

Illinois. He has helped protect and build Illinois during his tenure at the Department of Transportation. It was such a treat to be able to call the Department of Transportation, to speak to the Secretary of Transportation about an Illinois project and have him know instantly what you were talking about.

The O'Hare Modernization Program is a good example. There is hardly a more important economic engine in the northern part of our State than the O'Hare Airport. The modernization of O'Hare had reached a period of some difficulty and controversy. Ray LaHood stepped in, brought the parties together, and put the Nation's largest airport expansion project back on track.

Secretary LaHood, as I mentioned earlier, brought high-speed rail to Illinois. Last year we rode the first 110-mile-an-hour train between Chicago and St. Louis. He helped build a beautiful new terminal at the Peoria International Airport.

Secretary LaHood's dedication to Illinois will be felt in every corner of Illinois for generations to come. People will be able to travel faster and more safely because of his work. He will bring new businesses to the State by those transportation investments, creating the jobs that we all want to see.

Ray LaHood is a leader with integrity and character. He is also such a good friend. I am going to miss him as my partner in government when he retires from the position of Secretary of Transportation. The Washington Post article I mentioned earlier had a wonderful line. The reporter wrote:

Perhaps the most telling tidbit in LaHood's life is that he resided in Washington for 30 years without once getting a haircut here. A man truly lives where he gets his haircut, and [for Ray LaHood] that is in Peoria, [IL].

As Ray LaHood prepares to leave President Obama's Cabinet and spend more time with his family, I wish the best to him. His wife Kathy—who was often at his side traveling back and forth between Illinois and Washington—will have more time with Ray and their four children: Amy, Sara, Sam, and State Senator Darin LaHood and their wonderful families too. I look forward to working with Secretary LaHood and his very able successor, former Charlotte mayor Anthony Foxx, to maintain and improve America's transportation systems and networks, the backbone of our economy.

#### GUN VIOLENCE

Mr. DURBIN. Mr. President, I rise to speak about the continuing toll of gun violence on our Nation and on my home State of Illinois.

This past week we lost too many Americans, and too many Illinoisans, to gunfire. Last Monday, 18-year-old April McDaniel was sitting on her porch in Chicago when a masked gunman in a car opened fire, killing April

and wounding four of her friends. Last Tuesday, four members of the Andrus family in Darien, Illinois—including the family's two daughters, ages 16 and 22—were shot to death in an apparent murder-suicide. On Thursday, 19-year-old Robert Allen was killed in a drive-by shooting on the South Side of Chicago. And over the weekend, at least 6 were killed and dozens more were wounded in shootings across the Chicago area.

This senseless violence is devastating personally to the families involved, and to all of us. Our thoughts and prayers are with the victims and with their families. The sad reality is that gun violence continues to be an epidemic in America. Over 11,000 Americans are murdered with guns each year. If you count suicides and accidental shootings, the death toll from guns rises to more than 31,000 Americans each year. We have become almost used to this, haven't we? We hear about it every night on the news and we begin to think this is normal. But it isn't normal in any country on Earth for so many people to die from the use of firearms.

You can get a sense of this grim toll by reading the daily "Gun Report" by New York Times columnist Joe Nocera. The report compiles news stories about shootings across the nation. For example, yesterday's Gun Report describes shootings that took place over the weekend. It mentions: a 3-year-old in Columbus, Ohio and a 4-year-old in Wichita, Kansas who were hit on Friday by stray bullets; an 18-year-old girl in Ankeny, Iowa, who was accidentally shot and killed by her father on Friday; a 30-minute shooting spree in Omaha, Nebraska on Saturday that left two dead and two critically injured; a 76-year-old man who shot and killed his 75-year-old wife on Saturday in Cortlandt, New York after an argument; and a man who walked into a Catholic church in Ogden, Utah and shot his father-in-law in the head during Sunday mass. These are just a few of the shootings mentioned in one Gun Report. And each new day brings another long list of shootings in communities across America. It is appalling.

Last Friday marked 6 months since the tragedy in Newtown when a gunman murdered 20 small children and 6 educators at Sandy Hook Elementary School. In the 6 months since that awful day, over 5,000 more Americans have been killed by gunfire.

I commend my colleagues from Connecticut, Senator CHRIS MURPHY and Senator RICHARD BLUMENTHAL, who have come to this floor repeatedly to call for reforms that will spare other families the tragedy that the Newtown families have suffered.

We need to heed those calls. We cannot simply shrug our shoulders and write off this epidemic of gun violence as the cost of living in America.

