

was convicted. But Mr. Daly, admirably, has stepped forward. He admits to having sold dozens of guns that were linked to violent crimes. I repeat, today Mr. Daly, admirably, wishes he had done more to keep the guns he sold out of the hands of criminals, and he has stated many times that expanded background checks are the best way to do that.

Most gun owners—and most gun dealers—are responsible, law-abiding people. They love and respect firearms. They are sportsmen who hunt. They may take their weapons when they go fishing. These are people who enjoy target shooting, who no longer hunt, but they like to go out and plunk or they like to go to a range and shoot. They are citizens who simply want to protect themselves, their homes, and their families.

A better background check law will not infringe on second amendment rights in any way. But it will prevent the small minority of people who want to obtain guns for the wrong reasons from buying these weapons. And it will stop troubled people who, because of an illness beyond their control, would be a danger to themselves or to others if they possessed a firearm.

This compromise legislation should not be controversial. Nine out of 10 Americans—including a majority, a vast majority, of gun owners and 75 percent of NRA members—support stronger background check laws. This is not the background check law that was reported out of the committee that is in the underlying bill. But MANCHIN, TOOMEY, KIRK, and SCHUMER think they can improve that, and that is what this amendment is all about.

A number of my colleagues oppose this measure. I am sure that is the case. It is their right to vote against it. We continue to work—I continue to work—toward an agreement to vote on this compromise and to consider other amendments. We need to do that. Democrats are not going to offer all the amendments. Republicans want to offer amendments. They feel the law in the country today is too weak. In their minds, they want to make it weaker but they think that is a strength. Most people, a majority of us, would disagree, but they have a right to do that.

I hope there are not going to be a few unreasonable extremists who are going to try to prevent an up-or-down vote on legislation in this bill. We should not have a filibuster on this legislation. I, of course, can always file cloture. I hope we do not have to do that. That would be a shameful tribute to the memory of 27 people who died in Newtown: little boys and girls—in the minds of many, babies—and school teachers, administrators who were killed; 27 of them.

Newtown deserves a vote, and so do the mothers and fathers, loved ones and friends, of the 3,300 victims of gun violence in America since that terrible day at Sandy Hook. Mr. President, 3,300 people have died because of gunshots since Sandy Hook.

Don't we have an obligation to the American people to do some correcting of what is not right in this country? I believe so.

Mr. President, I know the chairman of the committee, who has worked hard to get this matter before us, is here. He also has an amendment. I hope we can get to his amendment, which I wish to do next; and that is an amendment that I am told is even supported by the National Rifle Association to improve what is in this bill that was reported out of the committee dealing with Federal trafficking.

The PRESIDING OFFICER (Mr. Kaine). The Senator from Vermont.

GUN TRAFFICKING

Mr. LEAHY. Mr. President, I tell the Senator from Nevada, we have been working very hard on that. It has bipartisan support. It had a bipartisan vote out of the Senate Judiciary Committee.

We had been working on it with the National Rifle Association and a lot of others because this trafficking allows somebody who can legitimately buy weapons to go in and buy them and then sell them to people who are from a drug cartel in this country or others or to a gang member—people who could not have bought them legitimately. It is a huge loophole.

We saw the same loophole in the murder of the head of the Colorado prison system. The man who we understand shot him would have been prohibited from buying a weapon, but somebody who could buy one bought it and passed it on to him.

I want to thank Senators MANCHIN and TOOMEY for coming forward with their bipartisan amendment to close the gun show loophole and prevent criminals from obtaining firearms, while at the same time respecting and protecting the second amendment rights of responsible gun owners. These Senators have worked long and hard. They have studied the issue. They have compromised, and they have reached an agreement that I intend to support and I hope the Senate will adopt.

The Senator from Nevada certainly hopes Senators will vote and not filibuster. The American people I think would consider it a disgrace if Senators were unwilling to stand and vote either yes or no. A filibuster means you vote maybe. I would hope, with only 100 of us to represent 314 million Americans, we would at least have the courage to vote yes or vote no. It may not be a popular vote either way you vote, but voting maybe—which is what a filibuster is—shows no respect for the Senate and shows no courage.

