

In fact, Justice Moritz should and could have been confirmed last year. She was first nominated last August, but her hearing was delayed until mid-November because of the Republican shutdown of the Federal Government. Senate Republicans then refused to vote on her nomination in committee at the end of last year and her nomination was returned to the President. As a result, the President had to renominate Justice Moritz and the Judiciary Committee had to reprocess her nomination this year. When we finally confirm Justice Moritz today, her nomination will have taken more than 9 months. It should not take this long to process noncontroversial nominees.

Justice Moritz has now served on the Kansas Supreme Court for nearly 4 years. Prior to joining the Kansas Supreme Court, she was an appellate judge on the Kansas Court of Appeals from 2004 to 2011. Before becoming a judge, she spent nearly 10 years as an assistant U.S. attorney in the Kansas City and Topeka offices. From 1989 until 1995, she was an associate at Spencer, Fane Britt & Browne, LLP in Kansas City and Overland Park. From 1987 to 1989, she served as a law clerk to the Honorable Patrick F. Kelly, U.S. District Court for the District of Kansas. Her breadth and depth of experience as both a practitioner and a jurist will make her well suited to serve on the Tenth Circuit.

I urge all of my colleagues to vote to confirm this excellent nominee.

Mr. GRASSLEY. I yield back time on this side.

The PRESIDING OFFICER. Without objection, all time for debate is yielded back.

The question is, Will the Senate advise and consent to the nomination of Nancy L. Moritz, of Kansas, to be United States Circuit Judge for the Tenth District?

Mr. BARRASSO. 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. DURBIN. I announce that the Senator from Hawaii (Mr. SCHATZ) is necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from New Hampshire (Ms. AYOTTE), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Illinois (Mr. KIRK), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Wisconsin (Mr. JOHNSON) would have voted "yea."

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

The result was announced—yeas 90, nays 3, as follows:

[Rollcall Vote No. 130 Ex.]

YEAS—90

Alexander	Gillibrand	Moran
Baldwin	Graham	Murkowski
Barrasso	Grassley	Murphy
Begich	Hagan	Murray
Bennet	Harkin	Nelson
Blumenthal	Hatch	Paul
Blunt	Heinrich	Portman
Booker	Heitkamp	Pryor
Boxer	Heller	Reed
Brown	Hirono	Reid
Burr	Hoeben	Roberts
Cantwell	Inhofe	Rockefeller
Cardin	Isakson	Rubio
Carper	Johanns	Sanders
Casey	Johnson (SD)	Schumer
Chambliss	Kaine	Scott
Coats	King	Sessions
Cochran	Klobuchar	Shaheen
Collins	Landrieu	Shelby
Cooms	Leahy	Stabenow
Corker	Lee	Tester
Cornyn	Levin	Thune
Cruz	Manchin	Udall (CO)
Donnelly	Markey	Udall (NM)
Durbin	McCain	Walsh
Enzi	McCaskey	Warner
Feinstein	McConnell	Warren
Fischer	Menendez	Whitehouse
Flake	Merkley	Wicker
Franken	Mikulski	Wyden

NAYS—3

Coburn Crapo Risch

NOT VOTING—7

Ayotte Kirk Vitter
Boozman Schatz
Johnson (WI) Toomey

The nomination was confirmed.

VOTE ON SELFRIDGE NOMINATION

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to a vote on the Selfridge nomination.

Mr. DURBIN. I yield back all time.

The PRESIDING OFFICER. Without objection, all time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Peter A. Selfridge, of Minnesota, to be Chief of Protocol, and to have the rank of Ambassador during his tenure of service?

The nomination was confirmed.

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

LEGISLATIVE SESSION

ENERGY SAVINGS AND INDUSTRIAL COMPETITIVENESS ACT OF 2014—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The Senate will resume legislation session.

The Senator from Minnesota.

UNANIMOUS CONSENT REQUEST—S. 149

Ms. KLOBUCHAR. I rise today to urge my colleagues to pass the Stopping Tax Offenders and Prosecuting Identity Theft Act of 2013.

Before we have another year—yet another year—of criminals stealing the tax returns of millions of hardworking Americans, we need to pass this bipartisan bill.

Let me tell you from the start this is a bill that I introduced with Senator

SESSIONS of Alabama. This is a bill that made it through the Judiciary Committee 18 to 0. After a number of amendments were considered and rejected, this bill made it through the Judiciary Committee—in which there are many different people of ideological views—18 to 0.

So what is this about? We have a problem in this country, and it is a problem I think people would be very surprised about if they knew how much money it involved. Criminals are increasingly filing false tax returns using stolen identity information in order to claim victims' refunds.

What does this mean? How much money are we talking about?

In 2012 alone, identity thieves filed 1.8 million fraudulent tax returns, almost double the number confirmed in 2011. The numbers in the documents in these cases may be forged, but the dollars behind them are real.

In 2012, there were another 1.1 million fraudulent tax returns that slipped through the cracks, and our U.S. Treasury paid out—are you ready for this—\$3.6 billion in fraudulent returns, \$3.6 billion at a time when we have a debt. At a time when we are cutting programs and doing everything we can to make the government more accountable, we paid out \$3.6 billion in fraudulent returns. That is taxpayers' dollars going down the drain.

But when the criminals file these fake tax returns, it is not only the Treasury that loses out. Everyday people are the real victims, forced to wait months—sometimes even years—before receiving the refunds that are owed to them, and it can take years to fix the problems when you have your identity stolen.

In 2012, Alan Stender, a retired businessman from the 5,000-person town of Circle Pines, MN, was working to file his taxes on time, just as so many Americans did this past month. After completing all the forms and sending in his tax returns, Alan heard from the IRS that there was a major problem. Someone had stolen his identity and used his personal information to fraudulently file his return and steal his tax refund.

Last month, 25 people were arrested in Florida for using thousands of stolen identities to claim \$36 million in fraudulent tax refunds. This included the arrest of a middle-school food service worker who stole the identities of more than 400 students. Those victims are just kids. Yet criminals are stealing their identities to get fake tax returns.

Attorney General of the United States of America Eric Holder had his tax ID stolen. Two young adults used his name, date of birth, and Social Security number to file a fraudulent tax return. They got caught and they got prosecuted. But when our own Attorney General of the United States is a victim of tax fraud—people stealing his identity—I think it is time to admit we have a problem. From a retired man in Minnesota, to middle-school students