''Public Service Recognition Week'' to honor the employees of the Federal Government and State and local governments of the United States of America;

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the United States through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across the United States and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas the Federal Government and State and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States is a great and prosperous country, and public service employees contribute significantly to that greatness and prosperity;

Whereas the United States benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) defend our freedom and advance the interests of the United States around the world;

(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver Social Security and Medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the parks of the United States;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the people of the United States recover from natural disasters and terrorist attacks;

(11) teach and work in our schools and libraries;

(12) develop new technologies and explore the Earth, the Moon, and space to help improve our understanding of how our world changes;

(13) improve and secure our transportation systems;

(14) promote economic growth; and

(15) assist the veterans of our country;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight to defeat terrorism and maintain homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent the interests and promote the ideals of the United States;

Whereas public servants alert Congress and the public to government waste, fraud, and abuse, and of dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the country and the world;

Whereas public servants have bravely fought in armed conflict in defense of this country and its ideals, and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants; and

Whereas the week of May 6 through 12, 2012, marks the 28th anniversary of Public Service Recognition Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of May 6 through 12, 2012, as ''Public Service Recognition Week'';

(2) commends public servants for their outstanding contributions to this great country during Public Service Recognition Week and throughout the year;

(3) salutes government employees for their unyielding dedication to and spirit for public service;

(4) honors those government employees who have given their lives in service to their country;

(5) calls upon a new generation to consider a career in public service as an honorable profession; and

(6) encourages efforts to promote public service careers at all levels of government.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 441, S. Res. 442, S. Res. 443, S. Res 444, and S. Res. 445, which were submitted earlier today.

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

The Senate proceeded to consider the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider laid upon the table en bloc, with no intervening action or debate, and that any statements related to the resolutions be printed in the RECORD.

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

The resolutions (S. Res. 441, S. Res. 442, S. Res. 443, S. Res. 444, and S. Res. 445) were agreed to en bloc.

The preambles were agreed to en bloc.

The resolutions, with their preambles, read as follows:

S. RES. 441

(Expressing support for the designation of May 2012 as National Youth Traffic Safety Month)

Whereas motor vehicle crashes are the leading cause of death for youth in the United States;

Whereas thousands of youth are injured or die each year in motor vehicle crashes;

Whereas on average, 11 youths die each day in motor vehicle crashes;

Whereas on average, May through August is the deadliest period for youths on our nation's highways;

Whereas on average, 8 of the top 10 deadliest days for youths on our nation's highways were between May and August;

Whereas events such as prom and graduation, and the summer driving season, contribute to the risk of a motor vehicle crash due to an increase in the amount of time youth spend on the road and in celebratory activities;

Whereas it is essential to teach our youths that driving is a privilege and with that privilege comes risks and responsibilities;

Whereas this education is essential to preventing risky behaviors that can result in tragic crashes;

Whereas the National Organizations For Youth Safety (NOYS) established a national youth campaign and National Youth Traffic Safety Month to draw attention to the increased rate of motor vehicle crashes involving youth between May and August, to help enforce youth safe driving laws, and to support youth and community education on youth traffic safety; and

Whereas NOYS invites all youths, families, and communities to participate in National Youth Traffic Safety Month:

Now, therefore, be it

Resolved, That the Senate—

(1) expresses support for the designation of May 2012 as ''National Youth Traffic Safety Month'';

(2) supports youth traffic safety awareness; and

(3) encourages people across the United States to observe National Youth Traffic Safety Month with appropriate programs, activities, and ceremonies.

S. RES. 442

(Celebrating the 140th anniversary of Arbor Day)

Whereas Arbor Day was founded in Nebraska City, Nebraska on April 10, 1872, to recognize the importance of planting trees;

Whereas it is estimated that on the first Arbor Day, more than 1,000,000 trees were planted in the State of Nebraska alone;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas those activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 27, 2012, marks the 140th anniversary of Arbor Day: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes April 27, 2012, as National Arbor Day;

(2) celebrates the 140th anniversary of Arbor Day;

(3) supports the goals and ideals of Arbor Day; and

(4) encourages the people of United States to participate in Arbor Day activities.