We have had background checks for decades. They are an accepted part of the process of buying a gun. I am among millions of responsible gun owners who have undergone a background check as part of this process. And as I tell our gun dealers in Vermont when I buy a gun there, I am like millions of

responsible gun owners. I understand this check is necessary and I have no problem going through it. But I expect everybody else to go through it because it keeps guns out of the hands of criminals and those who are a danger to themselves and others due to mental illness.

Background checks work. Since 1998, over 2 million sales to prohibited people have been prevented thanks to background checks. That is 2 million times a potentially dangerous person trying to get a gun was denied a gun.

Now some argue that background checks do not work because not enough people who fail the background check are later prosecuted. Failing a background check is not in itself a crime. Indeed, the main purpose of the background check is to prevent a prohibited person from getting the desired gun. Although not foolproof, the background check system we have had in place has succeeded in preventing dangerous people from getting guns over 2 million times. What we are now trying to do is improve the background check system. That is what the Manchin-Toomey amendment is trying to do. We all know there is a huge, huge loophole in that background check system. Criminals and other prohibited people who could not go in to a legitimate gun store in the Presiding Officer's State or my State can get around this by going to nonlicensed dealers at gun shows.

I know gun store owners in Vermont. They follow the law and conduct background checks. They wonder why others who sell guns do not have to follow these same rules. I agree with these responsible business owners. Just as I go through a background check when I buy a gun, I want everybody to have to go through it and not be able to use the loophole.

I have been voting to close this loophole for years. In 1999, when the Senate adopted an amendment to close the gun show loophole, we passed that provision after the tragedy at Columbine. Regrettably, the House would not pass the bill. Republican leadership at the time let the matter drop. I hope this time the House will join us to close the loophole once and for all.

The Manchin-Toomey bipartisan amendment closes the loophole in a way that does not infringe upon second amendment rights. Sales at gun shows, sales using online or print advertising will be governed by the same kind of requirements that a gun store owner in Vermont or Virginia or anywhere else has to follow. It is going to make us safer. It will not confiscate anyone's guns. It will not create a government registry. It does not undermine the second amendment. No court has held that background checks, which have been with us for decades, violate the second amendment. Indeed, when the U.S. Supreme Court expressly held that the second amendment provides an individual right in the Heller case, it also said that "longstanding provisions on the possession of firearms by felons and

the mentally ill" do not violate the second amendment.

The compromise these Senators have presented to us is focused on gun shows and commercial sales. It does not require background checks for sales between spouses or siblings or parents, grandparents, uncles, aunts, nieces, nephews, and cousins. It does not require background checks for a transfer between friends and neighbors who talk to each other and decide to sell or give each other a firearm.

The bill does not require background checks for temporary transfers of guns for hunting or target shooting. But it does require background checks for the kind of sales that can be easily exploited by people who intend to do harm: sales at gun shows and through online and print advertisement.

I would hope Senators would agree with 90 percent of the people in this country: We need a strong background check system in order to keep guns out of the hands of dangerous criminals. Why not try to plug the loopholes in the law that allow dangerous criminals to buy guns without background checks? It is a matter of common sense. If we agree that the background check system makes sense, why not make it more effective? What responsible gun owner objects to improving the background check system?

I come from a State with a lot of gun owners, myself included. I have not heard a single gun owner say, we should not have a background check apply to everybody just as it applies to them.

At the first of our Judiciary Committee hearings of the year, the first of three hearings on gun violence proposals, I pointed out that Wayne LaPierre of the NRA testified in 1999 in favor of mandatory criminal background checks for every sale at every gun show. He emphasized at that time the NRA supported closing loopholes in the background system by saying, "No loopholes anywhere for anyone."

