nor Florida has been able to prove any real or substantial harm resulting from the Army Corps of Engineers’ or Georgia’s water management practices. As a matter of fact, they are under court direction today.

The truth is, what I am about to tell you is not new. Since 1980, the population of the Metro Atlanta water district has more than doubled from just over 2 million to over 5 million, and that is as a percentage of about 10.5 million people in the State as a whole in 2014. Since 2000 alone, the population of this metro area has grown by more than 1 million. Since the formation of the Metropolitan North Georgia Water Planning District in 2001, water withdrawals in Metro Atlanta have decreased dramatically even as the population grew by more than 1 million. As a matter of fact, the consumption per capita has gone down by more than one-third.

This is good water management. Georgia has been a good steward of water resources, and this has been repeatedly validated. In fact, Metro Atlanta water systems have gone above and beyond the necessary water management practices to ensure that they are conserving as much as possible and efficiently properly using the water they do withdraw.

Again, the numbers back this up. There are 15 counties in the metro district. As I said before, from 2000 to 2013, water withdrawals have declined by more than one-third. Both Alabama and Florida have consistently lost in court because their claims have been found to be baseless. Because they cannot win in court, now we see the senior Senator from Alabama trying to win through the appropriations process in Congress.

There is a case on this issue currently being litigated between the States in the U.S. Supreme Court that is due to be heard by a court-appointed special master in November of this year. There is another case pending in the U.S. District Court for the District of Columbia, and yet another one is pending in the U.S. District Court for the Northern District of Georgia. We need to allow the legal process to run its natural course on these cases.

But, again, some in this body are short-circuiting that litigation through the appropriations process. That is just not appropriate. This short-circuiting would have improper influence on the outcomes of these court cases. That speaks volumes.

We are not sent here to pick winners and losers among the States. This is a matter for the States involved to litigate and negotiate, as are all interstate disputes. By the way, that should set a dangerous precedent not just for these three States but for all States that have water rights issues.

This is a matter for the States involved to litigate and negotiate, as are all interstate disputes. This is not a matter to be dealt with through the appropriations process of the Federal Government.

Attempts at this kind of Washington meddling are exactly why many of our constituents have lost trust in this body. We must remove this language from the CJS bill or we will set a dangerous precedent moving forward.

I yield back the remainder of my time.

I suggest the absence of a quorum.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016—MOTION TO PROCEED

The PRESIDING OFFICER. The clerk will report the pending business.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 120, H.R. 2578, a bill making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

The motion was agreed to.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. The question is on agreeing to the motion to proceed.

The motion was agreed to.

For necessary expenses of the Office of the United States Trade Representative, including the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $34,250,000, of which $1,000,000 shall remain available until September 30, 2017, of which $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of real property, $12,000,000, to remain available until September 30, 2017, of which $10,000,000 is to be derived from fees to be retained and used by the International Trade Commission, notwithstanding section 302 of title 31, United States Code: Provided, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: Provided further, That the provisions of the first sentence of section 103(f) and all of section 103(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2453(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

OFFICE OF UNITED STATES TRADE REPRESENTATIVE SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, $54,250,000, of which $1,000,000 shall remain available until September 30, 2017, of which $1,000,000 is to be derived from fees to be retained and used by the United States Trade Representative, including employment of experts and consultants as authorized in the first paragraph of section 3109 of title 5, United States Code: Provided, That section 141(a) of the Trade Act of 1974 (19 U.S.C. 2171(a)) is amended by striking “Executive Office of the President” and inserting “Department of Commerce”: Provided further, That not to exceed $124,000 shall be available for official representation and reception expenses.

BUREAU OF INDUSTRY AND SECURITY OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad, full medical coverage for immediate members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (15 U.S.C. 401(b)); and purchase, sale, or lease of passenger motor vehicles or property for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 34, United States Code; full medical coverage for dependent members of families of employees stationed overseas; travel and transportation of employees of the International Trade Administration between two or more points; notwithstanding section 4018 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of real property for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed $294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of real property, $12,000,000, to remain available until September 30, 2017, of which $10,000,000 is to be derived from fees to be retained and used by the International Trade Commission, notwithstanding section 302 of title 31, United States Code: Provided, That, of amounts provided under this heading, not less than $16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: Provided further, That the provisions of the first sentence of section 103(f) and all of section 103(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2453(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.
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the provisions of the first sentence of section 101(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2454(f) and 2454(c)) shall apply in carrying out the provisions of this Act.

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, and for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), $323,000,000, to remain available until expended; of which $10,000,000 shall be for grants under such section 27.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $37,000,000; Provided, That these funds may be used to monitor projects approved pursuant to section 4 of the Public Works Empowerment Act of 1978 (15 U.S.C. 3703), the Economic Development Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses for salaries, payments, and other expenses with public or private organizations, $30,000,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $100,000,000, to remain available until September 30, 2017.

BUREAU OF THE CENSUS

CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, $286,000,000; Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities, $60,000,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs provided for by law, $272,000,000, to remain available until September 30, 2017; Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities, $75,000,000.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recovered and unusable amounts of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against it, $2,272,000,000, to remain available until expended: Provided, That, the sum herein appropriated for the USPTO, shall be reduced by the amount of any voluntary liquidating collections from unobligated balances and the amounts available for such USPTO collections as offsetting collections of funds and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2016, so as to result in a fiscal year 2016 appropriation from the general fund estimated at $0; Provided further, That during fiscal year 2016, should the total amount of such offsetting collections be less than $2,272,000,000 this amount shall be reduced accordingly: Provided further, That any amount received in excess of $2,272,000,000 in fiscal year 2016 and deposited in the Patent and Trademark Office Savings and Interest Fund shall remain available until expended: Provided further, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That any amounts reprogrammed in accordance with the preceding proviso shall also be transferred to the United States Patent and Trademark Office "Salaries and Expenses" account: Provided further, That from amounts provided herein, not to exceed $900 shall be made available in fiscal year 2016 for official representation expenses: Provided further, That in fiscal year 2016 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees for health benefits under the Federal Employees Health Benefits Program (FEHB) and the Federal Employees Group Life Insurance (FEGLI), shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology (NIST), $864,700,000, to remain available until expended, of which not to exceed $9,000,000 may be transferred to the "Working Capital Fund": Provided, That not to exceed $5,000 shall be for reprogramming and retransfers: Provided further, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY

For necessary expenses for industrial technology services, $145,000,000, to remain available until expended, of which $120,000,000 shall be for the Hollings Manufacturing Extension Partnership Program, and of which not to exceed $25,000,000 shall be for the Advanced Manufacturing Technology Consortia.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c–278e), $63,300,000, to remain available until expended: Provided, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President for a fiscal year under title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total non-Federal share of $1,000,000,000 or more, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations; for conducting activities pursuant to cooperative agreements; and relocation of facilities, $2,324,723,000, to remain available until September 30, 2017, except that funds provided for cooperative enforcement shall remain available until September 30, 2018: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: Provided further, That $130,164,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery..."
Products and Research Pertaining to American Fisheries, which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program, Cooperative Research, Annual Stock Assessments, and Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: Provided further, That of the $3,390,387,000 provided for in direct obligations under this Act, $3,242,723,000 is appropriated from the general fund, $130,164,000 is provided by transfer and $17,509,000 is derived from recoveries of prior year obligations: Provided further, That the total amount available for National Oceanic and Atmospheric Administration corporate services and support costs shall not exceed $222,533,000: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act; Provided further, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their survivors under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital alteration, modification, and improvement, life cycle costs, of the National Oceanic and Atmospheric Administration, $2,079,494,000, to remain available until September 30, 2018, except that funds provided for acquisition and construction of vessels and construction of facilities shall remain available until expended: Provided, That $2,079,494,000 provided for in direct obligations under this heading, $2,079,494,000 is appropriated from the general fund and $13,000,000 is provided from recoveries of prior year obligations: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an explanation for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than $5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for such project for each of the 5 subsequent fiscal years: Provided further, That, within the amounts appropriated, $1,302,000 shall be transferred to the “Office of Inspector General” account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $85,000,000 available until September 30, 2017: Provided, That of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Montana, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead that are in populations that are threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty rights or for tribal fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: Provided further, That all funds shall be allocated based on scientific and other merit principles and shall not be available for matters not consistent with Federal policy: Provided further, That funds disbursted to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN’S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95–372, not to exceed $330,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, obligations of direct loans may not exceed $24,000,000: Provided further, That funds shall not exceed $100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided by law, including not to exceed $4,500 for official reception and representation, $56,000,000: Provided further, That any or all of the Secretary of Commerce may use up to $2,500,000 to engage in activities to provide businesses and communities with information about and refer customers to resources, services, and programs to help them comply with Federal, State, and local government programs.

OFFICE OF INSPECTOR GENERAL


GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are necessary.

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 1309; and uniforms therein, as authorized by law (5 U.S.C. 5901–5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That in no case shall this provision be construed to treat as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in such section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the transfer of any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in such section: Provided further, That the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Montana, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead that are in populations that are threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty rights or for tribal fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: Provided further, That all funds shall be allocated based on scientific and other merit principles and shall not be available for matters not consistent with Federal policy: Provided further, That funds disbursted to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112–74) and subpart 1 of the budgetary justification, including, for the purposes related to carrying out the responsibilities of the National Oceanic and Atmospheric Administration (NOAA), the Administrator of NOAA is authorized to: (1) enter into grants and cooperative agreements with, (2) use on a non-reimbursable basis, or (3) receive and expend funds made available on a consensual
LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including amounts provided $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General, and land and a secure automated information network and a secure automated information network and a secure automated information network and a secure automated information network, owned space in the District of Columbia, $865,000,000, of which not to exceed $20,000,000 for litigation support contracts shall remain available until expended, provided that of the amount provided for INTERPOL Washington dues, payments not to exceed $685,000 shall remain available until expended; Provided further, That the sum herein appropriated, not to exceed $9,000 shall be available to INTERPOL Washington for official reception and representation expenses: Provided further, That not-withstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "SALARIES AND EXPENSES, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary in such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for any expenditure except in compliance with the procedures set forth in that section: Provided further, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 5 of the Voting Rights Act of 1965 (52 U.S.C. 1971d-2(d)). Provided further, That the amounts provided under this heading for the election monitoring program, $1,390,000 shall remain available until expended.

In addition, for reimbursement of expenses of the Department of Justice associated with prosecuting cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $9,358,000, to be appropriated for the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $162,246,000, to remain available until expended: Provided, That the Attorney General may transfer funds to the Antitrust Division for salaries and expenses associated with the election monitoring program under section 5 of the Voting Rights Act of 1965 (52 U.S.C. 1971d-2(d)), regardless of the year of collection (and estimated to be $124,000,000 in fiscal year 2016), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the amount herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the general fund estimated at $38,246,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys under governmental and cooperative agreements, $1,973,000,000: Provided, That the total amount appropriated, not to exceed $7,200 shall be available for expenses of conflict resolution and representation expenses: Provided further, That not to exceed $25,000,000 shall remain available until expended.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $225,908,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors. Provided further, That, notwithstanding any other provision of law, $162,000,000 of offsetting collections pursuant to section 59a(b) of title 28, United States Code, may be used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the Fund estimated at $63,908,000.

FEDERAL PRISONER DETENTION

For necessary expenses related to United States prisoners in the custody of the United States Marshals Service, $1,952,000,000, to be derived from the United States Marshals Service Fund.
States Marshals Service as authorized by section 501 of title 18, United States Code, $1,454,414,000, to remain available until expended: Provided, That not to exceed $20,000,000 shall be available for the purposes of the General Administration, Detention Trustee shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, $93,000,000, of which not to exceed $5,000,000 for information technology systems shall remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General of emergency circumstances requiring additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice and shall be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses of the Federal Bureau of Investigation, $2,033,320,000; for necessary expenses of the Drug Enforcement Administration, $2,016,000,000; for the conduct of drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $2,033,320,000; of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcoho, Tobacco, Firearms and Explosives for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canine, explosive and fire and accelerants detection, and the provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $1,201,000,000, of which not to exceed $36,000 shall be for official reception and representation expenses, not to exceed $1,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed $20,000,000 shall remain available until expended: Provided, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 926(c) of title 18, United States Code: Provided further, That such funds may be used to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 926(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM SALARIES AND EXPENSES (INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to States, $4,613,820,000: Provided, That the Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, are individuals committed to the custody of the Federal Prison System, not to exceed $5,400 shall be available for official reception and representation expenses.

CONSTRUCTION

For necessary expenses, to include the cost of equipment and information technology requirements, related to construction or acquisition of buildings, facilities and sites by purchase, or as otherwise authorized by law; conversion and extension of Federally-owned buildings; preliminary planning and design of projects; and operation and maintenance of secure work environment facilities and secure properties, $108,982,000, to remain available until expended.

DRUG ENFORCEMENT ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 for the expenses of the emergency management functions of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, $1,463,900,000, of which not to exceed $75,000,000 shall remain available until expended and not to exceed $90,000 shall be available for official reception and representation expenses.

(1) $41,000,000 is for public safety initiatives; 
(2) $5,000,000 is for activities to strengthen and enhance the practice of forensic sciences, of which $4,000,000 is for transfer to the National Institute of Standards and Technology to support Scientific and Quality Assurance for Forensic Sciences; 
(3) $41,000,000 is for Drug Courts, as authorized by section 401(c)(5) of the 1968 Act; 
(4) $10,000,000 for mental health courts and an additional $4,000,000 for youth/homeless court programs and activities, of which $2,000,000 is for in- tended to enhance prosecutorial decision-making, 
(5) $50,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as author- ized by section 201 of the 1968 Act; 
(6) $5,000,000 is for an initiative to support evidence-based policing, $2,500,000 is for an initiative to enhance prosecutorial decision-making, 
(7) $20,000,000 is for a competitive matching grant program for purchases of body-worn cameras for State, local and tribal law enforcement, and $2,400,000 is for the operationalization, maintenance and expan- sion of the National Missing and Unidentified Persons System; 
(8) $5,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(a)(5)); Provided, That no jurisdic- tions except other than jurisdictions that have greater than the average number of Federal im- migration and other detainees housed in State and local detention facilities; 
(9) $20,000,000 for Drug Courts, as authorized by section 1001(a)(5)(A) of title I of the 1968 Act; 
(10) $6,000,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40002 of the 1994 Act; 
(11) $10,000,000 is for grants to support family programs in the justice system, as authorized by section 1001 of the 2000 Act; Provided, That unobligated balances available for the programs authorized by section 1101 of the 2000 Act and section 40102 of the 1994 Act, prior to their amend- ment by the 2013 Act, shall be available for this program; 
(12) $35,000,000 for rural domestic violence and crime prevention assistance, as authorized by section 40295 of the 1994 Act; 
(13) $125,000,000 for DNA-related and forensic science grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110–416); 
(14) $1,500,000 is transferred directly to the National Institute of Justice Reorganization Account and Improvement Grant Program, as authorized by section 201 of the 1968 Act; 
(15) $500,000 is for a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women; and 
(16) $5,000,000 is for grants to domestic violence, as authorized by section 41501 of the 2005 Act for State, local, and tribal law enforcement, in accordance with section 41501(f) of the 1968 Act; 
(17) $70,000,000 is for an initiative to support evidence-based policing, $2,500,000 is for an initiative to enhance prosecutorial decision-making, 
(18) $125,000,000 for DNA-related and forensic science grants, as authorized by part S of title I of the 1968 Act; and 
(19) $20,000,000 is for an initiative to support evidence-based policing, $2,500,000 is for an initiative to enhance prosecutorial decision-making, 
(20) $5,000,000 is for activities to strengthen and enhance the practice of forensic sciences, of which $4,000,000 is for transfer to the National Institute of Standards and Technology to support Scientific and Quality Assurance for Forensic Sciences; 
(21) $5,000,000 is for an initiative to support evidence-based policing, $2,500,000 is for an initiative to enhance prosecutorial decision-making, 
(22) $5,000,000 is for an initiative to support evidence-based policing, $2,500,000 is for an initiative to enhance prosecutorial decision-making, 
(23) $20,000,000 is for an initiative to support evidence-based policing, $2,500,000 is for an initiative to enhance prosecutorial decision-making, 
(24) $177,000,000 is for a DNA analysis and capacity enhancement program and for other
local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106–546) (the Debbie Smith DNA Analysis Backlog Elimination Act). Provided, That the amount provided under this paragraph, $500,000, shall be for the purpose authorized and required under section 2 of the DNA Analysis Backlog Elimination Act.

SEC. 102. (A) $10,000,000 shall be for the Tribal Youth Program; (B) $2,500,000 for a Tribal Juvenile Justice Program; (C) $5,000,000 for a Tribal Juvenile Justice Demonstration Program; (D) $22,000,000 for a Tribal Juvenile Justice Research Program; (E) $75,000,000 for tribal youth services; and (F) $500,000 for a Tribal Juvenile Justice Technical Assistance Program.

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SEC. 103. Notwithstanding section 7002(c) of the Omnibus Crime Control and Safe Streets Act of 1994 (Public Law 103–322; 18 U.S.C. 3601 note), the $350,000,000 made available under this paragraph, $10,000,000 for community policing development activities in activities in furtherance of the purposes in section 1701; Provided further, That within the amounts appropriated under this paragraph, $10,000,000 is for the collaborative reform model of technical assistance in furtherance of the purposes in section 1701; (3) $7,000,000 is for competitive grants to State law enforcement agencies in States with high rates of primary treatment admissions for heroin and other opioids; Provided, That these funds shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers; and (4) $7,000,000 is for competitive grants to statewide law enforcement agencies in States with high rates of primary treatment admissions for heroin and other opioids; Provided, That these funds shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers.

SEC. 201. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $50,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 202. None of the funds appropriated by this Act shall be available for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 203. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 204. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide such services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 203 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 205. Not to exceed 5 percent of any appropriated funds made available under the fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise provided and limited by this Act, shall be increased by more than 10 percent by any such transfers.
SEC. 206. Funds appropriated by this Act or any other Act under the heading "Bureau of Alcohol, Tobacco, Firearms, and Explosives, Salaries and Expenses" shall be available for retention pay purposes to Federal law enforcement officers who would otherwise be subject to a reduction in pay upon termination of the Bureau’s Personnel Management Demonstration Project (as transferred to the Attorney General of the United States by section 301 of the Homeland Security Act of 2002, Public Law 107–296 (28 U.S.C. 599B)). Provided, That such retention pay shall comply with section 5363 of title 5, United States Code, and related regulations. SEC. 207. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for a crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Commissioner of Prisons as appropriately secure for housing such a prisoner.

SEC. 208. (a) None of the funds appropriated by this Act or any other Act under the heading "Research, Evaluation and Statistics", "State and Local Law Enforcement Assistance", or "Juvenile Justice Programs", to be transferred to and merged with funds made available under the heading "State and Local Law Enforcement Assistance", shall be available for tribal criminal justice assistance without regard to the authorizations for such grant or reimbursement programs.

SEC. 214. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, subject to section 5363 of title 5, United States Code, any funds made available under this Act may be used for research, development, operations, support, and administration of mission and administrative aircraft, for the purpose of transporting an inmate or agent of a drug cartel, unless law enforcement officers know or suspect that the individual identified as a maximum or high security prisoner, or possession of the Department or to prevent or impede the Inspector General’s access to such records, documents, and other materials, unless in accordance with an express limitation of this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement official to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement official suspects that the individual identified as a maximum or high security prisoner, or an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

SEC. 217. No funds provided in this Act shall be used to deny the Inspector General of the Department of Justice timely access to all records, documents, and other materials in the custody or possession of the Department or to prevent or impede the Inspector General’s access to such records, documents, and other materials, unless in accordance with an express limitation of section 6(a) of the Inspector General General Act, as amended, consistent with the plain language of the Inspector General Act, as amended. The Inspector General shall report to the Committees on Appropriations within five calendar days any failures to comply with this requirement.

SEC. 218. Of the balances available to the Advertising Against Women, including funds appropriated in previous appropriations acts that remain available for obligation.

SEC. 219. Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under section 526 of division B of Public Law 113–76, section 602 of the Violence Against Women Act of 2013, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016.

This title may be cited as the “Department of Justice Appropriations Act, 2016”.

TITLE III
SCIENCE
OFFICE OF SCIENCE AND TECHNOLOGY POLICY
For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3010 of title 5, United States Code, not to exceed $2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,553,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
For necessary expenses, not otherwise provided for, in the conduct and support of science research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms and accessories therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchases, leasing, charter, repair, and operation of mission and administrative aircraft, $5,295,000,000, to remain available until September 30, 2017. Provided, That the formulation and development costs (with development cost as defined under section 30104 of title 51, United States Code) for the James Webb Space Telescope shall not exceed $8,000,000,000. Provided further, That should the individual identified under subsection (c)(2)(E) of section 30104 of title 51, United States Code, as responsible for the James Webb Space Telescope determine that the development cost is likely to exceed that limitation, the individual shall immediately notify the Administrator and the increase shall be treated as if it meets the 30 percent threshold described in subsection (f) of section 30104.

AERONAUTICS
For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; purchase and hire of passenger motor vehicles; and purchase, leasing, charter, maintenance, and operation of mission and administrative aircraft, $700,000,000, to remain available until September 30, 2017.
spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $860,000,000, to remain available until September 30, 2017: Provided, That $150,000,000 shall be for the RESTORE satellite servicing program for completion of pre-formulation and initiation of formulation activities for RESTORE, and such funds are independent of the asteroid rendezvous mission or satellite servicing demonstration activities on the International Space Station.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $860,000,000, to remain available until September 30, 2017, of which $18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and $40,000,000 shall be for the National Space Technology Programs.

SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations research and development activities, including research, development, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $860,000,000, to remain available until September 30, 2017.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities, facility planning and design, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, $2,784,000,000, to remain available until September 30, 2017.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86–209 (42 U.S.C. 1880 et seq.): services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research, exploration, acquisition of aircraft; and authorized travel; $3,533,645,000, to remain available until September 30, 2017.

MAJOR RESEARCH EQUIPMENT AND FACILITIES

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such equipment, furnished by the National Aeronautics and Space Administration for operational and science support facilities may be credited to Centers and other National Science Foundation agencies for operational and science support facilities may be credited to Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); providing for the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); including authorized travel, $200,310,000, to remain available until expended.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.,) including authorized travel, $37,040,000, to remain available until September 30, 2017.
OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General authorized by the Inspector General Act of 1978, $14,450,000, of which $400,000 shall remain available until September 30, 2017.

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for obligation or expenditure through procurement contract pursuant to section 3109 of title 5, United States Code, shall be considered an agency of the United States Government.

TITLES IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,200,000: Provided, That none of the funds appropriated in this paragraph shall be used to employ in excess of eight full-time individuals under Schedule C of the Excepted Services; Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: Provided further, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitating Urban Communities Act of 1974, the Title VI of the Civil Rights Act of 1964, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110–233), the ADA Amendments Act of 2008 (Public Law 110–325), and Title I of the Worker Fair Pay Act of 2009 (Public Law 111–2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 3109 of title 5, United States Code; nonmonetary awards to private citizens; and up to $29,500,000 for payments to State and local enforcement agencies for authorized purposes: Provided, That none of the funds appropriated in this Act shall remain available until September 30, 2017: Provided, That not to exceed $2,250 shall be available for official reception and representation expenses: Provided further, That the Commission may take no action to implement any workplace repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: Provided further, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles and services as authorized by section 3109 of title 5, United States Code, and not to exceed $2,250 for official reception and representation expenses, $84,500,000, to remain available until expended.

LEGAL SERVICES CORPORATION

PAYMENT FOR SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $385,000,000, of which $353,000,000 is for basic field programs services authorized to be provided under section 504 of this Act for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $30,000,000 is for client self-help and information technology; $4,000,000 is for a Pro Bono Innovation Fund; and $1,000,000 is for loan repayment for legal services; Provided further, That the Legal Services Corporation may continue to provide local pay to officers and employees at a rate no greater than that provided by the Equal Employment Opportunity Commission as authorized by section 504 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): Provided further, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: Provided further, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for purposes prohibited by or contrary to any of the provisions of: sections 501, 502, 505, 506, 501, and 502 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 501 and 502 to 1997 and 1998 shall be deemed to refer instead to 2013 and 2016, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) and $50,000 is appropriated in this title for the payment of officers and employees authorized by this Act, $250,000, to remain available until expended.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) and funded pursuant to the Act of June 15, 1984 (98 Stat. 478), $364,000, to remain available until September 30, 2017: Provided, That none of the funds provided under this heading shall be used for any workforce repositioning, restructuring, or reorganization; Provided further, That none of the funds provided under this heading shall be used in advance of such reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any existing program, project or activity, or funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renumbers offices, programs, or activities; (6) contracts out or purchases any functions or activity currently performed by Federal employees; (7) augments existing programs, projects or activities in excess of $500,000 or 10 percent, whichever is less, or reduces by 10 percent funds for an existing program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result from the expiration of current authorizations; Provided, That none of the funds provided under this heading shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.

(2) The term ‘‘promotional items’’ has the meaning given in section 4712(a)(4) of the Federal Acquisition Regulation, as in effect on October 1, 2010.
extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 511. None of the funds provided by this Act shall be made available for the promotion or expenditure except in compliance with the procedures set forth in this section: Provided further, That the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant programs.

SEC. 512. None of the funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 513. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 514. (a) The Inspector General of the Department of Commerce, the Department of Justice, the National Aeronautics and Space Administration, and the Legal Services Corporation shall conduct audits, pursuant to the Inspector General Act (5 U.S.C. App.), of grants or contracts for which funds are made available under this Act, and shall submit reports to Congress on the progress of such audits, which may include preliminary findings and a description of areas of particular interest identified related to such audit and every 180 days thereafter until any such audit is completed.

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively, under the executive branch ethics program.

SEC. 515. None of the funds appropriated or otherwise made available under this Act shall be made available in a reorganized form to exclude—

(1) any matter described in section 552(b) of title 5, United States Code; and

(2) sensitive personal information for any individual, the public access to which could be used to commit identity theft or for other inappropriate or unlawful purposes.

SEC. 516. None of the funds made available in this Act shall be expended or obligated to include in any new bilateral or multilateral trade agreement the text of—

(a) any national security letter in contravention of any of the provisions of the Electronic Communications Privacy Act; The Right to Financial Privacy Act; The States-Australia Free Trade Agreement; or

(b) any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or the compensation of any officer or employee of the United States to defend any application for an export license when reasons for the temporary requirement of a department, agency, or instrumentality of the United States to use the export license for the export to Canada for end use in the United States or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

The President may require such import licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of the United States has implemented or maintained adequate import controls for the articles specified in subsection (a), such that a significant diversification of such articles has and continues to take place in international trade in or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 518. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to defend any application for an export license when reasons for the temporary requirement of a department, agency, or instrumentality of the United States to use the export license for the export to Canada for end use in the United States or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

SEC. 519. None of the funds made available in this Act used to implement in any new bilateral or multilateral trade agreement the text of—

(a) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(b) paragraph 4 of article 17.8 of the United States-Australia Free Trade Agreement; or

(c) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to seek National Security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The
(b) The Department of Justice shall submit to the Committees of Appropriations of the House of Representatives and the Senate a report no later than September 1, 2016, specifying the amount of each rescission made pursuant to subsection (a).

S. 255. None of the funds made available in this Act may be used to purchase light bulbs that are "Energy Star" qualified or have the "Federal Energy Management Program" designation.
that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this Act may be obligated or expended to implement this Act until the President approves a ratification of the Treaty.

SEC. 537. The head of any executive branch department, agency, board, commission, or office funded by this Act shall require that all contracts within their purview that provide award fees link such fees to successful acquisition outcomes, specifying the terms of cost, schedule, and performance.

SEC. 538. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used to pay award or incentive fees for contractor performance that has been judged to be below satisfactory performance or for performance that does not meet the basic requirements of a contract.

SEC. 539. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has an unpaid tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner agreed with the authority responsible for collecting the tax liability, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 540. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has an unpaid tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner agreed with the authority responsible for collecting the tax liability, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

SEC. 541. None of the funds made available under this Act may be used in contravention of section 7906 ("Legitimacy of Industrial Hemp Research") of the Agricultural Act of 2014 (Public Law 113-79) of the Department of Justice or the Drug Enforcement Administration.

SEC. 542. None of the funds made available in this Act to the Department of Justice may be used, with respect to any of the States of Alabama, Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Vermont, Virginia, Washington, and Wisconsin, or with respect to either the District of Columbia or Guam, to prevent any of them from implementing their own laws that authorize the use, distribution, possession, or cultivation of medical marijuana.

This Act may be cited as the "Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016".

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 4687

(Purpose: In the nature of a substitute) Mr. McCONNELL, Mr. President, I call up the substitute amendment No. 4685 to H.R. 2578.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McCONNELL], for Mr. SHEELBY, proposes an amendment numbered 4685.

Mr. McCONNELL. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make a technical correction) On page 23, beginning on line 15, strike "U.S. Census Bureau," and insert "Bureau of the Census."

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHEELBY. Mr. President, I rise this morning to encourage my colleagues on both sides of the aisle to support H.R. 5278, the Commerce, Justice, Science, and Related Agencies Appropriations bill for fiscal year 2017.

Before I discuss this bill, I want to take a few minutes to extend my condolences to all who lost loved ones in the horrific act of terrorism that took place over the weekend in Orlando, FL. The unthinkable act of violence underscores how critical it is for the Nation's law enforcement to have the tools they need to prevent future incidents and protect the American people.

This bill funds important functions that are vital to our Nation's security, including law enforcement, immigration enforcement, cyber security, and severe-weather forecasting. I believe this bill reflects our strong bipartisan relationship on the Committee on Appropriations. I would like my colleagues across the aisle for working with us to move the bill out of the committee.

As chairman of the Commerce, Justice, Science Subcommittee, I worked with my colleagues to provide critical funding for the U.S. Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation, among others.

The Commerce-Justice-Science bill before us meets the subcommittee's allocation of $56.3 billion in discretionary spending. This level is $583 million above the fiscal year 2016 enacted amount and $1.6 billion below the budget request. However, when taking out scorekeeping adjustments and comparing true spending, this bill is actually $1.83 million below the President's request.

The committee has made difficult but I believe responsible decisions to craft a bill that stays within the 2-year budget agreement that was agreed to last fall. Within these budgetary boundaries, I believe the committee has weighed a careful balance between the competing priorities of law enforcement, national security, economic development, scientific research, and space exploration.

The bil al also funds the Department of Commerce at $9.3 billion, which keeps our next generation of weather satellites on schedule and ensures that the National Weather Service can continue to provide timely warnings for severe weather.

To help NOAA modernize the way it manages fisheries, the bill continues to provide strong funding for NOAA to expand its adoption of electronic monitoring and reporting in order to increase coverage of our Nation's fisheries and reduce costs for our commercial fishermen.

The red snapper fishery is vital to fishermen and businesses across my State of Alabama and the rest of the Gulf Coast States. I am pleased this bill continues several provisions that will help respond to the challenges facing anyone who wants to fish for Gulf red snapper.

This committee remains supportive of science and innovation by maintaining healthy funding for the National Science Foundation, while preserving a balanced space program within NASA.

The budget request that NASA presented to Congress included, I believe, a disingenuous combination of discretion and spending. This unprecedented amount of funding disguised as mandatory spending. The truth is that NASA's request only totaled $18.2 billion—a cut of $1 billion from what Congress provided last year. These cuts, if they were enacted, would erode ongoing science missions, delay exploration launches, and stifle American innovation.

In contrast to the budget request, the bill now before us funds NASA at $19.3 billion, preserving the funding Congress provided in 2016. This level makes it possible for the agency to continue supporting ongoing science and exploration missions, especially the Space
Launch System and the Orion capsule development, which are both in critical stages of development.

The bill maintains strong funding for the Department of Justice at $29.2 billion, and the bill provides either the budget requested or at least a 1.5 percent increase over all Federal law enforcement operations to support men and women on the frontlines of preserving public safety. The bill before us also includes essential cyber security funding through the Department in order to protect our Nation and to track down, arrest, and prosecute child predators to keep our communities safe.

I want to point out that this bill provides $2.96 billion for victims of violent crime from the Crime Victims Fund, or CVF, which meets the 3-year average of deposits into the fund and is a metric the Committee on the Budget requested. As a result, overall funding for victims and victim-related grant programs—which are widely supported by many Americans, this committee as well as Members of the Senate—remain at or above the 2016 levels.

I believe this bill strikes a balance between the competing priorities of law enforcement, terrorism prevention, research and development, and U.S. competitiveness. I think we have basically a transparent product that accommodates the Senate’s priorities and addresses the needs of our Nation. I urge my colleagues at the proper time to support the bill’s swift passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I, too, rise in support of the Commerce-Justice-Science appropriations bill. As my colleague, the chair of the subcommittee, the Senator from Alabama, Mr. SHELBY, said, the CJS bill does provide $56.3 billion to fund the Department of Commerce and its many agencies, the National Institute of Standards and Technology, the National Science Foundation, and the National Aeronautics and Space Administration. It meets the Bipartisan Budget Act of 2015. Every account is pretty much at the level we funded last year. It is a bipartisan bill, it is free from poison pill riders, and it was reported 30 to 0 from the committee. I support the underlying bill and look forward to moving it through the Senate.

What a difference a few days make. When I returned from Springfield on Thursday to return to Maryland to be with my constituents, I was so excited about joining with Senator SHELBY to bring the Commerce-Justice-Science appropriations bill to the floor. I was excited about it for several reasons—not only about the legislation, but what the legislation and what we brought here actually meant.

First of all, we actually were going to bring a bill that was bipartisan, and I was going to join with my colleague of sorts, Senator SHELBY of Alabama, where we have worked together, where we have tried to come up with how we meet the needs of the United States of America to protect our citizens, to make sure that we are the country of innovation and discovery, and that we do this in a way that is also fiscally responsible. In order to have bipartisanship, you must start with friendship. Senator SHELBY and I have worked together that over the years based on mutual respect, candor, civility, and consultation. I was looking forward to bringing the bill based on context.

Now we will be the last subcommittee bill that I will bring to the Senate. With my retirement at the end of this session, I will be leaving. But this subcommittee is one that I have chaired for a number of years, and I have worked with such wonderful colleagues on the other side of the aisle. So there was a whole sense of excitement in bringing the bill to the floor. People were working together to bring something before our colleagues in a spirit of, No, 1, meeting America’s needs, being fiscally responsible, and showing that with mutual respect we can get a mutual job done. But that excitement ended. It ended Sunday morning when I woke up and to my horror and shock, saw what had happened in Orlando.

Orlando was bleeding. The Latino community was bleeding. The LGBT community was bleeding. America was bleeding. It was a terrible act of terrorism and hate, killing 49 innocent people, toll possibly on the rise, at a nightclub in Orlando. This was just terrible. I knew it wasn’t the first time a terrorist with hate in his heart and a gun in his hand had mowed down his fellow citizens with a high-powered weapon. It seemed too hard to believe, yet I noted that last Friday it was 1 year since the murder at Charleston. Innocent Americans going about their lives have been murdered in churches, schools, movie theaters, at work. They have names like Newtongora, and Orlando. America wants to know: What are we doing to keep America safe?

I want to say to America, first of all, that in the underlying bill we really worked hard to make America safe. The Senate CJS bill includes $3.7 billion to protect Americans from terrorism and to respond to growing threats and incidents. With Senator SHELBY leading the way and working with me, we worked to help the FBI of No. 1, meeting America’s needs, toll possibly on the rise, at a nightclub in Orlando. This was just terrible. I knew it wasn’t the first time a terrorist with hate in his heart and a gun in his hand had mowed down his fellow citizens with a high-powered weapon. It seemed too hard to believe, yet I noted that last Friday it was 1 year since the murder at Charleston. Innocent Americans going about their lives have been murdered in churches, schools, movie theaters, at work. They have names like Newtongora, and Orlando. America wants to know: What are we doing to keep America safe?

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Why is innovation so important? For the companies in the S&P 500, about 80 percent of their value comes from intangible assets—patents and trademarks and research software—not bricks and mortar and inventory. That means that through innovation, companies that can educate invent new products and to have new jobs. We want to win not only the Nobel Prizes, but we want to win the markets, and we have to start with research. That is why we need the National Science Foundation at $7.5 billion, supporting more than 11,000 research grants, and the National Institute of Standards and Technology at $974 million to make sure that it sets our standards for products to be sold everywhere in the world. Those are American standards, not Chinese standards. We are not buying Chinese mammogram equipment. We are not buying Chinese equipment to make our cars lighter and safer. Also, we are doing important work in marine biology to sustain our oceans and our fisheries and certainly their work in the Chesapeake Bay. We also have the very important weather prediction, where, again, working with the other side of the aisle, we made sure they had the right computational capacity to be able to do the weather forecasting that we need.

Hurricane season is upon us. We need to pinpoint when a hurricane is coming to be able to save lives and be able to save property. Every mile of evacuation costs $1 million. The more accurate we can be, the earlier we can be, the more lives we will be able to save and also protect property. That is what they do.

Then, of course, there is NASA. My colleague from Alabama, Senator Shelby, and I have worked a number of years on the national space agency. We have worked so hard for a balanced space program—human space flight, reliable space transportation, aeronautical and space science. We have inspired new discovery. We have helped promote innovation. We have looked at new stars from the Hubble. We have looked at new planets using Pluto. We have spawned a new satellite servicing industry. We have also looked out for the planet. Whether it is in Huntsville, AL, or at the Goddard Space Flight Center, we have really moved this work.

We need our science agencies to invent and to be able to sell their products, but we also want to protect ideas and innovation. That is why we fund the Patent and Trademark Office. Senator Shelby and I believe that private property needs to be protected. But intellectual property is private property, and we cannot make sure that our Patent and Trademark Office really is able to be not a bottleneck but a pathway to protecting this. We also promote the International Trade Administration and the Economic Development Administration.

I look forward to a robust amendment process to address the issues related to safety and security and other aspects of the bill. I hope our colleagues will agree that there are no restrictions here—and then to offer amendments. Now is the time to seize the moment.

I look forward to working with my colleague Senator Shelby and all of our colleagues to move this bill. I think at the end of the day, we can be very proud of what we are doing to protect America on many different levels.

Yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, I commend the chairman and ranking member for many, many things. I want to say to the ranking member, Senator Mikulski, that we are going to miss her upon her retirement. As one who is near and dear to our Nation’s space program, both civilian and military, her leadership has been extraordinary.

MASS SHOOTING IN ORLANDO

I want to talk about Orlando. Since I didn’t have an opportunity at this up, I want people to see this small print, where my finger is on an AR-15. A similar weapon is what the shooter Mateen used called a Sig Sauer, and it has some designation of letters. It has a collapsible stock. That is why he was able to conceal it as he went into the nightclub late in the evening while some people were leaving. It was last call. There was probably some reduction of heightened awareness because the evening was over.

The AR-15 is an extremely lethal military weapon which, like the military M-16, can shoot a bullet called a .223, or it can shoot a bullet that is a little larger called a .308 or a .223, or a .300 AAC Blackout, all the more that will do damage tearing into flesh.

This tragedy in my State, in the town in which I live, could have been prevented, since he had been on the terrorist watch list for over 2 calendar years. While he was questioned three times in 2013 and 2014—upon that questioning, the FBI saw no prosecutable evidence to continue and closed the case.

As the Director of the FBI said, “Once an investigation is closed there is then no notification of any sort that is triggered by that person then attempting to purchase a firearm,” when the case or cases were closed as inconclusive. That was FBI Director Comey. Therefore, I have introduced legislation that would—if you have been questioned about a possible terrorist act—much more so if you have been put on the terrorist watch list but have been taken off because, as the Director said, that case was closed as inconclusive. That was FBI Director Comey. His words—when you go to purchase a gun, you can purchase that gun legally. Why shouldn’t the FBI be notified that the person who has just purchased the weapon had been on the terrorist watch list? It is common sense. I don’t think that even the NRA can object to this—and they are accustomed to getting their way around here—because this does not in any way inhibit the purchase of the firearm. It only makes sense. It is triggered by that person then attempting to purchase a firearm. This person was once under investigation by the FBI and put on the terrorist watch list.

It seems to me this is common sense. Had that law been in place, 50 people—49 innocent victims—would not be dead, and there would not be another 50, some of whom are fighting for their lives.

I will also say we have already hotlined a resolution that my colleague Senator Rubio and I have introduced expressing the condolences to Orlando, condemning the terrorist attack, supporting our families and friends of those affected, and applauding the dedication of the law enforcement who responded and the interagency officials.

I will also say when I repeated in my remarks on Monday afternoon, as I had just returned from South Orange Avenue, the street in Orlando not far from the nightclub and not far from ORMC, the hospital where so many of those victims are still in critical condition: We are healing. It is going to take a long time, but one of the things in the healing process that we need is the expression of unity instead of division.

It was a marvelous sight in the temporary command center, set up in the middle of Orange Avenue, to see the State, local, and Federal level all working together seamlessly, with the FBI taking the lead. That is how government is supposed to respond.

How is a society supposed to respond? Was it on Sunday when we opened our Orlando office to try to help with the incoming calls, all of which were support; was it like the ceremony two nights ago at the First Baptist Church of Orlando, where it was one of unity and the members of the Muslim community were prayed for by the other faith communities in that church setting; or was it in the 400 calls we had in our Orlando office on Monday, the day after—95 percent of which were expressing hate, anti-immigrant, anti any gun control, anti whatever it was, expressing not a message of unity but a message of division?

This Senator had just been elected in 2000. In the first year of my tenure in the Senate, 9/11 happened. What I saw was remarkable. This Senate came together to crowd around the Senators from New York, Connecticut, and New Jersey, offering them the unity of the Nation. At the time that we were still under the terrorist watch on that very evening of September 11, Members of Congress in this Senate and the House said: We don’t care. We are going to the center steps on the
Many of these vehicles were bought under programs that uniquely allow either funding or equipment to be transferred. When you see those holes in the wall where victims got out and law enforcement officials got in, that was the only kind of vehicle that many in this Committee had seen a couple of years ago when those same vehicles were being used to save lives, bring people out who had been injured in our country, and we heard a lot about the militarization of the police. We didn't hear any of that beforehand, and thank goodness we didn't hear that.

I am pleased the Senate has responded to Senator Rubio and Senator Nelson's resolution that expresses our gratitude for those who helped in this tragedy, gratitude to the law enforcement community, gratitude to first responders, gratitude to people in the community who stepped forward to donate blood, people in Orlando and around the country who sent in national and local support groups to counsel at a time when a lot of counseling is necessary.

It is hard to imagine what it would have been like to be in that nightclub. It is hard to imagine what it would have been like to be there yesterday. Yesterday had a message from his son, over his son's iPhone, that he thought was the last time he would ever hear from his son, and only hours later he saw a video of his son. He was one of the first people out of the building. Only then did he know his son was alive.

A lot of counseling needs to happen for a lot of people who lost their loved ones, people who have lost people who mean so much to them. Forty-nine innocent people were killed on Sunday. Fifty-three people are still suffering injuries, and many more people are suffering the trauma of what happens when you are there or when this is your community. We need to be thinking about that, and the resolution recognizes that.

People need help at times like this. After a tragedy such as this, we are almost certain to hear two debates; one is about the Second Amendment, and one is about how big of a problem is the mental health problem of this. We have now added to this debate Orlando, San Bernardino, and other places around the world. We now have to deal with radical Islamic terrorism being used as an excuse by those who have taken faith out of any rational concept of faith and have used it as an excuse for violence.

We will have debates about the no-fly list and terror watch list. By the way, there are two very different lists. The no-fly list is a relatively small list. The terror watch list has about 1 million people on it.

As a member of the Intelligence Committee, I am still waiting to hear a better explanation as to why a terror suspect was taken off the list other than them coming to the conclusion that the interview was inconclusive.

The Senator from Florida said that was the reason for the decision that was made by the FBI Director. "Inconclusive" is not a good enough answer. I would think that if there is a reason an individual is on that list, there should be a reasonable "inconclusive" reason for being taken off the list. I suggest we need to be thoughtful here. When the government can put people on the list outside the normal process and because the government has put your name on a list, somehow you lose rights you might otherwise have—that is the kind of thing we wouldn't assume our government would be able to do. To put somebody on a list who needs to be watched is a different thing, and how they get on and off that list is a different debate. But just the idea that we could have a government put your name or my name or the name of anybody listening to this on a list and that because we have certain things could happen that wouldn't happen otherwise, is concerning to me.

Senator Stabenow and I have been working for a long time now to try to create an opportunity for Stabenow back home to offer a local element of this—to treat all health care, including mental health care, the same. We have a bill, the Expand Excellence in Mental Health Act, where we have had 21 States that have applied for the grant that would allow the Federal Government that would allow them to try this program for a couple of years so they can see what happens. The 8 to 21 States that are able to do this will likely find out that not only is the right thing to do on all fronts, but it is the right thing to do in terms of health care costs generally. If we treat mental health care like we treat all other health care, all of those costs will go down.

The last bill President Kennedy signed into law was the Community Mental Health Act at the end of October 1963. The law was meant to free the thousands of Americans who suffered from mental illness and were institutionalized. The only problem was that once those mental health institutions closed, no other alternatives had been made available in the way they should have been. According to the National Institutes of Health, one in four adults suffers from a mental health issue, and they say that one in nine adult Americans has a mental health issue that impacts how they live every day.

This brings me to one of the points I wanted to be sure to make today. We always talk about mental health after one of these tragedies occurs. People with a mental health issue are much more likely to be the victim of a crime than they are to be the perpetrator of a crime. As we have this discussion, we want to be careful that we don't drive people further away from an interest in seeking treatment.
If one out of four adult Americans has a diagnosable mental health issue, this is not unique. If one out of nine adult Americans has a diagnosable mental health issue that impacts how they live every day, we should be talking about this issue with health care providers. Clearly, somebody who does irrational things may have a mental health concern, but we don’t ever want to make the mistake that mental health and crime are somehow the same thing.

I will repeat this one more time: If you have a mental health issue, you are much more likely to be the victim of a crime than the perpetrator of a crime.

For far too long, we have allowed the law enforcement community and the emergency rooms in this country to be the de facto mental health care delivery system. We are doing significant and helpful things in this bill for law enforcement. Let’s look for other opportunities to do the right thing for law enforcement by being sure that we take one of their daily obligations—the mental health care delivery system obligation—and look for every way we can to minimize that by creating opportunities to have mental health care treated like all other forms of health care.

Mr. MURPHY. Mr. President, first, I extend my thanks to Chairman SHELBY and Ranking Member MIKULSKI for putting together a truly bipartisan bill. I am honored to be a member of the Appropriations Committee and honored to support this bipartisan compromise. This was a difficult bill to put together, but they did very good work to make this a product both sides could support. I thank them for allowing me to be a part of that process.

Second, let me acknowledge the remarks of Senator MIKULSKI, who noted that in many ways the world and the country have changed since this bill was scheduled to come to the floor.

Our hearts break collectively in this country for the citizens of Orlando. In particular, for those of us from Connecticut, our hearts break for the people of Orlando because we know in a very real way about the pain that exists there today, and we also know how that pain is really never-ending. The ripples of that pain are unceasing and unrelenting, and they span generations, neighborhoods, and years. New town is still putting itself back together and probably will be for a long time, and the same goes for Orlando. Our hearts break for what that community is going through.

The world is different today than it was at the end of last week. There is a newfound imperative for this body to find a way to come together and take action to try to do our part to stem this epidemic of gun violence and in particular this epidemic of mass shootings that plagues this Nation like no other industrialized nation in the world. There is something fundamentally different happening in the United States that causes us to have these catastrophic-level mass shootings on almost a monthly basis. In 2015 it caused us to have 372 mass shootings. The definition of a mass shooting is when four or more people are shot at any one time. Every day results in 80 or more people being killed by guns through domestic violence, accidental shootings, and homicides.

It won’t surprise you to know that for those of us who represent Connecticut, the failure of this body to do anything at all in the face of that continued situation just is—just is unconscionable. I can’t tell you how hard it is to look into the eyes of the families of those little boys and girls who were killed in Sandy Hook and tell them that almost 4 years later, we have not even had the opportunity to reduce the likelihood that that will happen again to another family. I shudder to think what it will be like for Senator NELSON 4 years from now to talk to the parents of those who were killed this weekend and tell them that 4 years after Orlando and 8 years after Newtown, Congress has been utterly silent.

I have stood on this floor dozens of times to talk about this subject. I often come down to tell the story of the voices of the victims of these gun homicides and mass shootings just to make sure people know who these victims are. They are real people with real families. This is just one of those weekend, and I am sorry to tell you, it is at my wit’s end. I have had enough. I have had enough of the ongoing slaughter of innocents, and I have had enough of the inaction in this body.

Every shooting is different. There are different sets of facts at all every single shooting. The story in Newtown was about a deeply mentally ill individual who had been isolated in his school and neighborhood. It was a story about a young woman who had a fascination with violent content and violent video games. It was a story of a young man who had access to a very powerful weapon and who was able to shoot and kill 20 kids.

The shooting in Orlando has a different set of facts as well. There is clearly a terrorist connection. It is a story about radicalization. It is also a story about a very ill, very confused young man. It is a story of access to a very powerful weapon. It is a story about interaction with the FBI and the holes in the network of surveillance and checks that we need to discuss.

Every set of facts is different, but what unites all of these shootings—is that in every one of those shootings—from North Hollywood to Newtown to Blacksburg, to Orlando—is that the weapon of choice in every case is a gun, often a very powerful gun, an AR-15 or AR-15 style of gun that was designed for the military and law enforcement to kill as many people as quickly as possible. What unites all of these incidents is our failure to do anything about it.

One can guarantee that a shooting won’t occur. No set of laws can allow us to say with certainty that there won’t still be killings in Chicago, New Haven, and Los Angeles. There is no legislative guarantee that there won’t be another Omar Mateen. But the idea that we haven’t even tried or proffered ideas on this floor and debated them is offensive to those of us who have lived through these tragedies.

I have great respect for the product that Chairman SHELBY and Ranking Member MIKULSKI have put on the floor. I know this isn’t going to make me popular with many of my colleagues or with the leadership of this body, but I don’t think we should proceed with debate on amendments to this bill until we have figured out a way to come together on—at the very least—two simple ideas that enjoy the support of 80 to 90 percent of Ameri can of all these tragedies. Two pieces of legislation, would have been potentially dispositive and impactful with respect to the case in Orlando.

Senator FEINSTEIN has introduced one of the pieces of legislation which would simply say that if you are on a terrorist watch list, you shouldn’t be able to buy a weapon. I heard one of my colleagues talk about reservations about this legislation, but I am certain there is a way to bridge any divide. I have talked on how to administer that protection in a way that could bring Republicans and Democrats together.

Second, in order to make that protection meaningful, we also need to make sure that wherever a would-be shooter buys a gun, he goes through a background check. If you put terrorists or suspected terrorists on a list of those who are prohibited to buy guns, it doesn’t do much good when around half of those purchases today are made outside of the background check system.

Let’s say that the Orlando shooter was on a list that prohibited him from buying a weapon and was denied that AR-15-style weapon because he was on that list. But all he would have to do is go to a weekend gun show or go online, and he would be able to get that weapon without a background check. So if you really want to prevent terrorists or would-be terrorists or suspected terrorists from obtaining weapons, you have to pass legislation that puts those on the terrorist watch list on the list of those who are prohibited to buy guns. We can already do that. We can already give them an ability to get off that list if they are on there without reason, but put them on that list as a default. Second, we have to expand the sales that are subject to background checks to more than—where the web that catches that potential terrorist when he tries to buy that weapon.

I am prepared to stand on this floor and talk about the need for this body to come together on keeping terrorists away from getting guns—through those two measures—for, frankly, as long as I can, because I know we can come together on this issue. I know there is
other really important business to be done here. I know other people have amendments they would like to call up. I know there are other issues that Senators would like to raise. But having come through the experience of Newtown, I do not think we can allow any other issue to take precedence.

It has been 4 years and nothing has been done, despite the fact that 90 percent of the American public wants us to act. The vast majority of gun owners want us to expand the reach of background checks. Polls suggest that 80 percent of Americans believe that people on a terrorist watch list shouldn’t be able to buy guns. There is no controversy out there about these two provisions. We can work it out. We can work it out today.

We got a majority of the Senate to support Manchin-Toomey. That legislation still exists. Senator SCHUMER has introduced other legislation. Senator FEINSTEIN has introduced a bill to keep terrorists from getting guns. I am certain there are ways that it can be made better.

As someone who represents the community of Sandy Hook, which is still grieving today, I am going to stand on this floor and talk about our experience and the need to come together on this issue of making sure that dangerous people who have designs on mass murder don’t get dangerous weapons, as long as I can, so that we can allow those kids to look forward, to bring this body together on the issue of changing our gun laws so that they reflect the will of 90 percent of the American people. I know what I am suggesting is extreme, but we have had enough of inaction in Connecticut. I just don’t want the Senator from Florida, who just spoke, to say to those families 4 years from now that he couldn’t do anything either.

Let me tell my colleagues what I meant when this affects Sandy Hook in an ongoing way and why I couldn’t help myself but to come down and take this stand today. The families that are dealing with this grief in Orlando are spread out all over the country and all over the greater Orlando area. It is awful. We just can’t imagine— I certainly can’t imagine—what it is like to lose a child. These are young men and women who died in that nightclub. But it is something different to lose a child. They were carefree. It is something different when four or five of those kids lived on one road in Newtown. All of a sudden, overnight, four or five kids disappear. They are gone. It is something different when all of the other kids in that school heard those gun shots. They had to flee, stepping over the bodies of the administrators and their teachers.

That pain stays with you for a long time as a community, such that in the months and months after what happened in Sandy Hook occurred you could be in a classroom and hear a young child scream out a word that seemed like a non sequitur. In one particular class the word was “monkey” and, every so often, we would have a student stand up and yell “monkey.” That was a safe word. The teachers had worked out that if a conversation started in class about the shooting, then we had seen something and another student didn’t want to be a part of that conversation—because we remember there were survivors from these classrooms as well as from the classroom next door—if one kid didn’t want to be in that conversation, then that one child would stand up and say “monkey” at the top of their lungs, and a teacher would come over and break up that conversation. I don’t know why, but I think about that a lot—about a little kid standing up and screaming “monkey” in the middle of the classroom, just as a reminder of how the trauma of these events doesn’t end.

They say in cities across America that when one American is shot, there are 20 people surrounding them—friends, family members including aunts, uncles, children—who experience post-traumatic stress after that event. Studies suggest that there are 20 people that experience levels of trauma that leads to a cycle of violence; the anger that comes from a loved one being killed often leads to someone else getting killed as well. It is part of the reason why, over Memorial Day weekend in Chicago, there were over 60 people who were shot.

So this grief is never-ending for communities like Newtown, which is why I am as passionate today as I was in the days and weeks following, and why, for me, Orlando was a breaking point. I just look at myself in the mirror and I think—as we will hear from some of our colleagues who will interject with questions and who have reached a breaking point as well—that we didn’t allow the usual business as usual to occur in the Senate this week, that we couldn’t do what we have largely done after mass shooting after mass shooting; we couldn’t go on and debate other issues and ignore the fact that the vast majority of Americans—80 to 90 percent—want us to take this action, and that it would be impactful.

Now, again, you can say what I am proposing today wouldn’t have changed the result in Sandy Hook because this individual in Sandy Hook did buy the weapon with a background check through a legal means—his mother. I understand that. There is no one change in law that is going to apply to every situation. But it potentially would have been impactful in Orlando.

As I am sure Senator FEINSTEIN will explain later today, there is a possibility that if her bill had been in effect, the FBI could have put this individual on a list that would have prohibited him from buying a weapon. And had we done that, it could have made the sure that they applied to Internet sales and gun show sales, then he might have been stopped in his ability to get this weapon. We can’t know that for sure, but we certainly can say that it would have been less likely that he would have been able to get that weapon and carry out this crime had those laws—again, supported by the vast majority of the American public—been in place.

And by acting, by coming together and finding a way to act on these two non-controversial measures, I think we also send an important signal to the American public and to be murderers that we are serious about stemming this epidemic.

I think people notice when we remain silent. I know it is unintentional, but it almost seems to some people as if we don’t care about what happens when we don’t try to do anything about it. I understand that we have deep disagreements about how to proceed, but with the exception of one week in 2013, we have not brought a debate to this floor in which we try to hash out our differences. The Republican leadership did not announce that we are going to spend this week working on trying to enact measures to make sure that another mass shooting doesn’t happen. And there is a fundamental disconnect with the American people when tragedies continue to occur and we just move forward with business as usual.

So I am going to remain on this floor until we get some signal, some sign that we can come together on these things. We can start down a path forward on addressing this epidemic in a meaningful, bipartisan way.

Orlando is the worst mass shooting in American history. A gunman shot and killed 49 people and shot and injured at least 53 others outside of Pulse, a gay nightclub in Orlando. At about 2 o’clock in the morning on Sunday, a gunman opened fire inside Pulse, a large gay nightclub in downtown Orlando. It opened in 2004. The owner testified that it is a safe haven for awareness of the area’s lesbian, gay, bisexual, and transgender community, and they host monthly LGBT-related education events. There was an ununiformed Orlando police officer working security at the nightclub, along with a number of other private security officers. The police officer working security exchanged fire with the gunman after this incident began.

The gunman proceeded to retreat back into the nightclub, where he remained club-goers hostage, where he held them for three hours until 5 a.m. A SWAT team comprised of true heroes stormed the club with stun grenades and an armored vehicle. The gunman was killed in the resulting firefight. One officer was injured. Law enforcement rescued approximately 30 hostages. In a press conference at about 10:30 that morning—we all remember this—the police indicated that 50 people were killed and 22 were injured. The shooter was identified as Omar Seddique Mateen, 29, a U.S. citizen from St. Lucie County, FL.
We now know that this shooter became a person of interest to law enforcement in 2013 when the FBI learned that he had made comments to coworkers alleging possible terrorist ties, and again in 2014. The FBI did open an investigation into the shooter, but it was subsequently closed. My understanding is that it warranted any further investigation.

Mateen was armed with an AR-15-style assault rifle and a Glock handgun. He did obtain licenses to buy both of these guns legally—a handgun and a long gun. He bought them about a week or two before the incident, so it is pretty clear he was buying these weapons with an intent to kill civilians.

Prior to the shooting, Mateen called 911 and pledged his allegiance to ISIS. He mentioned the Boston bombers. It is a complicated story line, and we know some of the other story lines about this shooting, as well, including whether he had been frequenting that club prior to entering as the shooter. It is a complicated story line. But at the root of it is someone who had been flagged by the FBI. The root of it is someone who had access to a weapon that was not designed for civilians.

AR-15-style weapons weren’t legal in the United States until 2004 after being banned for 10 years. It is not coincidental that there was a massive increase in mass shootings in this country after 2004. We are still gathering information about the motive, but what we know is this incident is the deadliest mass shooting and the highest casualty mass shooting in American history, but it is not the first, and if we don’t do something, it won’t be the last.

In 2009, in Fort Hood, TX, a gunman shot and killed 13 people and shot and injured 30 others at the Fort Hood military post. In August of 2012, in Oak Creek, WI, a gunman shot and killed six people and injured three others at a Sikh temple in Oak Creek. In June of 2015, in Charleston, SC—and we are sitting on the 1-year anniversary of this mass shooting—a gunman shot and killed nine people at the Emanuel African Methodist Church, one of the oldest Black congregations in the South. About a month later, in July, a gunman shot and killed five people, including two U.S. marines and a naval officer, and shot and injured two others. In San Bernardino, CA, December 2, 2015, 2 gunmen killed 14 people and injured 21 others at the Inland Regional Center. I mention these particular shootings because these were the shootings that have involved connections to radical groups or the intention to commit an act of terrorism against a minority group.

So I think it is right that we drill down today on this issue of stopping would-be terrorists from getting guns because just since 2009 this would be the sixth American mass shooting to be investigated by the FBI as an act of terrorism. We think of terrorists as using bombs or improvised explosive devices as their weapons of choice. In fact, the reality is that over the course of the last 12 months, it has been the military assault weapon that has been the weapon of choice of would-be terrorists.

The San Bernardino shooter and the Orlando shooter chose a gun, not a bomb, in order to carry out their attacks. Why? Because it is, frankly, a lot easier to get a powerful rifle that was designed for the military than it is to obtain or construct a military-capacity bomb or explosive device.

We have to admit that there is this trendline heading in the direction of powerful firearms that used to be banned in this country—and by the way, through bipartisan legislation—to carry out this destruction. You don’t have to listen to me; you can listen to terrorist organizations themselves. ISIS today relies on lone wolf terrorists or attacks that use spinning its mythology of increasing strength. Why is that? Well, it is because we have actually had success in reversing their territorial gains in Iraq and Syria. ISIS is on the run in the Middle East. They are the ones watching and we need to keep up strong steps to continue to support the Syrian rebel forces and to support the Iraqi Army to push ISIS back.

They have two narratives that they promote in order to recruit people into their ranks. Number one is that the caliphate was inevitable and growing, and for a long time it was. That so-called caliphate—their geographical territory of control—was growing. Number two is that the East is at war with the West, that this is a fight between the Muslim faith and the Christian faith.

Well, that first narrative is not as available to them as it used to be because the people who are thinking of converting to ISIS don’t have access to them as it used to be before. We have two narratives. They have two narratives that they promote in order to recruit people into their ranks. Number one is that the caliphate was inevitable and growing, and for a long time it was. That so-called caliphate—their geographical territory of control—was growing. Number two is that the East is at war with the West, that this is a fight between the Muslim faith and the Christian faith.

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laws supported by the vast majority of Americans, the slaughter will continue.

I see my colleague from Connecticut rising. I will yield to my colleague from Connecticut for a question without limit to the floor.

Mr. BLUMENTHAL. Mr. President, I have a question which I will preface with the context of that question. First, I thank him for his leadership.

We have worked together as a team on this issue of gun violence prevention and the fight against terrorism abroad and at home, and I thank our other colleagues who will be part of this effort. It is very much a team effort that we bring to the floor today, involving our friends and distinguished colleagues from New Jersey, Senator Booker; Senator Feinstein, who has worked so hard on this legislation before we arrived here; our colleague Senator Durbin, who is with us now; and Senator Schumer. So many of us feel deeply.

I yield to Senator Murphy and myself, the deeply emotional experience of Orlando evokes the images and sounds and sights of Newtown on that tragic day when both of us were there and witnessed the aftermath of 20 beautiful children and six grade educators gunned down senselessly and needlessly in an act of unimaginable and unspeakable horror. This effort is more than about just words. This Chamber is filled with words. Rhetoric is the business of the floor of the Chamber. We are here today to seek action, and action has been too long delayed on banning gun violence, the kinds of acts of hatred and terror that happened in Orlando. Actions speak louder than words, and the Nation deserves action. Ninety percent of the American people want sensible, commonsense measures like background checks to be adopted by the Senate.

There is no question that we are learning more in shock and horror about the details of Orlando. It seems to have involved potentially insidious bigotry and hatred, a pernicious, extremist ideology, perhaps inspired by ISIS or others abroad, as well as very likely mental illness of some kind. But we know it was an act of terror and hatred that can be prevented by the kinds of measures we are seeking today, specific measures preventing anybody who is too dangerous to fly in a commercial plane from buying a gun—no flying, no gun. Someone who is deemed to be a terrorist or deserving to be on the terrorist watch list should also be deemed too dangerous to purchase the kinds of weapons this individual was able to purchase.

We need to strengthen the FBI because its investigative authority, in effect—perhaps not legally but in effect—would have been strengthened by this kind of measure, enabling anybody too dangerous to also be stopped from buying a gun. This individual could have been stopped—not with any certainty, but at least the possibility is realistically there—and its investigations might have been continued and pursued had that law been in effect. Background checks are a means to enforce existing law and prevent categories of people already deemed too dangerous to buy guns—convicted felons, violent domestic abusers. But those categories adopted literally decades ago with the full support of the opponents of background checks who may be in opposition now. These measures complement each other.

We know that we must fight terrorism abroad. We are at war against ISIS. We must pursue that war effectively, aggressively, and relentlessly. We must fight the homegrown terrorists who are either inspired or supported by ISIS, the lookalikes and soundalikes who claim allegiance to ISIS, whether they are supported or inspired, and for whom ISIS may claim responsibility.

The defenses must be hardened at home. That is part of what we are seeking to do abroad in this moment and against terrorism that would reach our shores and threaten our security.

Those measures must involve some military action, and that military action includes intercepting intelligence and taking out targets abroad. We must keep targets on the ground and provide aid for our allies on the ground, without committing massive numbers of U.S. troops to that effort. That war must be pursued even as we pursue the war against terror and hatred here at home.

But hardening our defenses requires that kind of action. So as a body we must commit to stop the terrorist gap from continuing to threaten our security at home, as well as implementing universal background checks that will keep guns out of the hands of dangerous people. We owe it not only to the memory of the children and educators at Sandy Hook and to the countless innocent people who have perished in so many massacres that too often preoccupy our attention but also the daily shootings—30,000 of them every year. In downtown Hartford and around Connecticut, no place is immune. No one is safe so long as there is this threat.

These measures are modest, and they should be followed by others, such as a repeal of PLCAA, the protection against domestic violence for victims, and the kind of measure I have offered, the Lori Jackson Act. The repeal of PLCAA is supported by Governor Lamont of Connecticut and I have championed, would repeal immunity that is unique to the gun industry. A ban on illegal trafficking and straw purchases, mental health issues, and school safety steps are measures that must be pursued as part of a strategy to combat gun violence and terrorism, whether it is inspired by ISIS or an organization abroad or homegrown here. These measures are complementary, and they must be pursued together.

We have lived too long, and I have worked literally for decades since I first supported a ban on assault weapons in Connecticut in the early 1980s and then defended it in court after it was adopted. These measures of protection will require steps against those kinds of assault weapons that are truly weapons of destruction, designed to kill and maim human beings as quickly as possible and as many people as possible.

Those assault weapons, whether they were involved in Orlando or not or in any of those other examples, such as Aurora, Virginia Tech, and Sandy Hook, clearly presented threats and violence when they were employed there. We must take action. We must come together. We must unify as a nation to recognize the common threat rather than divide ourselves with the kind of demagoguery that has been all too common in the wake of these tragedies.

So I ask my colleague a question, and I look forward to continuing to ask questions and working with him as part of this team today to continue the pressure that we feel must be brought to bear at this moment and for all time.

I thank my good friend and colleague, Senator Murphy, if he can understand why this body has so long refused to recognize the will of the Nation and why for so long the Senate has been, in effect, complicit by its inaction in these kinds of killings—30,000 a year.

What about the influence of the gun lobby has made it so powerful in exerting this hold over the Congress and many of our State legislators, and what can we do to address this public health crisis? It is more than just an epidemic; it is a public health crisis, a scourge of gun violence that we must confront.

If 30,000 people died as a result of Ebola or Zika or some other disease, the Nation would be rightly outraged. There would be drastic and immediate action. Why is there not for this public health crisis, why is there not for this public health crisis and this health epidemic that is not only threatening but is deadly to our Nation?

Mr. Murphy. Mr. President, I thank my colleague for the question, and I want to reiterate the nature of our partnership the Senate has.

He and I were there together in Newtown in that firehouse hours after that shooting, and we have spent probably hundreds of hours with the families. Since then, we have probably spent hundreds of hours together on this floor serving as a team for changes in our laws.

I am so grateful to my friend Senator Blumenthal for being part of this effort today. He is right in stating that long before I was, shall we say, a convert on this issue myself in the days and weeks following Sandy Hook, it was Senator Blumenthal as our attorney general and then as our Senator
who has been fighting this fight for years.

Connecticut has some of the strongest laws keeping guns out of the hands of criminals in the Nation, and it is not a coincidence that our gun homicide rate is the lowest.

I will just say this to answer the Senator's question. I know my colleague from New Jersey is rising as well. The United States is unique. We have written into our Constitution language about the right of individuals to own firearms. So we have to take seriously the words that are in that Second Amendment. But even in the controversial Supreme Court case, which overturns decades of precedent and held that there was, indeed, in the Constitution an individual right to own a firearm, the author of that decision, Justice Scalia said definitively that it is not an absolute right and that, yes, the majority of that Court was holding that there is an individual right to a firearm, but it is not an individual right to own a firearm under any conditions at any time that you want it.

So I think part of the problem for my colleague from Connecticut is that the gun lobby has managed to convince many members of the public that the Second Amendment is unconditional, when it is not. It allows for reasonable limitations on the right to own a weapon.

What we know is that in States that have imposed those reasonable limitations, there are less gun crimes. There are less homicides. There is no truth to this mythology that the only way to stop a bad guy with a gun is to have a good guy with a gun. There is no truth to the mythology that if there are more guns in a community, there is less gun homicides. It is the exact opposite.

I think the gun lobby has been able to convince not just colleagues but many Americans that the Second Amendment is absolute in its terms. It isn't.

I think they have also been successful in perpetuating this mythology that good guys with guns stop bad guys with guns, when, in fact, most of the time when you have a gun in your home, it is going to be used to kill you and not used to kill an intruder.

I don't know if the Senator has another question. But if he does, I yield to the Senator without losing my right to the floor.

Mr. BLUMENTHAL. I need to follow up with an additional question, and then my colleague from New Jersey is on the floor to ask a question.

The issue of Second Amendment rights, which Senator MURPHY has just pointed out so well, that is the law of the land. There is a Second Amendment right for law-abiding people to buy and possess firearms. But is it not true that in these measures, we are talking about people who are dangerous and who are recognized to be dangerous? That is why they are on the list. And there is also a right on their part to remove their names from that list if there is an error or a mistake of fact that has caused them to be on that list without good reason. So these measures that bring us to the floor today acknowledge and recognize the importance of that Second Amendment right and the fact that some of our opponents in their arguments against it—saying that there is a lack of due process and that the people will be denied that Second Amendment right—is really mistaken. Is that not correct, Mr. MURPHY? I thank the Senator for making that patently clear.

What we are suggesting here is that the way we can come together in this body is around the simple premise that individuals with serious criminal records, individuals who have been deemed mentally incompetent or incapable, and people on the terrorist watch list shouldn't be able to buy firearms. That is it. That is what we are talking about. We are going to build out that system in an effective way that is as foolproof as possible.

That has nothing to do with the limitation on an individual's Second Amendment right. If someone wants to ban firearms, that is their issue. If someone is a suspect terrorist, they do not have a serious criminal record, and they have not been judged or deemed by a judge to be mentally incapable of making their own decisions, then there is nothing in what we are proposing in this body to come together on that would restrict that.

I yield to my friend, the Senator from New Jersey, Mr. BOOKER, for a question, without losing my right to the floor.

Mr. BOOKER. I thank the Senator from Connecticut, CHRIS MURPHY, and the senior Senator from Connecticut as well.

I do want to echo his spirit and the deference he gave to Senator BARBARA MIKULSKI and Senator SHELBY. Both of these two Senators are people I respect a tremendous amount. In fact, I would go beyond that for Senator SHELBY and Senator MIKULSKI because I have deep affection for them. They are great, strong legislators, and they have produced legislation that is important to this country. I have a reverence for their work, the attention to detail, and the focus they have provided preparing legislation to move forward.

I asked for indulgence from them to understand why I stand on the floor today preparing to ask a question to Senator MURPHY. Last night, Senator MURPHY and I talked about the tragedy of what happened in Florida. It was painful to both of us because we knew this was not in any way an anomaly. This was something happening with terrible, savage routine. In this Nation we are seeing mass killing after mass killing after mass killing. This is something that happens with increasing frequency.

We both understood, with other colleagues, that right now our Nation stands at a point of vulnerability to those who seek to do us harm, those who seek to inflict terror, those who seek to inflict grievous bodily harm, those who seek to kill Americans, and they have the ability to exploit loopholes in order to have access to weapons.

So I stand on the floor today in preparation to ask a question to Senator MURPHY, wanting to say that the motivation for his presence on the floor right now is that we just cannot go on with business as usual in this body at a time where there is such continued, grievous threat and vulnerability to our country, where you see again and again mass shooting after mass shooting.

There is a saying that the only thing necessary for evil to be triumphant is for good people to do nothing. I am grateful to Senator MURPHY for his conviction in our conversations yesterday and into the night that we could not just go along with business as usual: that we have had enough; that we have to push this body to come to some consensus on that which the overwhelming majority of Americans, indeed, the overwhelming majority of gun owners in this country and, indeed, the overwhelming majority of members in this country believe; that we should put commonsense safety measures in place to protect against terrorists obtaining firearms to inflict the kind of carnage we have seen too often in this country.

Please understand, while many people imagine that when terrorists act, they act with bombs, more and more across the globe and across the United States they are acting with assault weapons and firearms.

We are here today to say: Enough. I have cleared my entire day. This will not be business as usual. I cleared my evening events so that I could stay on this floor and support Senator MURPHY as he pushes this body to some consensus, in the way the country has already done, to find commonsense, practical ways we can protect this Nation from terrorism.

The Constitution of this country begins with the understanding that the primary responsibility of this Nation is about the common defense. It says in our preamble that “We the People of the United States, in Order to form a more perfect Union, establish Justice, do ordain and establish this Constitution of the United States of America.” Written there in plain English, the Constitution laid out the very form of government in which this body stands and put in clear English at the beginning that we are to focus on domestic tranquility, the common defense, the general welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.” Written there in plain English, the Constitution laid out the very form of government in which this body stands and put in clear English at the beginning that we are to focus on domestic tranquility, the common defense, and secure the general welfare. Such can only be effective in this body. We must stand because this violence in our country will continue unless we take measures, commonsense
measures, to restrict these firearms from going to known or suspected terrorists.

I believe this is a day that should not be business as usual. I believe this should be a day that this body comes together, as we have done before, to talk about commonsense safety measures to prevent terrorism. I want to paraphrase one of our great leaders, Martin Luther King, who said: What we will have to repent for in this day and age is not just the people murdered, killed, wounded, and violent actions of the bad people but the appalling silence and inaction of the good people.

That is why I stand now to ask a question of the Senator. That is why I will stay on this floor with my colleague from Connecticut and support him in this effort to move this body into putting forth the commonsense steps we should take to prevent weapons from getting into the hands of our enemies, from getting into the hands of terrorists, from getting into the hands of aliens, from getting into the hands of people who seek to wreak the kind of carnage that our Nation tragically witnessed this past weekend.

The Senator from Connecticut, my colleague and a friend, went through the unfortunate list of mass shootings where innocent people were murdered, killed. Colorado Springs, CO, 3 people killed at a local community college; Chattanooga, TN, at a military recruiting office, 3 people killed; Marysville, WA, 4 people killed; Newtown, 20 schoolchildren and 6 educators killed; Santa Monica, 5 Americans killed; Washington, DC, at the naval yard, 12 people killed; Fort Hood, 3 people killed; Isla Vista, CA, 6 people killed; Aurora, CO, 12 people killed in a high school cafeteria; Charleston, SC, 9 people at a church killed; Chattanooga, TN, at a military recruiting office, 4 marines and a naval petty officer killed; Roseburg, OR, 10 people killed at a local community college; Colorado Springs, CO, 3 people killed at a Planned Parenthood clinic; San Bernardino, CA, in an act of terrorism, 14 people killed; Orlando, this past weekend—this past Saturday night—49 innocent people murdered. If you really want to get down to the chilling bone here, Mr. President, listen to the words of one of the most notorious Al Qaeda operatives—actually an American who is now deceased—whose name is Adam Gadahn. He released a video in 2011. In it he said:

"In the West, you've got a lot at your disposal. Let's take America for example. America is absolutely awash in easily obtainable firearms. You can go down to a gun show at the local convention center in the United States by Professor Louis Klarevas of the University of Massachusetts. He showed that since September 11, 2001, 95 percent of the associated deaths connected with terrorist attacks—with terrorism—were committed with guns. According to a project run by the Department of Homeland Security's Center for Excellence at the University of Maryland—something called the Global Terrorism Database, which is a government database run by the Department of Homeland Security, 10 times more likely to result in fatalities when they involve guns than when they do not. Between 1970 and 2014, nonfirearm terrorist attacks resulted in deaths 4 percent of the time, whereas 90 percent of the involved firearms resulted in deaths."