S. RES. 443

(Honoring the life and legacy of Auxiliary Bishop Agustín Román)

Whereas Agustín Román was appointed auxiliary bishop of the Archdiocese of Miami, Florida in 1979, becoming the first Cuban to be appointed bishop in the United States;

Whereas Agustín Román was expelled from Cuba in 1961 by the regime of Fidel Castro, along with many other Roman Catholic priests;

Whereas Agustín Román ministered in Chile for 4 years before coming to Miami, Florida in 1966, where he quickly became a spiritual leader and advocate for the Cuban community in Miami, as well as for many other immigrant communities, including Haitian refugees;

Whereas Agustín Román was fluent in Latin, English, French, and Spanish, and served on the Bishops' Committee for Hispanic Affairs, worked as a hospital chaplain, and became episcopal vicar for the Spanish-speaking people of the Archdiocese of Miami;

Whereas Agustín Román was the son of humble Cuban peasants, which influenced his commitment to humility, tenacity, and unceasing devotion to his ministry in southern Florida;

Whereas Agustín Román was instrumental in the construction of the Shrine of Our Lady of Charity on Biscayne Bay, which serves as a monument to the patron saint of Cuba, the Virgin of Charity of Cobre, and attracts hundreds of thousands of visitors each year;

Whereas in 1980 Agustín Román served as a mediator during the Mariel boatlift incident, helping more than 100,000 Cubans flee the island and safely resettle in the United States;

Whereas Agustín Román helped negotiate a peaceful resolution to the 1987 riots of Mariel prisoner uprisings in Federal prisons, earning him national recognition for his compassion, gentility, and humble spirit;

Whereas after his retirement at the age of 75, Agustín Román remained active at the Shrine of Our Lady of Charity, greeting visitors and responding to letters from fellow Cuban exiles; and

Whereas Agustín Román passed away on Wednesday, April 11, 2012: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the life of Agustín Román;

(2) recognizes and honors the spiritual leadership of Agustín Román and his dedication to freedom and faith;

(3) offers heartfelt condolences to the family, friends, and loved ones of Agustín Román; and

(4) in memory of Agustín Román, calls on the United States to continue policies that promote respect for the fundamental principles of religious freedom, democracy, and human rights in Cuba, in a manner consistent with the aspirations of the people of Cuba.

S. RES. 444

(Designating the week of May 1 through May 7, 2012, as ''National Physical Education and Sport Week'')

Whereas a decline in physical activity has contributed to the unprecedented epidemic of childhood obesity, which has more than tripled in the United States since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to the continued health and well-being of children;

Whereas according to the Centers for Disease Control, overweight adolescents have a 70- to 80-percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as ''late in life'' or ''adult onset'' diabetes because type 2 diabetes presently occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans issued by the Department of Health and Human Services recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas according to the Centers for Disease Control, only 19 percent of high school students are meeting the goal of 60 minutes of physical activity each day;

Whereas children spend many of their waking hours at school and, as a result, need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas nationally, according to the Centers for Disease Control, 1 out of 4 children does not attend any school physical education classes, and fewer than 1 in 4 children get 20 minutes of vigorous activity every day;

Whereas teaching children about physical education and sports not only ensures that the children are physically active during the school day, but also educates the children on how to be physically active and the importance of physical activity;

Whereas according to a 2006 survey by the Department of Health and Human Services, 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education (or an equivalent) for the entire school year, and 22 percent of schools do not require students to take any physical education courses at all;

Whereas according to that 2006 survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provide physical education (or an equivalent) at least 3 days per week for the entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can help the attention, concentration, and achievement test scores of children;

Whereas participation in sports teams and physical activity clubs, often organized by the school and run outside of the regular school day, can improve grade point average, school attachment, educational aspirations, and the likelihood of graduation;

Whereas participation in sports and physical activity improves self-esteem and body image in children and adults;

Whereas children and youths who partake in physical activity and sports programs have increased motor skills, healthy lifestyles, social skills, a sense of fair play, strong teamwork skills, self-discipline, and avoidance of risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which the children live, and therefore, the people of the United States share a collective responsibility in reversing the childhood obesity epidemic;

Whereas if efforts are made to intervene with unfit children to bring those children to physically fit levels, then there may also be a concomitant rise in the academic performance of those children; and

Whereas Congress strongly supports efforts to increase physical activity and participation of children and youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2012, as ''National Physical Education and Sport Week'';

(2) recognizes National Physical Education and Sport Week and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) supports the implementation of local school wellness policies (as that term is described in section 9A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758b)) that include ambitious goals for physical education, physical activity, and other activities that address the childhood obesity epidemic and promote child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

S. RES. 445

(Expressing support for the designation of May 1, 2012, as ''Silver Star Service Banner Day'')

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1, 2012, is an appropriate date to designate as ''Silver Star Service Banner Day'': Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2012, as ''Silver Star Service Banner Day'' and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OR RECESS OF THE SENATE AND ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 43, the adjournment resolution, which was submitted earlier today.

