

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

relevant to gun purchases between the States and the Federal Government. Deficiencies in the current NICS system, including a significant lack of funding, permitted the perpetrator of this terrible crime to obtain firearms and ammunition despite having a mental health history that made him ineligible to buy or possess a firearm under Federal law. He was able to pass a background check and purchase the weapons he used in his attacks because data was missing from the NICS system.

In response to this devastating tragedy, the Judiciary Committee worked hard to produce a comprehensive legislative proposal related to issues of school safety, and in August unanimously reported the School Safety and Law Enforcement Improvement Act of 2007, SSLEIA, to the full Senate. As part of this legislative package, we drafted title II of SSLEIA to include an amended version of the NICS Amendment Improvement Act of 2007, H.R. 2640, that passed the House in July. Today, the Senate passed a revision of title II from SSLEIA, as the Leahy-Schumer amendment to H.R. 2640, which closes the gaps in the NICS system that allowed the purchase of the firearms that were used in the Virginia Tech killings. I hope the House of Representatives will take up and pass H.R. 2640, as amended, as soon as possible.

The Leahy-Schumer amendment largely mirrors the language of H.R. 2640 as passed by the House. But it also makes modest but important changes to that bill in order to ensure this new law works effectively and fairly for all Americans. It creates a legal regime where the reporting of disqualifying mental health records, both at the State and Federal levels, will be improved. This bill will also require Federal agencies to report mental health and other disqualifying records into NICS and would create significant new incentives for States to report this same information. These basic features of the amendment are the same as in the House bill. Additionally, the bill contains provisions directing Federal agencies to establish relief from disabilities programs through which individuals who have overcome a disqualifying mental illness or disability may reclaim their rights, and urges the States to do the same.

As I reviewed this issue, however, I determined that additional changes were necessary both to improve the NICS system further and to better enable States like Vermont to implement these improvements. By tempering the penalties for insufficient participation by the States in meeting the bill's goals, and increasing incentives for full participation, I am hopeful that the bill will strengthen the partnership between Federal and State authorities in search of a common goal. The NICS system is only as good as the information that is reported into it, and to achieve success in improving NICS, we must recognize and adequately support

the States in this challenging undertaking.

I want to thank Paco Aumond, director of Criminal Justice Services at the Vermont Department of Public Safety, for working with me to identify those changes in the legislation to ensure that Vermont and the many similarly situated States will be more easily able to make the comprehensive improvements necessary for a more effective NICS system.

Nothing can bring back the lives tragically lost at Virginia Tech, and no legislation can be a panacea, but the bill we pass today will begin to repair and restore our faith in the NICS system and may help prevent similar tragedies in the future.

Mr. SCHUMER. I ask unanimous consent a Leahy-Schumer substitute amendment at the desk be agreed to, the bill as amended be read a third time and passed, the motions to reconsider be laid upon the table with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

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

The substitute amendment (No. 3887) was agreed to.

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

The bill (H.R. 2640), as amended, was read the third time and passed.

The amendment was ordered to be engrossed and the bill to be read a third time.

#### BLOCK BURMESE JADE (JUNTA'S ANTI-DEMOCRATIC EFFORTS) ACT OF 2007

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 3890, 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. 3890) to amend the Burmese Freedom and Democracy Act of 2003 to impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes.

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

Mr. SCHUMER. Madam President, I ask unanimous consent the Biden-McConnell amendment at the desk be agreed to, the bill as amended be read a third time and passed, the amendment to the title be agreed to, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The amendment (No. 3888) was agreed to.

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

The title amendment (No. 3889) was agreed to, as follows:

The title is amended to read as follows: "An Act to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes."

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 3890), as amended, was read the third time and passed.

Mr. SCHUMER. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that following my time on the floor, the Senator from Pennsylvania, Mr. CASEY, be the next Democratic speaker in line.

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

#### THANKING SENATOR BYRD

Mr. MENENDEZ. Madam President, I came to the floor for a specific purpose, but I had the good benefit of listening to the distinguished senior Senator from West Virginia's holiday greeting. It was a very warm, loving greeting as well. I am glad I made it to the floor to listen. I thank him for his incredible service in this institution and for taking those moments to talk about our humanity collectively. This is a great time of the year in which that humanity gets to be recognized.

Mr. BYRD. Madam President, I thank the incredible Senator who now holds the floor and speaks with such aplomb and dignity, befitting a Roman Senator.

#### IRAQ

Mr. MENENDEZ. Madam President, as we celebrate this holiday season with our families, as we gather with those we love and give thanks for our tremendous blessings, we remember how incalculable the losses have been to the families of the 3,888 soldiers who have been killed in Iraq. Their losses cannot be tallied, not in the number of Christmas nights spent without the one they loved; not in the number of days since their wives, husbands, parents, and children left home forever. We cannot calculate the strain on the 28,661 wounded soldiers and their families, many of whom will be spending this precious time of the year in a military hospital, coping with their blindness, living with only one leg or arm, sleeping through nightmares of the battlefield instead of the beautiful dreams they used to know this time of year.

As we hold them in our hearts—as well as all of the men and women in