In August 2010, she was gang-raped by a senior Marine officer and his friend who broke into her home. Ariana, despite all the warning signs, reported her assault. But a Marine Corps investigation determined she had welcomed the harassment. Do my colleagues know why? This is what they said: She wore makeup and she exercised in shorts and tank tops. What?

The Marine Corps did court-martial one of Ariana's rapists, but they never convicted him of rape. Do my colleagues know what he was convicted of? Adultery and indecent language. Please. How could anyone who listens to the victims say they are not going to vote for the Gillibrand amendment?

I stood with Ariana along with a large group of colleagues, Republicans and Democrats, right here the other day. Her husband is a former Marine Corps officer and he spoke at the press conference. This is what he said. It is so important to listen to what he said:

> The first step to addressing sexual assault in the military is to remove its prosecution from the chain of command. It is unfair to expect commanders to be able to maintain good order and discipline as long as their justice system incentivizes and empowers them to deny their units' worst disciplinary failures ever happened.

In his statement—and it is on YouTube and I hope people will listen to it. In his statement, he talks about the fact that he was a commander and he was in the middle of war. He said, as a commander, I have one job to do; that is, to have a fighting machine that is second to none. I want you to know, when I am told to deal with sexual harassment or a crime of any sort, I am not trained to do it. It is a distraction.

I will read the exact quote so my colleagues don't think I am exaggerating. He said:

> I used to feel a commander's disinterest in the law, too. During my training and deployments to Iraq, I focused on fighting. My life and those of my Marines depended on it. Legal issues were divisive, distracting, and confusing; they made me resent those who brought them to my attention, and feel bias as strong as my relationships with those involved. Commanders can be forgiven for thinking war is their most important job, and it should be expected that they'll manage the judicial process as a side-show and an annoyance.

This is someone who served as a commander and is telling us it is not right to keep loading these commanders up with all of these different responsibilities when their main responsibility is to fight and win wars.

So our amendment, the Kirsten Gillibrand amendment, would take the decision about whether to prosecute serious crimes such as sexual assault out of the hands of commanders and give it to professionally trained military prosecutors outside the chain of command. If something, God forbid, were to happen in the Presiding Officer's office or my office—something very bad, some crime, upstairs in a room somewhere in our office—we are not trained to deal with that. We would immediately call law enforcement to deal with it, wouldn't we? We are not going to decide who is right and wrong. One person is saying he did it. The other one is saying she did it. People are crying and yelling in our office. We are not going to. It is not right. It has to be taken outside our office to the trained prosecutors to determine who was at fault. The chips will fall where they may. Maybe a Senator has a favorite of the two people involved in the altercation. We are not objective, and we are not trained for that—at least I am not. It would be similar to saying a CEO of a corporation should make a decision about whether one or more of her employees should be prosecuted for rape. That is not right. We don't have the decision made within the organization. It has to be outside.

Under our amendment, complex legal decisions would be made by experienced and impartial legal experts because the decision to prosecute serious crimes should be based on evidence. Nothing else should enter into it except evidence. Jo Ann Rooney made the point for us. She said, essentially, watch out if you take it outside the chain of command, it will be based on evidence, not on discipline. Some discipline. Some discipline: 26,000 cases and 90 percent go unreported. What kind of discipline is that? It is not discipline. People are getting away with it. They are getting away with it.

The men and women who risk their lives every day deserve a better system. I can't tell my colleagues how many victims I have met. They were destroyed by the system. They were destroyed by that culture. Men and women are begging us to act.

Tonight we had a chance to agree we would begin debate and voting on this important amendment. It was objected to by the Republicans. We need to get to the vote. I hope when we do that we will have the votes necessary.

I wish to make another point: There is a filibuster going on here. We are going to need 60 votes. We have over 50. Let's be clear. We have over 50. I am very sorry we have to get to 60, but there are those on both sides who are demanding that we get to 60. It is 20 years after Tailhook. This is our moment to make the change we should have made back then. It is time to stand up to all the people who say status quo, status quo, status quo. If the status quo was working, I would support it. If the status quo was working, the victims would come forward. They wouldn't run away and say: I can't deal with this.

Think about the thousands of perpetrators who are running around the military doing this over and over. Think about when they get out and now they are on the street in civilian life doing it over and over again. If they think they can get away with this behavior—this abuse of power, this violence, this hurt—they are going to continue.

I hope colleagues will make the decision to stand with us, with our terrific bipartisan group we have lined up behind this amendment, this Gillibrand amendment. I am very proud to have been working on this for a long time, and I think we are moving in the right direction. We are very close to 60 votes. I urge any colleague who might be within the sound of my voice, if they haven't decided, meet with a victim, meet with a victims' group, listen to their pleas. Listen to how smart they are. They understand what happened to them and they are begging us to stand up to the status quo, to the powerful Pentagon. We are taking on the most powerful organization in the world. But on this, they are wrong. They are right on a lot of other things, but on this they are wrong.

I look forward to proudly casting my vote for the Gillibrand amendment.

ADDITIONAL STATEMENTS

TRIBUTE TO CLAY LARKIN

• Mr. CRAPO. Mr. President, today I wish to recognize the outstanding work of Clay Larkin, who is retiring after serving for 13 years as Mayor of Post Falls, ID.

Mayor Larkin has dedicated immense time and covered considerable ground serving the people of Post Falls. He has devoted nearly 18 years to advancing the community, and Post Falls has thrived under his leadership. He served on the city council for 5 years before becoming mayor. As a strong and consistent advocate for the city, he helped bring considerable commerce to the area. His efforts also helped establish a foundation for further economic development and infrastructure improvements.

Additionally, under his leadership, community resources, including a library, city hall and police station, have been constructed, and he has worked to protect essential resources. Further, he has invested time and effort into emphasizing opportunities for youth, who are the future of our communities, State, and Nation. Mayor Larkin's work has understandably been recognized through numerous awards and honors. He is acknowledged for his devotion to making progress, his ability to adapt to changes, and his perseverance.

Post Falls and Idaho have been blessed to benefit from Clay's sound leadership. I thank Clay Larkin for his exceptional service, congratulate him on his retirement, and wish him all the best. I hope that retirement provides him more time with loved ones and the time for fishing he so greatly deserves.•

TRIBUTE TO REBECCA SPENCER

• Mr. WHITEHOUSE. Mr. President, for the past 25 years, Rev. Rebecca Spencer has provided parishioners at the United Church of Christ's Central