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

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Con. Res. 43) providing for the conditional adjournment or recess of the Senate and adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and that the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The concurrent resolution (S. Con. Res. 43) was agreed to, as follows:

S. CON. RES. 43

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns on any day from Thursday, April 26, 2012, through Sunday, May 6, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until 12 noon on Monday, May 7, 2012, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the House adjourns on any legislative day through Friday, May 4, 2012, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2:00 p.m. on Monday, May 7, 2012, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate and the Speaker of the House, or their respective designees, acting jointly after consultation with the Minority Leader of the Senate and the Minority Leader of the House, shall notify the Members of the Senate and House, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AUTHORITY TO SIGN DULY ENROLLED BILLS OR JOINT RESOLUTIONS

Mr. REID. Mr. President, I ask unanimous consent that from Thursday, April 26, through Monday, May 7, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

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

AUTHORITY TO MAKE APPOINTMENTS

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President of the Senate, the President pro tempore, and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

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

ORDER OF PROCEDURE THROUGH MONDAY, MAY, 7, 2012

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and convene for pro forma sessions only, with no business conducted, on the following dates and times and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, April 30, at 10:30 a.m.; Thursday, May 3, at 8:30 a.m.; and that the Senate adjourn on Thursday, May 3, until 2 p.m. on Monday, May 7, unless the Senate has received a message from the House that it has adopted S. Con. Res. 43, which will be the adjournment resolution, and if the Senate has received such a message, the Senate adjourn until Monday, May 7, at 2 p.m. under the provisions of S. Con. Res. 43; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that the Senate resume consideration of the motion to proceed to S. 2343, the Stop Student Loan Interest Rate Hike Act; and that at 4:30 p.m. the Senate proceed to executive session under the previous order.

Just so that everyone understands, we have in this the pro forma sessions possibility. I am confident the House will adopt our adjournment resolution, but just in case they don't, that is why we have that in there.

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

PROGRAM

Mr. REID. Mr. President, there will be up to three rollcall votes on Monday, May 7. They will be on the confirmation of three judicial nominations—one U.S. circuit nomination and two U.S. district nominations.

CONDITIONAL ADJOURNMENT UNTIL MONDAY, APRIL 30, 2012, AT 10:30 A.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:13 p.m., adjourned until Monday, April 30, 2012, at 10:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEAN SULLIVAN, OF CONNECTICUT, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2015, VICE LARRY W. BROWN, RESIGNED.

DEPARTMENT OF STATE

TIMOTHY M. BROAS, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF THE NETHERLANDS.

RICHARD L. MORNINGSTAR, OF MASSACHUSETTS, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS OR CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

