

protect our rights. They are going to be preserved.

Myself and Senator SCHUMER sent a letter to the ATF asking them to reconsider some of the wording in their ruling because it puts people in there who should not be. We are hopeful that they recognize that, and that they, because of a bipartisan query, do a rule-making process that really directs this where it should be. When that happens, we will have finished everything we need to do, except get the dollars appropriated to implement this act.

Again, my hat is off to Senator SCHUMER and those who have worked tirelessly to get this done. It is with great appreciation for the manner in which it was handled, and it is my hope that we will pass this on and see the great accomplishments of protecting people from those who are a danger to themselves and others.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, I see that the very able Senator from New York, Mr. SCHUMER, is on the floor. May I ask if he wishes me to yield to him.

Mr. SCHUMER. Mr. President, I ask my colleague from West Virginia if he might yield to me 5 minutes.

Mr. BYRD. Mr. President, I am glad to do so.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, first, I thank my distinguished colleague and our great leader from West Virginia, Senator BYRD, for yielding. Unfortunately, at the end of session, there are many needs that intercede.

We have just heard that the hold on a bill will be lifted. I want to get it moving so it can get over to the House before they leave. Once again, the Senator from West Virginia is not only gracious and capable, but he has been kind to me from the day I came to the Senate, and it is something I will always treasure. I thank my friend.

Mr. BYRD. I thank the Senator.

NICS IMPROVEMENT AMENDMENTS ACT OF 2007

Mr. SCHUMER. Mr. President, I rise in support of the Leahy-Schumer substitute to H.R. 2640, the NICS Improvement Amendments Act of 2007. I have just been told a hold which had been placed against this bill is about to be lifted.

At its core, this bill does something that has been too long in coming. It gets States critical resources they need to upgrade the mental health and conviction records they use to screen prospective gun buyers.

These records go into the national instant criminal background check system, the NICS, that we rely on to screen for those who should not be allowed to buy guns. It has the support, I am proud to say, of both the Brady organization and the NRA. This was a collaboration that occurred over the last year.

I also thank my colleague from Oklahoma, Senator COBURN, and my colleague from Massachusetts, Senator KENNEDY, because both agreed last night on final language.

Today, millions of criminal and mental health records are inaccessible to the NICS, mostly because State and local governments have noncomputerized or outdated records. Furthermore, the process is spotty, as States are not required by law to turn over all pertinent information that could prohibit a person from buying a gun. As a result, many people who simply should not have guns are allowed to purchase them.

This bill will address that problem. In a word, without affecting a single law-abiding citizen's gun rights, the bill will make America safe.

I started working on this legislation a long time ago in 2002, along with my colleague Representative CAROLYN MCCARTHY. That was when on Long Island, in my State of New York, a gunman who was a paranoid schizophrenic slipped through the cracks of the system and bought a .22 caliber semiautomatic rifle. He then took that gun, walked into a morning service at Our Lady of Peace Church and gunned down its beloved priest and one of its most prized parishioners.

So Representatives CAROLYN MCCARTHY, JOHN DINGELL, and I worked on legislation to help improve the background check system. We wanted then, as we do now, to make sure no more dangerous people are allowed to get guns.

Over the years, as it often does, the political process played out. It would pass one House but not the other, and the bill was stalled.

As this has gone on, we have not stopped working and have kept alive the faith this legislation would one day become law. Through it all, every one of us hoped desperately that there would not be another preventable tragedy, another time when the system failed. But on April 16, 2007, our deepest fears came true.

I do not need to recite the facts of what happened at Virginia Tech. Every one of us is aware of the unspeakable horror that took place on the campus last April. We can never know if we could have prevented the shootings. What we do know, however, is that a very dangerous individual with a history of mental illness was allowed to buy two handguns.

It is a shame that we are again called to act on this 5-year-old legislation in the face of tragedy. But now is Congress's moment to take a huge step toward fixing a broken system.

The House passed a bill on June 13, 2007. Around the same time, Chairman LEAHY and I began work on a similar bill. As I said before, I thank Chairman LEAHY for his leadership in recognizing the importance of this issue. We attempted to pass the bill by unanimous consent. Senator COBURN, as was his right as a Member of the body, held the bill based on concerns he had.