If you really want to get down to the chilling bone here, Mr. President, listen to the words of one of the most notorious Al Qaeda operatives—actually an American who is now deceased—whose name is Adam Gadahn. He released a video in 2011. In it he said:

"In the West, you've got a lot at your disposal. Let's take America for example. America is absolutely awash in easily obtainable firearms. You can go down to a gun show at the local convention center and come away with a fully automatic assault rifle without a background check and most likely without having to show an identification card. So what are you waiting for?"

What we are seeking is not radical. What we are seeking is not something that is partisan. What we are seeking is common sense and is supported by the overwhelming majority of this Nation. In study after study, poll after poll, survey after survey of gun owners, of people who have loved ones who have taken to heart their Second Amendment rights—when you ask them "What should we do? Do you support closing the terrorist loophole, creating practical, commonsense bars for people who are suspected of terrorism from buying a gun?" 82 percent of gun owners say "Yes, we should do that." They say: Enough.

Mr. Sasse. Mr. President, humbly, I raise a point of order about whether there is a question. I would like to ask a question.

The PRESIDING OFFICER (Mr. Shelby). The Senator from Connecticut may yield for a question only without losing his rights.

Mr. Booker. Mr. President, I have a question, but I think I can have a preambule to my question to set the context of the question.

The PRESIDING OFFICER. Ask the question.

Mr. Booker. The question I would like to ask is, Given the fact that the overwhelming majority of Americans support commonsense gun legislation, given the fact that 82 percent of gun owners support closing the terrorist loophole, and given the fact that 75 percent of NRA members support closing the terrorist loophole, why does the Senator from Connecticut feel this body is not moving on commonsense legislation that will protect our Nation, that will defend us against terrorists, and that will prevent tragedies such as the one that happened in Orlando?

I direct my question to Senator from Connecticut.

Mr. Murphy. Thank you, Senator, for your question. I think this is a question that we should all be asking, but also one of the reasons why we are doing this. It is Republicans who support it. It is Democrats who support it. It is Independents who support it. It is members of the gun owners community who support it. We talked with our other colleagues from Connecticut and Senator Murphy and I talked yesterday about coming to the floor today so controversial in the Senate is the question of how much of it is rooted in what I believe is a misunderstanding about the data that suggests—State by State, community by community—if you have tougher gun laws that keep guns out of the hands of criminals or prevent these powerful military-style assault weapons from flowing through your streets, you are going to have less level of gun homicides.

So part of our effort—and part of my belief—is to come to the floor today to continually reinforce what the real story is about the nature of the underlying right and about what the data suggests and what the American public?

Hear me. We talked with our other colleagues, our good friends, about the weapons that is common sense and is supported by the overwhelming majority of Americans. It is not an absolute right; it comes with responsibilities and conditions. I think a lot of it is a misunderstanding about the data that suggests—State by State, community by community—if you have tougher gun laws that keep guns out of the hands of criminals or prevent these powerful military-style assault weapons from flowing through your streets, you are going to have less level of gun homicides.

I rise to ask Senator Murphy a question because there is a question on the hearts and minds of the majority of the people of our Nation. They are asking the question: How can we be a nation so mighty and great, yet hold this distinction on the planet Earth where these kinds of mass killings go on at a rate, at a level no where else seen on the planet Earth? It is held in this country—founded upon the idea that we formed this government for our common defense, that we formed this government to ensure domestic tranquility, that we formed this government based on the idea that we can make for a safer, stronger, more prosperous land—that question is being asked from coast to coast, from north to south.

Senator Murphy and I talked yesterday about coming to the floor today and not letting business as usual happen. We talked with our other colleagues who will come to this floor today and who all have in their hearts that word: Enough. Enough. Enough. I raise a point of order about whether there is a question. I would like to ask a question.

The Senator from Connecticut, my colleague and a friend, went through the unfortunate list of mass shootings where innocent people were murdered, killed. Colorado Springs, CO, 3 people killed at a local community college; Chattanooga, TN, at a military recruiting office, 3 people killed; Marysville, WA, 4 people killed; Newtown, 20 schoolchildren and 6 educators killed; Santa Monica, 5 Americans killed; Washington, DC, at the naval yard, 12 people killed; Fort Hood, 3 people killed; Isla Vista, CA, 6 people killed; Aurora, CO, 12 people killed in a high school cafeteria; Charleston, SC, 9 people at a church killed; Chattanooga, TN, at a military recruiting office, 4 marines and a naval petty officer killed; Roseburg, OR, 10 people killed at a local community college; Colorado Springs, CO, 3 people killed at a Planned Parenthood clinic; San Bernardino, CA, in an act of terrorism, 14 people killed; Orlando, this past weekend—this past Saturday night—49 innocent people murdered. "In the West, you've got a lot at your disposal. Let's take America for example. America is absolutely awash in easily obtainable firearms. You can go down to a gun show at the local convention center and come away with a fully automatic assault rifle without a background check and most likely without having to show an identification card. So what are you waiting for?"

The question of my colleague is, Why can we not get consensus here? I guess, at some level, it is tough for me to answer that because it seems so clear to me that I am willing to vote for those measures. I am willing to cosponsor them. I am willing to speak on the floor and speak in support of them. In many ways, it is a question for those who are blocking these measures from coming forward. As I said before, I believe much of it is rooted in what I believe is a misunderstanding about the data that suggests—State by State, community by community—if you have tougher gun laws that keep guns out of the hands of criminals or prevent these powerful military-style assault weapons from flowing through your streets, you are going to have less level of gun homicides.

I rise to ask Senator Murphy a question because there is a question on the hearts and minds of the majority of the people of our Nation. They are asking the question: How can we be a nation so mighty and great, yet hold this distinction on the planet Earth where these kinds of mass killings go on at a rate, at a level nowhere else seen on the planet Earth? It is held in this country—founded upon the idea that we formed this government for our common defense, that we formed this government to ensure domestic tranquility, that we formed this government based on the idea that we can make for a safer, stronger, more prosperous land—that question is being asked from coast to coast, from north to south.

Senator Murphy and I talked yesterday about coming to the floor today and not letting business as usual happen. We talked with our other colleagues who will come to this floor today and who all have in their hearts that word: Enough. Enough. Enough.
Even if his facts weren’t 100 percent correct on whether you can get a fully automatic weapon at a gun show, this is clearly a message being sent by some of the most notorious operatives and recruiters within the Al Qaeda and ISIS network: Go get a gun. They are easily obtainable. Do as much damage as possible.

So to answer Senator Booker’s question, I guess I don’t want to sit here and impute malevolent motives or intentions or the interference of interest groups and my colleagues. I just have to believe that we have the facts wrong and that we are maybe misreading our constituents. I know people who listen to the NRA are very vocal. I know they call in to all of our offices frequently and express their opinions very strongly. I will admit that the majority of Americans—and this majority exists in every single State—who support expanded background checks, support keeping terrorists off the watch list, they are just as passionate in their views. So it may also be that there is a misread coming on where the American public exists on this question. I think there are more and more Americans who are rising up and choosing to make this a priority when they come to the polling places and when they talk to us.

To Senator Booker, I think this is just about trying to do our best to correct the record—as the Senator said, doing our best to explain that what we are asking for is not revolutionary. It is not radical. It is simply commonsense. If we lay it out in plain facts, most of the people we represent would expect that we would have already taken care of this. If we told them we have not yet put individuals who are on the terrorist watch list on those that are prohibited from buying guns, I think they would be very surprised. If we told them that the majority of gun sales happen without background checks, why would they be surprised by that? I think they expect us to act on this.

I know the Senator from Nebraska is looking to ask a question. I would be happy to yield to the Senator from Nebraska, for a question without losing my right to the floor.

Mr. Sasse. I thank the Senator from Connecticut.

I am happy to defer to the assistant Democratic leader if he has a question first.

I thank the junior Senator from Connecticut for helping lead us into an important discussion. I do have a genuine question.

In a colloquy with the senior Senator from Connecticut, I think the question was asked that there is due process for I think what the Senator has been calling the terrorist watch list. I would just ask if the Senator can explain more what the terrorist watch list is. I am familiar with the terrorist screening database. There is a series of lists that fall from the database, but I don’t think there is any such thing as the “terrorist watch list,” and I certainly don’t understand what due process rights would apply to this list. If the Senator could help clarify that, that would help me. I thank the Senator.

Mr. Murphy. I thank the Senator from Nebraska for his question.

There is something called the consolidated watch list, which is an amalgam of a number of different databases. As the Senator pointed out, one of them is the no-fly list. The legislation Senator Feinstein has proposed and will propound refers to those consolidated lists and then provides the ability for an individual to contest their placement on the list. I do believe that would be able to be notified why they were prohibited from buying a gun and to be able to contest that with either the agency that put them on that list or with the NICS database itself. I take seriously this issue of due process. As we know, there are certainly people who are on that list who should not be—as, frankly, there are people today on the list of those prohibited from buying guns who should not be. There are mistakes that have been made. There are names put on those that get put on there that shouldn’t be put on, people who may have been wrongfully convicted.

I would agree with the gentleman that it is important that the legislation we come to agreement on specifically refers to the set of lists—which I would suggest mirror the consolidated database that is maintained by Federal law enforcement—and have a very explicit right to get a substantiation. I do not think it is impossible that we can come together on that in very short order.

I yield to the Senator from Illinois for a question without losing my right to the floor.

Mr. Durbin. If the Senator from Connecticut will yield for a question—first, let me say at the outset I thank him for his leadership. I am happy to join with this willful band who feels as we do that it is time for real change, and I wonder if the American people have had an opportunity to know how and that the American people have asked us over and over again: When is Congress going to do something about these mass shootings and the carnage which has taken place?

I would like to ask a specific question, though, about an element here. We have talked about terrorism, those who may be on a terrorism watch list or some version of it, which Senator Feinstein will address in her amendment. I think part of this is which is equally, if not more, important, from my perspective. We define mass murder as those that involve more than four victims, but many of us are alive and representing communities elsewhere. It is happening, taking place over long periods of time. Maybe not so many deaths in one particular incident but over a long period of time. Yesterday, our colleague from New Jersey eloquently explained to us, in a manner that was moving, about the carnage in his hometown that has been taken place in New Jersey for a long period of time.

My question to the Senator from Connecticut goes to a city which I am honored to represent, the city of Chicago. There were 488 homicides in Chicago in 2015. The vast majority of those were shootings. Chicago’s 488 murders were the highest total number of any U.S. city last year. There were only—only—339 in comparison, and in Los Angeles, 280, cities much larger than Chicago with much smaller numbers of homicides.

The Bureau of Alcohol, Tobacco, Firearms and Explosives is focused to the areas of Chicago where we have the most intense gunfire and killings taking place on a regular basis. Here is what they told me in 2015: Forty percent of the crime guns confiscated after these homicides and killings came from gun shows in Northern Indiana, just across the border from Chicago.

The reason I raise this question is, I believe the second part of this suggested approach—terrorists, the loophole, closing that once and for all, and, secondly, closing the loophole when it comes to background checks—would include and envision putting an end to what we see happening in Chicago, where in the most dangerous neighborhoods 40 percent of these crime guns are clogged into the trunks of cars at gun shows in Northern Indiana, with no background checks. Then, the people who buy them head for the city, to the streets of Chicago, to sell them, usually to teenagers who then spray their bullets at night in gang warfare and other activity.

My question to the Senator from Connecticut—there are so many other aspects we need to address—straw purchasing is one, assault weapons is another—but what the Senator is trying to focus on is this terrible tragedy that occurred in Orlando but to really expand our reach in terms of addressing new legislation when it comes to closing the loopholes in the law—loopholes which allow gun show sales without background checks and sales over the Internet without background checks. I ask the Senator from Connecticut the rationale behind including that provision.

Mr. Murphy. I thank the Senator. The Senator from Illinois, like Senator Blumenthal, has been a leader and a hero on this issue since before I got to the Senate, and he is exactly right. The state of this Nation is not just this repeated story line of mass shooting after mass shooting, it is the fact that even on days when there is not a mass shooting, there is the equivalent of a mass shooting happening in cities like Chicago, Baltimore, or New Orleans every single day. The numbers over Memorial Day weekend over Chicago are absolutely chilling.

Think about living in a city in which, over the course of what should be a celebratory weekend, there are 60-some odd incidents of gunfire, and that is just gunfire that hits people. So it is
critical we acknowledge that this epidemic that we are often focused on because of these mass shootings is an epidemic that exists every single day in this country.

Senator DURBIN is right that part of the reason we are asking that expanded background checks be part of this agreement that we come to over the course of today is because while we are on the bill that funds the Justice Department, we are debating the bill that funds in part, the background checks system, let’s make sure it works. As the Senator knows, the data is clear: In jurisdictions that have near-universal background checks, there are less gun deaths—period, stop. In jurisdictions that decide they are going to apply background checks to as many sales as they can—let’s be honest, you often can’t get every sale, but you can certainly say, if you are selling guns online through advertisement or you are selling guns at a gun show that is organized and marketed, that those sales should be subject to a background check. In States that do that, they have lower rates of gun crimes. As the Senator said so well, they are responsible gun dealers across the State line—selling guns to individuals who then take them into Chicago. This is certainly a debate brought on by another mass shooting, and we certainly have an obligation to make sure the ability to obtain guns, but the Senator is right that this ultimately has to be an issue of doing something about our urban gun violence as well.

Mr. BLUMENTHAL. Will the Senator yield?

Mr. MURPHY. I yield to the Senator from Connecticut for a question without losing my right to the floor.

Mr. BLUMENTHAL. I thank the Senator for yielding for a question only. I want to ask more specifically about a point he made so well at the very beginning of this conversation: that the fight against gun violence and extremism at home is not separate from one another, that we need to fight the violent extremism abroad, whether it is called jihadism or radical Islam or violent extremists, whatever label we give it. This fight is about that battle and about those allies abroad. In supporting us in that battle and combating the homegrown terrorists, the extremists who are supportive or inspired by ISIS or others abroad. We do not have an either/or situation here, as the Senator said so well. They are complimentary.

My question to my colleague from Connecticut is whether these kinds of measures that we are seeking to advance on the floor today also empower and enable a stronger alliance with our allies abroad that are joining us in this fight.

I ask that question of him because he as a member of the Foreign Relations Committee, as I am a member of the Armed Services Committee, is aware of the importance of acting with our allies abroad. These measures, do they not, enable us to form and enlist and advance those alliances?

Mr. MURPHY. I thank the Senator for the question because of course this is a global fight against terrorism. This is not a battle that can be waged by one country and one country alone. The Senator is right that we are right now calling on our allies in Europe to take steps that would better protect all of us from these terrorist plotters. For instance, we have real concerns about the degree to which European nations are sharing data about potential terrorist threat and potential terrorist activity and terrorism surveillance in Europe is largely done on a country-by-country basis. Even within some countries, it is heavily siloed. In Brussels itself, I think by last count, there were 160 different lists that the countries didn’t even communicate with each other. So there is a big problem in Europe about agencies not being able to talk to each other, and we are pressuring Europe and Europeans to get more serious about sharing data about terrorist activity, through that continent and then sharing information with us.

How is that relevant to the Senator’s question? It is very hard for us to preach to the Europeans that they should get more serious about tracking terrorists if we have big holes in our databases if we have big holes in our databases as well, and we do today. From the information that is out there, we know that in Orlando, this individual was on a watch list. He came off of it. Because of the way in which the network of lists and notifications work today, the FBI was not notified when he went to buy a gun.

We can have a debate as to whether he should have been prohibited from buying a gun if he was no longer on those lists, but it probably makes sense that the FBI should at least be notified so they can perhaps do some followup. As long as we have these gaps in our laws related to access to firearms for those who potentially had been on these lists, it is hard for us to tell the Europeans to do better. As the Senator knows, we also want to be able to connect what they know with what we know.

There are American citizens who travel to other countries, and they may be radicalized in part in connection with those visits. We want to be able to get that information to the extent that a foreign country knows about the activities of American citizens when they travel abroad so that it is incorporated into our databases, incorporated into the list of people we are concerned about getting access to a weapon.

I yield to the Senator from New Jersey for a question without losing my right to the floor.

(Mr. SASSE assumed the Chair.) Mr. BOOKER. Senator MURPHY, I am grateful for your yielding for a question. I think I will take a question from the Homeland Security Committee. I have worked with members on the other side of the aisle to do a lot of commonsense things to try to counter violent extremism here at home. Those involve efforts of coordination, as Senator MURPHY was talking about, investing resources in trying to counter violent extremist efforts here at home.

There is a tremendous bipartisan effort that has gone on in this country since 9/11 in trying to take down silos of information—whether it’s law enforcement and terrorism surveillance in Europe largely done on a country-by-country basis. Even within some countries, it is heavily siloed. In Brussels itself, I think by last count, there were 160 different lists that the countries didn’t even communicate with each other. So there is a big problem in Europe about agencies not being able to talk to each other, and we are pressuring Europe and Europeans to get more serious about sharing data about terrorist activity, because we are finite governments. We are finite economies, and we are finite in the number of people we are talking about—terrorist organizations that now have become common knowledge in this country, because people know Al Qaeda, they know ISIS, and folks are focused on that—the very enemies we are fighting against are aware of the big loophole that exists in this Nation—that someone who is a suspected terrorist, who has a terrorist intent, who is even known by the FBI, can come to our Nation or can be a citizen of our Nation and go to a gun show and buy weapons.

I want to clarify what I said. That was not an accident. This could be someone who is in our Nation as a citizen or it could be someone who has come to our Nation through the Visa Waiver Program and could still exploit this loophole of buying weapons without a background check. So we have actually enough sharing of information to go on that we actually can stop an individual from getting on a plane, from entering a vehicle, from getting access to a weapon.

Think about this. We can take an action to stop someone from flying, but we do not have the ability in this country right now to stop that known individual from getting in a car and driving to another State and going to a gun show and buying weapons.

The data show that the GAO has found that between February of 2004 and December of 2014 there were at least 2,033 cases where a known suspected terrorist tried to buy a firearm or even obtain it. We know there are that many people trying to do this and that we have the ability to stop those folks. So given the context of all the areas in which we are cooperating to stop terrorism and that there is this counterterrorism information isn’t being shared for actions to stop folks from getting these weapons that can do such carnage, isn’t this a
glaring gap in our overall security pro-
cedures, policies, and structures in our
country?

Mr. MURPHY. I thank the Senator.

It is a glaring loophole, and it is un-

Mr. MURPHY. Thank you, Senator

Blumenthal, and I want to thank you

for your work on the Judiciary Com-

mittee for leading this fight to try to

make sure that law enforcement has

the resources necessary. If we are

able to do that, then we can talk about

what needs to be a broader strategy to

combat either the potential

radicalization leading to violence of

American citizens or this broader ques-
tion of combating gun violence at-large

that Senator Durbin brought up. But it

is an important glaring hole that needs
to be corrected.

I yield to my friend from Connecticut
for a question without losing my right
to the floor.

Mr. BLUMENTHAL. Thank you to
my friend and colleague from Con-
necticut for yielding for a question and
his holding the floor.

I want to follow a question that was
asked by our colleague from New
Jersey. I believe it is important to elo-
cquently about the people in his city of
Newark, and, in fact, children dying in
his arms as victims of gun violence.

Those kinds of acts of violence are un-
 predictable.

The FBI was investigating the killer
in the Orlando tragedy and knew of his
potential dangerousness, but there are
countless individuals who commit
these acts of murder. Thirty thousand
defaths every year occur as a result of
gun violence. Many of them are unpre-
dictable acts of violence that aren't
under current law, but they could be
prevented with stronger laws.

So my question to my colleague from
Connecticut is whether this measure
will enhance the fact-finding and inves-
tigative powers of the FBI in seeking
to stop gun violence where we know it
may occur and—in fact, as much as I
deeply respect the diligence and dedi-
cation of the FBI—whether additional
resources combined with this kind of
measure will enhance their ability to
stop these acts of hatred and terror
such as we saw so tragically in Or-
land.

Mr. MURPHY. Thank you, Senator
Blumenthal, and I want to thank you
for your work on the Judiciary Com-
mittee for leading this fight to try to
make sure that law enforcement has
what it needs to protect this country.

Again, I spoke to this broader con-
versation about how you protect this
country and the American people from
terrorist attacks. I think there are a lot of people
who want to drill it down to only one
sil of conversation. As I remarked
at the beginning, some people want to
make this just about the fight in the
Middle East. Some people want to
make this just about surveillance.

Other people want to make this just
about gun laws.

It is not any of those things. It is
about a combination of efforts. So we
have to admit that this fight against
ISIS and against Al Qaeda in the areas
in which they have large amounts of
control is an ongoing fight. That is not
going to be concluded tomorrow or
next week or the month after. We
think we are making dramatic
progress, but it is going to take us a
while.

As I remarked at the outset, it also
means that there is an inverse propor-
tional relationship to understanding
the fight to Al Qaeda and ISIS inside
theaters of war and their importance in
attacking us here at home in the sense
that they are going to need to take the
fight to us here if they are having less
success in repelling our efforts to push
them back inside the Middle East.

That is where law enforcement comes
in, Senator Blumenthal, and you are
exactly right. Let's make it a priority
to defeat ISIS. But let's admit that for
the time being, they are going to try to
launch lone-wolf attacks here. What we
know is they generally don't go
through the trouble of trying to coordi-
nate these attacks ahead of time. So it
makes it much more difficult to stop.

They are trying to find someone who
is radicalized, who is on the fringes of society, who may be
mentally ill or prone to radicalization
and weaponize them. Sometimes it
makes it difficult for law enforcement
to find that needle in a haystack.

What we know is that in this case,
they were found on the fringes of
haystack. They had found him twice.

Perhaps his inclusion permanently on one
of these lists wouldn't have done much
good because it wouldn't have pre-
vented him from getting a firearm.

But what we should do is to provide
more resources to those who are
defending us from this threat.

This clearly is an important tool of
law enforcement, and we need to give it
to them. I hope—and I think Senator
Mikulski talked about this in her
opening comments—we can talk about
giving broader resources to the FBI
and to law enforcement to do the job
they need to do. We ask them to do more
and more, but we don't give them
the resources that are necessary. If we are
gong to give them these respon-
sibilities—keeping a better monitored,
consolidated database, having a process
for individuals to grieve their inclusion
on it—then we have to make sure they
have the resources necessary.

To the Senator from New Jersey, I
yield for a question without losing my
right to the floor.

Mr. BOOKER. Again, I appreciate
this point that I want to keep coming
back to, which is that we are—and both
of us have talked about—this is not
just a conversation about terrorism
and the importance of talking
about—in a war with a determination
to defeat our enemy. Yet our enemy
has spoken very clearly about explo-
iting the loopholes that exist in a way
for those who are seeking to do terror
attacks to buy weapons. In other words, as to
someone who is suspected already
by the FBI, suspected by the American
Government to have designs on the
terroristic act that could take

many Americans, as we saw this past
weekend, we already know who that
person is, and our enemy has basically
advertised the fact that it doesn't mat-

er. If they were already suspected by

our enemy, there is no way that our

ally has basically

er. If they were already suspected by

our enemy, there is no way that our

ally has basically

them last year or 5 years ago, they explicitly said: Don’t worry about that because America—slinging us out from European countries and others that are terrorist targets—in particular has this loophole we can exploit. Even though you have not been suspected of terrorism and have been cleared by the FBI, you can still find ways to easily obtain weapons by taking these measures, such as going to a gun show or ordering online.

We just passed a Defense authorization bill that will allocate billions and billions of dollars for our national defense. I don’t mean to be over the top about this issue, but if our past enemies and past wars have specifically shown us what our vulnerabilities are and that they are going to continue to exploit these vulnerabilities and literally have ISIS-inspired individuals who have been interviewed by the FBI carry out these horrific actions by using a loophole, as we saw this past weekend, it makes no sense to close that loophole when we are at war with folks who are inspiring individuals to take so much human life?

When we talk about closing the terrorist loophole, we need to be very articulate and make sure that it is done in a way that just has to do with those people. As it stands now, the NICS system can potentially check to see if a person is on one of those aggregated watch lists. I wish to ask the Senator from Connecticut: Doesn’t it make sense to have universal background checks in this context? That is what I would really like to get at. If you have steps to stop terrorists from exploiting this loophole but it is not a universal stop, we are not solving this problem. We are not really arresting it in the way that we should.

Mr. MURPHY. Mr. President, I thank the Senator for that question. That is why it is so important to link those two pieces together. If you really want to protect this country from terrorist attacks by a firearm—as I stated before, that is the weapon of choice for those who want to do harm to this country for political reasons—then you have to make sure that those individuals are on the list of those prohibited from buying weapons and you have to make sure when you go and buy a weapon you intersect with that list.

This long trend line, as both of my friends know, it used to be that almost everybody who bought a gun went into their local gun store to purchase that weapon, and over the course of time, for a variety of reasons, the means by which you bought a firearm has diversified significantly. We now have lots of sales occurring online, as we do with almost every other commercial good, and there is this buildout of gun shows, which are places where both licensed and nonlicensed dealers go to sell their guns in a very organized and controlled fashion. We have story upon story of individuals who have gone to buy guns in those gun stores in mass quantities, knowing that they would not have to go through a background check and then selling them on the black market. So someone who knows they are prohibited from buying a gun decides not to buy a gun in a gun store; instead, they go buy a muniment of a gun, say, at a gun show, which is unregulated. Those individuals who are not licensed gun dealers are able to sell their weapons without background checks at a gun show, and they can get as many as they want. That is not a system, you don’t have to scratch the surface of America’s gun law or debate this subject very hard to find out that there are easy ways to get guns without getting a background check. You can also go online. You can very easily buy a weapon on ARMSLIST without going through a background check.

We cannot adequately protect this country from terrorist attacks by firearm unless you do both, and that is why that is the question I am going to ask our colleague, through the Chair, for two purposes. As the Senator also knows, let’s not shy away from the fact that the reason we are on the floor today is that this slaughter also happens outside the realm of terrorist attacks. In fact, the majority—95-plus percent—of Americans who have been killed by guns were not killed in a terrorist attack, but many of them were killed by guns sold outside the background check system.

This is a two for one. If there are objections to this side of the equation to the provisions of the Manchin-Toomey legislation, I hope that over the course of this afternoon and this evening we can come together on those issues. If you pass some version of that legislation, which is supported by 90 percent of the American public and the vast majority of gun owners, in conjunction with putting terrorists or would-be terrorists or suspected terrorists on that same list, then you have not only protected our country from terrorist attacks, but you have halted the epidemic of firearm violence that we all live with on a regular basis, whether it be in Newark, Bridgeport, or, as Senator Durbin talked about, Chicago. The regularity of gun crime that is often associated with weapons that were purchased outside the background check system is not an inevitability that we have to accept. We can do something about it by coming together today.

I think that is what my friend is getting at by linking together two policies that have to be interdependent in order to protect ourselves from a terrorist attack, and it is also about this broader issue of taking on crimes in our city.

I yield to the Senator from Connecticut for the Region without losing my right to the floor.

Mr. BLUMENTHAL. Mr. President, I thank Senator Murphy. I wish to draw out a point he was making by posing another question. There is no one-size-fits-all policy and there are terrorist attacks in this country that involve gun violence. The kind of attack that we saw in Orlando may have been motivated by an insidious bigotry that involves deep-seated hatred or pernicious extremist ideology inspired by ISIS or some enemy abroad or mental illness. The facts are developing.

We will know more, as the Senator from Connecticut knows. The point is that the laws we now have enable our enemies to weaponize the people in this country who may be prone to use assault weapons that are designed to kill as many people as possible and as indiscriminately as possible. The idea of weaponizing our enemies or home-grown terrorists or people who can be inspired by the twisted insidious ideology that ISIS spawns should really bring us to recognize that there is not only a security threat abroad but one at home as well.

I ask my colleague, the Senator from Connecticut, whether people who are too dangerous to be permitted to board a plane should be in some way stopped from buying one of these guns that can be used—whatever their motive—to do the kind of destruction that we saw with such unspeakable horror in Orlando, Virginia Tech, Aurora, Columbine, and our own town of Newtown?

We have met with these families in our State and in towns and cities across the country. We have heard their cries beseeching us to do something. Is there more that we can do?

Mr. MURPHY. Mr. President, I thank my friend. Let me put it to the body this way, through the Chair. This is also about sending a message to everyone in this country. It is about sending a message about taking on this epidemic of gun violence, whether it is a terrorist attack or it is an attack by someone who is deeply mentally ill, such as the attack in Newtown, or the ordinary, everyday violence that is just epidemic in our cities. I think it is incredibly important for us to send a message that we are serious about this and, frankly, not worry about whether we have addressed every aspect of this debate. This is not about perfection—one—not allowing the perfect to be the enemy of the good. I say that to my colleague, through the Chair, for two reasons. One is this notion I talked about earlier in which I really do worry that there is a quiet unintentional message of endorsement that is sent when we do nothing or all we do is talk. I believe that when there is not a collective condemnation of policy change from what is supposedly the weakest and smallest voice of this legislative body, there are very quiet cues picked up by people who are contemplating the unthinkable in their minds. This isn’t intentional. I am not accusing anybody of being intentional in their endorsement, but there is a quiet signal being sent to those whose minds are becoming unhinged and who are thinking about doing something truly horrific. Since we have been talking about this—since Senator Harkin’s package—there is nothing that would suggest that the highest levels of government condemn it with any real policy change.
I yield to the Senator for an additional question.

Mr. BLUMENTHAL. We need to be realistic, don’t we, I ask Senator Murphy? The President has said we are not going to prevent every death from gun violence. I think the President is due great debt of thanks for his leadership and courage and strength for advancing the debate on gun violence and seeking specific, constructive steps that will help to stop it, but we know we are not going to be successful in preventing every single death as a result of gun violence. This kind of set-of measures is a start.

My colleague from Connecticut has said it is an easy start. It is easy to understand and it is easy to see the effect and the tangible difference it can make. But obviously, if it were easy to achieve, it would have been done long ago.

Unfortunately, as he and I have said all too often and as we have had to say since the Sandy Hook shooting and the cuts across the country of the families in Sandy Hook and Orlando. I know that after my colleagues met with the families in Sandy Hook, they came to the floor and did not speak.

We should pass legislation. This is easy, given that it should unite broad members of the American public.

I think the Senator’s question is right. Let’s find some limited common ground on issues that the broad American electorate support, and let’s move forward on it. Maybe we wait to litigate some of the more controversial pieces until later on.

As Senator Blumenthal said earlier, this level of death would be absolutely unacceptable if it came by way of disease or if it came by way of infection. No one would contemplate standing pat and doing nothing if a mosquito-borne illness were killing 80 people a day in this country or wiped out 50 in one evening. No one would accept Congress doing nothing and just moving on to the next piece of legislation after the next wave of people dies. That is just not something people would accept.

But for some reason in this country, we have come to accept that gun violence is inevitable and that there is nothing we can do or should do about it.

I am going to make this argument with some certainty later this afternoon, but it is important for us to look at the data on gun deaths in America versus gun deaths in every other industrialized nation. It doesn’t happen in other places like it happens here. And it is not because America has more people who are mentally ill. It is not because America spends less money on law enforcement. It is not because America has a less well-funded system of mental health care. It is because we have a terrible system of mental health that we should fix. The reason we have epidemic levels of gun violence is not that we are different from other countries in all of these other ways; it has to be something that we have allowed so many people who shouldn’t have guns to have them. There is a reason we are different, and thus we shouldn’t accept it.

I yield to the Senator from Florida for a question without losing my right to the floor.

Mr. NELSON. Yes, Mr. President, if I may, if the Senator will yield for a question.

The PRESIDING OFFICER. (Mr. Murphy.) The Senator from Connecticut has yielded to the Senator from Florida for a question.

Mr. NELSON. Mr. President, I wish to ask the Senator about the weapon that was used in Orlando. My home is a mile from where this shooting took place. I was there right after the shooting. Of course, I speculated at the time that this was going to be a combination of ISIS-inspired, a hate crime, anti-gay, and very likely anti-Hispanic because 44 of the 49 had Hispanic surnames.

I want to ask the Senator if he is aware of the difference between the lethal killing machine that was used and the AR-15, which is a military weapon used by the military called the M-16, and the SIG SAUER MCX. They can use the same bullets, but this one, in fact, can use an even larger, more lethal bullet, traveling at 2,000 miles per hour. I wanted the Senator to see this. I wish he knew how that came about, this killing of this rifle?

Mr. MURPHY. Mr. President, through the Chair, I thank my colleague for the question. From the layman’s perspective, they don’t seem like they are different weapons. They are both incredibly powerful weapons. They are both derivatives of weapons that were intended to kill as many people as quickly as possible.

Mr. NELSON. For the military, that is expected.

Mr. MURPHY. I yield for an additional question.

Mr. NELSON. And the Senator no doubt but unfortunately agrees, along with the rest of us about what happened in Orlando, that these are not weapons for hunting; these are weapons for killing. And this particular weapon has a collapsible stock. Would the Senator be surprised? This is how he got it in. You take out the magazine. You collapse the stock. He probably had a blow-out exterior. It is near the 2 clock. Clinton was not a left-leaving, security is lessening, and he walks in with this. How did he get it in? He didn’t have to have a long rifle; he had
Mr. MURPHY. Well, it is not surprising to me, would be my answer. I think, as the Senator knows, the marketing techniques of the companies that sell guns are quite frightening. They market those guns in a way that would suggest that the intended use by the manufacturer is, in fact, to kill as many people as possible. They advertise the fact that they are easily concealable. They do not shy away from the fact that the collapsible elements make them easily concealable. The manufacturers are not suggesting that they should be used for mass slaughter, but certainly are selling them in a way that speaks to an audience who is contemplating what they were contemplating.

I yield to the Senator for an additional question.

Mr. NELSON. Those who are listening to us today who are concerned about this stilted parliamentary language we are using, it is the Senate’s rules that I am requesting through the Presiding Officer permission to ask a question, so I will ask this in the form of a question.

Would the Senator believe that these are the shoes of one of the trauma surgeons? It just so happened that two blocks from the nightclub is the trauma center in Orlando, the Regional Medical Center, the No. 1 trauma center with trained trauma surgeons. They called them all in in the middle of the night.

Would the Senator like me to read what the doctor who owns these shoes said?

Mr. MURPHY. First of all, let me say that it doesn’t surprise me because we know the level of carnage that entered that emergency room. But I think it should pain everyone to look at that pair of shoes. We know the terrified doctors and nurses, the faces and the faces of those that gave everything they had in those dark hours.

There is still an enormous amount of work to be done. Some of the work will never end. And while I work I will continue to wear these shoes. And when the last patient leaves our hospital, I will take them off, and I will keep them in front of me every time I go to work. For on June 12, after the worst of humanity reared its evil head, I saw the best of humanity come right back. I never want to forget that night.

Dr. Joshua Corsa, Orlando Regional Medical Center.

I thank the Senator for yielding.

Mr. SCHUMER. Mr. President, will the Senator yield for a question?

Mr. MURPHY. I yield to the Senator from New York for a question without losing my right to the floor.

Mr. SCHUMER. First, I thank my colleague from Florida for that amazing presentation. I thank my colleagues from Connecticut and New Jersey for the amazing job they have done in making sure they do everything they can, using the procedures of this body, to see that we get votes on this important legislation. I also thank my friend from West Virginia who has held the floor for some time today—both Senators from Connecticut, who have done an amazing job. And I know we will all be looking forward to hearing from our friend from West Virginia for his words.

Would the Senator believe that these two pieces of legislation go hand in hand? Isn’t it true that these two pieces of legislation have the overwhelming support of a huge number of Americans?

Mr. MURPHY. I thank the Senator for his lifelong leadership on this question. I feel as though I am in a caucuses of giants here, when we are coming down to the floor—from Senator Durbin to Senator Schumer, to Senator Blumenthal—who have all been working on this issue about firearms, trying to protect Americans from gun violence, longer than I have. Of course, as one of the original authors of the bill, Senator Schumer knows better than anyone that had you known that you were building a bill that would only cover 60 percent of gun sales, you never would have designed it, nor probably voted for it, with the terms that exist today. What has happened is that over time gun sales have migrated to other places.

What we are simply trying to do is reinforce the existing intent of the law. We are not trying to change the law at all. For everybody who voted for that bill originally to make sure criminals were not able to buy guns, they did so because they believed they were going to cover the majority of sales that were done in a commercial atmosphere. Now commerce happens in gun shows and online, and we need for the system to migrate to it.

The Senator is also right that protecting America from future attacks is ineffective unless we do both—make sure people on the terrorist watch list can’t buy guns and that the forums which that list reaches are both gun stores and gun shows but also Internet sales.

Further, the Senator is right that this is the only place where this issue is controversial. This is the only place in which there is a 50–50 argument over this question. You find any other forum in any other part of the country and it is 90–10 on this issue. Which is why my friend from West Virginia has led on this because he knows that in all of our States, this is something that
Mr. MURPHY. My question to the Senator from Connecticut is on gun culture. I don't think there is another State—if there is, I don't know—that has more of a gun culture than West Virginia. We take the Second Amendment rights extremely seriously, and I want to make sure we are sending a clear message because some people come from States that don't have much of a gun culture or weren't exposed to guns as a young person growing up.

I currently live in West Virginia, at a very young age, we are taught, first of all, how to handle guns safely. We are taught to never sell our gun to a stranger, never sell a gun to someone who has a criminal background, never sell a gun to someone who is mentally unstable. We don't want to give our guns to a family member or a friend if we don't think they are responsible. This is how we are taught in our gun culture.

I am sure Connecticut has the same gun culture we have. So how this all came about during the amendment 3 years ago, after the horrible, horrific tragedy in Newtown, was that if we respect a law-abiding gun owner who didn't buy the gun because they want to do something wrong with it or they are a criminal or are soon to be a criminal because they own it, then you have to assume they are law-abiding, and they are going to do the right thing. If they are going to do the right thing, the right thing is we don't sell to strangers, we don't sell to criminals, we don't sell to mentally unstable people.

Doesn't it make sense that if you go to a gun show that would allow somebody not to go through that, but to go to a table where there is an unlicensed dealer selling to someone who isn't required by law to have a background check, to say: Well, wait a minute. You can't do that. This is a commercial transaction. As a law-abiding gun owner, I think that if I don't know who you are, I don't know you. You want to buy my gun, but before I sell you my gun, I am not going to do that until I know you are capable of owning a gun and respect it and know how it operates. That is what we said and we do so much more.