It is common sense. That is what we voted to do in 1999 and we should again, and this time we should get it enacted. I have said over and over again, do not filibuster or sloganeer. Vote. Vote yes; vote no. Do not vote maybe. No one is going to take away our second amendment rights. They are not at risk. But lives are at risk where responsible people fail to stand up for laws that will keep guns out of the hands of those who use them to commit crimes of violence.

This is something we can come together and do to make America safer and more secure. 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, certainly not considered a liberal paper, documented the gun prosecutions were in decline beginning in the Bush administration. They suggested having a Senate-confirmed Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives would significantly help law enforcement. We need to get such a director. But let's not be distracted from what we can do to keep Americans safe by partisan attacks on this administration or the last administration.

I also want to thank Senator SCHUMER for all his efforts to bring us to this point. I worked with him to make sure the legislation considered and voted on in the Judiciary Committee included a provision to improve the background checks system. He introduced a number of background check proposals. He reached across the aisle to try very hard to come to an agreement with Senator COBURN. His efforts helped pave the way for the agreement that Senator MANCHIN and Senator TOOMEY were able to reach.

I have also been encouraging the junior Senator from West Virginia in his efforts. He has shown great leadership, sensitivity and perseverance. I commend Senator TOOMEY for his willingness to join in this legislative effort. Together they have done the Senate and the country a great service. At the outset of the Judiciary Committee's consideration of this issue, I encouraged Senators to bring forward their ideas, to debate that which they thought could make a difference, not just obstruct that which they opposed. I hope those who oppose the measure put forward by Senators MANCHIN and TOOMEY will seek to be part of this debate rather than simply try to silence it.

Improving the background check system is a matter of common sense. Senators MANCHIN and TOOMEY have shown that it can be accomplished in a way that better protects our communities and fully respects our Second Amendment rights. I am pleased to support this bipartisan solution.

Now, will everybody agree on this legislation? Perhaps not. But at least have the courage to vote yes or no. Vote yes or no. If you are going to vote maybe, that is voting for a filibuster. The American people want a little bit of courage on the part of 100 Senators.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 5

p.m., with Senators permitted in speak for up to 10 minutes each.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak for up to 20 minutes.

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

TAX REFORM

Mr. WYDEN. Mr. President, in Shakespeare's "Julius Caesar," a soothsayer warned Caesar to "beware the Ides of March." For most Americans, however, the Ides of March passes without incident. It is the Ides of April—April 15, tax day—that so many Americans dread. The last few days must have been a big bonanza for the headache medicine industry. Taxes are due tonight at midnight.

Millions of Americans spent their weekend struggling to use tax software that crashed, flailing about to locate receipts, and wading through hundreds of pages of tax instructions. Instead of enjoying the outdoors or spending time with family and friends, too many Americans spent this past weekend hunched over their kitchen tables or in front of their computers surrounded by a maze of receipts, canceled checks, forms, and other paperwork as they undertook the annual water torture ritual of preparing tax returns.

This is the tax instruction booklet for our personal taxes, our 1040 form. It goes on and on, well over 200 pages. The first 104 pages of instructions are the basic form 1040. The further 110 pages of instructions are for the most common schedules to the 1040. There has got to be a better way.

Some day I hope Democrats and Republicans can come to the floor of this body, ask unanimous consent that this goes into the trash, and instead we substitute a much simpler way for our people to do their taxes. The reality is the Tax Code is too complex, too costly, and simply takes too much time to comply with. It is a code that is hopelessly out of date, mind-numbingly complex, increasingly unfair, and extraordinarily inefficient.

As a result, one of our most consequential economic policies, our tax law, does far more to stifle economic growth than to encourage it. Our country needs a comprehensive overhaul of our system of raising revenue and a modern Tax Code that is simpler, fairer, and simply more efficient. In sum, what is needed is a pro-growth economic tax policy. If history is any guide, particularly when former President Reagan and a big group of Democrats got together, it can bolster American families and increase revenue without raising rates.

I have been something of a broken record on this issue for some time. But on a day such as this, particularly given what our people went through over the past weekend, I think it is time we spend a few minutes to talk