

The alarm has long been sounded by the scientific community which overwhelmingly warns about the effects of our carbon dioxide emissions on our atmosphere and oceans. Our defense and intelligence communities warn of the threats posed by climate change to national security and international stability. Economists recognize the market distortion of overlooking the costs of carbon pollution.

Let me say a word of appreciation to former Secretary George Schultz, who wrote an excellent piece in the Wall Street Journal pointing out that this is, indeed, a market distortion that favors polluting fossil fuels and gives them an unfair advantage against other forms of energy that would do less damage to our planet.

Of course, government accountants list climate change as a threat to our fiscal stability. Even faith leaders appeal to our moral responsibility to shield communities—and particularly the poorest communities here at home and around the globe—from the devastating effects of carbon pollution on God's Earth.

Now the alarm is sounded by those dedicated to the conservation of America's wild spaces and living creatures. They are warning that thanks to Congress's neglect, change is coming to our planet locally by locality. They are warning that we had better understand and prepare for those changes and do what we can to minimize the eventual havoc.

The American people are not sitting idly by on this. They are demanding action. Three-quarters of those recently surveyed by Stanford University think the Federal Government should do something to reduce the effects of rising sea levels.

My Newport tidal gauge in my home State in the famous sailing port of Newport is up 10 inches since the famous hurricane of 1938. When the next big one comes, that 10 inches is going to mean a lot of additional damage. Americans believe national preparations for the climate change that is around us will more likely help the economy than hurt it, and they are right. These changes will help the economy.

Sixty percent of Americans believe that taking steps now to adapt would actually create more jobs while only 13 percent thought it would create fewer jobs. Sixty percent as opposed to 13 percent of Americans recognize that the real economic strength we will get is by addressing this problem, not by ducking it because of the pressure from the carbon polluters.

Americans clearly see the benefits of adapting for climate change. Again, for those who only care about money, Americans see the economic benefits of addressing climate change.

I will say once again it is time for us in Congress to wake up. We are sleepwalking through history. We are asleep to the urgent demands of our time. It is time to wake up and prepare our na-

tional strategy to protect our Nation's precious resources, protect our coasts and forests and plains, protect our animal and plant life, protect our people and our communities against the inexorable change that looms.

I thank the President and yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### CLOTURE MOTION

Mr. REID. Madam President, 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. 32, S. 649, a bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check for every firearm sale, and for other purposes.

Harry Reid, Patrick J. Leahy, Robert Menendez, Sheldon Whitehouse, Jeff Merkley, Christopher A. Coons, Benjamin L. Cardin, Barbara Boxer, Debbie Stabenow, Kirsten E. Gillibrand, Richard J. Durbin, Patty Murray, Jack Reed, Dianne Feinstein, Richard Blumenthal, Christopher Murphy, Elizabeth Warren.

Mr. REID. Madam President, I ask unanimous consent that the mandatory quorum required under rule XXII be waived.

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

#### MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes each.

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

#### GUN VIOLENCE

Mr. LEAHY. Madam President, 4 months after the horrific day in Newtown where 20 children and 6 educators were senselessly murdered, the Senate is posed to make further progress toward the goal of reducing gun violence. It is a goal that all Americans, regardless of political party or philosophy, should share. I don't know how any parent, any grandparent, or any relative ever gets over the horrific disaster of Newtown.

I thank our ranking Republican on the Judiciary Committee, Senator GRASSLEY. He worked with us, and he

favorably supported two of the measures reported by the Judiciary Committee last month. Senator GRASSLEY helped make sure we had hearings that were substantive and that we had a schedule so we could vote.

I commend Senator COLLINS, who has been my partner as we have moved forward with legislation to combat illegal gun trafficking and straw purchasers who obtain firearms legally but then provide them to criminals and gangs. We have been joined in that bipartisan effort by Senators DURBIN, GILLIBRAND, KIRK, KLOBUCHAR, FRANKEN, BLUMENTHAL, SHAHEEN, and KING.