I would say to my good friend from Connecticut, is the gun culture the same? You come from a State that has a gun culture. Even those wonderful families who suffered in the tragic loss of their children weren't trying to ban anything. They wanted common sense. So is the gun culture in your State similar to ours; that we treat people as law-abiding gun owners who do the right thing, and the right thing is to find out who wants to buy your gun and don't let them go to a gun show or on the Internet where they are able to skew around that?

Mr. MURPHY. I would be interested in the Senator's reaction when I answer his question, and then we can ask another question to follow up.

People are going to say that Connecticut and West Virginia are very different States, and they are. There are a lot of differences between the citizens of Connecticut and West Virginia, but I have found that gun owners aren't that different in the sense that they are serious about their guns. They take this issue very seriously, if you come out giving away their Second Amendment rights. They are serious about having the right to protect themselves. They are serious about the right to be able to hunt. But they also recognize that it is a responsibility, and you can lose that responsibility if you come out giving it away.

Almost every single gun owner I have talked to has said, yes, absolutely criminals should not be able to buy guns. And every gun owner in Connecticut that I asked this question to said to me: What? Terrorists, people on the watch list, are allowed to buy guns?

So I think as different as our States are, I think gun owners are largely the same. We are all about our Second Amendment rights with the sentiment of not wanting the government to take away their ability to own a firearm, and they want a diversity of products available to them. They want to make sure they are able to protect their home or hunt or hunt. They don't want a criminal—somebody convicted of domestic violence, murder, or assault and battery—to be able to get their hands on a weapon. I think that is where both of our gun communities are, and I will yield to the Senator from West Virginia for another question or if he wants to correct me, if I am wrong.

Mr. MANCIN. My question is a follow-up question.

After we tried to do the Manchin-Toomey amendment to put commonsense measures into place—as law-abiding gun owners do every day—did you have anybody in Connecticut come and say to you that the Manchin-Toomey amendment would take away their gun rights and make it so they can't keep their gun, can't own a gun, or can't buy a gun? Because, in fact, for those who took time to read it, we protected the Second Amendment right that had been ever protected. We protected law-abiding gun owners so they are able to do what the Second Amendment right gives them the right to do. We never banned anything because we know the law-abiding gun owners will do the right thing.

I think in West Virginia and I would say in Connecticut that 70 to 80 percent of the real ardent collectors, shooters, sportsmen say it makes sense. They don't mind a background check. Why we hit a roadblock, I don't know.

Did you have anybody coming to you in your State and saying: Senator Manchin-Toomey knows, we have a strict background check system in Connecticut already, so in Connecticut we already subjected these sales to the
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background check system. My impression is that our hunters, sports shooters, and collectors have never felt that they were on the precipice of losing their right to enjoy their sport or their pastime, or to be able to build on their collection.

As you mentioned, there are definitely disputes when you get into the area of banning this kind of weapon or that kind of weapon, but that has nothing to do with this bill. This bill is just about common sense. If you are a criminal, you can’t buy a weapon.

There may be other things that are controversial, but this one is non-controversial. The Senator has told me it is not controversial in West Virginia either, when laid out as to what it really is.

I yield for a question.

Mr. MANCHIN. If I can ask my good friend from Connecticut a question.

When the Senator goes home to Connecticut to explain it, they understand it, they read it. If anything, we are protecting them more to do the thing they do every day and the way they were trained, and they believe that we are correct. What happens is they start saying: Did you get this question? Yes, but if you do that, then they will just expand it further, and they will take more of our rights away.

I say that this is a constitutional amendment. It cannot be by an Executive order. It has to have the action of Congress. Don’t worry about someone expanding it or some office or law saying that they are going to expand the rule or expand the interpretation of it, or that the executive—the Governor—is basically going to have an executive ruling that takes more of your rights away.

I said you cannot do that with a constitutional amendment. We have to do what we are doing right now. So can’t we do the logical thing in passing something that is a building block for us to make sure those who are unbalanced, who are criminals, who want to do harm to all of us should not be able to conveniently go anywhere they want to in America, to a gun show in America, or on the Internet—which we never know—and buy that.

Did the Senator have any feedback on that to him?

Mr. MURPHY. I did. We hear it constantly, which is this belief that there is a secret agenda, that this is really about a slippery slope to gun confiscation.

As the Senator stated very eloquently in his remarks, there is a Second Amendment, and there is an interpretation by the Supreme Court of that Second Amendment that guarantees the right to a firearm, which we cannot broach and which we cannot breach as a legislative body. So that is unquestioned.

The question of whether there is a secret agenda is one we have to confront, but the reality here is when we passed the initial background checks law, I am sure people at the time said this is just the camel’s nose under the tent.

Mr. MANCHIN. Sure.

Mr. MURPHY. And it was not. As we stated, this system worked for a very long time until all of these gun sales migrated out of the system. But we have plenty of examples in which we have passed gun laws that didn’t lead to all of the worst case scenarios that many people often proffer to us.

I yield to Senator MANCHIN for another question.

Mr. MANCHIN. My other question would be that I am understanding that the Senator and most of my colleagues would like to do two amendments here. We have two amendments proposed. They are basically commonsense building blocks to protect the citizens of this great country in each one of our respective States.

There is the one on terrorists, if you are on a terrorist watch list. I have heard my colleagues on both sides here and my colleagues on the other side of the aisle say: Well, there is due process. Basically, we are taking people’s rights away, which is the foundation and the cornerstone of this great democracy of ours.

I said: You know, there is not another one on Earth that has a target on its back the way the United States of America does.

Understanding that if a person is being called in—let’s take the shooter in Orlando. Our hearts and prayers go out to the families of those who have lost loved ones and those who are still suffering. With that being said, I think this gentleman was called in a couple of times. He was suspected of being a terrorist or of being of a terrorist mindset. They are thinking: How was he able to still legally go buy the firearms—legally? He didn’t go illegally.

So they said: You mean you cannot even stop that from happening? Then what’s the well, due process.

I know one of my colleagues wants 72 hours, which we know is not even reasonable or practical.

But on that, I think both sides—Democrats and Republicans—both want to keep terrorists from getting firearms.

The question has been, I am sure—and your people are asking you in Connecticut: How do you go further? How do we get this to the point to where if you have been suspected, you should be at least on a watch for 5 years, and you can’t buy on a NICS no-buy list?

There is the easy list, which they keep asking me about. I don’t know if the Senator from Connecticut is asked this same question. But, my goodness, if a person is thought to be of a terrorist mindset and we have flagged them not to fly on an airline—a commercial airline in the United States of America—don’t you think we ought to have the same concerns about them being able to buy a weapon legally?

Mr. MURPHY. Through the Chair to my friend, it is important to remember that there is consensus in this body that those individuals shouldn’t fly. There is nobody who has come to the floor of the Senate and has proposed a law that we should take all of these individuals who are on these watch lists and think that you have the ability to fly; right? Nobody would propose that on the floor of the Senate because they would get tarred and feathered by their constituents if you came in and said: Everybody who has been investigated by the FBI who is on the terrorist watch list, we think that you should have the ability to fly.

Mr. MANCHIN. Senator, do you have anybody in the State of Connecticut who is coming to you and saying: You know, I have a friend who was suspected of being a terrorist, and their right has been taken away? They are an American citizen, and for some reason they were on the Internet, they were checked out, and the FBI has come to their home and suspected them and questioned them.

Should that person still be on the no-buy list, if you will, because they are a suspected terrorist?

Mr. MURPHY. I think people in my State are shocked that this isn’t already law. I think at some level people don’t understand why this hasn’t been baked into the background system as it is. As you know, this is just simply not a controversial issue anywhere but in this Chamber.

Mr. MANCHIN. I think they have reached the amendments and the Bill of Rights, that we have taken people’s rights away?

Mr. MURPHY. Nobody believes that. No.

Mr. MANCHIN. I have not had that in West Virginia at all. If anything, they said: Please, err on the side of caution. Keep me and my children safe.

That is what they are saying. We are not taking any people’s rights. But we have to have a process where if that person has been investigated, or even if they show up on a watch list, we think that you shouldn’t fly; right?

I think Senator Feinstein has a 5-year provision in there for that which is very reasonable.

I can’t go back home this weekend and explain to the people in West Virginia why we haven’t moved forward on this. There could be another Orlando in God forbid, over a period of time.

Mr. MURPHY. I thank the gentleman for joining us on the floor today. I think that is really what this is
about—not being able in our heart of hearts to go back to our States, especially those that have been touched by these crimes, and tell them that we wasted another week, that we sat here and we ignored the problem for yet another week.

The reason I am on the floor, the reason that Senator BLUMENTHAL and Senator BOOKER are joining me, is that we have just had enough. We have had enough of these shootings, enough of this talk. We think it is time for action and to act now.

Mr. MANCHIN. I thank the Senator for answering the questions that we have had. I thank all of you for being informative in the questions that we still have furthers more to ask.

Mr. MURPHY. I know the Senator from Maryland is on the floor, but I yield to the Senator from Connecticut for a question.

Mr. BLUMENTHAL. Thank you, Senator MURPHY.

I want just to pursue some of the questions, the excellent inquiries that have been posed by our colleague from West Virginia and just to say that some folks in America who may be listening or watching may hear afterward may be able to figure out how to get around one State’s tough gun laws.

Senator DURBIN was here earlier talking about the fact that a large number of the weapons that are used in Chicago to commit murders—50—some odd shootings over Memorial Day weekend were obtained outside the State of Illinois. Illinois has some pretty tough gun laws, but Indiana doesn’t.

You can get to Indiana from Chicago in a heartbeat, and you could pick up a firearm online or at a gun show, or you can go to a pretty mismanaged gun dealer and bring what effectively are illegal weapons back to Chicago. Yes, we are talking about a Federal law because this cannot be a State-based solution.

Through the Chair, that being said, as Senator BLUMENTHAL knows, State laws do have an effect.

That is helpful in showing, through this body, that we are not powerless, that if we pass these laws and apply them on a national basis, it will have an effect.

In Connecticut, we have seen a 40 percent reduction in gun crimes since these laws went into effect. That is a preview to this body, that if we were to adopt that standard—yielding to my friend for another question—then we could potentially bear the same reward in human lives saved on a national basis.

I yield to the Senator for another question.

I know Senator CARDIN is on the floor as well.

Mr. BLUMENTHAL. I would be pleased to yield to other colleagues for their questions, but let me just ask the Senator one more quick question.

Again, some of us are unfamiliar with this topic might be wondering. Convicted felons under law are barred from buying firearms. So someone who has been to prison, paid the price, done probation, been out of our prisons for years and years, and done nothing to repeat that criminal episode—whatever it was—is still barred from buying a gun. Yet someone who is deemed dangerous enough to be on a watch list or a no-fly list—the consolidated list that the Senator from Connecticut referred to earlier—is free to walk into any gun store or any gun show and, in 7 minutes—a reporter of the Philadelphia Inquirer believes, within 7 minutes—simply present the money and walk out with an AR-15 automatic weapon, a firearm designed to kill as many people as quickly as possible, designed for combat and largely manufactured and used around the world to kill people—not predominantly for hunting or recreation. It is designed to kill people.

Isn’t there an irony to this kind of an inconsistency? Irony is probably a euphemism. Or isn’t that an outrage that the terrorist watch list people can buy an AR-15—no questions asked—in 7 minutes or less or slightly more? And a convicted felon, having committed a serious crime, having paid his dues to society, having paid a fine, having served time in prison, done and out—

and we talk a lot now about a second-chance society, about their being able to live normal lives and work and so forth—is barred, even if the person may be far less dangerous, far less a threat to innocent people in Orlando or at Virginia Tech or in Newtown, CT, or to the 30,000 people every year who either are killed or kill themselves because of this easy availability of guns to people who are dangerous.

The terrorist watch list—again, not a panacea, not a single solution—barring those people from buying guns will not fix this problem alone, but it is a start. It sends a message, and it will provide hope to those families who have looked in our eyes, the families of Newtown, families across the country who have lost loved ones and who say: Why can’t Congress act? That is why we are here saying enough is enough, if I am correct.

Mr. MURPHY. I say to Senator BLUMENTHAL, I don’t think there is any more I can offer in answer. You are correct that it is both ironic and outrageous.

I yield to the Senator from Maryland for a question without losing my right to the floor.

Mr. CARDIN. Mr. President, through the Chair, I would like to inquire of my friend from Connecticut with regard to the relationship between the tragedies we have seen far too often in this country—most recently in Orlando but, as Senator MURPHY mentioned, as Senator BLUMENTHAL knows all too well, in Newtown and at Virginia Tech and the list goes on and on—and the work we have done in order to protect our homeland from radicalization.

I would like to ask my colleague because he has been one of the leaders on the Senate Foreign Relations Committee and he has worked very hard to make sure we have the very best intelligence information to keep our country safe, to support law enforcement against terrorists, and that we do everything we can to make sure we identify those who would commit terrorist
actions and take law enforcement action against those individuals.

With regard to the Orlando episode, although we don’t know all about it yet, we are still learning information about the perpetrator; we do know the LGBT community feels particularly threatened by what happened. They were victimized at this particular spot.

Senator MURPHY, Senator BOOKER, Senator BLUMENTHAL, and Senator MARKEY—all who are on the floor—have worked very hard to deal with the root causes of hate in our society, which is another factor concerning safety in our communities.

I would like to get the connection here on the gun issue, but I think it is important to point out that we have worked very hard to support the LGBT community, to make it clear that the rights of all people in this country are going to be protected. We celebrated the Supreme Court decision that recognized marriage. We celebrated some actions in our military to open up full participation by the LGBT community, and we were particularly pleased with the recent confirmation of Eric Fanning that we saw take place in our military. We have seen some progress in Armed Forces in Maryland, I don’t know too many people there of the LGBT community, to make it clear that the rights of all people in this country are going to be protected. We celebrated the Supreme Court decision that recognized marriage. We celebrated some actions in our military to open up full participation by the LGBT community, and we were particularly pleased with the recent confirmation of Eric Fanning that we saw take place in our military. We have seen some progress in Armed Forces in Maryland, I don’t know too many people there.

Globally, we have seen some progress in regard to the LGBT community. We have seen in several countries—and I mention this specifically in asking the question of Senator MURPHY because of his work on the Senate Foreign Relations Committee—such as Malta, Ireland, Thailand, Libya, and Vietnam, that laws have been passed to protect transgenders. That is all work we have done to try to keep all of our communities safe. Ukraine passed a law that repealed one of the workforce discrimination laws against the LGBT community.

These are all important steps we have taken to try to keep not only our community but the global community safe from these types of hate acts. So we have taken some positive steps in trying to isolate terrorists, in trying to make sure law enforcement has all the tools they need, and we have done a lot of work to protect vulnerable communities to make sure we stand for the rights of all people.

I applaud my colleagues for being here on the floor to talk about the relationship here—this is what I want to ask Senator MURPHY about—given all that we know, following Orlando, he is here on the floor talking about gun safety.

I noticed in the Orlando tragedy that one of the weapons used was an assault weapon, a military-style weapon. I must say that in my observations in Maryland, I don’t know too many people who need to have that type of weapon in order to do hunting in my State or to keep themselves safe. It seems to be a weapon of choice by those who want to commit crimes.

My colleagues talked at great length about terrorists and those on the terrorist watch list and that loophole that exists. We can talk about what happened in my colleague’s State with a high-volume ammunition clip that certainly added to the numbers of victims before law enforcement could deal with the perpetrator.

So my question is, as we are looking at ways to keep ourselves safe, how does my colleague see these issues coming together? How can we have a coordinated strategy, and why haven’t we acted?

Mr. MURPHY. I thank the Senator for his question, and I want to thank him for the work he has done as our leader on the Foreign Relations Committee to make LGBT rights not just a domestic priority but an international priority for this country.

I started this out about 3 hours ago talking about how complicated the attack in Orlando was and how many different competing influencers there were on the incompprehensible decision this individual made. But clearly he had a hatred in his heart for people in the LGBT community and it was a reinforcement for us to pay attention to the words that we use, the things we do, and the legislation we contemplate or pass. If we build inclusive societies in this country and promote—as my colleagues say—making the military more inclusive, then we give less room for individuals who might be contemplating these hateful actions against individuals who are members of a minority group—LGBT, Hispanic, or whatever it may be.

So I think our obligation here is multiple. We need to pass stronger gun laws and we need to take the fight to ISIS, but we also need to double down on inclusive societies and we need to double down on fighting discrimination against our LGBT brothers and sisters because to the extent that we make discrimination, that we make hatred, and that we make malevolent thought much more of an outlier in our society, we cut down on the potential for this to happen in the future.

I thank the gentleman for also bringing together all these other potential steps forward on our gun laws. Of course assault weapons should not be legal in this country. When they were prohibited for 10 years, we saw a diminution in the number of mass murders committed. Of course these mega-clips—the 30-round and 100-round clips—have no place in a civilized society.

I guess our hope is that if we start exercising this muscle of getting consensus on gun laws, we start with background checks and the terror gap, which we know the American public is together on and work from there, and then we will give us the platform with which to get agreement on some of these other issues. If we start finding common ground today, this afternoon, tonight, then we will have the room to find more common ground in the future.

But the Senator is right—we have to link these efforts together. We have to understand how complicated the motivations were for the shooter, but we also have to understand we are not powerless in confronting it.

I yield again to the Senator for a question.

Mr. CARDIN. Mr. President, one additional question. Mr. MURPHY. Great.

The Senator pointed out—and rightly so—that there is no one problem we have to deal with, there are multiple issues involved. I have heard some of my colleagues say the problem is not the weapons they use or the problem is not the social issues or the problem is not this or that, but I would ask this of my friend from Connecticut: It seems to me the one option that should be off the table is doing nothing.

It just seems to me that the American people are demanding—and rightly so—that we take action now to make our communities safer. Quite frankly, they don’t understand the inaction of this body. Quite frankly, I don’t understand the inaction of this body.

Would my colleague agree that the only option we should take off the table in trying to deal with this is doing nothing?

Mr. MURPHY. Through the Chair, I think the Senator for the question, and let me say that I think that is why we are here. I think that is why we are here. This was just backbreaking. The idea of this body moving on as if it is just business as usual after the worst shooting in the history of this Nation, coming on the heels of the second and the third and the fourth worst mass shootings in the history of this country, was unacceptable.

I think the reason that I am here with Senator BLUMENTHAL, Senator BOOKER, Senator DURBIN, why you are here, why Senator MARKEY has now joined us, why Senator MANCHIN was here, why Senator SCHUMER was here, and why so many others will be coming to these questions of me later today, is because there is no option other than action. The idea that we wouldn’t even try, the idea that the leadership of this body wouldn’t even schedule a debate this week to try to find common ground instead of just moving on as if it didn’t happen, is the only thing that is truly unacceptable.

I thank the Senator.

I yield to the Senator from Massachusetts for a question without losing my right to the floor.

(Mr. CRUZ assumed the Chair.) Mr. MARKEY. I thank the Senator from Connecticut for his leadership on this issue. It is the issue we should be debating this week and next week in the Senate, I thank him and Senator BLUMENTHAL, from the historic work of Senator DURBIN, Senator BOOKER, Senator CARDIN—everyone whose voices down here are saying the same thing.

We have learned a lot about this problem, but we still don’t know all of the answers. The answers we do know, we should be putting those protections on the books.
There is some commonsense knowledge we each have—that the FBI should have the authority to block gun sales to potential terrorists. How hard is that? No gun sales to potential terrorists in the United States.

The NRA said no. The NRA said no last year. The NRA said no the year before. The NRA controls the agenda of the Senate. They control this body. They are the ones who decide whether guns can be sold to terrorists in the United States—1 million guns a year—per year for $80 apiece, inside the lion semiautomatic assault weapons in the United States—is that for the guns in the United States. What kind of terrorists to be denied purchasing these weapons? Of course, not stop a terrorist—a potential terrorist saying that he was inspired by ISIS—inspired by this so-called caliphate outside of our borders to buy a weapon to kill Americans. Like China, are we just going to allow the NRA to say: No, it is all part of free commerce; no, we don't have any rights to limit the sale of these weapons. Or are we going to say there has to be commerce with a conscience; that not everything can be sold to anyone in our country; that some people and some things are too dangerous to be allowed to be purchased within our country.

I support very strongly the bill which Senator Feinstein, who introduced to give the Attorney General the discretion to prevent someone from buying a firearm or explosives or obtaining a firearms dealer license if the Attorney General determines the individual is a known or suspected terrorist and has a reasonable belief that the individual may use the weapon in connection with terrorism.

Can it happen again? You know that it can happen again. This terrorist cited the two terrorists in Boston, the Tsarnaev brothers, as an inspiration to him. There is an online brainwashing recruitment which is going on all across our country. So that idea is out there.

The question is, How easy are we going to make it for them to be able to gain access to the instrumentality of their devastating acts against our society? Are we just going to allow them to walk into any gun store once they have been on the terrorist watch list legally purchased guns more than 2,000 times because the FBI had no authority to block those sales. Over a 10-year period, over 2,000 times, the FBI could have stopped a terrorist—a potential terrorist—from buying a gun in the United States because the National Rifle Association does not want potential terrorists to be denied purchasing guns in the United States. Why? Because the NRA controls the Senate. They don’t want a vote on the floor of the U.S. Senate. They don’t want a vote on the floor of the Senate on that issue?

Historically, this goes all the way back. When the incredible power of the NRA From 2004 until 2014, people on the terrorist watch list legally purchased guns more than 2,000 times because the FBI had no authority to block those sales. Over a 10-year period, over 2,000 times, the FBI could not stop a terrorist—a potential terrorist—from buying a gun in the United States because the National Rifle Association does not want potential terrorists to be denied purchasing guns in the United States. Why? Because of crazy position—that potential terrorists should be allowed to buy guns in the United States—is that for the NRA to take?

Back in 1994, we were having a debate over the ban of assault weapons in our country, but it came to my attention that China was actually selling 1 million semiautomatic assault weapons per year for $80 apiece inside the United States—1 million guns a year—and we were negotiating a treaty with China. So I organized about 130 members of the House on a letter to President Clinton saying no support for any deal with China until China agrees that they will not be selling assault weapons for $80 apiece in our country. That was 22 years ago—1 million assault weapons a year being sold by China. That would be 22 million additional assault weapons in our country coming in from China. That is 22 million more guns. As I cited the two terrorists in Orlando. Yet Republicans continue to willingly follow the NRA and oppose this bill from Democrats.

Mark Twain once remarked that common sense is very uncommon. He said, "I ask another question: Wouldn’t it be easier to develop effective solutions to gun violence in America if our Nation’s top researchers could actually do research on gun violence? We are facing an epidemic of gun violence. More than 33,000 people in our country each year from gun violence. It is a public health emergency, and we must treat it that way. So shouldn’t we ask ourselves: Why is it happening and what can we do to stop it? When did the NRA control the agenda of the Senate? How many people whom they hate in the United States—1 million guns a year—per year for $80 apiece inside the lion semiautomatic assault weapons in the United States—is that for the guns in the United States. What kind of terrorists to be denied purchasing these weapons? Of course, not stop a terrorist—a potential terrorist saying that he was inspired by ISIS—inspired by this so-called caliphate outside of our borders to buy a weapon to kill Americans. Like China, are we just going to allow the NRA to say: No, it is all part of free commerce; no, we don’t have any rights to limit the sale of these weapons. Or are we going to say there has to be commerce with a conscience; that not everything can be sold to anyone in our country; that some people and some things are too dangerous to be allowed to be purchased within our country.

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that is the question which I ask of the Senate president: Why can’t we find a way to at least fund the research on the causes of gun violence? Why can’t we find a way of just putting $10 million a year into that research? Why can’t we do that?

I ask Senator Murphy the question, but he knows the answer. The answer is that the NRA does not want a single nickel to be spent on that issue, and the NRA, in fact, is the agenda of the Republican Party in our country. We should already have voted on this ban. We should already have moved on to other gun control issues—but, no. Whether it be the terror watch list or it even be research at the CDC on gun violence, until the NRA says it’s all right, we cannot study how to prevent children from operating pill bottles, from suffering from head injuries on bicycles, how to use a cigarette lighter so they don’t hurt themselves, but shouldn’t we study how to stop kids from firing guns that can hurt them?

Let’s give the medical, scientific, and public health community the resources they need. Let’s ensure that if someone is going to buy a gun, they have to get a background check completed before they are allowed to do it. Let’s make sure that we put in place all of the protections that are going to be needed to protect ordinary Americans from this action.

So I say to Senators Murphy and Blumenthal from Connecticut, what you suffered in Newtown, CT, is sadly just a preview of coming attractions unless we change the laws in our country, unless we put the prevention measures on the books, so we can avoid the worst, most catastrophic consequences of this out-of-control gun epidemic in our country.

The way the Senate is doing here today, along with Senator Booker, is forcing America to understand the cause of their problems and why we cannot ban a terrorist from buying a gun in the United States. All issues go through three phases: political education, political activation, political implementation. What the Senators are doing today is forcing this political education and forcing people to understand that this is not bipartisan. This is not a question of institutions that work: this is a deliberate decision made by the Republicans to abide only by what it is that the NRA—an outside party—wants to permit being debated on the Senate floor. But at 33,000 deaths a year, with terrorist activity after terrorist activity now occurring on our own shores—in Boston alone, we had Mohamed Atta and nine others who hijacked nine planes; we had the Tsarnaev brothers who detonated explosives in Patriots Day at the Boston Marathon.

It is time for us to just stop here. It is time for us to start to do the right thing so we can make it harder for these acts to take place. I don’t think we should stop this discussion until that happens. That is why I thank Senator Murphy for taking this time—Senator Booker, Senator Blumenthal, and everyone who has participated. I think the first step of being caught is to understand the way until we get the votes the American people expect from their elected Senators.

I thank the Senator for yielding for a question.

Mr. Murphy. I thank Senator Markey very much. I think he has gotten to the root of why we are here. There are a lot of very important issues in this underlying bill.

As I said at outset, it is uncomfortable for those of us who began here at the beginning of this time to postpone amendments and to put off debate on the underlying bill, the very important bill, the CJIS bill. We feel like enough progress was not made with respect to research and when this body has to come together and find a path forward to try to address this epidemic of gun violence and admit that it is within our power to make the next attack less likely. This doesn’t come easily, but at this point, many of us think it is our only hope to really force action.

I know Senator Booker has a question. Before yielding to Senator Book- er, I want to thank Senator Markey for his leadership and Senator Murphy for taking this time to discuss the issue of promoting research into gun violence. Unfortunately, science has become politicized, and Senator Markey is on the frontlines of trying to address climate change. But there is no reason this Congress should be deciding what researchers at the CDC pursue by means of lines of inquiry and what they do not pursue. That should be left up to scientists. That should be left up to people who are professionals in the field of deciding what is worthy of research and what is not. We are not politicians. I don’t cower from that term. I am not over the fact that I and we have chosen to try to make this country better through the political process. But we aren’t scientists. We don’t have medical backgrounds. When we get into the field of deciding what is worthy of research and what is not, bad things happen routinely, whether it is on the question of climate change or on the question of gun violence research.

The private sector cannot pick up the slack. Why? Because when the Federal Government bans private research on a subject like gun violence research, it chills private dollars from going into those research proposals as well. There is a fear on behalf of the private sector that if you get involved with public funds, there could be a problem. That hasn’t stopped some people in the private sector from pursuing this research because they know it is critical.

Avielle Richman was one of the little boys and girls who were killed at Sandy Hook. Avielle was a beautiful young girl. As has been the case with many of the parents following that tragedy, her parents have decided to set up a foundation in her name. Maybe over the course of the afternoon, we will be able to talk about some of the other good work that has been done by those foundations because we think that, maybe, devastating as the tragedy was, Newtown and Sandy Hook are defined by the response. The Richman foundation is all about research. The Richman foundation is all about research. We have to start to discover the linkages between mental illness and a predilection toward gun violence or toward violence in general. We know there is not an inherent connection. We know people who are mentally ill are much more likely to be the victims of gun violence than they are perpetrators of gun violence. We know there is an intersection, but the only money that is going into that intersection right now is private dollars that are being used by two very local foundations, frustrated at Sandy Hook. They are not professional fundraisers. They have other jobs. They are trying to scrape together what they can to perform this research. They know it is worthy. They know it is worth the cost of that ban Senator Markey is trying so hard to overturn, the public sector can’t do research into that connection, or it becomes very hard for the public sector to justify it because they feel violating that law.

I thank Senator Markey for being so persistent on this question of research dollars. There are so many different angles of this problem. There are so many different ways to attack it. This is another example of a way in which we can come together. I think this is one of the ways in which Democrats and Republicans can come together.

I yield for a question from the Senator from Illinois.

Mr. Durbin. Will the Senator yield for a question?

Mr. Murphy. I will.

Mr. Durbin. I would like to thank the Senator from Connecticut, Mr. Murphy.

You have been on the floor for a little over 3 hours in the process of raising an important issue about gun violence in America.

I think it is important for us from time to time to remind those who might be just joining this conversation why we are here. You are certainly a leader in this, as are Senator Murphy and Senator Booker. I know and so many others, because we have each in our own ways been touched by gun violence—the terrible tragedy that occurred at Sandy Hook in Connecticut, the tragedies we see every weekend and every day in the city of Chicago, in Newark, and all across the United States. I thank the Senator for bringing this to our attention. Certainly, it is Orlando that our attention is focused on these days.

I understood your earlier statement, you came to the floor because there was no indication from the Republican leadership that we will even
have a debate on the issue of guns, terrorists, and keeping America safe.

Senator MURPHY came to the floor saying that he would hold the floor in the hopes that we can move this to the point where there is an actual debate in the Senate about an issue that really means something. In Orlando, we found what really means something with these grieving families of 49 victims and 53 more who were seriously injured.

I want to make sure there is clarity as to what we are trying to seek with this group, one seeking to close loopholes so that the roughly 40 percent of firearms sold without a background check, including people on the terrorist watch list on the list of those who are prohibited from having guns, then this debate we are having should stop and we can move forward to a vote.

I yield for a question.

Mr. DURBIN. If the Senator will yield for a question without yielding the floor, I know the answer to this, but it is important for the record. We have had votes on both of those measures. After San Bernardino, Senator DIANNE FEINSTEIN of California came forward and asked the Senate to vote on the simple proposition that if someone on a terrorist or a watch list, they would not be able to buy firearms, and her effort failed. Similarly, a bipartisan measure by Senators MANCHIN and TOOMEY to close the loopholes so that there will be background checks failed as well.

I would ask the Senator from Connecticut—and I know his response—why would we revisit two issues that have already been voted on in the Senate?

Mr. MURPHY. These are measures that can save lives. Facts have changed. We have seen over and over again the carnage that comes by allowing these loopholes to persist. Yes, we have had debates on this floor, but we have had debates and taken votes on this floor before. But our hope is that our colleagues’ eyes have been opened to the epidemic that persists in the absence of legislative action.

Our job is not to send condolences; our job is to seek legislation. My hope, through the Chair to Senator DURBIN, is that there are discussions happening right now on ways to bring the two parties together around moving these two issues forward. Our job is to debate and to vote, to get on the record, to show our constituents where we stand on these issues, and to find ways to achieve common ground. Our hope is that by holding up consideration of the CJS bill, we will prompt both sides to come together and find a path forward on these issues.

Mr. DURBIN. If the Senator will yield for one more question.

Mr. MURPHY. I yield for a question.

Mr. DURBIN. The CJS bill, incidentally, is a bill that includes the Department of Justice appropriations. We are raising this issue on a bill which has real relevance to the question of our national security and law enforcement in keeping America safe. I would ask the Senator from Connecticut—we think of the tragedy that occurred in your State with those 20 beautiful children who were killed in their classroom at Sandy Hook. We think of what has happened in San Bernardino and what has happened across America and now most recently in Orlando. But the point I tried to make earlier was that there are mass murders—more than four people killed in each instance—but for many of us, the urban violence that every day, every weekend is claiming even more lives should also be our concern.

I mentioned to the Senator earlier that when the Bureau of Alcohol, Tobacco, Firearms and Explosives took a look at the crime guns that were confiscated in the worst, deadliest sections of Chicago, 40 percent of them came from gun shows in northern Indiana, where people did not submit themselves to a background check; they just sold guns in volume to come and sell them to gangbangers and thugs on the streets of Chicago.

Our intention is to focus clearly on mass murder but even more so on gun violence in America to protect innocent American lives. I have said that if you need an AK–47 or AR–15 to hunt a deer, you ought to stick to fishing because that is not the weapon of choice of real sportsmen in my State or those whom I know.

I ask the Senator, when it comes to this general issue of gun violence, even though we speak of terrorists as part of this, how will closing the loopholes have value to the overall issue of gun violence?

Mr. MURPHY. I thank Senator DURBIN for the question. Illinois and Connecticut have amongst the toughest background check laws in the Nation, but our laws are no good if the State next door to us has amongst the weakest laws in the Nation. Our Nation's State of State law on background checks is only as strong as the weakest link. If we don’t have a national commitment to ensure that individuals who are criminals or who are potential terrorists don’t buy guns, then it really doesn’t matter what each State does. That is why this background check proposal, which is a bipartisan proposal and which is supported by 90 percent of Americans and 85 percent of gun owners, is such a win-win, because it speaks to the very real fear that Americans have of continued terror attacks but also addresses this catastrophe of regular, everyday urban gun violence.
By the time we are done today, Senator DURBIN, probably 80 people—somewhere in that neighborhood—will be killed by guns, many of them in cities throughout this country. This is a means to both get at the question of terrorist violence and at the question of urban gun violence. I thank the Senator for joining us on the floor.

Mr. President, I yield to the ranking member of the Judiciary Committee for a question.

Mr. LEAHY. Mr. President, without losing his right to the floor, I thank my distinguished neighbor in New England and ask through the Chair if he is aware that the Senate Judiciary Committee pushed for years to close the glaring loopholes in the background check system to try to prevent criminals from buying guns.

Is the Senator aware that today you could have three murder warrants and a conviction for armed robbery and walk to a gun shop and buy any kind of weapon you want without having to go through a background check or have a license?

Mr. MURPHY. Mr. President, through the Chair, I am.

I yield to the Senator for another question.

Mr. LEAHY. Mr. President, if the Senator will yield for another question without losing his right to the floor, the Senator knows that three years ago the Judiciary Committee reported out these commonsense measures. We actually had broad support for measures to stop illegal gun trafficking, provide for universal background checks, and provide grants for schools to improve their security and ban assault weapons. The Senate Republicans filibustered our effort, which a majority of Americans supported, to make commonsense reforms that would make our country safer. I do not even want to tell the Senator how many Americans—although I do every day—have been killed since then.

I believe I speak for most Americans when I say we are tired of the status quo. Congress has to act to keep guns out of the hands of criminals and terrorists. My question to the distinguished Senator from Connecticut is, in order for background checks to keep guns out of the hands of criminals and terrorists, do we need to give law enforcement new tools—in other words, the tools we have now are not enough—to stop a suspected terrorist, or somebody who has recently been under investigation for terrorism, from buying a gun?

Mr. MURPHY. Mr. President, I thank the Senator for the question. We have given law enforcement new tools to find people who are contemplating political violence against American citizens; yet there is this gap in which law enforcement has information about an individual potential or real ties to terrorist groups, and we are not able to prevent them from buying a weapon. They are prevented from flying, but they are not prevented from buying a weapon. It is an absolute necessity to give them those new tools and also to expand the reach of our background system so we can make sure protection exists that no matter where that individual goes to buy a gun—whether they go to an arm dealer, whether they go to a gun store, we know they will be prevented from buying a weapon. There is a large loophole that exists today.

Mr. President, I yield to the Senator for a question without losing my right to the floor.

Mr. LEAHY. Mr. President, if the Senator will yield for a question without losing his right to the floor, we know that a person can go to a gun show or go online and buy a gun without being subjected to a background or identification check.

One of our local newspapers had an article about a reporter who communicated with an individual online—they had never met before—and then they arranged to meet in a parking lot and bought an assault weapon for cash. The person selling the weapon insisted on cash. When the reporter was asked if he had any identification, he said that he preferred not to give him any. The seller of the weapon said: OK, you look old enough. The seller sold the weapon to him for $500 from the trunk of a car.

I ask the Senator from Connecticut, through the Chair, if we made universal background checks mandatory and made it illegal to sell guns without a universal background check, might that make a difference?

Mr. MURPHY. Mr. President, I say through the Chair to the ranking member of the Judiciary Committee that of course it would make a difference. What the Manchin-Toomey bill has always contemplated is that sales that were advertised would be covered by background checks. There would be limitations on relative-to-relative transactions, but if you are engaged in any sort of commercial business where you are selling a firearm, whether it is at a gun show, gun store, or out of a trunk, you would have to go through a background check before selling a weapon.

Mr. LEAHY. Mr. President, I again ask through the Chair if the Senator will yield further without losing the floor.

Mr. MURPHY. Mr. President, I yield for a question.

Mr. LEAHY. Mr. President, I consider myself a responsible gun owner. I think common sense tells us that if we have assault weapons that are designed for the battlefield, they really have no place on our streets, in our schools, in our churches, or in our communities. I move to support an assault weapons ban. We do not even allow them for hunting in Vermont.

Does the Senator agree with me?

Mr. MURPHY. Mr. President, I do agree with the Senator. We are both members of New England States. We are both members of States where people enjoy hunting. I run into very few hunters who believe they need an AR-15-style weapon in order to enjoy their pastime.

Mr. LEAHY. Mr. President, if the Senator will yield for a question.

Mr. MURPHY. Mr. President, I will yield for a question.

Mr. LEAHY. Mr. President, I know that Vermont has very few gun laws, but we at least restrict the number of rounds that one can put in a semiautomatic gun during deer season. I would like to see as much restriction and protection for the children who are walking our streets, the people in our churches or our synagogues, and the people gathering for social reasons as we do to protect the deer herd.

My final question is one that I get from Vermonters all the time. These Vermonters—many are gun owners and many are not—are all repulsed and saddened not just by what they saw this past weekend in Florida, but by what they see with numbing consistency on our news. Day after day after day they see people being gunned down in the streets of America. They ask me: What is Congress doing? They ask me why Congress is not requiring us to give law enforcement the tools they need. Certainly law enforcement wants to stop this. I suspect the questions I get asked in Vermont are similar to the questions that my friend from Connecticut gets.

How do we respond to these Americans—thousands in Vermont and millions throughout this country—who say: What in heaven’s name are you doing in Washington to make life safer for us?