MICHAEL C. AHO, OF VIRGINIA
ERIC AMES, OF NEW MEXICO
CAROLYN WIRTH ANDERSON, OF VIRGINIA
THOMAS W. ARMSTRONG, OF VIRGINIA
BRIAN L. BACKER, OF VIRGINIA
DANIEL R. BALDWIN, OF VIRGINIA
NEIL J. BECK, OF VIRGINIA
BRIAN BEDSWORTH, OF THE DISTRICT OF COLUMBIA
CHARLES A. BENTLEY III, OF THE DISTRICT OF COLUMBIA
DALMITA D. BENTON, OF VIRGINIA
ELIZABETH L. BIERMANN, OF ALABAMA
SHANTHINI M. BLACK, OF GUAM
MARK A. BLAND, OF FLORIDA
CARTER A. BOHN, OF VIRGINIA
MICHAEL CASEY BONFIELD, OF ALABAMA
LEILA BORAZJANI, OF THE DISTRICT OF COLUMBIA
KAREINA BRAZENOR, OF CALIFORNIA
PHILIP J. BRINKMAN, OF VIRGINIA
BRANDY L. BRUCKERT, OF VIRGINIA
DANIEL B. BUDIK, OF MARYLAND
RAUL A. BURGOS, OF VIRGINIA
CRISTINA R. BUSACCA, OF VIRGINIA
ADAM K. CARDWELL, OF VIRGINIA
MOLLY C. CHAMBERS, OF VIRGINIA
ERIC S. CICORA, OF THE DISTRICT OF COLUMBIA
GERALD J. CINTRON, OF MARYLAND
MICHAEL CARL COKER, OF ARIZONA
ANDREW R. DALSHIEM, OF VIRGINIA
ELISABETH L. DAVIDSON, OF WASHINGTON
CARMEN W. DOWLING, OF FLORIDA
WILLIAM M. DRAXLER, OF VIRGINIA
M. JOHN DUDTE, OF VIRGINIA
DANIEL A. DYMOND, OF VIRGINIA
DORI ANNE ENDERLE, OF TEXAS
WOODRUFF J. ENGLISH III, OF THE DISTRICT OF COLUMBIA
ANA H. ESQUIVEL, OF VIRGINIA
CHRISTIAN A. FARRELL, OF VIRGINIA
KRISTEN ASTRID FARRELL, OF THE DISTRICT OF COLUMBIA
RYAN ALLEN PATRICK FEEBACK, OF INDIANA
TIMOTHY L. FINNEGAN, OF VIRGINIA
JULIANA K. FINUCANE, OF CALIFORNIA
DOUGLAS R. FURLETTI, OF MARYLAND
REBECCA L. GALEK, OF VIRGINIA
ASHLEY L. GALLO, OF VIRGINIA
KATHERINE R. GALM, OF VIRGINIA
DAVID D. GENTILLI, OF VIRGINIA
PARAMJIT K. GILL, OF VIRGINIA
SZE YONG GOH, OF MARYLAND
ERIKA S. GRAMS, OF VIRGINIA
SARAH B. GREYWALL, OF VERMONT
JULIE R. GRIER, OF SOUTH CAROLINA
BENJAMIN MILLER GULLETT, OF NORTH CAROLINA
CHRISTOPHER JAMES HALLETT, OF VIRGINIA
HALLIE A. HASSAKIS, OF THE DISTRICT OF COLUMBIA
MATTHEW HERGOTT, OF COLORADO
MICHAEL C. HILLER, OF VIRGINIA
RACHEL L. HOLMES, OF VIRGINIA
CHRISTOPHER S. JANSEN, OF VIRGINIA
CANDACE R. JENDOUBI, OF VIRGINIA
ANDREW M. JENKINS, OF VIRGINIA
JOSHUA JOHNSON, OF THE DISTRICT OF COLUMBIA
EDWARD T. JONES, OF MARYLAND
BRAPHUS ELLIOTT KAALUND, OF TENNESSEE
NICHOLAS C. KALMBACH, OF VIRGINIA
ABIGAIL J. KAPUR, OF VIRGINIA
ERICH J. KAUSSEN, OF THE DISTRICT OF COLUMBIA
MARIOS M. KENDRICK, OF VIRGINIA
ROBERT S. KINNEAR, OF WASHINGTON
TODD A. KOLODZINSKI, OF VIRGINIA
MICHAEL K. KOSTICK, OF VIRGINIA
VICKY KU, OF NEW YORK
CHRISTINA E. KYRIAKOU, OF VIRGINIA
SECHYI LAIU, OF CALIFORNIA
MICHAEL W. LEACH, OF TEXAS
MICAH LEBSON, OF MARYLAND
BOA LEE, OF MINNESOTA
BIC HOANG LEU, OF CONNECTICUT
JOSHUA A. LEWIS, OF MARYLAND
NATHANIAL S. LINDSEY, OF VIRGINIA
WILLIAM S. LIVINGSTONE, OF VIRGINIA
DAVID T. LOMERSON, OF VIRGINIA