Our bill is intended to give law enforcement better and more effective tools. A bipartisan majority of the Judiciary Committee voted for the Stop Illegal Trafficking in Firearms Act, S. 54. It has provisions that are included in the Safe Communities, Safe Schools Act, S. 649, which Majority Leader REID placed on the Senate calendar just before the last recess and on which he has now moved to proceed.

Straw purchasers get around the purpose of the background check system. Straw purchasing of firearms is undertaken for just one reason: to get a gun into the hands of someone who is legally prohibited from having one.

We know that many guns used in criminal activities are acquired through straw purchases. It was a straw purchaser who enabled the brutal murders of two brave firefighters in Webster, NY, this past Christmas Eve, and it was a straw purchaser who provided firearms to an individual who murdered a police officer in Plymouth Township, PA, last September. Is it any wonder that law enforcement across this country says: Stop the straw purchasing. We are losing too many brave men and women in law enforcement, to say nothing about all the others who have been killed by drug and criminal cartels.

We need a meaningful solution to this serious problem. We have included suggestions from Senator GILLIBRAND to go after those who traffic in firearms by wrongfully obtaining two or more firearms. We worked hard to develop effective, targeted legislation to help combat a serious problem. We are doing it in a way that protects the second amendment rights of law-abiding Americans.

It was an ATF whistleblower who testified in the last Congress that the existing firearm laws are "toothless." We can create better law enforcement tools, and that is what we are doing with the Stop Illegal Trafficking in Firearms Act. I urge all Senators to join with us and close this dangerous loophole in the law that Mexican drug cartels, gangs, and other criminals throughout our country have exploited for too long.

I wish to recognize the dedication and leadership of Senator COLLINS of Maine to confront the issue of gun violence. She is not a member of the Judiciary Committee, but she has been

committed to finding commonsense solutions to the problems of gun violence. She has been dedicated in working with me to address the concerns of other Senators. She and I share a deep respect for the second amendment. We also agree our laws can be improved to give law enforcement officials the tools they need, and she has been a steadfast partner.

Our bill protects second amendment rights of lawful gun owners, but at the same time it cracks down on criminals. It also cracks down on the people who assist criminals. It doesn't create a national firearms registry, it doesn't place additional burdens on law-abiding gun owners or purchasers, but it does send a very clear message that those who buy a gun on behalf of a criminal or member of a drug cartel or domestic abuser will be held accountable. That is why law enforcement says: Pass this bill. Give those of us in law enforcement who are on the frontlines the tools we need.

Some have expressed frustration about the level of prosecution under existing gun laws. Some have suggested that instead of making sensible changes to our public safety laws to prevent gun violence, Federal law enforcement officials should focus exclusively on existing laws. I share some of that frustration, but it is not a valid excuse to do nothing. Improvements in the enforcement of existing laws and efforts to give law enforcement officials better tools to do their jobs are not mutually exclusive. Those are efforts that complement each other.

A recent article in the Washington Times documented that gun prosecutions were in decline beginning in the Bush administration and suggests that having a Senate-confirmed Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives would significantly help law enforcement.

Mr. President, I ask unanimous consent that a copy of the article be printed in the RECORD at the conclusion of my statement.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

[From the Washington Times, Apr. 4, 2013]

#### DROP-OFF IN GUN PROSECUTIONS BEGAN BEFORE OBAMA

(By David Sherfinski)

Gun rights groups have singled out President Obama for failing to prosecute gun crimes, but the drop in cases filed actually began a decade ago under the Bush administration.

Analysts said the decade long drop underscores the key ingredient in gun prosecutions—a willingness to make them a priority.

Prosecutions dipped at the beginning of the Clinton administration but by 1998 had begun to rise again, tripling between then and 2004, when the federal government filed more than 11,000 cases. Since then, however, prosecutions have steadily fallen again, dipping below 8,000 prosecutions a year over the last three years.