Mr. MURPHY. Mr. President, I thank Senator LEAHY for being such an amazing champion and the author of many of the underlying protections that we are talking about in Florida. It is by making law that rivals venereal disease. They think we spend all of our time fighting, and they see big problems in this Nation, and this Congress is doing nothing to even attempt to solve it. This is a paramount example.

Mr. TOOMEY. Mr. President, will the Senator yield without yielding the floor?

Mr. MURPHY. Mr. President, I ask through the Chair if the Senator from Pennsylvania will wait.

Mr. TOOMEY. Mr. President, my only problem is that I will be in the Chair at 3 p.m., at which point I will not be able to participate in the discussion.

Mr. MURPHY. Mr. President, I yield to the Senator from Pennsylvania without losing my right to the floor.

Mr. TOOMEY. Mr. President, I will be very brief. I know and fully respect the passion that both Senators from Connecticut, as well as many others, have about this issue.

I am of the view that it is time to get something done. We have been doing a
lot of talking. We have two alternatives to this issue about what to do with people we have very good reason to believe are terrorists and what to do when they attempt to buy a gun.

We had a vote on a version that I think was badly flawed. It was badly flawed because it provided no meaningful process for someone who is wrongly on the list. Errors happen. Actually, they happen all the time. One thing is for sure; innocent people and law-abiding citizens are still eventually to be a terrorist watch list.

What I think we need to do is everything we can to make sure that terrorists are not able to buy guns—at least not legally—and we also need to have a meaningful mechanism for people to challenge their status of being on that list, and that is what we haven’t put together here.

I think the Feinstein approach doesn’t provide any meaningful opportunity to appeal one’s being put on this list erroneously, and, frankly, I think the Cornyn approach doesn’t give the AG the opportunity that an AG needs to make a case against someone who is actually a terrorist.

There is an obvious opportunity to work together and find a solution. I have been speaking with some of my colleagues on both sides of the aisle, and I think there is an interest in doing this. What I am suggesting is that we get to work. Let’s sit down together and figure out how to achieve this. I think everybody ought to be in agreement in principle. We don’t want terrorists to be able to walk into a gun store and buy a gun, and we don’t want an innocent, law-abiding citizen to be denied his Second Amendment rights because he is wrongly on the list with a bunch of terrorists. This is not rocket science.

I thank the Senator for yielding the floor. I will take my turn in the chair, but I would love to continue this conversation.

I thank my colleagues on the other side of the aisle for giving me this moment.

Mr. MURPHY. Mr. President, I yield to the Senator from Minnesota for a question without losing my right to the floor.

Mr. FRANKEN. Mr. President, I thank the Senator from Connecticut for everything he is doing today on the floor.

My question for the Senator is whether he is aware that a GAO report requested by Senator FEINSTEIN was released yesterday and provides updated data on background checks involving terrorist watch list records.

Mr. MURPHY. Mr. President, I am familiar with that report.

Mr. President, I yield to the Senator for another question.

Mr. FRANKEN. Mr. President, allow me to briefly share some of the key data points from this, and then I will pose another question. The report provides that during the calendar year of 2015, the FBI’s data demonstrates that individuals on the terrorist watch list were involved in firearm-related background checks 244 times. The report further provides that of those 244 times, 233 of the transactions were allowed to proceed and only 21 were denied. GAO helpfully points out that this means that potential terrorists were permitted to buy guns 91 percent of the time in 2015. Further, GAO provides that since the FBI began checking background checks against terrorist watch lists in 2004, individuals on such watch lists were permitted to purchase weapons 2,265 times out of 2,477 requests or, again, 91 percent of the time.

I ask my friend from Connecticut: If we are allowing over 90 percent of people on the terrorist watch list to purchase deadly weapons here at home, does that not suggest that we aren’t even coming close to doing everything in our power to combat terrorism and address gun violence?

Mr. MURPHY. Mr. President, I thank the Senator for the question and for specifically referring to the GAO report.

Over 10 years, 91 percent of people who were on the terrorist watch list who tried to buy a gun was successful in buying a gun—9 out of 10 times. The reason this is such an important issue is that the Senator brings up is because, as he knows, people who are trying to commit political crimes against Americans, people who are trying to commit acts of terror against Americans, are increasingly turning to the firearm—to the assault weapon rather than to the IED or the explosive—in order to perpetuate their terror attack. So as studies have shown us—studies I referred to earlier today—the weapon of choice in homegrown domestic terror attacks is the firearm. We didn’t do everything in our power to take that weapon of choice away from those individuals. We are making this country less safe every day that we allow for 9 out of 10 individuals who are on the terrorist watch list who seek to buy guns to buy them.

By the way, as the Senator knows, that 1 out of 10 isn’t denied a gun because he is on the terrorist watch list, that 1 out of 10 is denied a gun because he is on another list, because that individual has committed a crime that has caused him to be prohibited from buying a weapon.

I yield to the Senator for a question.

Mr. TOOMEY assumed the Chair.

Mr. FRANKEN. My last question for Senator MURPHY concerns Senator FEINSTEIN’s legislation.

As has been discussed, Senator FEINSTEIN’s terror gap legislation would give the Attorney General the discretion necessary to deny known or suspected terrorists from purchasing firearms or explosives so long as there is a reasonable belief that such a purchase would be used in terrorist-related activities. I am a strong supporter of this legislation as a commonsense measure to keep guns out of the hands of potential terrorists and to take a significant step toward keeping our communities safer.

So my last question is whether the Senator believes this legislation would be likely to make a real and significant difference in preventing those on the terrorist watch list from getting guns they could use in acts of mass violence?

Mr. MURPHY. Mr. President, I thank my friend for coming to the floor and asking these questions and making these important points. Yes, this would make a difference. It would make a difference because every month there are people on the terrorist watch list who are trying to buy weapons. Not all of them are buying weapons for malevolent purposes, but we know individuals from the Boston bombers to the Orlando shooter were in the network of those who were being watched and monitored by the FBI, and they were able to buy weapons despite that. This would make a difference. If we were able to pair it, as we are requesting, with an examination of background checks, that would also make a difference for the thousands of people every month who are dying on the streets of America due to our inability to stop illegal weapons from flowing into our communities. So I thank the Senator for his questions.

I yield to the Senator from Connecticut who has been with me since the very beginning. I yield to him for a question.

Mr. BLUMENTHAL. And proudly so, along with our colleague from New Jersey standing with you as a team here, joined by so many colleagues. I thank the Senator from Minnesota. I see that Senator MURRAY of Washington State has joined us. Thank you so much.

I am going to ask a quick question, and then I have other questions I am going to ask afterward, but I want to pursue a point our distinguished colleague from Vermont raised about the perception of Americans who can’t get that we can’t get things done here. There are many issues and problems beyond our control. There are many issues and problems we cannot affect.
The state of the economy, perhaps, we can impact. World problems seem intractable a lot of the time.

Here are common sense, straightforward measures where the Senate of the United States and the Congress can get to at least save lives. It is really that important. We can save lives if we do the right thing. The Senate has been complicit by its inaction in the loss of those lives—30,000 every year. Some of them at least could be saved by saying and putting into law the very simple proposition that if somebody is too dangerous to fly, if that person is on a watch list under an investigation, then they should be deemed too dangerous to buy a gun. They are at least as dangerous as a convicted felon who is now barred from buying a gun.

I wish to ask my colleague from Connecticut—the two of us have spoken to so many people across the country, some of them survivors of gun violence, families who have lost loved ones to gun violence, and others who are simply citizens who watch this carnage, not only in Sandy Hook and Orlando but on the streets of Hartford, moms and dads who have lost children and brothers and sisters. Isn’t that thinking about gun violence and terrorist attacks one of the signature issues of our time in showing the American people our government can work? We have talked about the message it sends to our allies. We have talked about the message it sends to our enemies. We have talked about the message it sends to law enforcement, such as the FBI, but to the American people the failure to act not only makes the Senate complicit in a moral sense in those lives lost but undermines the credibility and trust of the American people in their government to protect them, to achieve the most basic assignment they give us, to make America safe and secure—safe and secure from the bad men like Adam Lanza, who killed children and teachers and grade educators, or the homegrown terrorist inspired and supported by ISIS or sent here by some foreign terrorist organization, or the twisted haters who are bigoted against LGBT or some other group. This signature issue is about keeping America safe and giving our law enforcement authorities and our protectors the powers they need to do their job.

Mr. Murphy, I thank the Senator. I think the question is simply: Why are there too many shootings in schools today? In Newtown, and across the country, there are too many shootings in schools today. Why are there too many school shootings? In Newtown, and across the country, there are too many school shootings.

It sickens me actually that in America today parents have to wonder if their children will be safe when they go to school. Is this our society? No. It is frightening to me that this is happening in the United States and nowhere else in the industrialized world. Nobody denies that crippling, never-ending grief that comes with a loved one being lost. Yet we do nothing. We just persist this week as if it is business as usual. Why did you sign up for this job if you are not prepared to use it to try to solve big problems?

I appreciate the hope of my friend from Pennsylvania that we can find a common ground. We have had a long time to find common ground. We have had 2 years since those kids were slaughtered in Sandy Hook. We need a common ground, but we haven’t, which is why we are here today—to demand that we are not going to go along with business as usual any longer until we come together on at least two of the proposals that 90 percent of the American public supports.

I yield to the Senator from Washington for a question without losing my right to the floor.

Mrs. MURRAY. Mr. President, if the Senate is going to act on a question, first of all, I thank the Senator for bringing attention to this critical issue and for everything that he is doing to fight for more than just thoughts and prayers but actually for action. Few Senators have done as much standing on the floor and defending the lives of this issue and the impact it has on our families and our communities and the urgent need to address it.

As we mourn for the victims and families who were impacted by the horrific epidemic of gun violence in our country—not even in our schools, which should be safe havens for our students. I know the Senator knows this all too well. My home State of Washington is no stranger to this as well. In 2014, a man walked into an academic hall at Seattle Pacific University in Seattle, with a gun, and took the life of a freshman. Later that very same year, a 15-year-old boy shot five other students, killing four, at Marysville Pilchuck High School in Marysville, with his dad’s gun. Those shootings were devastating to parents, siblings, friends, and teachers—to our entire community. Those are just two examples in my home State.

In Newtown, and across the country, there are too many shootings in schools today. According to a report from Everytown, from 2013 to 2016, we had 188 shootings at schools across the country. Not all were mass murders; some just a gun going off in the air, other students were wounded, others were attempts at self-harm. That is terrifying in a school where when a shotgun goes off; that noise, what happens to the kids around it, and it is frightening to me that this is not letting up.

It sickens me actually that in America today parents have to wonder if their children will be safe when they send them off to school or when they go to a movie theater or a mall or even on a street in their own neighborhood. Every time there is a new mass shooting, I get the same question from the people I represent in Washington State: What is Congress going to do to stop this? It is frustrating to me that every time I come back with the same answer, “We have been blocked from doing anything,” in response to my constituents and the people across the country. People are asking and begging for us to do something, to stop this scourge of gun violence that has once again been splashed across the front pages of our newspapers and on our TV screens.

I say to Senator Murphy, I know you are talking about a number of issues around gun violence today. We all so appreciate it, but I wanted to come here today to specifically ask you: Can you talk a little bit because you have seen it firsthand—about how this impacts our students in particular?

Mr. Murphy, I thank the Senator for that question in particular. I think back to where I was—and I think we can all remember with specificity where we were when we first heard about Sandy Hook, when we first heard that there were kids doing gunning on the floor of their first-grade classrooms. I was with my little kids. I was with my then-1-year-old and 4-year-old on a train platform in Bridgeport, CT, getting ready to go down to New York City. It was Christmas tree displays. They were so excited about that to go down. I remember having to tell them I had to go to work, and I left them and my wife on that train platform as we told them the trip was off. I am here today, as I think all of us are, because this is personal to us. My oldest, who was 4 years old then, this week in his final week of first grade—first grade—the same year as those kids who were killed in Sandy Hook. And so, I think in deeply personal terms about what Sandy Hook means to the kids who survived in addition to the families who lost loved ones. There is no recovery for that community. It is still a community in crisis. There are waves and ripples of trauma that never end. I think about the reality of what it is to be a kid in school today, being increasingly in an environment that seems more like a prison than it does a place of learning, going through detectors, performing active shooter drills, and having to live in a perpetual state of fear that somebody is going to walk into your school with a gun or there is going to be a gunfire that breaks out between students. That is no way to learn and that is no way to live.

So I think almost all of us on this floor, Republicans and Democrats, are either parents or grandparents, and we know what a horrific reality it must be to live with that fear as a child, and how little the solace we give parents when we do nothing. At least, as a parent, if Congress were acting to try to make the next mass shooting less likely, you
could maybe hold your head a little higher and your back a little straighter when you are telling your kids it is going to be all right, but there are a lot of parents who are so angry with us because they don’t think we are keeping their kids safe.

Senator MURRAY. I yield to the Senator for a question.

Mrs. MURRAY. I appreciate the Senator’s response because, to me, there are multiple layers, but certainly if we are not doing anything to provide that safety for our young kids in this country, we are not living up to our responsibility as adults today. It is horrific for a parent to get that text home saying there has been a school lockdown. It is even worse if the consequences are real. It seems to me, the Senator is right to be out here today discussing and bringing attention to it and doing more than just saying, “Let’s do something,” but really forcing us to make sure it is a real, real thing, and I yield the thank you to the Senator.

Mr. MURPHY. I thank the Senator from Washington.

Before yielding to the Senator from Michigan, let me note there is a number of House Members who have joined us on the floor. I thank them for their support in our effort to force a debate and discussion on the floor of the Senate today. I would note that of the House Members who have joined today, there have been a number from different States who have joined us. Representative LANGEVIN was on the floor. I am particularly proud of all five Michigan, let me note there are a number of House Members who have joined today, and discussion on the floor of the Senate today. I would note that of the House Members who have joined today, there have been a number from different States who have joined us. Representative LANGEVIN was on the floor. I am particularly proud of all five Members from Connecticut who have stopped by on the floor for these proceedings, and I know we will expect more with that.

I yield to Senator Peters for a question without losing my right to the floor.

Mr. PETERS. I would like to thank my colleague from Connecticut for yielding the floor for a question. While I intend to ask my colleague from Connecticut shortly about the interaction between closing the terror gap for gun purchasers and expanding background checks, I would first like to take a moment to mourn the loss of the 49 people who were killed and recognize the dozens more who were wounded in the worst mass shooting our Nation has ever seen.

While my heart goes out to all the families of the victims of the tragedy of gun violence in Orlando, I urge my colleagues and Americans across the country to resist painting this tragedy in simple, reductive terms. This attack was a hate crime. This attack was an act of terrorism. This horrific incident raises a number of questions. Was it a hate crime, an act of terrorism, an outgrowth of ease in which individuals in this country can purchase deadly weapons with high-capacity magazines or the heinous actions of a self-radicalized young man inspired by and swearing allegiance to ISIS? The answer to all these questions is yes.

I urge my colleagues and Americans to take a moment to mourn the loss of Tevin Crosby and Christopher Andrew Leinonen, the victims of the worst mass shooting our Nation has ever seen.

Tevin was only 25. He was born in North Carolina, and he came to call Michigan home after finishing school and starting his own marketing business in Saginaw. Total Entrepreneurs Concepts is the name of the company. Founded just last year, his business already employs about 20 people and handles marketing for Fortune 500 companies. Tevin had recently visited family in North Carolina to see several nieces and nephews graduate before traveling to Florida to see friends and colleagues.

Drew was 32, and grew up in metro Detroit before moving to Orlando with his mother. He became a clinically minded activist early in life, starting a gay-straight alliance in high school before studying psychology and becoming a licensed mental health counselor. He recently won the Anne Frank Humanitarian Award for his work in the gay community.

Drew was at Pulse with his partner, Juan Guerrero, who also lost his life that night. Now, instead of potentially helping them plan a wedding one day, their loving families are planning a memorial service for their families to be side-by-side as their friends and family pay their respects and bid them farewell.

Orlando’s events serve as a stark reminder that the fight for equality in this country is a struggle for LGBTQ Americans must not end with marriage equality. We still live in a nation where Americans can face discrimination and even be killed simply because of whom they love. We cannot tolerate violence that targets any individual based on their gender, sexuality, race, or religion.

This horrific incident raises a number of questions. Was it a hate crime, an act of terrorism, an outgrowth of ease in which individuals in this country can purchase deadly weapons with high-capacity magazines or the heinous actions of a self-radicalized young man inspired by and swearing allegiance to ISIS? The answer to all these questions is yes.

I urge my colleagues and Americans across the country to resist painting this tragedy in simple, reductive terms. This attack was a hate crime. This attack was an act of terrorism. Yes, this attack speaks to the dysfunction in our Nation, including two simple critical changes we can make to help prevent gun violence in our Nation, including two simple critical changes we can make to help prevent gun violence in our Nation, including two simple critical changes we can make to help prevent gun violence in our Nation, including two simple critical changes we can make to help prevent gun violence in our Nation.

While it is not a secret that someone can go online to arms lists and easily get a weapon in minutes without having to go through a background check, it is also painfully clear that we need to keep guns out of the hands of terrorists. This is why we need to close the terror gap and prevent individuals on terror watch lists from buying guns. Unfortunately, however, closing the terror gap and enforcing gun safety laws cannot be effective without universal background checks. It doesn’t matter if we ban selling guns to people on the terror watch list if large percentages of purchasers avoid background checks by buying a gun at a gun show or over the Internet.

A story from our neighboring State, Wisconsin, haunts me as an example of the terror gap and prevent individuals on terror watch lists from buying guns. Unfortunately, however, closing the terror gap and enforcing gun safety laws cannot be effective without universal background checks. It doesn’t matter if we ban selling guns to people on the terror watch list if large percentages of purchasers avoid background checks by buying a gun at a gun show or over the Internet.

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are asking for. As Senator DURBIN and I have talked about a number of times this afternoon, expanding background checks also has a double benefit of addressing this secondary epidemic of urban gun violence, which is often perpetrated by individuals who have illegal weapons on our streets, many others are grievously, and I hope not permanently, injured and all the devastation that means.

Another number that we probably don’t talk about enough and it is a much larger number. It is a number above 33,000—33,000 Americans lose their lives to gun violence every year. That is hard to comprehend. We have lost numbers like that in wars that go on over multiple years. This is the number. We have to ask ourselves why in the face of that whether it is Orlando or Newtown or Aurora or Tucson or go down the list of mass shootings. By the way, mass shootings were not a part of the American psyche growing up in 1960s, 1970s, and 1980s. This is a rather new phenomenon—a very recent vintage. But when a tragedy and a crime like this happens and the scale of it is so immense, we have to ask ourselves, is there something we can do?

The answer by a lot of Democrats has been, yes, we can do a number of things. We can say finally that we can ban military-style weapons so we don’t have to have them on our streets. We can address mass shootings just debating and expressing solidarity and sympathy and mourning. That is appropriate, but in addition to that, we can take action. We can take action on military-style weapons. We can take action limiting the amount of clips and the amount of bullets any one person can fire at any one time.

I am convinced, for example, based on the evidence we saw in Newtown at Sandy Hook Elementary School that we can do a number of things. I asked about—the most horrific way those children died—based upon the evidence, I am convinced that the killer, if he had more time, would have killed hundreds of children and that number would have gone far above the horrific number of 20. So we can take action on that and make sure that at least maybe that criminal, maybe that killer won’t have a military-style weapon and won’t have an unlimited supply of ammunition.

We can also take action on background checks. We tried that. We got the most votes of any of the three votes we took in 2013. But we should certainly vote on that again and take action. That is a third way of taking action. We have had bipartisan consensus on that but not enough. Frankly, there were not enough Republican votes to pass background checks, which 90 percent of the American people support. It is hard to comprehend why 90 percent support it and not enough Members of our Senate.

We can also take action on mental health reforms. That, too, has been bipartisan, but that hasn’t happened. That is another way to take action. What I am trying to do is to focus on the other aspect or at least the additional aspect of this tragedy in Orlando, which is, as the President said, I said, and a lot of people said, this was an act of terrorism, but it was also an act of hate. It began in so many ways to do something about the problem of hate in America, which infuses the horrific actions killers take, unless we take action against that in some fashion, we are not going to solve this problem.

One of the things we could do—again, we have a lot of long list of things to do to deal with gun violence, to reduce that number of 33,000 Americans dying every year because the Congress of the United States refused to take any action at all. But this is what my bill would do, and it is very simple. It would say: If you have been convicted of a misdemeanor hate crime, in order to meet the requirements of this law, you would have to be a hate crime motivated by hate or bias against eight groups of Americans who are in what we call the law-protected class.

First, if someone committed a hate crime against someone because of their race, and that is the first test and that is what is told by the experts that there are over 890—there are 892 hate groups in the United States of America. Over 190 of them are the Ku Klux Klan. All of that is part of this problem, the rise of hate crimes, the rise of hate groups. Hate groups who are directing violence and other actions against African Americans—that is on the rise. Hate groups who are targeting Muslims—that is on the rise. Hate groups who are targeting people with disabilities—that is on the rise. And of course, as we saw horrifically in Orlando, hate crimes—in this case, there were 49 people killed because of animosity toward LGBT Americans.

So you are engaged in hateful actions that rise to the level of the definition of this bill, and you are directing that at someone because of their race, color, religion, national origin, gender, sexual orientation, gender identity, or disability. So if you are directing hateful actions against Americans who are in those classes, that would meet the definition of a misdemeanor hate crime. The consequence of that, the consequence of a conviction or the consequence of a sentence enhancement of a hate crime that you would be denied a firearm. That is just one of many ways that we can make sure someone’s hate is checked at a much lower level. I don’t want to wait until that hate manifests itself in a felony conviction where there is a much graver crime that has been perpetrated because of hate, because you are directing your hate through violence against individuals because of their race or because of whom they love or because of some other reason. This is one of several ways I think we can act.

The list gets longer. Obviously we are at a point now where we might be able
to vote on finally taking action on the terrorist watch list. Why is it that if you are too dangerous to be on an airplane, you are not too dangerous to have a weapon or to have a high-powered weapon, a military-style weapon, with unlimited ammunition to shoot at anybody?

There are a lot of things we can do, and that is why I pose the question to the Senator from Connecticut about what we can do and what we should do. I wanted to make a point as well before I pose the exact question. We know that in Orlando three of the victims were from Philadelphia, my home State. They were in that nightclub in Orlando when the gunman opened fire.

Eighteen-year-old Akyra Murray’s family took her and two friends, Patience Carter and Tiara Parker, on vacation from Philadelphia to Orlando to celebrate Akyra Murray’s graduation from West Catholic Prep High School. The Presiding Officer, my colleague from Oregon, knows that high school is, as I do. She had a full basketball scholarship to Mercyhurst University, which is at the other end of our State in northwestern Pennsylvania. She was third in her class. She just graduated from high school and happened to be in that club when her life was ended. They were there that night to dance and to laugh. She was 18 years old and not even a resident of that area. Both Parker and Carter were injured in the attack, but Akyra Murray lost her life.

Our hearts break—everyone in this Chamber, I know—our hearts break for her family. Our prayers are with Patience Carter and Tiara Parker as they recover.

Sadly, the LGBT community isn’t alone in experiencing this hate that I spoke of a moment ago. One year ago this Friday marks the 1-year anniversary of the massacre at Emanuel AME Church in Charleston, SC. At the historically African-American church—the oldest AME church in the South, often referred to as “Mother Emanuel”—a racist young man with hate in his heart opened fire and took nine lives.

We all know the very moving speech that the President gave that day or in the days after. One of the things the President said was that we have to recognize the uncomfortable truth of that tragedy, and that truth is staring us in the face.

I think we must act. When we consider the 33,000 people who are killed every year by gun violence, the 43,000 hate crimes committed with a firearm over the course of just 4 years—43,000 hate crimes over 4 years with a firearm—when we consider those numbers, we have a long way to go.

I ask my colleague from Connecticut a two-part question. Why is it that when these things happen, these horrific things happen, 43,000 people—and this is part of the debate—when we say we need to take action or ask “Will you join us in taking action?” their answer is “We just have to enforce existing laws, and that is as far as we can go. We can’t do anything more than that. We just have to enforce existing laws.” So I would ask that part of the question. The second part is, if we believe the answer to that question is anything more, “what is it we should be doing?”

I pose this because I have only wonder and imagine, really imagine in horror, what if that was our answer? What if that was our answer? What if we said Sep- tember 12, 2001, and the days after that? What if we said at the time “You know what. This is a horrific event, what happened on 9/11. Three thousand people were killed, and the country was shaken to its core. But terrorism is a difficult problem to solve. We will always be dealing with it. We should just enforce existing laws.” No, we didn’t do that. We said “No, we are going to stop this from happening. We are going to take action so that planes won’t be flying with high-powered weapons. We want to take action stop this.”

Guess what. People came together in this country, from one end of the country to the other, and we solved that problem. It happened. Now, we have had other terrorist attacks. We know that. We know we will continue to fight terrorism. But we solved part of the problem because we came together. We even opened up a new Federal government agency, for goodness’ sake, the Department of Homeland Security, which has made our country safer.

We have a long way to go on this issue, but I am pleased that we answered that question with a determined effort and with a consensus across this city, this center of government, and across the country that, no, we are not going to surrender to the terrorists. We are going to take action to stop this from getting on airplanes. Why is it so difficult to solve the same approach to gun violence? It is complicated, and it is difficult to solve this problem, but why not take a series of actions that in and of themselves will not solve the problem, but we can at least take action?

I ask the Senator from Connecticut, why is it that the answer by so many people who have lived with this epidemic, the Department of Homeland Security, which has made our country safer?

We have a long way to go on this issue, but I am pleased that we answered that question with a determined effort and with a consensus across this city, this center of government, and across the country that, no, we are not going to surrender to the terrorists. We are going to take action to stop them from getting on airplanes. Why is it so difficult to solve the same approach to gun violence? It is complicated, and it is difficult to solve this problem, but why not take a series of actions that in and of themselves will not solve the problem, but we can at least take action?

I ask the Senator from Connecticut, why is it that the answer by so many people who serve in Congress is that there is not much we can do except enforce the law? And if we can take these commonsense actions, which I believe we can, what is it we can do?

Mr. MURPHY. I thank the Senator for his question, for his passion, and for his ability to articulate how complicated this issue is and the complicated nature of the motivations that led to the shooting in Orlando, which is why the Senator’s legislation that would elevate the treatment of hate crimes with respect to the prohibitions on gun sales is so critically important. I hope we have time to debate that as well.

It is imperative that we act right now, and it is within our power to change the reality that exists every day on the streets of America and with respect to these mass shootings. What we have is loads and reams of data from State experiences to tell us that when you take these commonsense steps—such as applying background checks to gun sales—you have a dramatic reduction in the number of homicides that are committed, you have a dramatic reduction in the number of people who are killed.

There is no doubt that we have the ability to do something. You are right that there is a panoply of measures we need to consider. We have suggested starting with the two that are the least controversial. Start with the two that have broad support of the American public. Start with an expansion of background checks to gun shows and internet sales and the inclusion of people on the terrorist watch list, of those who are prohibited from buying guns.

There are the two on which there is no controversy outside of this body, so that would be a nice start. Then we can get to working all of those other measures that will truly end up in substantial change—a change in reality for people who have lived with this epidemic every day.

I thank the Senator for his questions and for his passion on this issue.

Mr. WYDEN. Will the Senator yield for a question?

Mr. MURPHY. I yield to the Senator from Oregon for a question without yielding control of the floor.

Mr. WYDEN. I thank my colleague, Senator MURPHY. I thank him, Senator BOOKER, and Senator BLUMENTHAL for what they have done today.

Here is the bottom line for me, Senator MURPHY and colleagues. Mass shootings are now happening like clockwork in America: Thurston, Columbine, Blacksburg, Tucson, Newtown, Aurora, Charleston, Roseburg, and Orlando. Communities are being torn apart like clockwork by unspeakable gun violence. In this building we come together now for moments of silence honoring the victims of these shootings like clockwork, and, like clockwork, this Congress does nothing about it.

When I was home last month, I visited Umpqua Community College, just outside of Roseburg, which was the site of a horrendous shooting 8 months ago—one of the deadliest school shootings in our Nation’s history. What I saw at Umpqua Community College, what I heard from the students at the school, and the families in the community is, I am sure, a lot like what my friend from Connecticut hears about how the suffering doesn’t go away.

The 1-year anniversary of the shooting in Charleston, SC, is coming up soon. I am quite sure it is the same story in South Carolina. The trauma, the process of mourning, rebuilding, and then trying to find a way somehow, some way to move forward
from the enveloping grief is a horrib-
deous experience and a common expe-
rience now that so many of our com-
munities share. The reality is the trauma
doesn’t just vanish into the vapor. The
news cameras are eventually going to
leave the scene, just like they did at
Roseburg. The bullet holes in the
nightclub will get patched up. The fam-
ilies and the friends of the victims will
try to live their lives the best they can,
but it is going to be such a difficult,
difficult task for the LGBTQ commu-
ity. It isn’t just the trauma—the trauma—isn’t vanishing.

There is no perfect solution, but
trauma ought to be followed up in a
very concrete way with some specific
constructive steps that begin to lay
down an answer. It just seems to me that
in the Senate and the Congress, the
idea of following up with more mo-
moments of silence, with more inaction,
just isn’t enough. There are common
steps, practical steps the Congress can
take.

Those who have argued that the only
possible response to the shooting in Or-
lando can come in a war zone thou-
sands of miles away are looking for ex-
cuses not to do something—not to do some-
something meaningful here at home.

There are steps that can be taken now
to curb this violence. It won’t stop
every crime—a number of the ideas
have been discussed before—but the
victims of the shootings are owed a re-

First, I know my colleagues have
mentioned this already this afternoon,
but Senator Feinstein has put forward
a proposal to close the dangerous ter-
rorist gun loophole. I thought that was
a sensible step—common sense. People
shouldn’t look at that as a partisan
issue. Americans want to know why
anyone would vote to allow individuals
suspected of terrorist ties and motiva-
tions to purchase regulated firearms.

Next, close the loopholes. Close the
loopholes in the background check. It is
way past time to do that and to stop
allowing the purchase of a gun online
or at a gun show without a background
check. Certainly, the background
checks themselves have to be subst-
tially improved. There are holes that
ought to be plugged, including those
that keep guns in the hands of some-
body who has been a convicted domes-
tic abuser. I am not talking about
being charged or something that is
specifically meaningful here at home.

Once and for all the Congress ought
to close the pipeline for illegal guns,
straw purchases, and gun trafficking.

These ought to be Federal crimes.

The Senator from Connecticut and I
have also been strong advocates of
beefing up the research into gun vio-
lence. There has been a prohibition on
doing that. Say that one to yourself—
a prohibition on doing research into
gun violence. It just defies common
sense. It makes no sense at all to block
the Centers for Disease Control from
gathering information that can help
our communities and our families be
safe.

I am just going to wrap up by getting
personal for a moment. My late brother
suffered from serious mental illness.
Senator Murphy, not a day went by—
not a day went by—when I wasn’t wor-
rried that my brother, who was a schizo-
phrenic, would be out on the streets
and would either hurt himself or would
hurt somebody else. That was the case
with my family. It is time to establish
a system through which individuals who
are found to be a potential threat to themselves or
others can get the treatment they
need. I see my colleague from Michigan
here. She has championed this effort
year after year.

I am not going to recap the pro-
posals. Some of them have been discus-
sed at length here on the floor. But
a majority of Americans finds these
kinds of commonsense gun safety
measures not to be ones that infringe
on the rights of responsible gun owners
or violate the Second Amendment or
even come close to it. A majority of
gun owners think these proposals make
sense.

So this is what I would like to ask
my colleague from Connecticut, in
terms of an update, because my col-
league from Connecticut has been a
leader in this effort. Senator Fein-
stein’s proposal, of course, is designed
to prevent those on the watch list from
buying guns. Numbers have been
thrown around repeatedly about the
number of people this would actually
impact. I know the General Accounting
Office has looked into this. Can the
Senator tell me how many people on
this watch list have been able to buy a
gun?

Mr. Murphy. I thank Senator
Wyden for his question. It is a really
important one. We certainly shocking for how high it is
important one because the number is

WYDEN: I thank my colleague,
Ms. Warren, for a question. Last Saturday, I was in Boston for
our annual Pride Parade. They are
practically an institution in Boston,
and this marked our 46th annual
parade. I have gone to Pride for years,
and when I go, I don’t march, I dance.
I dance with people—young people and
old people, Black people and White
people, Asian people and Latino people,
gay people and straight people, bisexual
people, transgender people, queer
people. The parade has everything. It
has intricate floats, marching bands,
entertainment, costumes, and tons of
lookers.

One Boston reporter called our pa-
rade pure joy, and he is right. I love
Boston’s Pride Parade. I love it as
much as anything I have done as a Sen-
ator. For me, this parade is the tan-
gable demonstration of what happens
when we turn away from darkness and
division and turn toward our best
selves, when we turn toward each
other. It shows us what this Nation
looks like when we are at our best—In-
moral, strong, united, and proud. It
shows us what this Nation looks like when we beat back hate and
embrace each other.

Early Sunday morning, at around 2
a.m., someone tried to be the first way
from us. It wasn’t the first time. It was
the most recent. It was extreme and
horrible and shocking. Dozens of lives
were lost, and dozens more were in-
jured. All across our country we grieve
for those lost and for their families
and for their loved ones.

This is especially true in Massachu-
setts. Three years ago, the people of
Boston came face-to-face with terror at
the finish line of the Boston Marathon. The cowardly attack and its aftermath took lives, injured people, and forever changed a beloved tradition. This week, two people with Massachusetts roots were killed in Orlando and at least five others were injured.

Thirty-seven-year-old Kimberly “KJ” Morris, who was working the door at Pulse, had lived in Northampton, MA, for more than a decade, performing in nightclub and working at Amherst College and Smith College. She had recently moved to Florida to help care of her mother and grandmother.

Twenty-three-year-old Stanley Almodovar, a pharmacy tech, spent his childhood in Springfield, MA. He came out of the bathroom at Pulse just as the bullets were flying. He pushed people out of harm’s way as he was shot three times.

A third Massachusetts native who survived the massacre was also shot three times. Angel Colon of Framingham, MA, was shot in the leg, the hand, and the hip. He is alive today, according to Colon, only because the gunman missed his head as he shot those who were lying on the floor to make sure they were out of harm’s way as he was shot.

One of the survivors is Geoffrey Rodriguez, raised in Leominster, remains in critical condition now. Rodriguez was shot three times. As of Tuesday, he had undergone three surgeries. His right arm was amputated, and he underwent surgery on that arm. Heamputated, and he underwent surgery on that arm. He was shot in the leg, the hand, and the hip. He is alive today, according to Colon, only because the gunman missed his head as he shot those who were lying on the floor to make sure they were out of harm’s way as he was shot.

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Now, there are still things we don’t know about the shooter. We don’t know about his planning, his motives—things we may never know. But here is what we do know. We know the shooter called 911 and pledged allegiance to ISIS, declaring his intention to be known in history as a terrorist. We know he was carrying an assault-style weapon on that day.

I woke up on Sunday morning still in the glow of the Boston Pride Parade. That ended fast. But I thought about the history of Pride. In the 1960s, the true act of publicly associating with the LGBTQ right was considered radical. That was true even in places where the community came together to seek strength and protection, like New York’s Greenwich Village. Greenwich Village’s Stonewall Inn was one of the popular gay bars in New York, and it was regularly raided by police officers who arrested patrons for any number of bureaucratic violations, obviously designed to harass, embarrass, and abuse people whose only crime was to want a place to be together. One night, in late June of 1969, a police patrol fought back. The rioting continued intermittently for five nights, and it wasn’t pretty. It reflected the demands of the group for equality, for the same chances that other Americans have to be themselves. A few months after that, LGBT activists began planning for the first Pride march. It was set for the following June to commemorate the first uprising. The idea was to use that anniversary as an opportunity for the community to remind us all that they, too, are citizens, they, too, get to have some fun, and they, too, are entitled to the same dignity and respect as every other American. Over the years, the tradition expanded across this great Nation, just as tolerance and acceptance expanded across this great Nation. Pride both helped us move forward and showed us how far we have moved together.

When terrible things like the Orlando shooting happen, we face important choices, as a country, as individuals, and as a community. When terrible things happen, we have to choose how we respond and all of us will decide whether we are going to come together or splinter apart. We have become a country that is defined by fear and hate—fear of each other and hatred for anyone who is different from ourselves. In the America of fear and hate, we lose the bonds of community, creating even more fear and hate, and threatening further violence. We will fracture as a people, splintering off into separate groups, each fearing others and each seeking to use that fear to make the choice to come together. We can choose that no community—no community of immigrants, no community of Muslims, no community of young men—is isolated in this country. We can do this knowing that when we embrace each other and build one people out of many, we become a stronger country—stronger because the bonds of community prevent alienation, stronger because the bonds of community make us stronger together and break us apart, stronger because the bonds of community mean people can get help before it is too late. We cannot ignore the fact that this massacre targeted an LGBT club, and we should learn from that and from the message of Pride. In Orlando, an act of terrorism was also an act of hate visited upon people who came together in friendship and celebration. But the patriots at Stonewall showed us the way. They gave birth to a movement that changed our Nation. They beat back hate. They showed us that change is possible—that change for the better is possible. They showed everyone that love can triumph over fear and hate, that we can all come together. But, boy, they showed us that you have to work for it.

This is not an abstract idea. When it comes to our response to the tragedy in Orlando, we are already beginning to see the splintering of America. One side shouts: It was a gun that killed all those people. The other side shouts: It wasn’t a gun; it was a terrorist that killed all those people. Through all of the shouting, we miss what should be obvious: It was a terrorist with a gun who killed all those people—a terrorist with hate in his heart and a gun in his hand who killed all those people. It is time for us to acknowledge all of these truths and to come together to address them together seriously.

First, we must take the threat of terrorism seriously. We must continue to stop the flow of money to terrorist groups and to work with our allies to stop the movement of terrorists and disrupt hubs of radicalization abroad. Here at home, we need to make sure that our law enforcement agencies have the resources they need—funding, training, equipment. But we also need to make sure we have the resources to analyze and counter radical propaganda. The war on terror is now fought online, and we need to put our best forces online to fight back. We need to work with people in our local communities—not isolate or demonize them— to stop radicalization before it starts and to prevent tragedies before they occur and to show that nobody is kept out of the American family because of how they look or talk or pray.