There is some progress to report when it comes to reducing gun violence. Officials at the local and state

level are taking proactive steps that are showing promising results.

In Chicago, for example, targeted policing strategies and community-based violence-prevention efforts have contributed to a 31 percent reported decrease in homicides compared to last year. The violence of this past week shows that more needs to be done, but this decline in killings is positive news. I commend the local officials, including mayor Rahm Emanuel, who are doing everything they can to reduce gun violence.

The General Assembly in Illinois just passed important legislation that would mandate background checks for private gun sales and require reporting of lost and stolen guns to law enforcement, something we failed to do. It should be a national law.

These are steps that will help keep guns out of the hands of criminals and the mentally ill. They will help reduce crime and save lives.

Other States are stepping up as well, with significant reforms passed in States like Colorado, New York, Maryland and Connecticut.

But State action alone is not sufficient. We need to do our part in Washington. Too often these guns cross State lines. Too often States have weak gun laws next to States with strong gun laws. That is why Congress needs to plug the gaping loopholes in our Federal background check system by passing legislation by Senator JOE MANCHIN, a conservative Democrat from West Virginia, and Senator PATRICK TOOMEY, a conservative Senator from Pennsylvania.

Congress also needs to pass a bill with real teeth to crack down on straw purchasing and gun trafficking, a bill that I worked on with Senators LEAHY, COLLINS, GILLIBRAND, and my colleague from Illinois, MARK KIRK.

Members of Congress need to take a stand on the issue of gun safety and gun violence. There should be no more hiding behind these empty, sham reform proposals written by the gun lobby to accomplish nothing. And no more claims that all we need to do is just enforce the laws on the books because we know the gun lobby has put loopholes in those laws that you can drive a truck through.

I want to mention a few things Congress should do to help reduce gun violence beyond the two items I mentioned. First, I will introduce legislation to encourage more crime gun tracing by State and local law enforcement. Crime gun tracing is a valuable tool for criminal investigations. When a gun is recovered in a crime, a police department can ask the Bureau of Alcohol, Tobacco, Firearms and Explosives, known as the ATF, to trace the crime gun back to its first retail sale. This information can help identify criminal suspects and potential gun traffickers. When all the crime guns in an area are traced, law enforcement can start to define and identify trafficking patterns.

ATF's crime gun tracing system is easy for law enforcement and it is free. Several years ago I reached out and challenged all of the law enforcement agencies in Illinois to submit the guns they had seized in crimes for tracing through the ATF. I am pleased to report that 388 Illinois agencies are now using the system called eTRACE but there are still thousands and thousands of law enforcement agencies across America that are not tracing their crime guns.

The legislation I am introducing is called the Crime Gun Tracing Act. It will require law enforcement agencies that apply for Federal COPS grants to report how many crime guns they recovered in the last year and how many they submitted for tracing. It will then give a preference in COPS grant awards to agencies that traced all the crime guns they recovered.

To be clear, law enforcement agencies should not just sit around and wait for a bill to pass before they start tracing crime guns. Tracing brings enormous benefits at virtually no cost. Agencies should not wait for this bill; they ought to start tracing today if they have not done so already. But the reality is many police departments, sheriffs' offices, have not been doing this. My bill will create an incentive for them to start.

Let me say something else. The Senate needs to confirm a Director to head the ATF. For the record, ATF has never had a Senate-confirmed Director. The Senate refused to confirm a Director under President George W. Bush and refused the second proposed Director under President Obama. Now a third candidate is being considered.

Since the Director position began requiring Senate confirmation in 2006, ATF has only had short-term Acting Directors, temporary leaders.

Whether it is a Republican President or a Democratic President, the gun lobby and their friends in the Senate have objected to every nominee. It looks as if they are preparing to mount an effort to stop the most recent nominee by President Obama, Todd Jones of Minnesota.

To be effective and accountable, Federal law enforcement agencies need Senate-confirmed leadership. But the gun lobby has done everything it can to keep this agency leaderless and weak. This is beyond hypocritical.

After the tragedy in Newtown, Mr. Wayne LaPierre of the National Rifle Association appeared before our Senate Judiciary Committee and said he opposed efforts to close gun loopholes because "we need to enforce the thousands of gun laws that are currently on the books." Well, the agency that enforces Federal gun laws and refers gun cases for Federal prosecution is the ATF. In fact, for the past 15 years there has been a provision written in an appropriations bill, a gun lobby rider, that prohibits any of ATF's enforcement functions from being moved to another agency. So the NRA is making

sure that the ATF is the only game in town when it comes to enforcing gun laws, and then they are making sure it never has a permanent Director.