Now, in the wake of last year's shooting spree that claimed the lives of 20 schoolchildren and six adults at Sandy Hook Elementary, all sides in the gun debate say they

want to see the laws on the books enforced. But the experience of the last 10 years suggests that's easier said than done.

"Presidents and administrations—their priorities are based partly in their ideology and their policy interests, and to a certain extent by the issues of the day," said John Hudak, a fellow at the Brookings Institution who studies gun policy.

Looking at trends over the last quarter century, two emerge: First, there were two annual peaks in gun prosecutions, both of them under Republican presidents, in 1992 and 2004. Second, even though prosecutions have dropped in recent years, the yearly number of gun cases is still much higher now than in the pre-9/11 era, according to the Transactional Records Access Clearinghouse (TRAC) at Syracuse University, which tracks the numbers.

What's tougher to explain is exactly why prosecutions had a several-year spike at the end of the Clinton administration and the beginning of President George W. Bush's tenure.

Mr. Hudak said the 1999 Columbine school shooting may have spurred an increase in prosecutions, and so could the spate of terrorist attacks in 1998, 2000 and, finally, the Sept. 11 attacks on New York and Washington.

And David Chipman, a former agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), said some of the increase may have been due to a Justice Department program that started in 2001 and targeted gun crimes in localities across the country.

"That kind of commitment put a lot of numbers on the board," said Mr. Chipman, who works with the gun-control group Mayors Against Illegal Guns. "I think it worked as designed, which is to create a deterrent."

The ATF, perhaps unfairly, began to receive criticism after the increase that some of their efforts were duplicative, and officials had to re-prioritize, Mr. Chipman said.

"You can't just prosecute 20,000 cases in one year—there just isn't that infrastructure," he said.

"Any kind of looking at the numbers and drawing some sort of conclusion that people are doing more or less—you've got to get beyond that. Because you could be comparing apples and oranges."

Gun prosecutions require both cases to be developed by investigators, and charges to be filed by prosecutors.

The TRAC study's numbers said prosecutors turned down 38 percent of referrals in 2002, while last year they declined 32 percent of referrals.

That puts much of the focus on ATF, the lead agency for developing the cases.

Mr. Hudak said one factor in recent decline could be the fact that ATF has been without a permanent director for six years. In January, Mr. Obama nominated acting agency director B. Todd Jones to become its permanent head, but Mr. Jones is still awaiting Senate confirmation.

"The lack of leadership has its effects on priorities," Mr. Hudak said. "And the ATF has such a diverse area of law enforcement that they have to make choices about what they prosecute."

In the wake of last year's shooting rampage at Sandy Hook Elementary School, gun-rights groups have argued the solution is more prosecutions of gun crimes, not more restrictions on law-abiding firearms owners.

"Prosecuting criminals who misuse firearms works," NRA CEO Wayne LaPierre testified to Congress earlier this year. "Unfortunately, we've seen a dramatic collapse in federal gun prosecutions in recent years. That means violent felons, gang members and the mentally ill who possess firearms are

not being prosecuted. And that's unacceptable."

Attorney General Eric H. Holder, Jr. told the Senate Judiciary Committee earlier this year that prosecuting gun crimes is part of the answer and can serve as a deterrent, but that preventing people who acquire guns to commit crimes from getting them in the first place is crucial as well.

"We have limited resources and we have to try to figure out where we want to use those limited resources, and one has to look at why the gun was denied, and then make a determination whether or not we should use those limited resources to bring a prosecution against that person," Mr. Holder said, referring to people who have been denied firearms because of the FBI's National Instant Criminal Check System (NICS).

Mr. Chipman acknowledged that with different administrations, ideologies, result in different priorities, which could affect the numbers, but he cautioned that drawing conclusions about causes and effects can be risky.

"You can't possibly know what those numbers mean until you layer the political environments at the time and the cases being pursued," he said.

Both Mr. Hudak and Mr. Chipman discounted one potential reason for the spike in prosecutions—the 1994 enactment of a ban on military-style semiautomatic rifles. That ban ran from 1994 until its expiration in 2004, and those latter years coincide with the recent peak, which started in 1998.