Second, we must take the threat from gun violence seriously. Our Nation is awash in the weapons of murder, and there are many ways we can do to address that. We can ban Rambo-style assault weapons. We can take these weapons off our streets. We can also close the terror gap.

The FBI should have the authority to block gun sales to anyone they believe is a terrorist. If someone cannot get on an airplane because the FBI is concerned that they might be plotting to do harm against Americans, then they shouldn’t be able to walk into a store and buy a Rambo-style assault weapon. We believe we can close the back-end checks loophole. Anyone who cannot buy a gun because of a felony conviction or mental illness will not be able to go to a gun show or go online and buy that same gun.

We can act to make the next shooting less likely. We can act to reduce the likelihood that a disturbed individual, a criminal, or a terrorist is again able to kill dozens with a gun. If we fail to act, the next time someone uses a gun to kill one of us—a gun that we could have kept out of the hands of a terrorist—then Members of this Congress will have blood on our hands.

But the truth is this is not just about Congress. It is about all of us. We all have choices. We have choices about how we are going to treat our neighbors and our fellow citizens; choices about what we do when someone is targeted at a coffee shop because of their background or their looks or their race; choices about how we react when a friend or a coworker, a son or a daughter, tells us the truth about who they love; and choices about how we treat our fellow citizens who don’t look or talk or pray like we do. It is a scary world out there. We all know that. Terrorism mutates into...
new and more dangerous forms. Terrorists have easy access to assault weapons that put us all at risk. And hate—plain, old-fashioned, naked, ugly hate—still lurks in dark corners. It is a scary world. But America is strongest when we work together, and all of us will decide whether we come together or splinter apart.

We can keep weapons from those who would do us harm. We can make it harder for terrorism to take root in this country. We can drive the forces of hate out of our Nation. We can build a stronger, more united America, and we can begin right here in the Senate. We can begin right now.

With that, my question for the Senator from Connecticut is this: Do you believe it is time for the Senate to act in the interest of the American people and finally pass these commonsense, widely supported proposals to keep guns out of the hands of dangerous people?

Mr. MURPHY. I thank the Senator from Massachusetts for those incredibly powerful words making clear what our moral obligation is. Our moral obligation is to witness a crisis happening at our feet and do something about it. Why have this job—one of the most powerful jobs in the world—if we are not going to exercise it to try to protect Americans from harm?

So our choice—my choice, the choice of Senator BLUMENTHAL, Senator Book-ER—is to say enough—enough of these mass shootings as if they are just part of the American fabric and landscape, enough of accepting that 80 people will die every single day when there is no other country in the world in which this happens, enough of pretending there isn’t anything we can do about it.

Senators WARREN has outlined some basic commonsense bipartisan steps that we can take to make this better, and I agree with him. This is our choice. There are only 100 of us. There are only 100 of us. We can make the collective decision to do something about it.

I thank the Senator from Massachusetts.

I yield to the Senator from Oregon for a question without losing my right to the floor.

(Mr. GARDNER assumed the Chair.)

Mr. MERKLEY. Mr. President, I begin by noting that the Senator from Connecticut and the Senator from Oregon have a common thread that runs between our two States. That common thread that runs between Connecticut and Oregon is that our two States have been the sites of two very deadly school shootings. At Sandy Hook in Connecticut, it was in mid-December 2012 when a madman armed for a war zone stormed into Sandy Hook Elementary School and began a murderous rampage—a rampage that ended with the deaths of 20 children and 6 school staff and 20 little boys and girls.

Not even 3 years later, a nightmare came to Roseburg, OR. Roseburg is a quiet little town in southern Oregon. It is the town where I spent part of my childhood. It is a town where I went to first grade. It is a town where I learned to swim in the Umpqua River. As I said last October, if this can happen in Roseburg, it can happen anywhere. But happen in Roseburg it did. It was October 1, 2015. It was a beautiful autumn morning in the small town. There on the college campus we heard the sound of gunfire. A disturbed individual charged into Umpqua Community College with six guns, and within the space of just a couple of minutes, he took nine lives, including his own. One of the lives he took was that of my cousin, Ann Carnes. Eighteen years old, she had just graduated from South Umpqua High School the previous June. She was an avid hunter. She was a lover of four-wheeling. In the picture she posted online for each with their own story, were graduation cap, which said on it: “And so the adventure begins.” She was ready for the adventure of adulthood. She was ready for the adventure of going off to college. She was ready to explore the world. She was a beautiful spirit. But her adventure ended so shortly after graduating from high school, before she could really get started on the journey of the balance of life.

Our hearts break for Sandy Hook, our hearts break for Roseburg, and our hearts break for all those who are affected day after day after day all across this country as victims of gun violence. We broke for Orlando, the latest name to be added to a list that no town or city ever wants to join. In that occasion, 49 innocent were lives taken—49 young Americans full of hope and promise—and 49 individuals, each with their own story, were cut down simply because of who they are, whom they loved, or whom they associated with.

A hate-filled individual targeted a place that was a sanctuary for the LGBT community. He turned this place of solidarity, togetherness, and love into a place of fear, divisiveness, hatred, and bloodshed.

This unthinkable carnage leaves Congress—all of us here, all of us here in the Senate—with a choice. It is a simple choice. We have two basic options. One option is to take some action that might diminish the odds of the next Sandy Hook or the next Umpqua or the next Orlando. One option—take some action—the type of assault that takes place day in and day out across this Nation. The second option is to do nothing. That is where we are. Option one is take some action—take some reasonable action. There is no perfect solution. But there are substantial things that could make a difference. It will not make a difference in every case; it will make a difference in some cases. Isn’t that the case with every law we consider? It will not make a difference at least part of the time, to avert a tragedy.

I come from a gun State. I come from the beautiful State of Oregon, the best State in the United States of America, where people love to hunt. They love to target practice. They believe powerfully in the individual rights of the Second Amendment. But Oregon is also a State where the citizens believe that we should not put guns into the hands of those who are deeply mentally disturbed.

It was in the year 2000 that Measure 5 was put on the ballot as a citizen initiative—and it passed overwhelmingly in the State of Oregon—to expand background checks. The citizens did that in an initiative at the ballot. It is a State where our legislature took action just last year in Senate bill 941, the Oregon Firearms Safety Act, to close the Craigslist loophole. Why does this make so much sense? If you keep a terrorist from buying a gun at a gun show, shouldn’t you also keep that terrorist from buying a gun at a gun show? Shouldn’t you also keep that terrorist from buying a gun out of the classifieds or the online classifieds, the Craigslist classifieds? Yes, of course. Each piece of this makes sense to keep guns out of the hands of felons or those who are deeply mentally disturbed.

In Oregon, folks believe that people should buy their guns legally with a background check and that process shouldn’t be averted through straw purchasers subverting the law by putting a different name than the name of the person who is actually acquiring the weapon.

Hunters and target shooters in Oregon know you don’t need a military-grade, super-sized magazine to go hunting, and smaller magazine sizes may give an opportunity to interrupt a killer during his shooting spree. When you hunt for ducks, you are allowed three shells in the gun—one in the chamber and two in the magazine.

My question for the Senator from Connecticut is this: When will Congress finally say enough is enough? How many lives have to be lost in one shooting for Congress to act? When will Congress join with responsible gun owners across this country and support commonsense steps to prevent horrific tragedies? When will we close the terrorist gun loophole? When will we close the gun show loophole? When will we close the Craigslist loophole?

As we have seen in Sandy Hook and as we have seen in Roseburg, and now we have seen with Orlando, all too much tragedy has taken place.

Mr. MURPHY. I thank the Senator.

At this point, I yield to the Senator from Connecticut for a question without losing my right to the floor.

Mr. BLUMENTHAL. I want to thank all of our colleagues who have come today and thank Senator MURPHY, my friend and teammate in this cause and in so many other causes, and just bring us back to the issue of why we are here today and asking the question. Senator MURPHY, Senator Book-ER of New Jersey, and I have come to the floor to make three essential points. I am going to ask my colleague...
from Connecticut whether I have hit these points—the reasons that have brought us here today, along with so many eloquent colleagues, I might add. I am deeply grateful to them. We are here debating an appropriations bill for Commerce, Justice, and Science. But we are also debating the future of our country.

Why is this debate different? Why is this day different? Orlando has hopefully brought us to a tipping point, changed the dynamic, and enabled us to break through the paralysis and the complicity by inaction that has characterized the U.S. Senate on the issue of stopping acts of terror and hatred in our country. Those acts may emanate from abroad. We have to fight the terrorism that is inspired or supported by our enemies abroad, as well as people who are motivated by the twisted, insidious ideology that may be inspired or supported abroad, the pernicious hatred and bigotry that may be exemplified by Orlando and mental illness or what have you.

There are three simple points, are there not? There will be no business as usual until there is action. Enough is enough. We are here to say the time for business as usual until there is action. Enough is not. Senator BLUMENTHAL, through the Chair. That is the reason we posited these two proposals as a means forward on this bill. We know that they are noncontroversial in the American public. They enjoy broad bipartisan support.

I yield to the Senator from New Jersey, Senator MENENDEZ, for a question without losing the floor.

Mr. MENENDEZ. I thank my colleague for yielding for a question. I thank him and my colleague from New Jersey, Senator BOOKER, and also Senator BLUMENTHAL for galvanizing the forces of evil abroad and at home; and, more, no more.

How in God's Name can a person on the terrorist watch list, unable to board a plane—so dangerous that they cannot fly, so dangerous that they are known to the FBI—how can they walk into a gun store and walk out with a semi-automatic weapon and hundreds of rounds of ammunition, and nothing is flagged?

What does it say when our Nation's laws are so wildly misguided that a person on the terrorist watch list able to go to a gun store? They can simply open up their computer and click with a mouse on a Web site, or they can go to a gun show and buy a deadly weapon or two or three or four deadly weapons—military-style and designed for war—without even a cursory background check. That is unforgivable. It defies logic, and it is time to do something about it.

I don't believe these are controversial proposals. A majority of Americans agree with universal background checks. If you have nothing to hide, you can still have access to a weapon if you can pass those background checks. Even a majority of NRA members agree with universal background checks. It makes sense. It is a position upon which we should all be able to agree. It is a position that holds the center and can be a starting point for a larger discussion. The fact that we haven't done this yet is, in my mind, a not-insignificant sign that we needed to have happened already. It should have happened after Aurora when a madman ruined movie theaters for the
rest of us. It should have happened after Virginia Tech when gun violence invaded our colleges. It should have happened after Sandy Hook when gun violence came to our elementary schools. I am reminded of that old Chinese proverb that says, “The best time to plant is 20 years ago. The second best time is now.” Let’s at least have the will and resolve to do what is right now.

Do you know how long it takes to get an AR–15, the weapon used in this horrific attack? Well, a Philadelphia Inquirer Daily News reporter decided to find out. The answer is 7 minutes. It took 7 minutes. That is all the time it took to get a weapon that has a frightening number of similarities to the M–16 rifle used by the military. It was pointed out in that article that it could take more time to read the names of the more than 100 people who were either killed or injured in Orlando than to buy the AR–15. Of course, that model was placed in the base model. If you go to a gun store, you can buy a variety of add-ons to make the weapon kill that much more—yes, kill. This isn’t about hunting. If you need something that has hundreds of rounds in it to hunt a deer, you don’t need to be in trouble.

The prime example is the bump fire stock, which increases the gun rate of fire up to 800 rounds per minute. That is more than 13 per second. Maybe the NRA will claim these are cosmetic. It is insubstantial, if it is inescapably absurd—to claim that modification allows a gun to fire 800 rounds per minute is merely cosmetic, but apparently to the NRA, 800 rounds a minute is normal and covered by the Founders’ language in the Second Amendment, when no one could even imagine at the time the Second Amendment was being written that there could be an instrument that could fire 800 rounds a minute.

We are here today to demand action on commonsense gun safety legislation. Senators Murphy and Blumenthal have been unwavering advocates of commonsense gun safety legislation. Senators Murphy and Blumenthal have been outspoke...
about the survivors. I think about the parents of those who were lost in Newtown, and I think about the additional layer of grief we intentionally place upon their shoulders by our inaction. There is some solace—a small measure of solace—in knowing that the people for whom you voted to run your country care so deeply about your dead child that they are going to do something about it, but there is a next level of grief when you realize they don’t actually care enough to even have a debate to protect other children like them.

This is our choice, I say to Senator Shaheen.

And my friend is very articulate in her challenge to us. I hope we respond to it.

Mr. President, I yield to the Senator from New York for a question without losing my right to the floor.

Mrs. GILLIBRAND. Mr. President, I rise to join my colleagues in questioning this body, after so many horrific tragedies over the years, still refuses to pass laws that would make us safer from massacres like what happened in Orlando.

I think my colleague from Connecticut for leading this charge on the Senate floor. He knows too well what it is like to have his State fall victim to a mass murder. He knows what it is like to have happy, innocent lives cut short by gun violence. The massacre at the Sandy Hook elementary school in Newtown took place more than 3 years ago, but it still feels like it was yesterday. Sweet, smiling children were slaughtered by someone so evil and so hateful and who was allowed to have easy access to an assault weapon, a weapon of war.

It happened again last year in Charleston. Churchgoers who were praying were slaughtered by someone so evil and hateful and who was allowed to have easy access to an assault weapon, a weapon of war.

The list goes on and on.

After all of these mass shootings, Congress must do something, right? They can’t respond, right? No. Why didn’t the Congress do anything? Why do they stand silent? Why do they not look those parents in the eye and say: This will not happen again.

After all of these mass shootings, in each and every case, someone with no business having it has a powerful deadly weapon has had easy access to that weapon and used it to kill people quickly, and now we have a new tragedy to add to this book.

Like all of my colleagues here, I was devastated to hear about the attack this past weekend in Orlando, and my heart goes out to everyone who was affected by this awful, hateful crime—the family and friends of 49 victims, the entire LGBT community, the entire Latino community. These were 49 happy people dancing together, laughing, celebrating who they are, in the middle of Pride Month, in a club that has always been a safe haven for them. But, by the hatred of a man, a citizen of this country who was angry, hateful, and radicalized, was allowed by this Congress to have easy access to a deadly weapon of war.

Let’s be very clear about the kind of weapon this man used. The weapon is an AR–15. It was not designed to hunt deer. It was not designed for target practice. It was designed to kill large numbers of people quickly, at war. This is not a weapon used in hunting.

Why are we allowing private citizens to have access—such easy access—to these weapons of war?

Something has to change. No one outside of our military, which is trained to use these weapons, needs to have access to a weapon that can fire hundreds of bullets in a minute—hundreds of bullets in a minute.

The only people with the power to change this are the men and women who serve in this Chamber who serve in the House and Senate and House of Representatives. Is this slaughter not a wake-up call? Is it not enough to convince us to act? Where is our spine?

The gun industry is a rich and powerful lobby in this country, but we weren’t elected to protect the gun industry’s profits. We were elected to protect America and its safety.

We have to make it harder for hateful, angry, violent people to get their hands on a weapon—a weapon of war that is designed to kill as many people as possible as quickly as possible. The only way we change it—the only way—is if Congress fulfills its responsibility to protect the American people and passes new laws that keep us safe.

The gun industry, the gun lobby, San Bernardino, Charleston, Newtown, New York—the entire Nation—none of them should have to go through their daily lives in fear of violence, in fear that an angry, radicalized citizen can buy and use a weapon of war against innocent Americans.

We already have bipartisan reforms that are ready to go that are overwhelmingly supported by the American people—obviously, background checks that are ready to go that the terrorists could not buy a weapon of war. They won’t be able to do that. The American people support that.

Let’s stop allowing would-be murderers to legally buy weapons of war like the AR–15 without scrutiny. Let’s lift our irrational hold on the CDC and allow them to actually study the issue of gun deaths the way we are allowed to study any other cause of death in this country. The American people support this as well. Let’s stop the people who say it is too dangerous to fly an airplane from being allowed to buy guns. Let’s stop tying the hands of law enforcement and preventing them from sharing crime data. Let’s stop preventing ATF from requiring gun stores to conduct inventory and report any guns that have been lost or stolen, and let’s stop blocking the ATF from preventing the dumping of non-supporting weapons into the American market from abroad.

We finally crack down on gun trafficking and straw purchasing. These are all measures the American people strongly support.

My State of New York suffers deeply from gun violence. Our biggest problem is the amount of illegal weapons that flow into our State every single day from other States. The amount of guns—90 percent—used in crimes come from out of State, and of what we of them are illegal. These are weapons literally sold out of the back of a truck from someone in another State to a gang member. And how many innocent lives do we have to lose because a stray bullet hits them out of something they do with friends? It is unconscionable that this Congress stands and does nothing.

I thank my friend from Connecticut for yielding the floor, and I will ask him this final question: Is this not enough to convince you and me that we should do to protect Americans from this type of senseless violence? What should we do now as Senators and as Members of this body?

Mr. MURPHY. I thank the Senator for her passion. It is not a coincidence that sitting in this front row, in this section of the Senate, are three parents of young kids. We are friends, but we are also involved in a common cause, and maybe we bring a little bit more of our personal experience to this question of what we do to protect children and adults because we think of our own children and we think of how at risk they are.

To Senator GILLIBRAND through the Chair, we have proposed two simple measures to begin with. Let’s bring to the floor a background checks bill that expands background checks to gun shows and Internet sales where the majority or the lion’s share of sales have been made to, and how the terrorists can’t buy guns; those that are on the terrorist watch list and no-fly list. Let’s start there.

If we could get an agreement to bring those two pieces before the Senate in a bipartisan way, then we would gladly pack up our stuff and go home, but we need to have bipartisan consensus on those two votes to move forward and that is our hope and that is the reason we are holding the floor here today.

With that, I yield to my friend from Missouri, a great leader on this issue, for a question without losing my right to the floor.

Mrs. McCASKILL. I wish to read out today a voice mail that was left on my office phone this morning. I wish I could play it because if my colleagues hear the voice, they will understand more completely why I believe this particular voice mail was compelling.

I am 14 years old from St. Louis, 63111, and I’ve been really looking a lot into the Orlando shootings and just really gun control
Before I ask a question of Senator Murphy, I wish to cover one more subject that is really bugging me as a former prosecutor; that is, the argument that has been presented: Well, we don’t want to put—we want to make sure we are who we think the terrorists know that we are investigating them, so if we put them on a list and they can’t get a gun and they go to buy a gun, then all of a sudden this terrorist is going to know we are on to them.

That is such hogwash, and let me explain why. We have a no-fly list. We have other kinds of lists in this country. If the FBI is investigating, they have the discretion in this bill to remove someone from that list for purposes that would support pursuing that individual without his knowing that he was ever on the list. So all they would have to do is if they are about to get intelligence or they think they are about to uncover a larger plot or if they think they are about to arrest the terrorist in question, they are absolutely on top of it, they can take the name from the list and continue to pursue that individual, track that individual, and make sure that whatever gun they might purchase is never used.

This bill, when it comes to the terrorist watch list, grants the FBI that discretion. There is not going to be a terrorist that gets the heads-up that is all of a sudden going to send them into hiding or send them, unfortunately—unless we pass the bill—to the Internet or to the nearest gun show.

It amazes me the kind of trust that I hear mouthed about law enforcement on the other side of the aisle. Yet they are not willing to trust the FBI with the discretion to remove someone on this list if they are not going to achieve their purpose. And so I ask the question of Senator Murphy, do you not think there is the potential of this terrorist knowing we are onto them?

Mr. Murphy. I thank the Senator for the question, and the answer is yes, so long as you pair it with an expansion of background checks to make sure they are seeing these purchases wherever they take place. That is why we have asked for this body to move forward on both of those pieces of legislation, because we cannot ask the FBI to protect us from this terrorist if we don’t give them the tools to keep firearms from those who threaten us.

Before turning the floor over to the Senator from Virginia, let me underscore the last point I will make. There is no other country in the world in which this happens. The rate of gun violence in this country is 20 times higher than the combined rates of the 22 countries that are our peers in wealth and population—20 times higher. More people died in this country in the first 15 years of this century than died in all of the wars in the last century combined. That is unique to the United States. Shame on us if we don’t recognize that and do something about it.

In the days after Sandy Hook, the Senator from Virginia was one of the first to stand up intentionally to the national media and say that something had to change. He was one of the early signals that this Nation has woken up in the wake of Sandy Hook. I am glad to yield to him for a question without losing my right to the floor.

Mr. WARNER. Mr. President, I appreciate my colleagues from Senator from Connecticut, yielding for a question. I am proud to join so many Members of the Senate. I want to echo the comments of the Senator from Missouri, her comments about getting the same kind of calls, notes, and questions.

I want to acknowledge as well that there have been Members of the House from Virginia and Louisiana who have come to show solidarity in the effort being led so eloquently from mostly the House, the Senator from Connecticut and the Senator from New Jersey.

I think we are all trying to wrap our heads around the fact that a single lone gunman was able to extinguish the lives of 49 Americans in a gay nightclub in Orlando. Before we get to this legislation, I think we also have to acknowledge that this was a crime of hate—a crime of hate that unfortunately targeted the Latino community and in particular the LGBT community. As the community grieves nationwide, we need to make clear that the long fight for equality includes not only marriage equality but equal protection in terms of public safety and living in safety.

The Senator from Connecticut has made some comments about the number of deaths that take place in our country each year from gun violence—30,000 a year. I think about, just as the Senator from Connecticut acknowledged in the aftermath of Newtown how my colleagues and I have changed on some of these issues. We all have to take a fresh look at the challenges our country faces in providing a reasonable
One of the things that troubles me is I think virtually every Member of this body has probably stated or tweeted out that we must do more to try and prevent more of these tragedies. Senator Booker and Senator Blumenthal, Mr. President, have been such a leader on this issue. He has been such a leader in general on this issue. Senator Booker has been such a leader on the bipartisan bill with Senator Toomey. They have been trying to go join Al-Shabaab in Somalia have had in our State. We had dozens of indictments against people who had attempted to buy weapons since 2004 have passed a background check and then have been able to purchase a firearm. To me, that is an internal contradiction that, by taking action this week, we can turn around. If you are too dangerous to get on an airplane, aren’t you too dangerous to be allowed to purchase a firearm?

The second solution my friend the Senator from Connecticut has put forward would take up and pass the bipartisan proposal, which has the overwhelming support of the general public, to increase background checks. Ninety percent of the public supports this effort. Over 70 percent of gun owners support this effort. Why? Because we know background checks work. Since 1994, 2.6 million people, by either evidence of criminal backgrounds or mental illnesses, have been prevented from purchasing firearms.

There are a host of other proposals that I know the Senator from Connecticut has put on his agenda, but what I want to do is thank the Senator from Connecticut for putting forward two of the most basic proposals, two of the proposals that have bipartisan broad appeal.

I would ask the Senator from Connecticut, with the overwhelming public support that Americans express for this type of commonsense legislation, and with unfortunately, sometimes low regard this body is held, does the Senator believe that if we took these actions and passed them, not only could we send a strong signal of making America safer, but we could also once again show that we will uphold our constitutional duties?

Mr. MURPHY. I thank the Senator from Virginia for his question. I think that is the essence of this debate, why we are on the floor today and why we are lodging this protest. If you look at why the ratings of Congress are so low, it is because of the challenges we are ignoring. People are upset that we are fighting and bickering all the time, but they are also deeply upset that there are threats to national and public safety crises and we are doing nothing.

I think our ability to respond to this in a bipartisan way to reflect the support of 98 percent of the American public is about saving lives but also about senselessness and public responsibility. Why did we sign up for this job? Why did we decide to be a U.S. Senator if we were going to ignore this epidemic of slaughter in this Nation? There is nobody who disagrees with the fact that this is a major problem. It is in the headlines in the papers on almost a weekly basis. Why become a Senator if you are going to ignore this?

I thank the Senator from Virginia for his remarks and the question.

I yield to the Senator from Minnesota for a question without losing my right to the floor. She has been such a leader in general on this issue focusing on protecting victims of domestic violence. This hopefully will lead to one of the breakthroughs we are seeking in the context of this debate.

I yield to the Senator from Minnesota for her question.

Ms. KLOBUCHAR. Mr. President, I ask if the Senator from Connecticut will yield for a question without yielding the floor?

Mr. MURPHY. I will yield to the Senator from Minnesota for a question.

Ms. KLOBUCHAR. I thank the Senator from the United States of America. In Minnesota we have a little experience with this. We were the State that, before 9/11, some citizens—flight instructors were able to detect something was wrong with a man who cared about flying—Moussaoui—but not about landing. So they turned him in, and no one was ever able to connect the dots, but there he was in a jail in Minnesota.

I know a little bit about this as a former prosecutor, and I know a little bit about this because of the cases we have had in our State. We had dozens of indictments against people who had been trying to go join Al-Shabaab in Somalia or the terrorist group ISIS.

I look at this, first of all, and I look at the Senator from Connecticut and think of the people from his own State, whom he knows so well, the parents of those young, little children who were killed at Sandy Hook.

There being no objection, I am turning to my office the day the background check bill went down. They came to my office, and a number of us were telling them that it was going to go down, that we didn’t have enough votes to pass this commonsense measure for background checks. What I was struck by was that they knew that particular measure wouldn’t save their babies, but they were there because they had come to the conclusion that this was the best way to save other children, to save other people from dying. And as they told me their stories—one of them told me the story of how their young son, who was autistic, who went to school that day had looked up at the refrigerator and pointed to the picture of his child. It was not with him all the time. He could barely speak, but he pointed up at that picture in the morning. So as she sat in that firehouse with the other parents waiting and waiting to see if her child would come back, it was clear—clear that some children were never coming back, and hers was one of them. When they found that little boy, he was in the arms of that health aide whom he loved so much, and they were both shot and they were both shot.

As she told me that story, I thought, these parents are so courageous that they are coming today to try to advocate for something that they knew—they had come to grips with the fact that they wanted more, but they knew the background check measure was the best they could do to save lives at that moment. They knew the background check measure would especially help in cases of domestic violence and suicide because they knew that in those States that had passed such measures, they had seen improvements in the numbers for those kinds of deaths, so they were advocating for it.

That was why they were there. Yet this body didn’t have the courage those parents had to be there that day, to pass that measure.

So here we are today. We are looking at, first of all, a dangerous loophole that allows terrorists to buy firearms with a license. In Minnesota we have a little experience with this. We were the State that, before 9/11, some citizens—flight instructors were able to detect something was wrong with a man who cared about flying—Moussaoui—but not about landing. So they turned him in, and no one was ever able to connect the dots, but there he was in a jail in Minnesota.

I know a little bit about this as a former prosecutor, and I know a little bit about this because of the cases we have had in our State. We had dozens of indictments against people who had been trying to go join Al-Shabaab in Somalia or the terrorist group ISIS.
We had three convictions in U.S. Federal court in just the last week. We know about this in our State and how close it hits to home. We love our Muslim communities in our State. They are part of the fabric of life. We have a big Somali community in the country. But we have one more thing that we need to keep our communities safe. By working with our communities, we have been able to bring these kinds of prosecutions.

Incredibly, current U.S. law does not prevent individuals who are on the terror watch list from purchasing guns. A total of 2,233 people on a watch list tried to buy guns in our country between 2004 and 2014, and nearly 2,000—or 91 percent—of them cleared a background check, according to the Government Accountability Office.

I am a cosponsor of Senator FEINSTEIN’s bill to close this loophole. During last year’s budget debate, I joined 25 of my Senate colleagues, including my colleague from Connecticut, in offering an amendment that also would have stopped these dangerous individuals from buying firearms and explosives.

The background check bill—we know that this helps. That is why two—at the time—A-rated NRA Senators, Mr. MANCHIN and Mr. TOOMEY, joined together to try to put forward some commonsense provisions. Sadly, that bill did not pass, and I believe we should bring that bill up again for a vote.

The third piece of legislation that I think is possible to pass, as I look at what has bipartisan support and what could make the biggest difference, is a bipartisan bill with Senator KIRK.

There is a House bill, as well, and that bill focuses on victims of stalking, victims of domestic violence.

As I look at some commonsense measures, we know that not one bill is going to fix all these cases. Not one bill is going to make the difference in every case, but combined they make a major difference.

My question for the Senator from Connecticut is about an area where I believe we should be able to find consensus, and that is in addition to the important closure of the loophole in the terrorist watch list for people buying firearms. Common sense says that this bill—that is this domestic violence area. Studies have shown that more than three women per day lose their lives at the hands of their partners, and more than half of those killed are shot by their partners with a gun.

There is a simple bill that would first make sure that dating partners—the same rule that applies to those who are married would apply to dating partners. Even the Republican witnesses at our hearing with Senator LEAHY and Senator GRASSLEY embraced this portion of the bill. If people are dating partners as opposed to married, it should make no difference in terms of how you look at their ability to go in and buy a gun if they have committed an act of domestic violence.

The second piece of this bill is about stalking. If someone is convicted of a stalking crime, they shouldn't be able to go in and buy a gun.

When I look at these types of commonsense measures, I always think about my Uncle Dick. He loved to hunt, and he always would hunt deer. And I have to think to myself, would closing off the loophole in the terrorist watch list hurt my Uncle Dick in his deer stand? Would putting the background check bills in place across the country hurt my Uncle Dick in his deer stand? Not at all. Would closing these loopholes on stalking and on dating partners in any way hurt my Uncle Dick in his deer stand because our State loves hunting? We are a big hunting State, so I always have to do a gut check when I look at these bills.

To the Senator from Connecticut, I would like you to answer that question. Of these commonsense bills that have been put forward today, which could save hundreds if not thousands of lives, do you think they would in any way hurt those who are law-abiding citizens in our States and every State in this Nation that value their guns and value hunting?

I thank the Senator for that question. You just have to look to the data for the answer. We have had pretty robust survey data on the question of support for expanding background checks or support for denying access to guns for people on the no-fly list. It is universal. Everyone wants these changes. Republicans want them; Democrats want them. Non-gun owners want them; gun owners want them. The vast number majority of NRA members support the bipartisan provisions that we are proposing for bipartisan action today.

I would suggest the same thing is true for protecting victims of domestic violence. This has nothing to do with being a Republican or a Democratic gun owner. When you tell people that somebody who has a restraining order, you told them not to add a gun to that mix, everybody nods their head.

I thank Senator KLOBUCHAR for being such a leader on that particular issue because it is one in this basket of changes we are requesting that is controversial only here. It is controversial only in Washington, DC, and in the political arenas of this country. It is not really controversial out in the broader American public.

I thank the Senator.

Ms. KLOBUCHAR. I thank the Senator for that. I also want to note for the Members of the House here that Congresswoman DINGELL is the leader of that bill in the House, so we have two bipartisan bills in both Chambers.

Ms. MIKULSKI. Will the Senator from Minnesota yield for a question?

Mr. MURPHY. I yield to the Senator from Maryland for a question without losing my right to the floor.

Ms. MIKULSKI. First, joining you as a social worker, my question is, is the Senator from Minnesota, with her vast experience as an attorney general as well as her advocacy here in the Senate, the PRESIDING OFFICER (Mr. LEE).

The question must be directed to the Senator from Connecticut, most of the victims of guns in domestic violence are law enforcement officials responding to aid a domestic violence victim. In my own State there have been wonderful men in blue who came to a home to rescue someone who was being held or something by their spouse—often off their meds. When the police officer responded because it was domestic violence—didn't respond as if it were an active scene—he was also killed. Has that been the Senator’s observation?

Mr. MURPHY. I thank the Senator, the ranking member of the Appropriations Committee for the question.

That certainly is a big part of this story line, this toxic mixture of guns and restraining orders. It puts everyone in jeopardy. It puts the individual who lodged the restraining order in jeopardy and it puts the law enforcement officers who get in the middle of that conflict in jeopardy. It is hard enough for law enforcement officers to try to enforce a restraining order. This is a spouse who is angry and who often is at the peak of their fury. When you add a gun to that mix, everyone's life is in danger. I thank the Senator.

I yield to the Senator from Ohio for a question without losing my right to the floor.

Mr. BROWN. To my friend from Connecticut, thank you. I so admire that when you came to the Senate, it was right after perhaps the most tragic 2 hours in our Nation's recent existence with what happened to those kids—those young children in your congressional district.

I say to Senator MURPHY, how do we go home—I just hear this—I watched what happened at Sandy Hook, I watched what happened in Colorado, and I watched what happened in California. Now we see what happened in Orlando to those 49 mostly young men and women, mostly of Hispanic descent—mostly gay, we think—what happened to them.

How do we go home and face people when this body fails year after year after year to do the right thing? I admire so much what Senator MURPHY did when he came here and just got in the face of the majority Members of the Senate and said: You have to do the right thing.

My question for Senator MURPHY is, How do we go home, look people in the eye, and say we failed again?

I think this body should stay in session until we do a number of things, from confirming a Supreme Court Justice, to taking care of the
impressive Members of our caucus, heard two of the youngest and most
to be different.

Yes, it is an attack that is designed to
to stop the CJS process, to
imagine doing nothing after September
when they think about the whole idea
of color because they have been the
victims far too often and, in the great
majority of cases, are totally innocent,
from us.

I beg to move on to the next piece
changes in our laws to better protect
Newark and what we see. Just 3 weeks
ago, we had a terrible, terrible number
of deaths in southern, very rural Appa-
the other neighborhoods. We have not heard those
gunshots and police sirens when my
do children or grandchildren have been

When and once again say that we haven't
done anything. I guess that is the rea-
son we are here. I know it is uncom-
fortable to stop the CJS process, to
force and ask staff to stay beyond reg-

I yield for a question.

Mr. BROWN. May I ask one more
question and then I will turn it back to
Senator BROWN, who I know has
some questions for Senator MURPHY. I
want to share a letter I received from
a woman in Columbus:

I am a gay man living in Toledo, OH, and
I got a letter today or yesterday from
a woman in Columbus:

I got a letter today or yesterday from
a woman in Columbus:
Senator BLUMENTHAL—said: Enough. Enough. We have to give a signal to the American public that we care—that we care so deeply about the consequences of inaction that we are, at the very least, going to stop this process from moving forward until we can’t stand any longer.

Now that is a tiny, tiny sacrifice. But at least it shows we are willing to put something behind the passion that letter writer and many others have.

So there is a variety of answers to your question. I say to Senator BROWN—the strength of the gun lobby, the misunderstanding about the nature of the Second Amendment, and the data that we have not done a good enough job of getting out there that talks about the efficacy of stronger gun laws. But this exercise today on the floor is also a part of changing that reality.

With that, I yield for a question, without losing my right to the floor, to just address on this issue, the Senator from Michigan.

Ms. STABENOW. Well, I thank the Senator, and I appreciate the junior Senator from Connecticut for yielding for a question.

I'd like to thank Senator MURPHY and the senior Senator from Connecticut, the Senator from New Jersey, and so many others who have been on the floor. Our Democratic caucus is united in saying: Enough is enough. I am very grateful to our Senator from Connecticut and New Jersey who have come to the floor to lead us in that stand of saying: Enough is enough.

So I do have a question, but let me first indicate that when we look at this situation—whether it is Orlando or Sandy Hook or Tucson or Columbine or on and on and on every day on the streets of our cities and communities across the country—it is time to stop just putting out statements. I don’t know—they call it legislative action on the floor, but I am sure they share with me this sense of frustration of constantly having to put out statements saying that our thoughts and prayers are with the families, because, of course, our thoughts and prayers are with the families, but our actions should be with the families. That is what we are here today to focus on. It is not enough to have words. They expect us to act and to make a difference.

I also speak for so many Americans from all walks of life and all religions who have joined together. I am so proud of the powerful statements coming from the Muslim community, standing in partnership and friendship with the LGBT community and the Jewish and Christian community, at large, and all of those who have said: Enough is enough. Hate crime, act of terror—enough is enough.

I want to lift up, before asking my question, two young people from Michigan who were killed, the Orlando terrorist hate-crime attack. By all accounts he was a wonderful young man. He owned his own business, loved his family, and recently attended his niece’s graduation. His friends said: Nobody can say a bad word about him. He always had a smile on his face. He always loved to laugh.

Additionally, a Detroit native was also killed in the attack. He worked as a mental health counselor, and he had won awards for his work in the LGBT community.

So I ask my colleague, a great leader on this issue, I think it is important now to explain a little more about these two things we want to accomplish. What are the two things we want to accomplish? In going through all of this—stopping the regular business of the Senate and saying we have to act; we have to begin to address what we can do to prevent this horror—what are the two things we are asking for?

Mr. MURPHY. I thank Senator STABENOW because I think it is important sometimes to reset the floor and talk about what we are asking for. They are pretty simple: they are bipartisan, and they are noncontroversial outside of this body.

One, we want a version of the Feinstein bill, which prohibits individuals on the no-fly list from getting a gun to come before this Senate for a vote. Second, in order to make that bill effective, we want a version of the Manchin-Toomey compromise to expand background checks to gun shows and Internet sales to come before the Senate for a vote.

Both of those measures are supported broadly by 80 to 90 percent of the American public, and both are necessary in order to protect Americans from the carnage last June. Why? Because we know last year 90 percent of individuals who were on the no-fly list and who tried to buy a gun were successful in buying one. The only reason 10 percent weren’t is because they were on or prohibited individuals. So we know every year there are individuals on the no-fly list who are trying to buy guns and they are getting them. We know, unfortunately, the individual—the shooter—in Orlando was at least for a period of time on those lists, and he went and bought a gun.

In order to make it effective, you also have to make sure you are capturing gun sales that happen online and at gun shows. We think what we are asking for is pretty simple. Both those proposals have drawn bipartisan support. Neither are controversial outside this body. And, frankly, it is about the lowest hanging fruit we could ask for in order to get on record as trying to stop the carnage in this country.

I yield for a question.

Ms. STABENOW. If I might just again clarify with the distinguished Senator, so we are all clear. Right now, an individual can be stopped from getting on an airplane to protect us from these myriad of threats that are posed from this desire of ISIS and others to inspire lone-wolf attacks. But the alternative to the proposal we have proposed just is unworkable on its face, especially given the resources the FBI has.

I yield for a question.

Ms. STABENOW. Because they are on a terror watch list, but they can choose, rather than getting on that plane, to go buy a gun and go into a nightclub in Orlando and have carnage and terrorism occur.

