

Stat. 1910) is amended by striking “fiscal years 2007 through 2011” and inserting “fiscal years 2014 through 2018”.

**SEC. 1105. CHILD ABUSE TRAINING PROGRAMS FOR JUDICIAL PERSONNEL AND PRACTITIONERS REAUTHORIZATION.**

Subtitle C of the Victims of Child Abuse Act of 1990 (42 U.S.C. 13024) is amended in subsection (a) by striking “\$2,300,000” and all that follows and inserting “\$2,300,000 for each of fiscal years 2014 through 2018.”.

By Mr. LEAHY (for himself and Mr. DURBIN):

S. 54. A bill to increase public safety by punishing and deterring firearms trafficking; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am introducing legislation directed at combating the practice of straw purchasing and illegal trafficking in firearms. I thank the law enforcement partners who have contributed ideas and Senator DURBIN for joining me in this effort. I hope that as Senators become familiar with the proposal, they will see it as a focused approach to provide law enforcement officials with the tools they need to go after those who engage in the illegal trafficking. This commonsense measure deserves the bipartisan support that will be critical to any effort in the Senate to reduce gun violence in America.

I have heard again and again from Senators on both sides of the aisle that keeping guns away from those who should not have them is a goal worth pursuing. This bill will further that effort. When the President spoke last week about the need for legislative action in the wake of the horrific events at Sandy Hook Elementary School, strengthening our law enforcement efforts against illegal gun trafficking was one of the key issues he proposed. This bill will answer that call to action.

Next week, the Senate Judiciary Committee will hold the first hearing of the 113th Congress on the issue of gun violence. I expect that part of that discussion will include examining various legislative proposals Senators have put forward. We need to move beyond platitudes and toward solutions. It is my hope that as the Committee proceeds we can find areas of common ground.

There is now broad recognition that the Second Amendment guarantees the individual right to own a firearm, and that self protection is an essential part of that right. To the extent there used to be a backdrop of uncertainty about the meaning of the Second Amendment, that time is past. I have long believed that the right to bear arms for protection is a fundamental right. The Supreme Court has now confirmed the individual right guaranteed by the Second Amendment. That is no longer questioned. So we can proceed now in this discussion with certainty that Americans' constitutional rights will be preserved while we seek solutions to prevent gun violence.

There is broad agreement that keeping guns away from those suffering

from mental illness and criminals is the right thing to do. I am a responsible gun owner. I know that other responsible gun owners will support better enforcement of the laws that exist to keep guns out of the hands of criminals and the mentally ill. We cannot allow those who are barred from buying guns to circumvent our laws. That is just common sense.

Law enforcement officials have complained for years that they lack the legal tools necessary to effectively combat illegal firearms trafficking. Congressional inquiry during the last Congress should have put a spotlight on the very difficult legal environment within which law enforcement officials currently operate. In fact, one of the whistleblowers who testified about the misguided tactics used by Federal law enforcement in firearms trafficking investigations in Arizona described the current laws as “toothless”. If we are to address gun violence, we must respond to this clear vulnerability.

The Stop Illegal Trafficking in Firearms Act will make important changes to Federal firearms statutes to give law enforcement officials the tools they need to investigate and prosecute the all-too-common practice of straw purchasing and illegal trafficking of firearms. This practice typically involves a person who is not prohibited by Federal law purchasing a firearm on behalf of a prohibited person, or at the direction of a drug trafficking or other criminal organization. It is a problem that must be addressed. It not only results in the support of larger criminal organizations, but also in the proliferation of illegal firearms and gun violence in our communities. It puts both law enforcement officials and law abiding firearms dealers in a very difficult position but more importantly, this makes our citizens and communities less safe.

Under current law, there is no specific statute that makes it illegal to act as a straw purchaser of firearms. Nor is there a law directly on point to address the illegal trafficking of firearms. As a result, prosecutors must cobble together charges against a straw purchaser using so-called “paperwork” violations such as lying on a Federal form. These laws are imperfect, and do not give prosecutors the leverage needed to encourage straw buyers, often the lowest rungs on a ladder in a criminal enterprise, to provide the information needed for investigators and prosecutors to go after those directing and profiting from such activity.

The bill I introduce today will add a new provision to our Federal criminal code to specifically prohibit serving as a straw purchaser of firearms, and establishes tough penalties for those who purchase firearms for, on behalf of, or with the intent to transfer the firearms to someone prohibited from making that purchase directly. Under current law, it is a crime to transfer a firearm to another with the knowledge that the

firearm will be used in criminal activity. This bill would strengthen this existing law by prohibiting such a transfer where the transferor has “reasonable cause to believe” that the firearm will be used in relation to criminal activity. The bill does contain important exemptions from the prohibition, namely, the transfer of a firearm as a gift, or in relation to a legitimate raffle, auction or contest.

This bill will complement existing law that makes it a crime to smuggle firearms into the United States by specifically prohibiting the smuggling of firearms out of the United States.

The provisions laid out in this legislation are focused, commonsense remedies to the very real problem of firearms trafficking and straw purchasing. The bill does not affect Federal firearms licensees, and in no way alters their rights and responsibilities as sellers of a lawful commodity.

As the Senate seeks a way forward to find national solutions to reduce gun violence, I hope Senators from across the political spectrum can work together to find common ground. We have a responsibility and a duty to refine our laws consistent with the rights guaranteed by the Second Amendment. As Chairman of the Judiciary Committee, a Senator, a Vermonter, an American, a father and a grandfather, I am prepared to hear all ideas, listen to all views, and work with Senators from both sides of the aisle. The bill I introduce today is the first of several proposals I expect to support to reduce gun violence. I look forward to discussing it further with fellow Senators and witnesses at the upcoming hearing before the Senate Judiciary Committee.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1. Mr. BAUCUS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

SA 2. Mr. REID (for Mr. UDALL of Colorado (for himself and Mr. BENNET)) submitted an amendment intended to be proposed by Mr. REID, of NV to the bill H.R. 152, supra; which was ordered to lie on the table.

**TEXT OF AMENDMENTS**

SA 1. Mr. BAUCUS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill H.R. 152, making supplemental appropriations for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, between lines 16 and 17, insert the following:

**SEC. 1012. SUPPLEMENTAL AGRICULTURAL DISTASTER ASSISTANCE PROGRAMS.**

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PRODUCER ON A FARM.—

(A) IN GENERAL.—The term “eligible producer on a farm” means an individual or entity described in subparagraph (B) that, as