But the analysts said that was likely unrelated.

"The assault weapons ban was a shell of what the original writers intended it to be," Mr. Hudak said. "I can't imagine there would be a four-year lag in the effect of the assault weapons ban on prosecutions."

Mr. LEAHY. As I said in January, America is looking to us for solutions, for action, not sloganeering, demagoguery, or partisanship. That is why it is disappointing to hear that some Senators pledge to prevent Senate consideration of these proposals by a filibuster. It is especially disappointing that some who claim to support regular order and a transparent legislative process accord that process no deference.

Mr. President, there are only 100 of us who have the privilege to serve at any given time in this wonderful body. We represent 325 million Americans. How can we talk to those Americans and say: We won't even vote. We won't even let it come to a vote. We don't have the guts to stand up and vote yes or no.

Tell that to the families in Newtown, CT. Tell that to the families in Aurora, CO. Tell that to the people of the United States, that the Senate is not willing to stand up and vote either yes or no; they want to vote maybe.

I am a gun owner. I live in a State with a lot of gun owners. I have the courage to stand here and vote. I want to vote. Some will agree with my votes, some will disagree, but this Senator feels it is part of his sworn duty to vote—vote yes, vote no, but vote.

In the Judiciary Committee, we held three public hearings and four public markups on this legislation. We gave them full and fair consideration. We debated and considered amendments—

Democratic and Republican amendments. The distinguished Presiding Officer is a member of that committee. He knows the debate we had and the votes we held. What a filibuster would do now is obstruct the open process of the Senate consideration of gun violence prevention legislation, and it is wrong. It is absolutely wrong. It demeans the Senate, and it turns our backs on 325 million Americans who expect better.

I have worked with Senator COLLINS and others to provide a real-world and commonsense solution to the problem of gun trafficking and straw purchasing. That is the course I urge the Senate to take. Let's go forward and vote. Vote yes, vote no, but vote. Have the courage to vote. Don't turn our backs on the families who have suffered so much.

Mr. President, I ask unanimous consent that my full statement be printed in the RECORD.

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

Mr. LEAHY. Mr. President, four months after that horrific day in Newtown, where 20 children and 6 educators were senselessly murdered, the Senate is poised to make further progress toward the goal of reducing gun violence. It is a goal that all Americans, regardless of political party, should share.

I want to thank our ranking Republican on the Judiciary Committee, Senator GRASSLEY, for working with us and supporting two of the measures favorably reported by the Judiciary Committee last month. I commend Senator COLLINS, who has been my partner, as we have moved forward with legislation to combat illegal gun trafficking and straw purchasers who obtain firearms to provide them to criminals and gangs. We have been joined in that bipartisan effort by Senators DURBIN, GILLIBRAND, KIRK, KLOBUCHAR, FRANKEN, BLUMENTHAL, SHAHEEN, and KING.

Our bill is intended to give law enforcement better and more effective tools. A bipartisan majority of the Judiciary Committee voted for the Stop Illegal Trafficking in Firearms Act, S. 54, and its provisions are included in the Safe Communities, Safe Schools Act, S. 649, that Majority Leader REID placed on the Senate calendar just before the last recess and on which he has now moved to proceed.

Straw purchasers circumvent the purposes of the background check system. Straw purchasing firearms is undertaken for one reason—to get a gun into the hands of someone who is legally prohibited from having one. We know that many guns used in criminal activities are acquired through straw purchases. It was a straw purchaser who enabled the brutal murders of two brave firefighters in Webster, NY this past Christmas Eve, and it was a straw purchaser who provided firearms to an individual who murdered a police officer in Plymouth Township, PA, last September.

We need a meaningful solution to this serious problem. We also include suggestions from Senator GILLIBRAND to go after those who traffic in firearms by wrongfully obtaining two or more firearms. We worked hard to develop effective, targeted legislation that will help combat a serious problem and that will do no harm to the Second Amendment rights of law-abiding Americans.