TERRY L. LONG, OF VIRGINIA
DOUGLAS LORENSON, OF VIRGINIA
FREDRICK W. LOWERY, OF VIRGINIA
R. SCOTT MACINTOSH, OF MISSOURI
NICKOLAS E. MAGLIS, OF VIRGINIA
OLIVER S. MAINS, OF CALIFORNIA
KENNETH W. MANGIN, OF VIRGINIA
AMANDA E. MATTEIS, OF THE DISTRICT OF COLUMBIA
CARLA M. MCBANE, OF VIRGINIA
RYAN MCCHRISTIAN, OF VIRGINIA
ALEXANDER HOPKINS MEARS, OF PENNSYLVANIA
SHANNON MILLER, OF VIRGINIA
SAGE MOON, OF WASHINGTON
MICHAEL J. MORIARTY, OF VIRGINIA
ROGER A. NASSAR, OF VIRGINIA
MICHAEL D. NORD, OF MARYLAND
MONIQUE NOWICKI, OF VIRGINIA
MARIKO NOYES-SHIMOMURA, OF VIRGINIA
SAMAN NOZARI, OF NORTH CAROLINA
JEAN T. OLSON, OF WISCONSIN
SETH M. OPPENHEIM, OF THE DISTRICT OF COLUMBIA
CALLAN ORDOYNE, OF MINNESOTA
FANTA N. ORR, OF VIRGINIA
BENJAMIN OSLAND, OF VIRGINIA
JESSICA PANCHATHA, OF CONNECTICUT
BARRETT CARLTON PARKER, OF VIRGINIA
BENJAMIN D. PARTINGTON, OF VIRGINIA
ROBERT PASTORE, OF VERMONT
HILDE LYNN PEARSON, OF WASHINGTON
EDWARD J. PIOTROWICZ, OF VIRGINIA
JEFFREY C. PLANTE, OF VIRGINIA
MICHAEL R. PROSSER, OF THE DISTRICT OF COLUMBIA
TONYA D. PRUITT, OF VIRGINIA
IAN B. PULSIPHER, OF VIRGINIA
ZAHID M. RAJA, OF MICHIGAN
ANNE REDALEN FRASER, OF MINNESOTA
MELISSA S. REED, OF VIRGINIA
ROBYN REMEIKA, OF MARYLAND
ERIK R. RIKANSRUD, OF VIRGINIA
SCOTT A. RISWOLD, OF VIRGINIA
ERIN E. ROBINSON, OF VIRGINIA
YOULIANA SADOWSKI, OF VIRGINIA
SALAMA J. SALAMA, OF VIRGINIA
MARY E. SAWYER, OF CONNECTICUT
MARILYN S. SCHNEIDER, OF MARYLAND
SAMUEL D. SIPES, OF TEXAS
LEE R. SMITH, OF VIRGINIA
RACHEL K. SNELL, OF VIRGINIA
BENJAMIN T. SNELL-CALLANEN, OF THE DISTRICT OF COLUMBIA
LINDSEY J. SOLARSKI, OF VIRGINIA
DEVIN R. SPRINGER, OF VIRGINIA
JOSHUA E. STERN, OF VIRGINIA
ELIZABETH M. STICKNEY, OF MARYLAND
HOLLY S. STOFA, OF MARYLAND
STEVEN JAMES STOIBER, OF FLORIDA
LARA A. SULLIVAN, OF VIRGINIA
JOHN SZYPULA, OF COLORADO
GABRIEL ELIJAH TAMES, OF CALIFORNIA
RICHARD F. TAYLOR, OF MARYLAND
ELIE MEYER TEICHMAN, OF MARYLAND
MOIRA KATHARINE THOMAS, OF VIRGINIA
JAMES C. THORN, OF MISSOURI
PHILLIP C. TISSUE, JR., OF PENNSYLVANIA
CHRISTINA A. TOMASETTI, OF VIRGINIA
LAURA TRAVIS, OF VIRGINIA
LUKE RICHARDSON TULLBERG, OF NEW YORK
ROBERT J. VANDERHORST, OF FLORIDA
JEFFREY S. VANDORN, OF IOWA
VITALIY VOZNYAK, OF VIRGINIA
SUSAN A. WATERMAN, OF VIRGINIA
WILLIAM L. WHEELEHAN, OF KENTUCKY
ERINN CATHERINE WHITAKER, OF THE DISTRICT OF COLUMBIA
MATTHEW M. WILLS, OF VIRGINIA
T. ANDREW WILSON, OF NEW YORK
MARION J. WOHLERS, OF WASHINGTON
TYSON SCOTT WOODRUFF, OF VIRGINIA
MALCOLM F. WRIGHT, OF VIRGINIA
RONALD K. YIU, OF VIRGINIA
MICHAEL G. ZIDEK, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED, EFFECTIVE JANUARY 1, 2012: CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

