

subpoenas issued, must be authorized by a majority of the members of the committee voting for approval to conduct such investigation at a business meeting of the committee convened in accordance with Rule 1.

8.2 Subpoenas.—The Chairman, with the approval of the ranking minority member of the committee, is delegated the authority to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing of the committee or a subcommittee or in connection with the conduct of an investigation authorized in accordance with paragraph 8.1. The Chairman may subpoena attendance or production without the approval of the ranking minority member when the Chairman has not received notification from the ranking minority member of disapproval of the subpoena within 72 hours, excluding Saturdays and Sundays, of being notified of the subpoena. If a subpoena is disapproved by the ranking minority member as provided in this paragraph the subpoena may be authorized by vote of the members of the committee. When the committee or Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other member of the committee designated by the Chairman.

8.3 Notice for Taking Depositions.—Notices for the taking of depositions, in an investigation authorized by the committee, shall be authorized and be issued by the Chairman or by a staff officer designated by him. Such notices shall specify a time and place for examination, and the name of the Senator, staff officer or officers who will take the deposition. Unless otherwise specified, the deposition shall be in private. The committee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness' failure to appear unless the deposition notice was accompanied by a committee subpoena.

8.4 Procedure for Taking Depositions.—Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. The Chairman will rule, by telephone or otherwise, on any objection by a witness. The transcript of a deposition shall be filed with the committee clerk.

#### RULE 9—AMENDING THE RULES

These rules shall become effective upon publication in the Congressional Record. These rules may be modified, amended, or repealed by the committee, provided that all members are present or provide proxies or if a notice in writing of the proposed changes has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. The changes shall become effective immediately upon publication of the changed rule or rules in the Congressional Record, or immediately upon approval of the changes if so resolved by the committee as long as any witnesses who may be affected by the change in rules are provided with them.

#### ILLEGAL GUN TRAFFICKING

Mr. LEVIN. Mr. President, there is growing awareness across the country that too little has been done to combat illegal gun trafficking. This awareness was validated by a report released last week by the Brady Center to Prevent Gun Violence which revealed that some licensed gun dealers are complicit in aiding gun traffickers, yet remain largely untouched by the law.

The report, "Shady Dealings: Illegal Gun Trafficking from Licensed Gun

Dealers," was released in Philadelphia, a city that is combating a sharp increase in gun violence. In 2002, the city reached a 17-year low in homicides with 288. However, since then, homicide rates have soared. Last year, the city suffered 406 homicides and is on track to exceed that total in 2007. The report documents over two dozen cases of illegal gun trafficking from dealers across the country. In each case, gunrunners were prosecuted; however, the dealers who supplied them received no legal sanctions.

"Shady Dealings" documents several scenarios in which dealers turn a blind eye to clear indications of gunrunning. In-store straw purchases are transactions that violate Federal law in which one individual submits to the required Federal background check for a gun that is clearly intended for use by someone else. Multiple purchases of the same model gun by an individual should be an indication that the guns are not for personal use. Large volume sales of handguns should be a red flag to dealers. In one case, a gun dealer sold 87 pistols to a gun trafficker's straw buyer in a single transaction. Another red flag for trafficking should occur when a single buyer makes repeated purchases from a dealer. In one instance, a trafficker from Ohio made at least 19 visits to a particular gun shop, yet was never turned away. Dealer sales to traffickers at gun shows present special opportunities for trafficking. A single gun dealer in Georgia was recorded selling eight guns to one trafficker and 20 additional pistols to two other traffickers. Several of the weapons were recovered by the New York City police, and one of them was used to shoot a New York City police officer.

Unfortunately, making life easier for gun traffickers presents the opportunity for financial reward with little to no consequence for gun dealers. Not one of the dealers profiled in the Brady Center report has been put out of business by the ATF or prosecuted for selling guns to convicted gun traffickers. As a result, the underground market for guns is fueled the diversion of massive numbers of guns from licensed gun dealers into the hands of criminals. Almost 60 percent of the guns traced to crime by the ATF originated from only about 1 percent of the Nation's gun dealers. Additionally, approximately 30 percent of the guns traced to crime were traced within 3 years of their retail sale. I urge my colleagues to take up and pass sensible gun legislation that will help prevent such egregious acts and help protect the welfare of our communities.

#### IN RECOGNITION OF AMERICAN HEART MONTH

Mr. DORGAN. Mr. President, today marks the start of American Heart Month. I note the occasion not as a reminder to my colleagues to purchase flowers or chocolates for their loved

ones for Valentine's Day but as a reminder that we need to redouble our efforts to fight heart disease, stroke, and other cardiovascular diseases.

More than 80 million Americans—about 1 in 3 adults—are living with some form of cardiovascular disease. Heart disease remains the leading cause of death in America and stroke is the No. 3 killer. These devastating diseases have touched the lives of nearly every family in America.

Heart disease, stroke, and other cardiovascular diseases will cost our Nation more than \$430 billion in 2007, including more than \$284 billion in direct medical costs.

While it is true that we are making some progress, we can't win the fight against heart disease, stroke, and other cardiovascular diseases without the support of Congress and the administration. Next week, the President will send Congress a budget proposal for fiscal year 2008. The budget is more than just a lengthy document—it is a statement of our Nation's priorities. I believe investing in cardiovascular research, prevention, and treatment programs should be one of our highest priorities.

I was disappointed by the budget the President proposed last year. The administration's proposal would have scaled back funding for heart disease and stroke research at the National Institutes of Health, NIH, prevention programs at the Centers for Disease Control and Prevention, CDC, and a program that helps rural communities purchase lifesaving medical equipment.

The administration's fiscal year 2007 budget would have cut funding for the National Heart, Lung and Blood Institute by \$21 million and the National Institute of Neurological Disorders and Stroke by \$11 million. I am grateful that Congress rejected this proposal. Our investment in the NIH holds enormous promise to turn the tide against so many devastating diseases, including heart disease and stroke.

The President also proposed scaling back funding for the heart disease and stroke prevention program at the CDC. This program helps States design and implement plans to prevent cardiovascular disease before it occurs. Despite the fact that heart disease is the No. 1 cause of death in the country and stroke is the No. 3 killer, the CDC does not have enough funding to implement this important program in all States. The CDC provides funding for 19 States to develop plans and another 14 States to implement the plans.

Finally, the administration tried to eliminate funding for a program that helps rural communities purchase automated external defibrillators, AEDs. AEDs are small, laptop-size devices that help restore normal heart function after cardiac arrest. AEDs save lives, especially when placed in areas where large numbers of people congregate and in rural communities where emergency medical personnel are not readily available. I believe Congress should continue to provide grants