It was an ATF whistleblower who testified last Congress that the existing firearms laws are “toothless”. We can create better law enforcement tools and that is what we are doing with the Stop Illegal Trafficking in Firearms Act. I urge all Senators to join with us to close this dangerous loophole in the law that Mexican drug cartels, gangs, and other criminals have exploited for too long.

I especially want to recognize the dedication and leadership of Senator COLLINS to confront the issue of gun violence. Although not a member of the Judiciary Committee, she has been committed to finding commonsense solutions to the problem of gun violence. Senator COLLINS has been dedicated in working with me to address the concerns of other Senators. She and I share a deep respect for the Second Amendment, but we also agree that our laws can be improved to give law enforcement officials the tools they need to help curtail gun violence. She has been a steadfast partner.

Our bill protects Second Amendment rights of lawful gun owners, while cracking down on criminals and those who would assist them. The bill does not create a national firearms registry, nor does it place any additional burdens on law-abiding gun owners or purchasers. It sends a clear message that those who would buy a gun on behalf of a criminal, a member of a drug cartel, or a domestic abuser will be held accountable. That is why our bill is strongly supported by law enforcement.

Some have expressed frustration about the level of prosecutions under existing gun laws. And some have suggested that instead of making sensible changes to our public safety laws to prevent gun violence, Federal law enforcement officials should focus exclusively on existing laws. I share some of that frustration, but I do not agree it is a valid excuse for us to do nothing. Improvements in the enforcement of existing laws and efforts to give law enforcement officials better tools to do their jobs are not mutually exclusive, those efforts complement each other.

A recent article in The Washington Times documented that gun prosecutions were in decline beginning in the Bush administration, and suggests that having a Senate-confirmed director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives would significantly help law enforcement.

As I said in January, Americans are looking to us for solutions and for action, not sloganeering, demagoguery,

or partisanship. That is why it is particularly disappointing to hear that some Senators are pledging to prevent Senate consideration of these legislative proposals by filibustering. It is especially disappointing that some who claim to support regular order and a transparent legislative process accord that process no deference. The Judiciary Committee held three public hearings and four public markups on this legislation. It gave them full and fair consideration. We debated and considered amendments. What a filibuster would do now is obstruct the open process of Senate consideration of gun violence prevention legislation. That is wrong.

I have worked with Senator COLLINS and others to provide a real world, common sense solution to the problem of gun trafficking and straw purchasing. That is the course I urge the Senate to take. We need to proceed to the bill and do what is best for the American people.

#### TRIBUTE TO COLONEL STEVE STROBRIDGE

Mr. LEVIN. Madam President, I rise today to pay tribute to Colonel Steve Strobridge, USAF, Retired, in recognition of his distinguished service to his country.

For nearly 44 years, first for 24 years in the Air Force, and concluding with 19 years with the Military Officers Association of America, Colonel Strobridge has worked tirelessly for the men and women of the military, their families, veterans and their survivors.

Raised in Vergennes, VT, Colonel Strobridge entered the United States Air Force in 1969 as a second lieutenant following graduation from ROTC at Syracuse University.

After several assignments as a personnel officer and commander in Texas, Thailand, and North Carolina, he was assigned to the Pentagon from 1977 to 1981 as a compensation and legislation analyst at Headquarters USAF. Following assignments as Chief, Officer Assignments and Assistant for Senior Officer Management at HQ, U.S. Air Forces in Europe, he was selected to attend the National War College at Fort McNair in 1985.

Colonel Strobridge served as Deputy Director and then as Director, Officer and Enlisted Personnel Management in the Office of the Secretary of Defense from 1986–1989. In this position, he was responsible for establishing Department of Defense policy on military personnel promotions, utilization, retention, separation, and retirement. In June 1989, he returned to Headquarters USAF as Chief of the Entitlements Division, assuming responsibility for Air Force policy on all matters involving pay and entitlements, including military retirement system and survivor benefits, and all legislative matters affecting active and retired military members and their families.