KENNETH E. GROSS, JR., OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

MICHAEL L. YODER, OF TEXAS

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE U.S. PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be surgeon

JOSEPH R. FONTANA
RAKHEE S. PALEKAR
CHRISTOPHER L. PERDUE

To be senior assistant surgeon

PAMELA J. HORN

To be dental officer

SCOTT W. BROWN
DEBORAH L. FULLER

To be senior assistant dental officer

ALEXANDER D. GAMBER

To be assistant dental officer

ERIKA A. CRAWFORD
ANTONIO S. PARAMESWARAN

To be assistant nurse officer

OMORONKE O. ADEGBUJI
MARK E. ARENA
MICHAEL J. REED

To be assistant scientist officer

BRANDY E. HELLMAN

To be assistant health services officer

GEORGE S. CHOW
SARAH M. LEE
JOY A. MOBLEY

CONFIRMATIONS

Executive nominations confirmed by the Senate April 26, 2012:

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

JANE D. HARTLEY, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE FOR A TERM EXPIRING OCTOBER 6, 2014.

DEPARTMENT OF STATE

ADAM E. NAMM, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER—COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ECUADOR.

THE JUDICIARY

GREGG JEFFREY COSTA, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF TEXAS.

DAVID CAMPOS GUADERRAMA, OF TEXAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS.

DEPARTMENT OF AGRICULTURE

MICHAEL T. SCUSE, OF DELAWARE, TO BE UNDER SECRETARY OF AGRICULTURE FOR FARM AND FOREIGN AGRICULTURAL SERVICES.

MICHAEL T. SCUSE, OF DELAWARE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

DEPARTMENT OF DEFENSE

MARK WILLIAM LIPPERT, OF OHIO, TO BE AN ASSISTANT SECRETARY OF DEFENSE.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE CHIEF OF ENGINEERS/COMMANDING GENERAL, UNITED STATES ARMY CORPS OF ENGINEERS, AND APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

To be lieutenant general

LT. GEN. THOMAS P. BOSTICK

NATIONAL INSTITUTE OF BUILDING SCIENCES

JAMES T. RYAN, OF UTAH, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2013.

JAMES TIMBERLAKE, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2014.

MARY B. VERNER, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2012.

MARY B. VERNER, OF WASHINGTON, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2015.

SUSAN A. MAXMAN, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2012.

SUSAN A. MAXMAN, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL INSTITUTE OF BUILDING SCIENCES FOR A TERM EXPIRING SEPTEMBER 7, 2015.

POSTAL REGULATORY COMMISSION

TONY HAMMOND, OF MISSOURI, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR THE REMAINDER OF THE TERM EXPIRING OCTOBER 14, 2012.

MERIT SYSTEMS PROTECTION BOARD

MARK A. ROBBINS, OF CALIFORNIA, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2018.

NATIONAL BOARD FOR EDUCATION SCIENCES

ADAM GAMORAN, OF WISCONSIN, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

JUDITH D. SINGER, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2014.

HIROKAZU YOSHIKAWA, OF MASSACHUSETTS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

DAVID JAMES CHARD, OF TEXAS, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL BOARD FOR EDUCATION SCIENCES FOR A TERM EXPIRING NOVEMBER 28, 2015.

NATIONAL SCIENCE FOUNDATION

BONNIE L. BASSLER, OF NEW JERSEY, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2016.

DEPARTMENT OF EDUCATION

DEBORAH S. DELISLE, OF SOUTH CAROLINA, TO BE ASSISTANT SECRETARY FOR ELEMENTARY AND SECONDARY EDUCATION, DEPARTMENT OF EDUCATION.

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DONALD S. WENKE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. BURTON M. FIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BRUCE A. LITCHFIELD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. CHARLES R. DAVIS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. SALVATORE A. ANGELELLA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS CHIEF OF AIR FORCE RESERVE, AND APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES AIR FORCE WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 8038:

To be lieutenant general

MAJ. GEN. JAMES F. JACKSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ANDREW E. BUSCH

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COLONEL ROBERT P. WHITE

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. STEVEN FERRARI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. KRISTIN K. FRENCH
COL. WALTER E. PIATT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DENNIS L. VIA

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be brigadier general

COL. TODD A. PLIMPTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. PATRICIA E. MCQUISTION

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RAYMOND P. PALUMBO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT P. LENNOX

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. ROBERT B. BROWN

THE FOLLOWING NAMED UNITED STATES ARMY RESERVE OFFICER FOR APPOINTMENT AS CHIEF, ARMY RESERVE AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3038:

To be lieutenant general

MAJ. GEN. JEFFREY W. TALLEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral (lower half)

CAPT. ERIC C. YOUNG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) TERRY B. KRAFT

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY RESERVE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be rear admiral

REAR ADM. (LH) BRYAN P. CUTCHEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) JONATHAN W. WHITE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) RICHARD P. BRECKENRIDGE
REAR ADM. (LH) WALTER E. CARTER, JR.
REAR ADM. (LH) CRAIG S. FALLER
REAR ADM. (LH) JAMES G. FOGGO III
REAR ADM. (LH) PETER A. GUMATAOTAO
REAR ADM. (LH) JOHN R. HALEY
REAR ADM. (LH) PATRICK J. LORGE
REAR ADM. (LH) MICHAEL C. MANAZIR
REAR ADM. (LH) SAMUEL PEREZ, JR.
REAR ADM. (LH) JOSEPH W. RIXEY
REAR ADM. (LH) KEVIN D. SCOTT
REAR ADM. (LH) JAMES J. SHANNON
REAR ADM. (LH) THOMAS K. SHANNON
REAR ADM. (LH) HERMAN A. SHELANSKI

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. MARK I. FOX

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH JENNIFER M. AGULTO AND ENDING WITH KATHRYN W. WEISS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH MARIO ABEJERO AND ENDING WITH CARL R. YOUNG, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

AIR FORCE NOMINATIONS BEGINNING WITH RICHARD E. AARON AND ENDING WITH ERIC D. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2012.

IN THE ARMY

ARMY NOMINATION OF CAROL A. FENSAND, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH KELLEY R. BARNES AND ENDING WITH DAVID L. GARDNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2012.

ARMY NOMINATION OF TROY W. ROSS, TO BE COLONEL.

ARMY NOMINATION OF SEAN D. PITMAN, TO BE MAJOR.

ARMY NOMINATION OF WALTER S. CARR, TO BE MAJOR.

ARMY NOMINATION OF MARC E. PATRICK, TO BE MAJOR.

ARMY NOMINATION OF DEMETRES WILLIAMS, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH ALYSSA ADAMS AND ENDING WITH DONALD L. POTTS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 19, 2012.

ARMY NOMINATION OF JAMES M. VEAZEY, JR., TO BE COLONEL.

ARMY NOMINATION OF SHARI F. SHUGART, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH DANIEL A. GALVIN AND ENDING WITH THOMAS J. SEARS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH ANTHONY R. CAMACHO AND ENDING WITH RICHARD J. SLOMA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH JAMES M. BLEDSOE AND ENDING WITH DANIEL J. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH JOHN R. ABELLA AND ENDING WITH D010584, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH DREW Q. ABELL AND ENDING WITH G010092, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

ARMY NOMINATIONS BEGINNING WITH EDWARD C. ADAMS AND ENDING WITH D011050, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

IN THE MARINE CORPS

MARINE CORPS NOMINATION OF JUAN M. ORTIZ, JR., TO BE LIEUTENANT COLONEL.

IN THE NAVY

NAVY NOMINATION OF DAVID T. CARPENTER, TO BE CAPTAIN.

NAVY NOMINATION OF MICHAEL JUNGE, TO BE CAPTAIN.

NAVY NOMINATION OF MARC E. BERNATH, TO BE COMMANDER.

NAVY NOMINATION OF STEVEN A. KHALIL, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF ASHLEY A. HOCKYCKO, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF JASON A. LANGHAM, TO BE COMMANDER.

NAVY NOMINATION OF WILL J. CHAMBERS, TO BE COMMANDER.

NAVY NOMINATIONS BEGINNING WITH PATRICK J. FOX, JR. AND ENDING WITH LESLIE H. TRIPPE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 21, 2012.

WITHDRAWALS

Executive message transmitted by the President to the Senate on April 26, 2012 withdrawing from further Senate consideration the following nominations:

THOMAS M. BECK, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL MEDIATION BOARD FOR A TERM EXPIRING JULY 1, 2013, VICE ELIZABETH DOUGHERTY, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON JANUARY 5, 2011.

MATTHEW J. BRYZA, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AZERBAIJAN, TO WHICH POSITION HE WAS APPOINTED DURING THE RECESS OF THE SENATE FROM DECEMBER 22, 2010, TO JANUARY 5, 2011, WHICH WAS SENT TO THE SENATE ON JANUARY 26, 2011.