I want to put the gun lobby on notice. If we can't get a Senate-confirmed Director for the ATF, then I am going to move to repeal the rider and bring in other Federal agencies with Senate-confirmed leadership—such as the Federal Bureau of Investigation—to make sure gun laws are enforced effectively in this country. The National Rifle Association and the gun lobby cannot have it both ways. They cannot complain that the gun laws are not being enforced and then stop any effort to put a permanent leader in place at this agency. The gun lobby has to make that choice. If they want to enforce gun laws on the books, they can work with us to confirm a Director at the ATF. If they want to keep blocking the ATF from having a Director, we will have to get other agencies involved to make sure laws are enforced. It is that simple.

In closing, I again extend my sympathy and prayers to the victims and families of gun violence. We have to do our part in Washington to put an end to this. We haven't had the votes we needed yet, but we should not give up. The American people are counting on us to make America safer.

Mr. President, I now ask unanimous consent that my last statement be placed in a separate part of the RECORD.

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

#### TYMOSHENKO IMPRISONMENT

Mr. DURBIN. Mr. President, I rise to discuss an issue that I hoped I wouldn't need to bring up today but unfortunately I do. I am referring to the continued imprisonment of the former Prime Minister of Ukraine, Yulia Tymoshenko, who has now sat in jail for almost 2 years.

In the fall of 2011 Ms. Tymoshenko was imprisoned for a 7-year term on charges that she abused her office in connection with a natural gas contract with Russia. I cannot judge the wisdom of that contract, but what is deeply troubling to me is the appearance of selective and politically motivated imprisonment of a former political leader in the democratic nation of Ukraine.

Ukraine is a promising and hopeful new member of the community of free-market democracies—one with a solid future in the West. It has strong ties to Europe and the United States.

This photo shows police officers leading former Ukrainian Prime Minister Yulia Tymoshenko out of the courtroom after the verdict in her case in Kiev on October 11, 2011.

Ukraine is a great nation. It has helped NATO in Bosnia, Libya, Iraq, and Afghanistan. It is a major contributor and a valuable international peacekeeper. It was an early leader in throwing away the shackles of the So-

viet Union and declaring its own independence.

In 2004 Ms. Tymoshenko and countless other Ukrainians organized a series of historic protests known as the Orange Revolution to address electoral fraud in the Presidential election in those days.

Ukraine's future is clearly with the community of democracies, and that is why the imprisonment of this former Prime Minister is so troubling. When a nation is a member of a community of democracies, it can't selectively throw its political opponents in jail for questionable policy decisions. If a poor policy decision is made, let the voters decide at the ballot box.

In the neighboring dictatorship of Belarus, 2010 Presidential candidate Mikalai Statkevich, who had the temerity to run against the strong-man dictator Viktor Lukashenko, still sits in jail because he challenged the dictator in an election. I might remind my friends in Ukraine that they do not want to be compared to Belarus. They should be democratic.

Countless international human rights groups and other countries have decried the charges against Ms. Tymoshenko and called for her release. The Parliamentary Assembly of the Council of Europe passed a resolution in January of 2012 declaring that the articles under which Ms. Tymoshenko was convicted were overly broad in application and effectively allow for ex post facto criminalization of normal political decisionmaking. Later that year both the European Parliament and our very own Senate passed resolutions condemning the sentencing of Ms. Tymoshenko and calling for her release.

The European Court of Human Rights, which settles cases of rights abuses after plaintiffs have exhausted appeals in their home country courts, recently considered this case and ruled that Ms. Tymoshenko's pretrial detention was unlawful, that the lawfulness of her detention had not been properly reviewed, her right to liberty had been restricted, and that she had no possibility to seek compensation for her unlawful deprivation. That is unacceptable.

I truly hope this ruling will finally create the circumstances for a face-saving way out of this mess. Unfortunately and regrettably, it has not happened. That is why I joined my colleagues, Senators RUBIO, BOXER, BARRASSO, MURPHY, and CARDIN, in submitting a resolution on the matter. It is simple and straightforward and expresses continued concern about Ms. Tymoshenko's selective and politically motivated detention.

I will close by saying that I was in Ukraine last year. I met with Prime Minister Azarov and President Yanukovich. They were generous hosts and very kind. They told me that something would be done in a positive way about Ms. Tymoshenko's imprisonment. That was a year ago and nothing has happened. I was optimistic then