That is basically what is happening now and that Republican colleagues...
Mr. MURPHY. That is correct. I am still waiting for one of our Republican colleagues to come to the floor and suggest that the individuals on the no-fly list have their right to fly restored, because if you are so worried about the wrong people being on that list, then you should come to the floor and propose those individuals be able to get on a plane.

But no one is proposing that because they would be tared and feathered by their constituents if they were to propose individuals who have had intersection with terrorist groups be able to get on a plane at their local airport. Thus, it is hard to understand why there is a belief that none of these people should fly, but all of these people should be able to buy assault weapons.

Mr. MARKEY. I thank the Senator.

My friend from Massachusetts was so eloquent earlier on the floor, and I yield to Senator MARKEY for a question without losing my right to the floor.

Mr. MARKEY. I thank the Senator, and I thank my colleague. Why won’t the Republicans allow for the debate and a vote on whether or not individuals on a terrorist target list should be able to get a gun anywhere in America?

The answer to that question has not been forthcoming from the Republican Party because the NRA, or the National Rifle Association, does not have a good answer to it, except that they do not want any exceptions to the rule that every single person will be able to buy a gun at any time, even if they are on a terrorist target list in the United States.

So that is going to be our big challenge out here. What are the limits to the power of the National Rifle Association over the Republican Party; and, as a result, over the United States Senate? Because the American people don’t think we have to accept this epidemic of gun violence in our country. The American people do not believe it is preordained. They believe it is preventable.

Every week, 56 children die from gun violence. That is nearly three Newtown massacres every single week. Thirty thousand Americans shot and killed each year is not inevitable. It is unacceptable, and it is immoral.

We cannot wait any longer to put these commonsense gun laws on the books. We cannot wait any longer to make our streets safer.

I believe assault weapons belong in combat, not in our communities. We need a ban on these military-styled assault weapons. We need to eliminate the trafficking of guns into our communities across our Nation. We need to ban high-capacity magazine clips that turn guns into weapons of war. There is no reason for an ordinary American to have this in our neighborhoods, on our streets, or on our bookshelves. We need strong background checks on all gun sales, including private sales and purchases made online and at gun shows. We need to crack down on straw purchasing. We need to ban gun sales on sites on the internet, or on Instagram and Facebook.

Right now, anyone can do a search for an AK–47 or AR–15 or even guns for sale. On Instagram and find guns for sale. Could you be under 18? Yes. Could you get a gun without a background check? Yes. We should not allow Instagram to be used as “Instagun,” enabling the sale and purchase of deadly weapons in possible violation of State and Federal law.

We can do something here. We don’t have to do all of it this week, but the least we should be able to do is what the Senator from Connecticut just outlined, two steps; one, if you are on a terrorist watch list, you can’t buy a gun in the United States, and, two, you can’t get around the background check that you can go to Instagram. You have to go through a background check. Leave all the rest of it off the table, banning assault weapons, all the rest of it. We will not do that. How about just debating and doing those two things, which overwhelmingly the American people want us to do.

Now, back on September 11, 2001, Mohamed Atta and nine others boarded two planes at Logan Airport. They hijacked those planes using box cutters to kill the flight attendants, to kill the pilots. We do not allow box cutters into the passenger section of a plane any longer. We don’t allow knives in the passenger section of planes any longer. But we still need to have a debate at the time as to whether every bag that goes onto a passenger plane should be screened. We had a debate that lasted for 4 years as to whether the cargo, which goes into the bottom of a plane, should be screened—4 years. The cargo industry did not want it. The airline industry said it would be too much of an inconvenience. Who in America wanted to fly on a plane that had cargo underneath their feet that had been screened after 9/11, after Mohamed Atta? Well, we finally won that issue, and everyone accepts the wisdom of ensuring that screening takes place on every single passenger flight in America because otherwise that is where the new Mohamed Atta would find the airplane to create a disaster in the air. They are smart people. They are cunning people. They are trying to find the opening. They are trying to find the Achilles heel in our system so they can kill Americans.

That is what is happening here. There is another Achilles heel, and that is that the NRA has a vice-like grip on the U.S. Senate and the U.S. Congress. They will not let it go. They will not make it possible for us to have a straight up-or-down vote on whether this latter-day Mohamed Atta on a terrorist target list, if they buy a gun in the United States, whether this new Mohamed Atta, this new terrorist group, can buy assault weapons at gun shows without any background checks whatsoever and then use those weapons to kill innocent American citizens. How can the NRA align itself with latter-day Mohamed Attas? With latter-day Tsarnaev brothers? How can the NRA do that? How can the Republican Party align themselves with the NRA if that is their agenda? These are the votes we should be having.

It is very simple. If you cannot fly, you should not be able to buy a weapon in America. If you are a terrorist and you are not permitted to fly in your own country, how is the system that allows you simultaneously to buy an assault weapon that can kill dozens of people or more? We know what is at the top of the terrorist target list in our country. We know what they are trying to do. They try to bring down airplanes. They try to bring down airplanes in which they can terrorize otherwise innocent communities in our country to spread their terror, and we know where the Achille’s heels are. We shut it down when it came to airlines. We can shut down buying weapons in which they can terrorize otherwise innocent communities in our country to spread their terror, and we know where the Achille’s heels are. We shut it down when it came to airlines. We can shut it down when it comes to the Internet, or Instagram. You have to go through a background check. Instagram has not been identified as being on a terror target list, a watch list. The FBI is looking at you, but you can still buy an assault weapon. It makes no sense. How many times do we have to learn the lesson until we finally act? Is this not enough? Is what happened in Orlando not enough—49 people dead, gay, 44 out of 49 names Latino, a hate crime, a terrorist attack, all of it. Do we really need another and another and another and another? Because we know the day is coming when this law is going to change. The test of us is that we do it before more innocent lives are lost; that we have these two bills that Senator MURPHY referred to brought out here onto the floor; that we block this open door for terrorists to be able to kill in our country, to be able to purchase these weapons of mass destruction that kill at a level that is almost unimaginable.

Once again, I thank my friend, and I ask the question of the Republican leadership: Why can’t we have this debate? Why can’t we have these votes? Now, I know the answer. It is that the NRA—the National Rifle Association—does not want those votes, but our job as elected officials is to ensure that the NRA stands for “not relevant anymore” in American politics after Orlando, after this massacre. That is our historic challenge out here today.

I thank the Senator from Connecticut, the Senator from New Jersey, the colleague of the Senator from Connecticut, Senator BLUMENTHAL, and for
all the Members who have participated in this debate, discussion, filibuster. This is the issue. This is the time. This is the place. We are the people who have to resolve this issue. People will look back and they will ask: Did we try? Did we try to close a back door on the purchase of these weapons by these terrorist list people in our own country? That is going to be the test for us. We can’t fight the battles over in Aleppo, we can’t fight the battles over in Fallujah, but we can fight this battle here in the heart of America. We know what has to be done. This body just has to have the courage to say to the NRA: No, it is too much. Our country is bleeding. Families are hurting. We don’t want to see it happen again. This is going to be the challenge of this week and next week and every week until we have these votes and until we close these loopholes.

Again, I thank the Senator from Connecticut for conducting this very important discussion.

Mr. MURPHY. I thank the Senator for his remarks. I thank him for his focus on assault weapons.

We are asking for two different proposals to come before the Senate, not one of these weapons. It remains a passion of many of us. One of the most gruesome facts from the Newtong killings is that there were 20 kids who were shot with that weapon, and not one of them survived. All 20 of them died. It speaks to the life-ending power of an exceptional weapon.

I yield to the ranking member of the Homeland Security Committee, the Senator from Delaware, for a question without losing my right to the floor.

Mr. CARPER. I thank my colleague from Connecticut for inviting us here and encouraging us to have this conversation.

Many of our colleagues have come from a briefing by three of the top officials in this country who deal with homeland security and law enforcement. One of the questions that was asked deals with the ability of someone who is on a terrorist watch list to be able to purchase a weapon. The answer is, every person who has died in this country since 9/11—an American citizen—has been killed by someone who is a ISIL citizen, someone who is a legal resident here.

The Secretary of Homeland Security is pleading with us to give his Department the ability to create counterviolent extremism capability within the Department of Homeland Security that would enable us to establish partnerships with the Muslim communities, faith organizations, and other organizations to be able to reach out to work with them to reduce the likelihood that folks who are already there and could be radicalized will not be radicalized.

I appreciate the chance to share a couple of those takeaways from what I thought was a very important briefing, again, with the Senator from Wisconsin for allowing me to slip in at this point in the discussion.

Mr. MURPHY. I thank the Senator from Delaware who, earlier on the floor, talked about this notion that ISIS, for example, retreat inside the Middle East, and they have only a handful of motivations remaining for people to join their movement. No longer is the inevitable geographic expansion of the caliphate available to them as a reason for recruitment. And one of the arguments that the East is at war with the West certain is still available to them, especially if we react in the wrong way to the threat that is presented to us. Frankly, we have not gotten into a discussion thus far on this floor about what one of the Presidential candidates is proposing, but part of the reason we are demanding a vote on these measures is because this is the right way to respond. There is a latent extremism in the public that is understandable. There is a wrong way to respond to that will, frankly, make us less safe. There is a right way to respond, and I think the American people get that because of the 96 percent approval ratings of the things we are proposing.

I thank the Senator, and I yield to the Senator from Wisconsin for a question without losing my right to the floor.

Ms. BALDWIN. Through the Chair, I would like to ask a question about the tragic massacre in Orlando.

I wanted to lead into that by first of all thanking and deeply appreciating the work and efforts of my colleague from Connecticut who has come to the floor so many times to talk about the lives and the identities and the legacy of the people of their state and their lives to gun violence and the families who are there to remember them.

I remember so profoundly the massacre at Newtown. Senator MURPHY brought photographs of all of the victims and their families and their stories at length on this Senate floor.

As weeks and months persisted here in the U.S. Senate and no action was taken to do commonsense things to make access to these weapons more difficult, the Senator from Connecticut started coming to the floor and talking about some of the people we don’t read about because the media doesn’t rush to the scene when somebody dies in a drive-by shooting in a place that doesn’t garner the attention and the spotlight the way the massacre and tragedy in Orlando has.

I thank the Senator from Connecticut for his perseverance, and I am happy that he has joined his action in this insistence for action. I am in such strong agreement with the Senator from Connecticut about the need to close what we call the terror gap and strengthen our background check laws because what we have seen over the last weeks and certainly on Sunday in the early morning is the nexus of hate and terror and easy access to weapons of war by people who should not have them.

I can’t tell you how many times I have penned the words “You are in my thoughts and prayers” and spoken the words “You are in my heart, in my thoughts, and in my prayers.” I can’t tell you how many times I have stood up to make access to weapons of war by people who should not have them.

I join many of my colleagues here tonight in the effort toward securing a vote by this Senate to make it harder—just a little bit harder—for people who hate and people involved in terrorism to get a hold of weapons of war. We have an opportunity because we have a bill before us. It is the Commerce-Justice-Science appropriations bill.

I have the honor of serving on the Commerce-Justice-Science Appropriation Committee and being a member of the subcommittee. This is the moment, this is the bill, and this is our opportunity. I am not saying that this has been in law a year ago, a month ago, a week ago, that this was invisible. I have heard that silence is unacceptable, and we must act.

We are better than this as a country. I can’t tell you how many times I have woken up or heard midday of another mass killing— a crowd around the television set, hungry for news, wanting to know who perished, who is in the hospital, and when is it enough. When are we going to act?
In the political world, we also, regrettably, fall into our—I don’t know what to call it—comfort zone. Let’s only talk about this as a terrorist incident, or let’s only talk about this as a hate crime, or let’s only talk about this as a terrorist or hate crime all of the above. We have to come together. We have to be united. We have to be strong in order to respond. I also have to speak as a member of the LGBTQ community. This last Friday, I was offered the privilege to speak in the opening ceremonies at the Pridefest in Milwaukee, WI. They were celebrating their 30th year of Pridfest. In preparing for what I was going to say at that opening ceremony, I reflected on how different things were 30 years ago, in 1986. That was actually the year I was first elected to local office. I didn’t have a lot of colleagues who were in the LGBTQ community in America, let alone the world, at that point in time. Boy, we have changed. We have seen such progress. After celebrating the opening of Pridfest in Milwaukee, I woke up on Sunday morning, as we all did, to this horrific tragedy in Orlando.

A hate crime is a crime that targets a particular audience, a particular group, in order to send terror throughout that community—not just the victims but all who share characteristics with the victims. And in a month—June—which is Pride Month, when we usually celebrate how far we have come over years of discrimination, over hate crimes, to wake up and see this was truly unspoken.

Back to the legislating we do on the Senate floor, I will be supporting a number of amendments on this appropriations bill—the one that I came to the floor and showed the faces and read the names and told the stories of the victims of gun violence, massacres in Connecticut and in locations all over the United States. I have been so moved as I have had the opportunity to see the media begin to share with us information about the names and the lives of the 49 victims of this hateful attack.

Through the Chair, I want to ask Senator Murphy a question about the 49 victims of this tragedy.

Luis Daniel Conde was 39 years old, and his partner was 25 years old. Luis, originally from San Lorenzo, Puerto Rico, was with his loving partner, Juan P. Rivera Velazquez, at Pulse. Both men were killed in the shooting. Luis was known by his loved ones as a quiet, bubbly person with a great sense of humor. Juan, also originally from Puerto Rico, was the owner of the D’Magazine Salon and Spa in Kissimmee, FL.

Simon Adrian Carrillo Fernandez was 31, and Oscar A. Montero was 26. Simon was a manager at McDonald’s who was well loved. He was known for bringing in cakes to celebrate the birthdays of each and every employee. Simon and his partner Oscar were killed just after returning home from vacation in Niagara Falls.

Christopher Andrew Leinonen was 32 years old, and Juan Ramon Guerrero was 22 years old. Christopher, who went by Drew, was with his partner Juan Ramon at the time of the shooting. Both men died. Drew had a bachelor’s and master’s degree from the University of Central Florida and founded a gay-straight alliance at his high school.

Akyra Monet Murray was 18 and a recent graduate of West Catholic Preparatory High School in Philadelphia, where she was a top student and a top athlete on the women’s basketball team. She had recently signed to play at Mercyhurst University in Pennsylvania.

Jean Carlos Mendez Perez was 35, and Luis Daniel Wilson-Leon was 37. Jean and Luis were loving partners. Both men were killed in the shooting. The families of both men took to Facebook to share their grief: “The world lost an amazing soul today. God just got the best of angels.”

Anthony Luis Laureano Diaz was 25 years old. He was a graduate of the University of the Sacred Heart in Santurce, Puerto Rico, where he studied education. He was also a well-known drag artist in Orlando, performing as Alanis Laurell.

Deonka Deidra Drayton, age 32. Deonka, known as Dee Dee, was working at Pulse when the massacre occurred, according to a family member. “Senseless,” her aunt wrote on Facebook. “Rest in peace Dee Dee. You know this Auntie will miss you as a fun-loving person. Facebook lists her hometown as Huichapan, Mexico.”

Cory James Connell was 21 years old and well loved. His teachers described him as “their all-time favorite” student. His brother took to Facebook to share his grief: “The world lost an amazing soul today. God just got the best of angels.”

Mercedes Marisol Flores was 26 years old. Mercedes was at Pulse with her friend, Amanda Alvear, when the shooting occurred. She was a student at Valencia Community College and worked at the local Target.

Peter O. Gonzalez-Cruz was 22 years old. Peter worked at UPS and spent his high school years in New Jersey. On Facebook, his mother thanked everyone for reaching out and expressed “numb and immense pain” at the loss of her son.

Miguel Angel Honorato was 30 years old. He was a resident of Apopka, FL.
Miguel worked for FajitaMex Mexican catering. On Facebook his brother wrote: “I can’t face the fact that my blood brother is gone. May your soul rest in peace Brother. I love you so much.”

Jaime Jorge-Reyes was 40 years old. Javier, of Orlando, worked as a supervisor at Gucci. He was originally from Guayama, Puerto Rico, and studied at the Universidad del Sagrado Corazon. Said one Facebook friend: “Your energy and love of life and of all things beautiful is infectious. . . . You were one of a kind.”

Jason Benjamin Josaphat was 19 years old. He was an ambitious young man with many passions—computers, athletics, and photography. Jason’s uncle described him as “very excited about his journey.”

Eddie Jamoldroy Justice was 30 years old. He was an accountant and loved to make other people smile. He was able to text his mother right before he died on Sunday, she said that he loved her and to call the police.

Alejandro Barrios Martinez, age 21. A Cuban news source identified Alejandro and spoke with his family and friends who described him as “always very positive” and the family to contact his family at Pulse before he died.

Gilberto Ramon Silva Menendez, age 25. Gilberto studied health care management at Ana G. Mendez University and worked as a sales associate at Speedotex originally from Manati, Puerto Rico.

K.J. Morris was 37 years old. K.J. was a bouncer at Pulse, known for her excellent dancing and amazing smile that could light up a room. She previously lived in Massachusetts.

Luis Omar Ocasio-Capó, age 20. Omar loved to dance and dreamed of becoming a performer. He grew up in Nashville, TN, and worked at a local Target and Starbucks.

Eric Ortiz-Rivera, age 36. Originally from Puerto Rico, Eric worked at Party City and Sunglass Hut. He had been married for about a year. On Sunday morning, his husband frantically called friends and family when he couldn’t connect with Eric.

Joel Rayon Paniagua was 32 years old. He loved dancing and is remembered as humble and cheerful. He was also a religious man and attended church in Winter Garden.

Enrique L. Rios Jr., age 25. Enrique was from Brooklyn, NY, and was vacationing in Orlando at the time of the attack. He had been working as a coordinator at True Care Home Health Care and studied social work at St. Francis College. His mother said her family had been “torn apart.”

Xavier Emmanuel Serrano Rossado was 35 years old. He was the father of a young son and worked as an entertainer at Splash Bar in Panama City Beach, FL. He was a mentor to many of his coworkers who described him as “quick with a smile.”

Shane Evan Tomlinson, age 33. Shane was a gifted singer who performed as the front man for the band Frequency. He had a vibrant and charismatic stage presence. He was at Pulse following a performance at a local club.

Martin Benitez Torres was 33 years old and from San Juan, Puerto Rico, who worked for the Neda Health Care InterAmerican University in Puerto Rico. His family took to Facebook to share their love of Franky saying: “What happened in Orlando affects all of us because it is an act of hate against the freedom to be who you are.”

Luis S. Velez was 22 years old. He was a student at Seminole State College and worked as an operator for Universal Studios’ Harry Potter and the Forbidden Journey ride.

Jerald Arthur Wright. Jerald was 31 and was employed at Walt Disney World and was well loved by both of his families—his biological one and his Disney family. He was at Pulse to celebrate a friend’s birthday.

Tevin Eugene Crosby. Tevin was a Michigan native and 25 years old. He was the ambitious owner of Total Entrepreneurs Concepts. He was visiting Orlando after traveling to watch his nieces and nephews graduate.

Jonathan Antonio Camuy Vega. Jonathan was 24 and worked for a Spanish TV network as a producer of a popular children’s talent competition. He was a member of the National Association of Hispanic Journalists in Puerto Rico before he moved to Florida.

Jean Carlos Nieves Rodriguez was 27 and was a manager at a local McDonald’s. He was known for being incredibly dependable. His closest friends describe him as “just a caring, loving guy—just like a big teddy bear.”

Yilimary Rodriguez Sullivan, age 24. Yilimary was a wife, a sister, and a daughter of two brothers, Joel and Sergio. Her sister described her as the most loving and caring person you could ever meet, saying her smile lit up the room and her laughter brought a smile to your heart.

Frankie Hernandez Escalante. Frankie was a loving big brother who taught his little sisters how to walk in heels and do their hair and makeup. Frankie had a tattoo on his upper right arm reading “love has no gender.” Frankie moved to Orlando from Louisiana.

Enrique L. Rios, Jr., age 25, who I spoke of before. Enrique, from Brooklyn, NY, was vacationing in Orlando at the time of the attack. He had been working for a True Care Home Health Care and studied social work at St. Francis College. His mother describes that their family has been “torn apart.”

There are three more names that I will remember and tell you just a little bit about who lost their lives in that massacre early Sunday morning in Orlando.

Paul Terrell Henry was 41. Paul was planning to return to college. He was a Chicago native and loved dancing and playing pool. He had two children, including a daughter who had just graduated from high school.

José Christopher Sanfeliz. 24. Christopher worked at a local bank and was known for having a positive outlook on life. He was very close to his family and told family members earlier in the weekend that he planned to go to Pulse with friends.

Orlando A. Ortiz, Jr., age 25. Geraldo, known as “Drake Ortiz” to his closest friends, was originally from Santo Domingo in the Dominican Republic. He studied law at the Universidad del Este en Carolina.

Now, through the Chair, I would like to ask Senator MURPHY a question about the 45 victims of this tragedy. As someone who has come to this floor and read the names, shared the images, and told the stories of so many in our world who have lost their lives to gun violence, does the Senator from Connecticut agree that the time to act is now, and that our thoughts and prayers for their deaths are important, but not enough?

Mr. SASSE assumed the Chair.)

Mr. MURPHY. Mr. President, I thank the Senator for the time she has taken to talk about each of these beautiful individuals—these young men and women who went to dance club to enjoy music, but never walked the face of this Earth again, and their friends and families will never get to celebrate these individuals’ lives. It is a reminder, as you talk about who these people are individually, as much as we talk about statistics—the 30,000 who have died—that this is about lives.

You could tell the story, for each one of them, of 20 other people whose lives were forever the same after this tragedy. You could put nearly two of those charts up every single day, and that is what is so scary. We are fixated on this tragedy because it is unique and horrific, but we could put up that chart every day, and it is important to tell their stories—to tell who they were—because hopefully that is part of the imperative for us to act.

Senator UDALL has been patient and on the floor, and I know there are others who are waiting to speak. So let me yield for a question to Senator UDALL, who has been a great friend on this issue, without losing my right to the floor.

Mr. UDALL. Mr. President, I really appreciate the leadership of Senator Murphy and his effort to see that the Senate addresses commonsense gun legislation. It is probably around the hour when people are getting home, and they are wondering why we are here, why the Senator is choosing to hold the floor in this extended debate.

People should know that our Nation has seen a string of gun tragedies. The Senator’s home State of Connecticut...
saw the horrific Sandy Hook shooting of young children. In San Bernardino we saw an ISIL-inspired terrorist attack. This terrorist slaughtered his former coworkers—innocent people. In Orlando, a disturbed man, perhaps inspired by ISIL, murdered his wife and four children in cold blood. This was an assault on the LGBT community—a hate crime. In the last week, in my home State of New Mexico, we have seen some terrible gun tragedies. A man is now accused of murdering his wife and four children in Roswell, NM.

There are so many tragedies, and they all have different reasons. But one thing that almost all of us agree on is that we must do more to keep dangerous weapons out of the hands of people who mean harm to others or to themselves. You should have to pass a background check to buy a gun. If you are a risk to others because of a history of making threats or because you may be associated with a known terrorist organization, law enforcement should be able to step in and prevent you from buying weapons.

The first thing I wanted to ask the Senator from Connecticut if this is an Amendment. I would like to ask the Senator from New Mexico today received a tasking here today is taking steps to ensure that dangerous people are not able to buy a gun. Is that the Senator’s understanding?

Mr. MURPHY. Mr. President, I thank the Senator for this clarification. I, in fact, don’t have anything about this debate that we are having. That, as they would describe it, is a debate about the Second Amendment. There is no dispute that the Second Amendment now, in the wake of the Heller decision, guarantees the right of an individual to own a firearm. That is the law of the land. But that same decision very explicitly makes it clear that it is within the right of Congress to put parameters around that right to make sure, for instance, that criminals who would buy firearms don’t gain access to firearms.

So this certainly is not a debate about the Second Amendment. The Second Amendment is clear. Right now, as interpreted by the Supreme Court, it’s almost a, almost a, individual’s right to a firearm, with reasonable conditions placed upon it by Congress. So we are simply debating the extension of a widely accepted condition on the Second Amendment, which is the inability of criminals and as we are debating today, individuals on the terrorist watch list.

I yield to the Senator for a question. Mr. UDALL. I would ask an additional question here. Last week, several of us announced the ‘we the people’ government reform package, and I plan to introduce that bill tomorrow. The bill includes several pieces. It has Senator WHITEHOUSE’s DISCLOSE Act, which would require mandatory disclosure of donors to not-for-profit advocacy organizations. It also includes my good friend Senator BENNET’s legislation to strengthen lobbying laws.

I bring this up because I think it highlights the reason for Congress’s investigation on gun violence. We have been here before after the tragedy in Connecticut at Sandy Hook. We stood here and debated many of the same issues, including expanding background checks, closing the gun show loophole, limiting the capacity of magazines—things that should have been passed but weren’t.

I wish to ask my friend from Connecticut: Do you think our inability to pass commonsense gun safety legislation is in any way connected to the flood of money in our campaigns from special interests?

Mr. MURPHY. I thank the Senator for the question. I think the flood of special interest money into political campaigns for and against these proposals is what we are asking to get a vote on take away their rights to purchase or own a firearm.

Mr. MURPHY. I thank the Senator for the question. I will forgive the disarray of Connecticut’s small size, but the answer is no. The only limitation would be that if any of those individuals were not permitted to fly because they were on the terrorist watch list, they would not be able to purchase a gun. In 2015 there were only 200-some-odd individuals who were on the no-fly list who attempted to buy a gun. Other than that limitation—and I imagine there are very few or no ranchers who are on that list.

Mr. UDALL. I appreciate that answer, and I yield the floor.

Mr. MURPHY. I thank the Senator very much.

I yield to my good friend, the Senator from Colorado, for a question without losing my right to the floor.

Mr. BENNET. Mr. President, I thank the Senator from Connecticut, and I would like to ask the Senator from Connecticut, those attempting to disparage the size of Connecticut—being from
Colorado, I certainly won’t do that, but I would ask you to share the biggest concern you have heard about requiring universal background checks on gun sales.

Mr. MURPHY. I thank the Senator for the question. I talked to JIM MANCHIN about that earlier today. Much of the concern that I hear from individuals is that it is somehow a slippery slope that eventually leads to the government confiscating weapons. That is a mythology that has been created by people who have something to gain from selling the story of perpetual fear of the government.

Of course there is no evidence in the history of the national criminal background check system that is the case. So I think the root of people’s opposition is in a fear about a hidden agenda of the government, which we know is simply not the truth. All the criminal background check systems do is protect the public by keeping guns out of the hands of violent criminals.

I yield for the question.

Mr. BENNET. I appreciate the answer to that question.

I want to share some of the experiences of Colorado and I will ask the Senator from Connecticut a question.

I want to say first to the people of Orlando and the people of Florida how sorry I am for the tragedy that has befallen them. On Sunday morning, I got up at 5 o’clock to write my column and saw at that time that 20 people had been killed, and then it quickly grew to 50. I can only remember the shock when we had the shootings in the Aurora movie theater, and I know the Senator from Connecticut had the tremendous shock of the killings of the elementary school children in Newtown, CT. I thought, as I always do when this happens, that my brother or sister could have been in there, my mother or father could have been in there, or my son or actually one of my daughters could have been in there, and I thought of the feeling somebody must have when they know they are never going to see their loved one again.

I was fortunate, obviously, not to be in that circumstance, but on Sunday morning, my wife Susan and I were taking our 11-year-old daughter—my youngest daughter—to camp, and the only thing I was trying to do before I got there was to make sure she didn’t see the news, make sure she didn’t hear about what happened, make sure she didn’t leave her parents feeling the anxiety they felt after Newtown happened, the horror they felt after Aurora happened, the knowledge that they are growing up in a country unlike the country we grew up in, where children have a reasonable fear that something like this could happen to them.

Our experience in Colorado—as the Senator knows, on July 20, 2012, a gunman walked into a crowded theater in Aurora—people were there just to watch a show—and killed 12 innocent people, just like the innocent people who were killed on Sunday morning or the children killed in Newtown. There were 58 wounded from the gunfire. We lost 12 lives, people who were full of life and aspirations, loved by family and friends. I have read their names on this floor. I am thinked about who they were on this floor.

But unlike Washington, in Colorado, our legislators rose to the occasion and made tough decisions, which is why I am asking the same questions to the Senator from Connecticut. They got together and they actually strengthened our background check system. Colorado’s Legislature closed the gun show loophole and the Internet loophole and required a background check for every gun sale.

What has happened? Let me give an example. In 2015 the stronger background check system blocked 7,000—I want to be precise about this—7,714 people from buying guns. That may look like a lot, but 350,000 people applied for guns in Colorado in 2015. That is just over 2 percent of the people who applied for guns. Ninety-eight percent of the people who applied got their guns.

By the way, I have a report from the Colorado Bureau of Investigation, which on a monthly basis publishes all this data so everybody in Colorado can see what is going on. It has, among other things, the average wait time, the average time it takes on the Internet to get this check done in Colorado. It takes 9 minutes to get the background check.

More important than the percentage—that, of course, is a low percentage—is who is in the percentage. We have murderers who have been denied guns. We have rapists who have been denied guns. We have domestic abusers in that 2 percent who have been denied guns. We have kidnappers who have been denied guns. Is there anybody who is going to come to the floor of the Senate and say that Colorado is worse off because we have kept guns out of the hands of murderers and kidnappers and rapists?

This isn’t mythical; this is the actual fact of what is going on in a western state that has background checks. Nobody can come here and argue that we are not safer because these people who shouldn’t have had a gun don’t have a gun, that is the fact.

But in stark contrast—this is why I came to the floor tonight—is this in stark contrast to what the Colorado Legislature did after the Aurora shooting. This Congress did nothing after Newtown, after Aurora, after Orlando—nothing. Time and again we return to this floor after a mass shooting and yet are unable to do the simple things, such as close the gun show loophole once and for all. That is not about talking guns from people who already have guns; that is about keeping guns out of the hands of people who shouldn’t have guns. If your State is like my State, that is going to be somewhere in the neighborhood of 2 percent of the people who can’t get a gun or apply for a gun permit.

The least we can do is close the terrorism loophole that allows terrorists on the watch list or people who are on the watch list to buy a weapon. That makes no sense at all. I think the American people clearly agree with that. The American people clearly support background checks. Ninety percent of the American people believe we should strengthen background checks.

[Incoln my colleagues at both ends of this hall, I want to ask the Senator from Colorado for his passion on this issue and for the personal decisions we wrestle with, especially those of us with children.] I now yield for a question.

Mr. BENNET. I thank the Senator, and now I yield for a question to the Senator from Colorado.

Ms. HIRONO. I thank the Senator from Colorado for a question.

Mr. BENNET. You know, it is Pride Month, and we have our Pride parade this weekend in Denver. For the last 10 years, that is how we have celebrated Father’s Day. Father’s Day coincides with Denver’s Pride parade, and my wife and children and I all go. This Sunday my phone rang. My oldest daughter was on a civil rights tour in Charleston. It was just after they had finished talking about this, and she reminded me that we missed last year’s Pride parade because we were at the Shorter AME Church in Denver worshipping with that congregation in the wake of the shootings in Charleston. She was the one who had to remind me of that, but when she did, it was another reminder of how searing these experiences are for the next generation of Americans.

I yield back to my colleagues.

Mr. MURPHY. I thank my colleague. He is right. Charleston was almost a year ago to the day. But it is hard to keep track of when these year anniversaries occur because we are now having 1-year and 2-year and 3-year and 4-year anniversaries and major, epidemic mass shootings almost every month, and we are coming up on 4 years for Sandy Hook this December.

I thank the Senator, and now I yield for a question to the Senator from Hawaii without losing my right to the floor.

Ms. HIRONO. I thank the Senator from Connecticut for yielding his time on the floor for a question, and I want to join all the people of Hawaii in expressing our deep sadness and condolences to the families and friends of all those who lost their lives and who were injured in this tragedy in Orlando. Our entire country shares in your grief.

Like everyone who has spoken today, I am saddened and outraged by what occurred in Orlando this past weekend. One of the victims, Kimberly “K.J.” Morris, moved to Orlando from Hawaii...
just 2 months ago to take care of her mother and grandmother in Florida. K.J.'s grandmother Emma Johnson said:

Knowing her, she would be trying to help everybody get out instead of running for her life. The person she would be standing here for 4 days, 5 hours, after month after month, calling on us to enact sensible gun legislation to keep our communities safe and to save lives.

I commend my colleague from Connecticut for his leadership on this important issue. He has been on the floor of the Senate week after week, month after month, watching what happened in Orlando and what happened in San Bernardino. You heard the letter or the voice mail that Senator McCaskill transcribed for us. I know that she didn't know whether she was going to be able to live out her dreams because she thought that gun violence was going to sweep over her community.

It is so damaging to this country to leave people exposed to this potential terror, but it is also damaging to the reputation of this body, which is about as low as you can already get if we don't act.

I yield for any other questions.

Mr. MURPHY. I thank the Senator, and I thank her for the questions.

I am thankful that my friend from Connecticut wholeheartedly when he says that it is no longer the time for thoughts, for prayers, for reflection; it is time for action.

In Hawaii, we have one of the lowest firearm death rates in the entire country. This is not an accident. Our elected leaders in the Hawaiian community have recognized that our laws should balance the interests of responsible gun owners with the interests of public safety.

Of course, we need to do more—so much more—on the Federal level. I supported the Manchin-Toomey bill to close the gaping loopholes in our background check system before guns can be purchased, and I strongly support Senator Feinstein's bill to prevent people on the terror watch list from purchasing a gun.

Now it is time for action on these measures today, on this bill before us.

Otherwise, the carnage in our country will continue. This year alone, 6,093 people have been killed by guns in our country. This includes 125 people who were killed by guns in the 9 days since Orlando. So 125 more people have died since Orlando.

If we stood here and provided 6,093 victims a minute of silence, we would be standing here for 4 days, 5 hours, and 53 minutes. Moments of silence are not enough.

I wish to ask my colleague from Connecticut a question. What kind of message are we sending to communities around the country if we once again do nothing to make our country safer?

(Mr. Rounds assumed the Chair.)

Mr. MURPHY. I thank the Senator for the question.

I think it is a very dangerous message to send, and it is the complete inability of this body to deal with important questions of the day. There is no doubt that we have disagreements. There is no doubt that there is a different approach on this side of the aisle than there is on the other side of the aisle.

We have proffered the two policy proposals that are the easiest to find common ground on, but there is a host of other things that we would like on that we know will be much more difficult to get consensus on from the other side.

What is so damaging about not doing anything and, frankly, what is so offensive about not even scheduling a debate is that we are admitting that this place doesn't have the capacity and the ability to deal with the big questions that are on people's minds. People are scared right now. They are scared, having watched what happened in Orlando and what happened in San Bernardino. You heard the letter or the voice mail that Senator McCaskill transcribed for us. I know that there is no doubt that she didn't know whether it is a young person drastically losing their way or a potential terrorist who is intent on doing harm to others, there are times when we have to be able to step in.

It is secret that I have always believed that law-abiding citizens should be able to own firearms for sport, for self-defense. A lot of New Mexicans do just that and do it with incredible responsibility, but I simply cannot stand by and let this pass with just another moment of silence.

It is personal. As the parent of a 13-year-old, as the parent of a 9-year-old, and watching what happened at Sandy Hook in Senator Murphy's home state. I came to the floor because I can't believe that we are arguing about not even scheduling a debate. We have proffered the two policy proposals that are the easiest to find common ground on, but there is a host of other things that we would like on that we know will be much more difficult to get consensus on from the other side.

I yield to him for a question without the Chair.

Mr. MURPHY. I thank the Senator for his response. What could be more fundamental a job for government than to keep our people and our communities safe.

Mr. MURPHY. I thank the Senator, and I thank her for the questions.

I am thankful that my friend from New Mexico, Senator Heinrich, has joined us.

I yield to him for a question without the Chair.

Mr. HEINRICH. I have several questions I wish to ask Senator Murphy through the Chair today, but I want to start by thanking my friend, Chris Murphy.

I am very proud to call him a colleague. I am proud of seeing him take this stand. I am proud that he is forcing us to have this conversation. We all get sent here by our constituents to make tough decisions, to find the truth, and to find a path forward. I am very proud of him for not letting this go quietly with just another moment of silence and no action.

Since Sunday, I think most of us have been walking around feeling lit- erally sick to our stomachs, with a sickness that is not going away.

I think our whole country is just so weary of seeing shooting after shooting and not seeing action and change and something meaningful from all of us.

I was very proud to see my constituents fill Morningside Park in Albuquerque, Pioneer Woman's Park in Las Cruces, the Plaza in Santa Fe, St. Andrew's Episcopal Church in Roswell, and Orchard Park in Farmington—all to remember the victims in Orlando and the victims there we are not going to forget them and to say to that entire community that when the LGBTQ community is attacked, really all of us are attacked.

I came to the floor because I can't believe that we are going to let this happen again and not change something. That goes to what I want to ask the Senator from Connecticut about.

I am here because I know that we can take tangible steps to make our country safer again, steps that are not a burden to gun owners—to gun owners like me. Senator Murphy and I have talked about this at length. We are friends, our families are friends, and our kids are friends.

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such a simple procedure that makes sure that law-abiding people have access to firearms and makes sure that people who aren’t law-abiding, who have been convicted of a felony, who potentially could be on the terrorist watch list are going to talk a little bit about closer look.

Shouldn’t we make sure that all of our firearms sales cut a clear and decisive line between the law-abiding and those who have lost their rights through the action of others?

Mr. MURPHY. I thank the Senator for his question. I really appreciate his outlining at the beginning of his questions that not only is the Senator from New Mexico a gun owner but that he is a proud gun owner. He is an active hunter and somebody who cares very deeply about Second Amendment rights.

His question is spot-on. Why would you have a system that requires Senator MARTIN HEINRICH to go get a background check before he buys a gun at a gun store but not require an individual to get a background check when they buy a gun at a gun show? The reality is that when this law was passed, the intention was to make it easy to look to cover almost all commercial sales in the country, but it was passed at a time when almost all commercial sales were being done in gun stores. What has happened since that law was passed is that new commercial sales have migrated from bricks-and-mortar stores and onto Internet sales and to these gun shows. I guess really all we are asking for the text of the law is to basically re-up the original law’s intention.

The Manchin-Toomey bill, for instance, still doesn’t contemplate the sale of a gun from a father to a son or from a neighbor to a neighbor to be subject to a background check, but if you were advertising your gun on the Internet or if you are going to an organized market and gun sale, then you should go through that background check.

