

When the Nation goes to war, we promise each and every individual on the battlefield that they will have the best support this Nation can muster. When we take people who are capable of performing off the battlefield, we have the potential to jeopardize the safety of those who remain.

The Presiding Officer was not here when I began my remarks, and I began those remarks by acknowledging what the Presiding Officer, the Senator from Virginia, has done in focusing the Senate's attention on the families of those who serve. I greatly appreciate that. I also appreciate the level of debate, the level of concern, and the level of genuine caring to make sure our policies do right by those who serve this country, not only on the battlefield but for those who are serving at home. I don't believe that debate or this discussion is over by any stretch of the imagination, but as we continue to debate the direction of this war, we should always make sure we are recognizing all who are serving.

I want to take just a very brief moment, as I have had an opportunity to join with my colleague, Senator CASEY from Pennsylvania, in introducing an amendment to the Department of Defense Authorization Act. This amendment calls for a civilian and diplomatic surge in Iraq. We spend a lot of time talking on this floor about the military component, what our force strength is, the relative success or failures in certain parts of Iraq. There has been a lot of focus on that aspect of the war. Yet as we talk to our military leaders, we hear from them that it is not a military solution alone. There must be a political resolve as well, and that political resolve must come about through diplomatic channels and resources and truly on the civilian side.

When General Petraeus was before the Foreign Relations Committee a week or so ago, I asked him at that time if he believed the civilian surge was adequate; did he have the assistance he needed to do the job, to complete the task. He said certain elements of our Government are at war, but not all of the others. We can use help in those areas, whether it is the Ministry of Agriculture or Treasury. There are areas that can be identified. So I have joined with Senator CASEY in calling for an equal push on the diplomatic front and on the civilian side. There is more that we can do and more that we should do so we are able to see the progress that all of us wish to see in the war in Iraq.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WEBB). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONDOLENCES ARE NOT ENOUGH

Mr. LEVIN. Mr. President, in the aftermath of the Virginia Tech massacre, Virginia Governor Tim Kaine commissioned a panel of experts to conduct an independent review of the tragedy and make recommendations regarding improvements to Virginia's laws, policies and procedures. Late last month, the Virginia Tech Review Panel released its report.

The panel was given the difficult task of reviewing the events, assessing the actions taken and not taken, identifying the lessons learned, and proposing alternatives for the future. This included a detailed review of Seung Hui Cho's background and interactions with the mental health and legal systems, as well as the circumstances surrounding his gun purchases. Additionally, they assessed the emergency responses by law enforcement officials, university officials, medical examiners, hospital care providers and the medical examiner. Finally, the panel reviewed the university's approach to helping families, survivors, students and staff as they deal with the mental trauma incurred by the tragedy.

Among other things, the report points to weak enforcement of and gaps in regulations regarding the purchase of guns, as well as holes in State and Federal privacy laws. It talks about the critical need for improved background checks and the inherent danger the presence of firearms can present on college campuses. Tragically, many proponents of gun safety legislation have previously unsuccessfully attempted to enact the very improvements recommended in the panel's report. The tragedy at Virginia Tech underscores the need to strengthen gun safety laws. I urge Congress to wait no longer in taking up and passing sensible gun legislation.

I ask unanimous consent to include the Virginia Tech Review Panel's primary recommendations regarding firearm laws in the RECORD.

VI-1 All states should report information necessary to conduct federal background checks on gun purchases. There should be federal incentives to ensure compliance. This should apply to states whose requirements are different from federal law. States should become fully compliant with federal law that disqualifies persons from purchasing or possessing firearms who have been found by a court or other lawful authority to be a danger to themselves or others as a result of mental illness. Reporting of such information should include not just those who are disqualified because they have been found to be dangerous, but all other categories of disqualification as well. In a society divided on many gun control issues, laws that specify who is prohibited from owning a firearm stand as examples of broad agreement and should be enforced.

VI-2 Virginia should require background checks for all firearms sales, including those at gun shows. In an age of widespread information technology, it should not be too difficult for anyone, including private sellers, to contact the Virginia Firearms Transaction Program for a background check that usually only takes minutes before transferring a firearm. The program already proc-

esses transactions made by registered dealers at gun shows. The practice should be expanded to all sales.

Virginia should also provide an enhanced penalty for guns sold without a background check and later used in a crime.

VI-3 Anyone found to be a danger to themselves or others by a court-ordered review should be entered in the Central Criminal Records Exchange database regardless of whether they voluntarily agreed to treatment. Some people examined for a mental illness and found to be a potential threat to themselves or others are given the choice of agreeing to mental treatment voluntarily to avoid being ordered by the courts to be treated involuntarily. That does not appear on their records, and they are free to purchase guns. Some highly respected people knowledgeable about the interaction of mentally ill people with the mental health system are strongly opposed to requiring voluntary treatment to be entered on the record and be sent to a state database.

Their concern is that it might reduce the incentive to seek treatment voluntarily, which has many advantages to the individuals (e.g., less time in hospital, less stigma, less cost) and to the legal and medical personnel involved (e.g., less time, less paperwork, less cost). However, there still are powerful incentives to take the voluntary path, such as a shorter stay in a hospital and not having a record of mandatory treatment. It does not seem logical to the panel to allow someone found to be dangerous to be able to purchase a firearm.

VI-4 The existing attorney general's opinion regarding the authority of universities and colleges to ban guns on campus should be clarified immediately. The universities in Virginia have received or developed various interpretations of the law. The Commonwealth's attorney general has provided some guidance to universities, but additional clarity is needed from the attorney general or from state legislation regarding guns at universities and colleges.

VI-5 The Virginia General Assembly should adopt legislation in the 2008 session clearly establishing the right of every institution of higher education in the Commonwealth to regulate the possession of firearms on campus if it so desires. The panel recommends that guns be banned on campus grounds and in buildings unless mandated by law.

VI-6 Universities and colleges should make clear in their literature what their policy is regarding weapons on campus. Prospective students and their parents, as well as university staff, should know the policy related to concealed weapons so they can decide whether they prefer an armed or arms-free learning environment.

JUDGE MICHAEL B. MUKASEY

Mr. KYL. Mr. President, I rise in support of the nomination of Judge Michael B. Mukasey to become the Nation's 81st Attorney General.

Judge Mukasey has devoted more than 22 years to public service, 4 as a Federal prosecutor and more than 18 as a Federal district court judge for the Southern District of New York, one of the most prominent Federal district courts in the United States. For 6 years he was the chief judge.