Rather than try to go around our colleague, we worked with him. And I must say, from the beginning, Senator COBURN acted professionally, respectfully, and in good faith.

When it comes to guns, I do not agree with TOM COBURN on much, but he and I sat down at length and worked through our differences on this bill. I can say with full confidence, this bill is something on which both of us can agree.

At the heart of the concerns of my friend from Oklahoma were fears the bill, as originally drafted, could have the unintended consequence of jeopardizing the rights of law-abiding veterans.

This not being a gun control bill, and it has never been our intent to jeopardize the rights of lawful citizens and veterans, we have made changes to address our colleague's concern, and he told me he will lift his hold as a result.

Remember, I was an original sponsor of the Brady bill. I care about seeing the background check process work the right way. I will not support legislation I believe will hurt the system. But today we have a great accomplishment. It is fitting that at the end of this session we are there, proud of the bipartisan process. Chairman LEAHY, Senator COBURN, Senator KENNEDY, and I came up with a solution last night at about 11 p.m. on the floor. Senators COBURN and KENNEDY shook hands, as I watched, and we have come to an agreement. Through all this negotiation, this bill has the backing of both the Brady Campaign to Stop Gun Violence and the National Rifle Association.

So now the hard work is done. We must pass this legislation. We must get it back to the House for them to pass again before they adjourn, and then we must get it on the President's desk to be signed into law. The parents of Virginia Tech families and millions of other Americans, including those at Our Lady of Peace congregation on Long Island are waiting for this moment. We have waited a long time. As citizens and parents, we must do everything to see that we do not have another Our Lady of Peace shooting or another Virginia Tech shooting. I urge my colleagues to support the legislation.

I will say again this is an example of how the system should work, and in a few moments I will be asking unanimous consent to move the bill forward, but before doing so, I yield my time to my colleague from West Virginia, because they are doing the paperwork, and I thank my colleague from West

Virginia for his courtesy and his kindness.

THE PRESIDING OFFICER (Ms. LANDRIEU). The Senator from West Virginia.

CHRISTMAS SPIRIT

Mr. BYRD. Madam President, soon the Senate will recess for Christmas. Members will travel home to their families and to their States to share in Christmas parades and tree lightings, Christmas cantatas, and festivals of lights. They will decorate their own trees and attend the Christmas season celebrations in their own churches. Some will make trips to Iraq or Afghanistan, while others will comfort people who are struggling to recover from wildfires or the recent devastating snow and ice storms that have left so many homeless and without power. I join in the prayers for their swift recoveries, and I rejoice in the fellowship and the support that are flowing to Americans in need all across the Nation and all around the world. That fellowship and that support is the true spirit of the Christmas season.

Everywhere, everywhere, Christmas tonight!
Christmas in lands of the fir-tree and pine,
Christmas in lands of the palm-tree and vine,
Christmas where snow peaks solemn and white,

Christmas where cornfields stand sunny and bright.

Christmas where children are hopeful and gay,

Christmas where old men [like I] are patient and gray,

Christmas, where peace, like a dove in its flight,

Broods o'er brave men in the thick of the fight;

Everywhere, everywhere, Christmas tonight!
For the Christ-child who comes is the Master of all;

No palace too great, no cottage too small.

Christmas is a special time, no matter where the season finds us. Somehow, Christmas lights create their special magic, whether they are hung on snow-laden pine trees or wrapped around stately palm trees. Christmas carols never fail to bring a nostalgic glow, as they bring to mind our childhood celebrations. The smells and fragrances of Christmas recall their own delightful memories—the tang of pine boughs brought indoors, the spicy warmth of cinnamon, cardamom, cloves and mace, and the licorice scent of anise, the exotic aroma of nutmeg. Christmas baking is one of the best parts of the holiday—Erma always looked forward to that part. Christmas baking is one of the best parts of the holiday, she would say—as the house fills with mouth-watering aromas. My own childhood Christmases were spare, not lavish, but they were full of love, given to me by a wonderful old couple who have gone on now to meet their reward in heaven.

Today's Christmases should be full of special food and lots of music, and if it were like it used to be, it would be played by me, that music would be, on

my fiddle, to entertain my mom and dad, their friends and their borders. My mom ran a boarding house. We never had very much at Christmas, not much compared to some of the extravagant gifts advertised these days, but our simple celebrations left us more time to enjoy some company or the church services or read a Christmas story together.

Every family, every town builds its own Christmas traditions. Some families visit or host Christmas open houses. Other families gather for a traditional Christmas meal. In some towns, people bundle up to watch floats go by in the annual Christmas parade, followed by a tree lighting ceremony. We have done that in the Nation's capital. I myself have lit the tree. There are Christmas tree lighting ceremonies at the White House and on Capitol Hill. At Arlington Cemetery and at other veterans cemeteries around the Nation, the simple act of a single man has grown into a Wreaths Across America, an effort to put fresh wreaths on the graves of veterans across the Nation, honoring those who will never be home again for Christmas. Other volunteer efforts send living Christmas trees to the troops overseas so they, too—our troops, your troops, my troops; our soldiers, sailors, and our airmen—can share in the Christmas season. In the busy press of family traditions, it is heartwarming to discover how many people still find time to remember and celebrate the sacrifices made by others.

Although Christmas can bring with it even busier schedules for already busy people and monetary stresses for parents trying to make the day a special holiday for their children, it is important to recall the greatest gift of Christmas is the one embodied in the nativity scene—the great gift of unconditional love and hope wrapped in swaddling clothes, given by our Creator—our Creator Almighty God—to inspire us with His teachings of good will and caring toward all men.

And so, my colleagues, my friends, dear ones all of you; staff, those who watch over us every day, it is my Christmas wish that we all keep more of that Christmas spirit with us throughout the coming year. Charles Dickens said it best:

I will hold Christmas in heart, and try to keep it all the year.

I guess it was the American editor and author, Oren Arnold, who lived from 1900 until 1980, who suggested a wonderful Christmas gift list for all of us:

To your enemy, forgiveness; to an opponent, tolerance; to a friend, your heart; to a customer, service; to all, charity; to every child, a good example; to yourself, respect.

Madam President, I wish you and Louisiana, near the great bay and the waters which wash over the soil on which I used to walk with my wife—I wish you, Madam President, and everyone listening, a very Merry Christmas and a Happy New Year filled with peace and happiness. My God bless you all.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, first I extend my holiday greetings, my Christmas greetings, to my colleague and friend, Senator BYRD, as well as to you, Madam President, and my colleagues from New Jersey, Pennsylvania, and everyone else in this Chamber. May God give a wonderful year to them and their families.

Madam President, I thank you for your help with this next particular issue.

THE PRESIDING OFFICER. The Senator from New York is recognized.

NICS IMPROVEMENT AMENDMENTS ACT OF 2007

Mr. SCHUMER. Madam President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of H.R. 2640 and the Senate proceed to its immediate consideration.

THE PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2640) to improve the National Instant Criminal Background Check System, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEAHY. Madam President, today, the Senate took an important step forward to improve the National Instant Criminal Background Check System, NICS, the Nation's background check system for gun purchases. Along with Senator SCHUMER, I have worked hard to craft this compromise legislation that respects the rights of gun owners and, at the same time, makes sure that the NICS system will work more effectively. This compromise has not been easy, as many have strong views on issues surrounding this bill, but working with Senators on both sides of the aisle, we have forged strong, fair legislation to address serious shortcomings in the Federal program. Throughout the process, we have taken great care to make sure Federal law governing who can own or possess a firearm remains unchanged. The Senate language makes clear that the correct records will go into the NICS system, that any records improperly in NICS will be removed promptly, that legal notice and due process considerations will be required in Federal proceedings, and that the States have sufficient support to meet the goals of the bill. We have been responsive to the legitimate concerns of veterans and advocates on both sides of the issue, and at the same time, we have worked hard to correct weaknesses that have been exposed by the tragic events of the last year.

The senseless loss of life at Virginia Tech this spring revealed serious flaws in the NICS system, particularly in the transfer of mental health information