I saw you nodding when Senator BENNET mentioned that the average background check takes under 10 minutes. Some people say: Ok, we can’t have background checks; it is so onerous.

No, everybody who has gone through a background check can tell you that you are by and large in and out of there in a very short amount of time. Frankly, as to the people who aren’t in and out of there in a short amount of time, sometimes that is for a reason, and that is important to remember. I yield for additional questions.

Mr. HEINRICH. Well, I want to get to a second question, but I want to say that is absolutely accurate. I can tell you that I think it is even greater time more than 15 minutes to go through that process.

As a law-abiding gun owner, as somebody who has taught my kids how to be responsible with firearms, I don’t want criminals to be in possession of firearms. I don’t want someone who has been convicted of domestic violence to be in possession of firearms.

This is about separating the law-abiding from terrorists and criminals. What could be more common sense?

If you look at Federal law, it literally identifies 10 categories of individuals who today are prohibited from shipping or transporting or receiving firearms. Because we have made the judgment through our judicial system and through our laws that they present a threat to public safety.

This list includes convicted felons, as it should. It includes fugitives. It includes drug addicts and people who are committed to mental health institutions. It includes undocumented immigrants. It includes anyone who has received a dishonorable discharge from the military, someone who has renounced their U.S. citizenship, or someone with a restraining order for domestic violence or misdemeanor convictions for domestic violence. Finally, it includes anyone who is under a felony indictment.

To me, the second amendment that Senator MURPHY was speaking of—the second amendment not to the Constitution but the second amendment to this bill—speaks to whether it shouldn’t be true that someone who I suspect of terrorism should not be considered as unfit to own and use a firearm legally as someone who has been dishonorably discharged or has renounced their U.S. citizenship. We are talking about people who have gotten on the no-fly list, for example, for some very real reasons.

Through the Chair, I ask Senator MURPHY: If the FBI or intelligence community believes that someone is such an imminent threat that they are so dangerous that we cannot allow them to board a commercial airliner, shouldn’t they also be prohibited from buying a gun or shouldn’t we at least let the Attorney General flag that sale? We will talk to it over the course of the debate—there is a process for individuals to remedy any erroneous denial of a firearm. So there is going to be an explicit process set up with which to do that.

I think Senator McCaskill said this earlier; she remarked that the bipartisan reference is showered upon law enforcement. It is wonderful that we support our members of law enforcement, but then why don’t we trust them to make decisions when they have information that make them very worried about a specific individual buying a firearm? Why don’t we trust them to make that decision if we all agree that we trust them to make other decisions to keep us safe?

Mr. HEINRICH. I was looking at updated data from the Government Accountability Office that sort of leads to my next question, and it shows that knowing or suspecting someone has a background check to purchase a firearm or to purchase explosives 91 percent of the time. The terrorists themselves have actually identified this weakness. They know it exists. I sit on the Intelligence Committee, and we look at what they communicate to each other so that we can learn how to make our country safer.

There was an Al Qaeda video in 2011 that literally instructed potential terrorists to take advantage of what I would incomplete background check system.

There have been a number of terrorist attacks in recent years where giving the Attorney General the authority to prohibit a suspected terrorist from purchasing a firearm could have at least thrown up meaningful barriers. I think most notable was the horrendous Fort Hood shooting in 2009, where MAJ Nidal Hasan was able to pass a background check and buy a firearm even though under an active FBI investigation for links to terrorism. He went on to shoot and kill 13 people. He wounded 30 others.
So if we are saying that whole categories of other people present such a public safety threat that they shouldn’t have access to firearms, I just can’t believe we shouldn’t at least give the Attorney General the ability to prevent terrorists on the same do-not-buy list. Why wouldn’t we do that, Senator MURPHY?

Mr. MURPHY. I say to Senator HEINRICH, it is hard to understand why we wouldn’t do that, especially when, as you noted, people on that list go in and buy a gun and they are almost universally successful in walking away with that weapon. It doesn’t happen very often; let’s be realistic about what the numbers are. I think I read them earlier and from 2004 to 2014 there were 2,233 instances where suspected terrorists attempted to purchase a gun. And as my colleague mentioned, in 91 percent of those instances they were successful. So we are only talking about 200 or so instances a year.

Now, those are the only ones we know about because those are the ones that actually went through a background check. We don’t actually know about all those people on the no-fly list who tried to buy a weapon successfully online or at a gun show. We know about these that rated about 200 a year.

The reality is that terrorists today who are trying to perpetrate attacks on American citizens have lately not been using a bomb or an explosive device to carry out that attack. They have been using weapons—in the latest attack, an assault weapon. So we should just wake up to the weapon of choice of terrorist attackers and adopt this commonsense measure.

I yield for a question.

Mr. HEINRICH. I have one last question for my colleague from Connecticut, and this one is probably the hardest one. It is simply why? Why is this so hard?

I stand here as a gun owner. I have looked at each of these amendments through the lens of what it means to be a law-abiding gun owner in this country, with both rights and responsibilities. That is why we have hunter safety before we ever go out into the field as a 12-year-old or a 13-year-old.

I just don’t see anything in these two amendments that is an unreasonable burden to someone like me. So why is it so hard to have this commonsense protection on the floor of the Senate? Why is it so hard to get a vote? And more importantly, why is it so hard to change these policies and these laws to try to make our country just a little bit safer?

Mr. MURPHY. I guess, I say to Senator HEINRICH, if I had the 100-percent correct answer to that question, we probably wouldn’t be here because we would probably have figured out how to solve it.

It is such a unique issue in the American public sphere today, where 90 percent of the American public wants something to happen and this body will not do it. It is only controversial in the U.S. Congress. It is not controversial in people’s living rooms. It is, frankly, not controversial in gun clubs. When you sit in a gun club and talk about whether a person who has been suspected of being a terrorist should be able to buy a gun, there is a consensus there too.

We have talked about the cornucopia of reasons this doesn’t happen, and it is part a story of the influence of the gun lobby; it is part a misinterpretation of the nature of the Second Amendment; it is part a belief that more guns make people safer, which the data does not show; it is part an answer in how voters prioritize the things they care about—that the 10 percent that doesn’t agree is calling in to Members’ offices at a level the 90 percent aren’t; and, lastly, in part, it is an indictment of us. It is an indictment of those of us who have just let business as usual run on this floor, mass shooting after mass shooting.

The reason we have chosen to do something exceptional—which is to hold up work on the CJS appropriations bill until we get an agreement to move forward on these two issues—is that we need an answer here as well. Maybe we haven’t fought as hard as we should in order to get this done. And this may not get us there. We still need votes from Republicans. We can call for a vote, but we ultimately need them to vote yes on that bill. But at the end of the day, showing the American public that we care as deeply as we should about ending this slaughter—a would be happy to yield for a question.

Mr. HEINRICH. I just want to thank Senator MURPHY for everything he has done on this issue and for not taking no for an answer.

Mr. MURPHY. I thank the Senator.

I am so glad to have my neighbor, Senator WHITEHOUSE, joining us on the floor, and I yield to him for a question without losing my right to the floor.

Mr. WHITEHOUSE. I am delighted to be here. And before I ask my question, I just want to thank my colleague for what he is doing. I guess my first question would be, How are you doing? You have been on the floor for quite a while now, and I really appreciate it, but how do you feel?

Mr. MURPHY. I say to Senator WHITEHOUSE, when I was in my early 20s, I actually ruptured two discs in my back, and so I spent a lot of time reworking my back in my later 20s to make sure that wouldn’t happen again. That rigorous back work to repair my broken discs is paying off, I would say.

Mr. BOOKER. Will the Senator yield for a question?

Mr. MURPHY. I will yield to the Senator from New Jersey for a question.

Mr. BOOKER. The Senator is not asserting he is still in his 20s, is he?

Mr. MURPHY. I am no longer in my 20s, but I am saying that early preventative work has paid off in the long run.
now, even for convicted felons, domestic violence abusers, and people who have been adjudicated to be seriously mentally ill?

Mr. MURPHY. That is the state of play, I say to Senator WHITEHOUSE.

We've just heard on the floor earlier today, telling the horrific tales of Chicago, for which the strong background check laws in Illinois make almost no difference on the streets of Chicago because the weak background check laws of Indiana allow for individuals to go there and buy guns online or at gun shows and then ferry them back onto the streets of Chicago.

So without that Federal law that creates a uniform standard that you need to go through a background check for whatever commercial means you attempt to buy a gun, then there are criminals every single day who are getting their hands on weapons, separate and aside, as the Senator said, from this question of terrorist access.

Mr. WHITEHOUSE. Will the Senator yield for another question?

Mr. MURPHY. I will yield for a question.

Mr. WHITEHOUSE. I have some statistics here that I find a little surprising, and I would love to ask my colleague for his explanation of them.

The statistics that I have are that 76 percent of gun owners and 71 percent of National Rifle Association members support putting people on the terrorist watch list to not be able to buy guns and for criminals to not be able to buy guns. But because the industry needs this perpetual fear of government in order to sell more weapons, I think there has been a desire of the NRA not to listen to its membership and instead listen to its industry members and feed this sense of dread about the secret intentions of the Federal Government.

Mr. WHITEHOUSE. If the Senator will yield for another question, it is my understanding that this position the NRA takes against any and every, even very reasonable, gun safety measure—and very likely, I suspect, for the reasons the Senator has identified as a marketing ploy on behalf of the big industry that pays them to do this. But it is my understanding that applies to a variety of other issues as well. The issue I want to ask about is the issue of high-capacity magazines.

Now, I am a gun owner myself. I belong to a gun club in Rhode Island. In order to get access to the range, I had to have a safety briefing by the gun club saying what I could and could not do on the range, saying what the range rules are. One of the range rules that was imparted to me in the safety briefing is that they don't allow high-capacity magazines on the range. They don't allow them for safety reasons.

I doubt this is the only one. If you have gun clubs all over the country that will not allow high-capacity magazines on the range for safety reasons at the range itself, and yet here is the NRA wildly opposing any effort to limit any high-capacity magazine restriction of any kind, does that follow as part of that same argument? Is the industry as determined not only to sell more and more guns to a smaller number of people by creating fear that some imaginary black helicopter is going to come and take their guns away but also restricting the limits on high-capacity magazines?

Mr. MURPHY. The margins involved for the industry in these very powerful weapons and these large-capacity magazines are big. So when you are attempting to put together a portfolio in which you are going to make a substantial profit in return for your investors, you have to double down on things like 100-round drums and AR-15-style weapons. Now, I don't know every gun owner who has not yet to talk to one who feels like they need a 30-round clip in order to go into the woods and hunt. It is not something hunters need. And the design of all of these weapons and the high-capacity magazines we are referring to were originally for one purpose and one purpose only—to kill as many human beings as quickly as possible. They are military in nature and design and thus the reason many gun clubs around the country deny access to this kind of ammunition. It certainly stands to reason that the rationale for continuing to sell this is monetary in nature.

Mr. WHITEHOUSE. Why does the Senator yield for a question, does the Senator recall that years ago there was an effort to prevent armor-piercing ammunition from being sold? Because our police officers who wear body protection for protection against armed assailants were very concerned that selling people armor-piercing ammunition would make them more effective at killing police officers. Whereas, it is an armor-piercing ammunition that bulleting deer or elk or anything else. They customarily, as I understand it, don't wear armor, but police officers do. Police officers have to go into dangerous situations with armed individuals. Therefore, there was concern to protect our law enforcement officers to try to put limits on the amount of armor-piercing ammunition that people could buy.

My recollection—if the Senator would confirm it, that would be my question—is that at the time, the NRA opposed any limit on armor-piercing ammunition and opposed the law enforcement forces, the local police officers and police officers to these crisis situations and their desire to be safe and their desire to be able to tell their families: It is going to be OK, honey. I have protective armor. It is going to help me make me safe, and there is an armor-piercing ammunition that people are allowed to shoot at me; that they took all that away, and this was an argument that they made and they succeeded, and right now armor-piercing ammunition is available as a result of NRA lobbying.

Mr. MURPHY. That is certainly the way I remember the events as well. I remember one of the many chilling conversations I had in the 24 hours after the shooting in Newtown. One of them with a police officer who remarked that it was a good thing Adam Lanza killed himself and didn't engage in a shoot-out with police because they were not confident they would be able to survive a shoot-out with an individual who had that much ammunition and that kind of high-powered capacity in a firearm.

Separate and aside from the question of armor-piercing bullets, law enforcement officials have stood with me in efforts to restrict the sale of assault-style weapons and high-capacity ammunition because even that, without the armor-piercing bullets, puts them at risk.

Mr. WHITEHOUSE. Will the Senator yield for one more question? I see my senior Senator J ack REED on the floor. I am sure he wants to engage in a question-and-answer with Senator MURPHY.
Before that, may I ask one additional question?

Mr. MURPHY. I yield to the Senator for a question.

Mr. WHITEHOUSE. The other question I want to ask is that in response to our effort to put people who are on the terrorist watch list into a category where they are not able to go and buy firearms in order to commit the acts of terror for which they are on the watch list, our friends on the other side of the aisle have suddenly come up with a new piece of legislation they say is designed to address this problem.

My question is, Do we know if this piece of legislation has ever been seen before? Do we know if it has been brought up in committee and given any kind of a review? Have they built a track record of interest and concern about this issue and built a legislative record to support their bill or does this appear to be something they whipped out of thin air at the last minute to try to fend off the sensible provisions we have long fought for to keep people on the terror watch list from being able to go out and buy high-powered firearms?

Mr. MURPHY. It will shock and surprise you to know, I say to Senator WHITEHOUSE, that it appears to be the latter. We had one of our colleagues come down to the floor and suggest there is a way out of this; that we could come together and work on a compromise. I think all of us who have been talking about coming up with an alternative that would pass through the Senate. So we are talking about a lot of court processes they would have to undertake. It is just totally unrealistic, totally unprecedented. It makes no sense at all.

I thank the Senator from Rhode Island.

I am glad to be joined by Senator BLUMENTHAL and Senator BOOKER, Senator BLUMENTHAL, and I—were happy to take them up on that effort.

I have noted that we have had 6 months since the failure of the last measure to prevent terrorists or suspected terrorists from buying weapons to work on this. No one in the Republican caucus has approached us about trying to find common ground. It wasn’t until we took the floor this morning and shut down the process on this appropriations bill that we started to see movement on the Republican side about coming up with an alternative. Now, they did pose an alternative back in December, but it was a miserable alternative that would require law enforcement to go to court in order to stop someone on the list from getting a weapon and capping them at 72 hours to complete that whole process. It was ridiculous and ludicrous. They are telling us that out of the 240 people on these lists who tried to get guns last year. So we are talking about a lot of court processes they would have to undertake. It is just totally unrealistic, totally unprecedented. It makes no sense at all.

Mr. MURPHY. There is no model for it. Mr. MURPHY. There is no model for it. We have hamstrung the FBI and the Attorney General by asking them to do more and more with the same amount of resources. To ask them to go through dozens and dozens of court processes—remember, there were 240 people on these lists who tried to get guns last year. So we are talking about a lot of court processes they would have to undertake. It is just totally unrealistic, totally unprecedented. It makes no sense at all.

I thank the Senator from Rhode Island.

I am glad to be joined by Senator REED. I yield for a question without losing my right to the floor.

Mr. REED. First, let me commend the Senator for this extraordinary and principled discussion that the Senator has led along with Senators BLUMENTHAL and BOOKER.

I do have a question, and it stems from some of the comments I have received from the Chief of Police in the State of Rhode Island, Colonel Steven O’Donnell, a skilled professional. What Colonel O’Donnell said—and it goes to one of the issues that Senator WHITEHOUSE discussed, the access to high-capacity magazines for these assault weapons. Colonel O’Donnell said: ‘I have yet to hear a viable argument for high capacity magazines, for what the purpose is. I have friends that are hunters. They use high capacity weapons, but not magazines. They use several rounds to hunt, but they don’t need 15, 30, and 45 round clips to hunt an animal. Is that one of the responses you are getting from some of your law enforcement professionals who deal every day with firearms?’

Mr. MURPHY. That is the same response we get. I just reflect on one of my earlier responses to Senator WHITEHOUSE, that I have also heard fear in the wake of Sandy Hook from law enforcement about their ability to confront and take on police, that an individual who has staked out in one of their houses that were designed to kill as many people as possible, and that is why you see this epic rate of slaughter when they are used inside schools, inside nightclubs, inside churches.

Mr. REED. The Senator also commented, and I want to reconfirm it, that one of the characteristics of these weapons is that even in semiautomatic mode, there is a high rate of fire, and the velocity of the rounds are such that they are dangerous. So even if it is in a semiautomatic mode, you have the ability to deliver devastating fire, and coupled with a large magazine, you can keep this fire up.

The other point is that changing the magazine on one of these weapons is a matter of seconds. It is not a laborious task where you have to individually load rounds into the weapon. That, too, I think increases the lethality.

Again, if the Senator would comment on this, the question is, did the military have a logical military purpose—to increase the lethality of the weapons that we are giving to the soldiers, marines, sailors, and airmen of the United States. That is not, I don’t think, what you and I would like to see in our civil population, for whom the primary purpose is increased lethality. It is not accurate, necessarily, not for a skill in terms of marksmanship, but simply increased lethality. Is that the sense that you have?

Mr. MURPHY. It is. I say to Senator REED. If you think about what we are doing today, the individuals who are contemplating lone-wolf attacks are
not building IEDs in their basements any longer. They are going to the store and buying assault weapons. We essentially are selling weapons to the enemy. We are selling weapons to the enemy—powerful military style weapons. We are advertising them, and individuals are buying these weapons. These lone-wolf attacks are buying them.

In fact, I have read quotes earlier today on the floor from terrorist operatives where they are calling on Americans to purchase these weapons and turn them on civilians because it is so easy to get access to them. This is a very deliberate tactic on behalf of these very dangerous international terrorist organizations, and that is one of the reasons why we think we have to wake up to the new reality of the threat of lone-wolf attacks and change our laws.

Mr. REED. Will the Senator yield again for a question?
Mr. MURPHY. I yield.
Mr. REED. Essentially, what our adversaries are doing is exploiting loopholes in our law, and they are doing it very deliberately, very consciously. To date, we are standing by and letting them do that. They know where the weak points are. The weak points are not only that you can get these assault weapons, but another point is that a significant number of weapons were sold without a background check because they can be done through the Internet, through gun show sales, et cetera. We have taken this issue on before, and we failed to address these issues too.

Mr. MURPHY. Had we had in place a ban on individuals who were on the terrorist watch list to buy a weapon, it would only apply to brick-and-mortar stores. Even if Omar Mateen was on one of those lists and even if we passed a law saying that prohibited him from buying a weapon, he would have gone into a store that he could not buy a weapon, and then he could have walked right back to his house and gone online and bought one there or waited for the next weekend’s gun show, of which there are many in Florida, and bought one there.

We don’t know how it would have played out, but without an expansion of background checks to people on the no-fly list being prohibited to buy guns, it is a half measure. I reiterate, these are the weak points we are asking for—to have consensus on these two issues because they are the right thing to do, as we are discussing, but they also have the support of the American public.

Mr. REED. I have one final question for the Senator. It would seem to me that this would essentially deny our fiercest adversaries, the Islamist jihadists who are using the Internet to radicalize people—not only to radicalize them but, without directly controlling their conduct, suggesting to them the way they can get assault weapons legally in the United States and can arm themselves. If we take these steps, as you would suggest, we can deny our fiercest adversaries the arms they seek to inflict harm on our families, our friends and our neighbors.

Mr. MURPHY. It stands to reason that in the wake of this latest attack, we should wake up to the new tactics of our enemy. This is the new tactic of our enemy—to buy these weapons and to use them against civilians. The genius of what we are proposing is that it keeps weapons out of the hands of individuals that would be terrorizing the Second Amendment rights of anyone else.

We are talking about such a small number of sales. Over the course of the year, we are talking about 200 some odd sales. Think about that. 200 some odd sales that would be affected, that would force someone to be denied a purchase of a weapon because they were on the terrorist watch list. It stands to reason that we should accept the new tactics of these groups and amend our laws.

Here is the Senator from New Jersey. We have had such a long run of colleagues coming to the floor that we haven’t bottomed out the Senators from New Jersey and Connecticut. I yield to the Senator from New Jersey for a question without yielding control of the floor.

Mr. BOOKER. I appreciate the Senator yielding for a question. I have a number of questions for Senator MURPHY.

I think you bring up a good point. We have now been at this for about 8½ hours, and you have seen colleagues and me, and we have been working now through the majority of the Democrats in this caucus who have stood up and asked Senator MURPHY question after question.

I want to start, before I even give a question, by giving my respect and gratitude to Senator MURPHY. In Isaiah, it talks about those who wait on the Lord, running and not getting weary, walking and not being faint. I see the courage of his efforts, which is not just manifest during this filibuster. He has been on his feet now for 8½ hours, and it is not just today. Senator MURPHY, in his maiden speech here in the Senate, stood right there—I know this because at that time I was still mayor of the city of Newark—and gave, still to this day for me of all the speeches with greater and greater routine that I have heard.

I am grateful today because just yesterday, in a caucus meeting that I think my colleagues who are here will agree got very heated, very emotional, in which he spoke with passion, as did other colleagues, he and I began talking about making sure that this was not business as usual and that we didn’t go through the same routines in this body every single time there was a mass shooting. There are mass shootings with greater and greater routine.

You have heard it from my colleagues. It is an insufficient response that our elected leaders should simply pray and share condolences. To paraphrase one of my heroes whose picture stands on my wall, Frederick Douglass said: I prayed for years for my freedom, but I was still a slave. It wasn’t until I prayed with my hands and prayed with my feet that I found my salvation. Faith without works is dead. Prayer is not enough.

I stand here first and foremost to express my gratitude to Senator MURPHY. We talked during the day, we talked into the night, and we chose to be here. I am grateful for the Senator, who has been here for the entire duration. These two partners from Connecticut went through the unimaginable when they shared the grief of a community where child after child—20 children—were gunned down and murdered. These two men have been dedicated and determined—not yielding, not giving up, not surrendering to cynicism about government or this body but continuing to fight and to fight so that we would do something about this problem.

This is the first question I have for Senator MURPHY. There is this idea that is deep within the history of our Nation, that there is no greater injustice than the savage murder of our fellow citizens, the murder of innocents. I have seen you time and again—and today is a model of courage as well as a model of endurance—take on a Senate that was prepared to go on, a Senate that was prepared to go on with business after the greatest, largest mass killing in this Nation’s history. We were going to go on with business as usual. In my conversations into the night last night with Senator MURPHY, I saw his determination not to let the business as usual go on in this Senate.

I have a number of questions for you. But the first one, Senator MURPHY, is that there are a lot of people who are surrendering to cynicism about government, a lot of people who are showing frustration. But yet, you are still going on with this in a way that reflects the greatest, largest mass killing in this Nation’s history. We were going to go on with business as usual. In my conversations into the night last night with Senator MURPHY, I saw his determination not to let the business as usual go on in this Senate.

Mr. MURPHY. It stands to reason that we should accept the new tactics of these groups and amend our laws.
Mr. MURPHY. Mr. President, I appreciate the Senator talking about what a controversial thing this is for the gun owners, the majority of NRA members might agree with Senator Murphy, but the NRA has too much of a hold on the Senate. Why are you here right now doing this on this day?

Mr. MURPHY. I thank the Senator. I want to tell Senator BLUMENTHAL for being here from the very beginning. This has been miraculous in its own regard, not just being able to spend this time with the two of you but to have had the major- ity of our carnival come to this floor and express their support for our deter- mination to move forward this debate and, at the very least, to get votes, but really to try to bring consensus around this issue.

I don't think I am breaking confidences to share that both Senator BOOKER and I spoke at our meeting yester- day of Democrats in which Senator BOOKER shared an immensely powerful series of stories about the experience as mayor of a grief-torn city, his direct personal intersection with friends, with neighbors who had lost their lives. I know how deeply and personally this has affected him.

I tell you why I am doing this as maybe a means of telling you why Senator MURPHY and I are being doing this, and I tell you through the prism of a story from the awful, awful series of days following the shooting in Sandy Hook.

Senator BLUMENTHAL and I went to the first of what were unending wakes and funerals. We were standing in line at the first wake to talk to the first set of parents who had lost, in this case, their young daughter. I remember being so uncertain about what we were supposed to say to these parents—not just what you are supposed to say to provide some measure of condolence, but we were their elected representatives. We had some additional obliga- tion to show them that we were ready act, but was it too soon to make that offer? Was it not the right moment to suggest that there was a public policy response to the slaughter of their chil- dren? It was Senator BLUMENTHAL who very gently and appropriately said to the mother and father as we walked by the closed casket: Whenever you are ready, we will be there to fight. The fa- ther said: We are ready now. This was probably not 48 hours after the death of their 6- or 7-year-old daughter.

We were talking about this ne- cessity, this imperative of action, since that moment. It gets harder and harder to look into the eyes of those parents and surviving children and explain to them why this body has not acted. It gets harder and harder to defend the complete silence from this institution in the face of murder after murder.

Franklin Delano Roosevelt wasn't confident that everything he proposed was going to solve the economic crisis of the 1930s and 1940s, but he was dammed if he wasn't going to try some- thing. He and his aides talked unabashedly and unapologetically about trial and error. If we try one thing and it doesn't work, we will try something else. Why don't we do that? Why don't we try one thing, and if it doesn't stem the violence, try something else? But doing nothing is an abomination and makes it impossible for those of us who have lived through these tragedies to look these families in the eye.

I remember that it took 10 years from the attempted assassination of President Reagan and the mailing of his press secretary, James Brady, for the Brady handgun bill to be signed into law. It took a decade of political action, and it probably took many nights like this when legislators or ad- vocates stood out at a rally or maybe stood on the floor of the Senate or House and argued until they had no more energy left, knowing they weren't going to get the victory the next day.

As I said to my friends in the move- ment back in Connecticut and through- out the country—I know the Senator has said versions of this as well—every great change movement is defined by the moments of failure, not the mo- ments of success. Every great change movement in this country is defined by the fact that there were times in which you could say to yourself, "You didn't: you persisted." The changes that never happen are the ones where the movement, once they hit that brick wall, said "It is too hard" and went home. That is the reason we are here, and I think in one way, shape, or form for the three of us. We want to get votes on these measures, and we will stand here until we get those votes. But even if we don't, it is important to continue to engage in the fight.

Mr. BOOKER. That is the first part of the framing that is very important—this determination that we will not do business as usual and that this fight will not stop. We will take this fight to the Senate. We will take this fight to legislators, and we will take this fight to neighborhoods and commu- nities. It is not a physical fight. It is a fight, in my opinion, of love. It is a fight that says we can be a country that affirms people's right to own weapons. We heard from one of our closest friends in the Senate, Mr. HEIN- RICH, who is an ardent gun owner. He is a hunter. As a vegan, I have seen some pictures of what he has shot and killed, and he takes great pride and joy in that fact—and that is what this gets me to the next area of question- ing—is that it is not about hunters, it is not about people who want guns for self-defense, and it is not about peo- ple who want guns because they love the sport. Senator BOOKER took me out skeet shooting when I was in Colorado. It is not about the folks who want guns for that. This is about something very narrow, and that is the question that I have, which is the second part of this framing. I have heard some people talk about the sale. The truth is that this may be a partisan issue in Washington-speak, but when I go back to New Jersey—I go to communities like the ones I grew up in, where a ma- jority of the community is Republican, and communities like the one I live in, where the majority is Democrat—I hear the same thing from members of both parties. They say that there is a great lack of understanding in this country. How do we at a point where our country is at war with terrorists, with our enemy in places such as Iraq and Syria literally trying to egg on and radicalize young people, saying “Go to America”? Al Qaeda and others are in- structing them that this is the country to go to and buy guns because it is so easy to get access to guns, thanks to these massive loopholes. That is the point that brings us here.

Senator MURPHY and I probably share beliefs about gun safety that are not shared by the majority of gun owners, and there are things I heard brought up tonight, frankly, that, hey, I might like. People have talked about maga- zines and research on this issue. I think that, look, this is not controversial, but what brought Senator Murphy and Senator Blumenthal to the floor for almost 9 hours now, with me standing here this entire time, is to say: Hey, we as Americans can agree that someone who is suspected of being a terrorist and under investigation and might be on a no-fly list—that person should not be able to buy not just a weapon or handgun but an assault rifle. When you look at this issue, it is not controversial with Americans. This is not controversial with Republicans. This is not controversial with NRA members because the overwhelming majority of them agree that we should not be a country where a person can't get on a plane in Newark, NJ, but they can drive to a private seller or a gun show or go on the Internet and buy a gun.

The second of three questions I have is that this not a radical thing the Sen- ators from Connecticut are asking for. Mr. MURPHY is not telling us for something controversial. This is some- thing that, at this point, is common sense and is agreed upon by over 70 per- cent of gun owners. I am not sure if there is an elected official in the Sen- ate that has a 70-plus percent approval rating. Rarely do you see people agree that greatly.

Could the Senator please explain why he is taking a stand on this issue right now and what it is that he thinks we have the energy to see through—or that we have to fall back on and maybe common ground for the common good?

Mr. MURPHY. Mr. President, I appreciate the Senator talking about what a limited ask we are making here. Let's talk about the scope of the limitation on gun ownership. It is asking that those people who are on a terrorist watch list and on a no-fly list be added to those who are those prohibited from buying guns. We have data that tells us how many of those individuals are buying guns every year because they can buy them through the loopholes. Even though they don't intersect in a way that prohibits the purchase. What we know is that there are only about 200
sales at gun stores every year from people who are on those lists. So we are talking about a minuscule limitation on the right, which is to take a small handful of individuals who have been placed on a terrorist no-fly list, and saying that they shouldn’t be able to go into a gun store, but they can have your right restored. We are talking about a few hundred sales a year. You could say: Oh, it is a few hundred, and I think that is actually a very good point. You could say: Oh, it is a few hundred sales, so why does that matter? After the grievous act that we saw in Florida, where 49 innocent people were slaughtered, Senator Murphy was correct in his belief that my friend will never give up on the right, which is to take a small handful of individuals who have been placed on a terrorist no-fly list, and you don’t have to go through a background check.

If you really want to make a commitment to preventing terrorists from getting guns, then you have to do both. You have to put them on the list and then you have to reconcile the fact that 40 percent of sales today are happening outside of that pathway. By the way, the added benefit of that is that you are shutting down the pathway that terrorists have used for a decade in order to get these weapons, and you will have a dramatic effect on the slaughter that is happening in our cities, as well, by limiting the flow of illegal arms into the cities.

That is what we are proposing. We all agree, why is it important to also close the terrorist loophole?—and I know the senior Senator from Connecticut would like to ask a question. But this is where I have to say it becomes deeply personal to me, because what you are talking about there is your personal right for commonsense gun legislation from the second you walked into the U.S. Senate, to the noncontroversional idea that terrorists in America—people who are suspected terrorists—should not be allowed to buy assault weapons, period. And your comment that that affects a very small universe of people, that in order to make that ironclad—again, nothing is going to stop everybody, but this is doing something that will constrict access to terrorists—you have to close both the universal background check, and you close the back door, as you said.

Now, this is what gets personal to me even more so because it is more than all this. When you do that, you are not affecting sports people; you are not affecting Second Amendment right believers who believe that I need to have my right to bear arms; you are not affecting folks who are worried about self-defense and want to have a gun to defend themselves; who you are affecting when you close the universal background check, but you actually have a collateral benefit when you tighten up the system that you then stop criminals of all categories from getting guns.

We live in a nation where women are victims of violence at astonishing rates. You close down that system for terrorists, you are going to make it much harder for someone who seeks to engage in domestic violence with a firearm—you are going to shut down their interest, and you are going to shut down criminals from getting guns.

This is really what I experienced as a U.S. mayor. I looked at all of my shootings and murders as too many in Newark when I was mayor. I could only find one case—one case—where a law-abiding citizen used a gun in violence. The problem we saw overwhelmingly in our city was that criminals who should not have guns would come to public safety and buy a weapon that way because it is faster, it can get delivered to you, and you don’t have to go through a background check.

But I have had this conversation privately so many times. I have sat with you in Connecticut cities. We have seen the impact and the pain and the agony of murder after murder after murder after murder in our cities. And this commonsense terrorist loophole closure—would the Senator please explain how that will also constrict the ability for all criminals committing murders at rates not seen anywhere on the planet Earth, because someone who has restrictions on them for buying guns for domestic violence, stalking, threatening a woman, can go get a gun; somebody who is an ex-con for a violent crime can get a gun; why is this also important because of the collaborative benefits that would come about from this commonsense constriction and closing of the terrorist loophole? (Mr. GARDNER assumed the Chair.)

Mr. MURPHY. I am sorry to interrupt my colleagues what happens in States that impose rigorous systems of background checks.

There are 61 percent fewer guns trafficked out of State, there are 47 percent fewer firearm suicides, there are 48 percent fewer police killed by handguns, there are 46 percent fewer women who are shot to death by intimate partners, and there are 17 percent fewer aggravated assaults with guns. Those numbers could be smaller, but there was a national commitment to the same concept because, as Senator Durbin has told us, as tough as Illinois’ laws are, all it takes is for a criminal to go across the border into Indiana and buy guns at a gun show, or buy them online or get them from an unregulated dealer and bring them back into Chicago. And what every police chief will tell you is that the fewer illegal guns on the street, the fewer crimes there are. The fewer laws that mistreat an individual at a moment of passion or a moment of frustration or whatever that moment may be to get a gun, the less likely you are to have a homicide.

I am happy to sit down and meet with a meeting of activists on this issue in Hartford, CT, a few weeks after the Newtown shooting, and they were furious. They were furious that the world had woken up to gun violence because of Newton. And Newton was when it had been a reality to them for so long.

That is the genius of what we are proposing. Without taking away any
Second Amendment rights, Senator Booker, we are able with this proposal to both extend protections to Americans who might be the victim of a terror attack but also individuals who right now are living with the everyday slaughter in every corner of our state by people with access to weapons that are so dangerous and so destructive that they can mass shootings in this country is that they are so eminently preventable. We can’t do much about earthquakes or hurricanes, but it is absolutely possible and necessary for all of us, for the FBI to list someone as a violentruptcy grade weapons to civilians or just NOT SELL AR-15s to domestic abusers who have been investigated by the FBI for terrorist connections. I am furious and feel powerless. I beg you to stand up for me, my family, everyone who has ever lost family or friends to senseless gun violence, and, most of all, the families of Sandy Hook who are connected and threaten in their fear and fury that Americans all across the country feel.

Just to give one example, I understand that in the last 96 hours, 500,000 people have signed a petition in favor of banning assault weapons—half a million people in just 96 hours, a petition circulated by MoveOn.org. Assault weapons are designed for one purpose: to kill as many people as possible as quickly as possible. They are military-style assault weapons—AR-15s. As some of our colleagues have said, most hunters would not use them to shoot deer or other animals. Yet they are sold freely.

Our request is a much more limited one than even assault weapons, as much as they need to be banned in terms of new sales. We are simply saying don’t sell those weapons to someone who is on the terrorist watch list, somebody who is under investigation for potentially being supported and funded and maybe educated and trained by one of our adversaries, our enemies abroad, like ISIS. And don’t sell those kinds of weapons or any others to anyone in the country who has failed a background check because they may fit that category or the other prohibited categories that are already in the law. It is simply a means of enforcing the law.

These proposals are really relatively modest, and so are the others that this young person has advocated that we adopt—‘obvious and basic safeguards’ to quote him or her, ‘to gun ownership such as universal background checks, CDC research into gun violence, limiting magazine capacity, restricting gun ownership to domestic abusers and people on terrorist watch lists, to name a few.’ All of them should be adopted. We are asking for two. We are asking for votes. We are asking for action. And we are saying: No more business as usual.

Connecticut also had a connection to Orlando—a 37-year-old young woman named Kimberly Morris, educated in Torrington, CT, at the Torrington High School and Post University in Waterbury. Kimberly Morris was known as a ‘scrappy player,’ according to Charlie McSpiritt, the Torrington High School’s former athletic director. He can still remember Morris because she “played the game to her fullest.” She was “a tenacious” small forward on the basketball team as well at Post University in Waterbury. Her teammate Narvel Benning, who played for the men’s team, said: “She didn’t let nobody push her around.” She was 37 years old. She is among the older victims who were killed in Orlando.

What is so striking about the biographies of these men and women is how young they are and how much life they had ahead. They were not as young as the 6-year-olds gunned down in Sandy Hook, those 20 beautiful children, but Kimberly, like those children, had her whole life ahead.

So my question to my colleague is whether Connecticut still feels the impact, and whether Connecticut wants us to act at a national level as well, as they have seen the benefits of stronger gun laws. Connecticut responded in a bipartisan way. Republicans and Democrats came together and passed legislation that ban major assault weapons and extended background checks to more sales, and we have seen an immediate diminution in the number of gun crimes in our State. We have seen an immediate impact on the safety of residents. So people in Connecticut want us to act because they acted like grown-ups in Connecticut.

The minority leader of the State senate, who wanted to run for Governor, put his political future in peril by sitting down at the table and negotiating a compromise. He stands by it today because that compromise saved lives. So the people of Connecticut want us to act, Senator Blumenthal, and that is the reason we are here today.

Senator Blumenthal, if I could, I would just note for a moment, before I hand it over to Senator Casey, that when one of our colleagues had a moment to hold the floor for an extended period of time, he read a story to his kids who were at home. I actually didn’t know this was going to occur, but my oldest little boy just showed up in the gallery, and, A, you are supposed to go to bed, and, B, I am sorry that I didn’t know this was going to occur, but my oldest little boy just showed up in the gallery, and, C, I hope that you will understand some day why we are doing this, why we have been standing here for 8 hours trying to fight to make our country a safer and better place, and, D, I hope even if you don’t get everything that you want, trying hard, trying and trying and trying to do the right thing is ultimately just as important as getting the outcome in the end. So go to bed.
I yield to Senator CASEY for a question without losing control of the floor.

Mr. CASEY. I want to thank Senator MURPHY.

Mr. MURPHY. My wife is up there, by the way, too. He didn’t come alone, by the way.

Mr. CASEY. For anyone within the sound of my voice related to Senator MURPHY, my question is a basic one, but I think it is fundamental to his efforts. I will address Senator MURPHY and about your home and the efforts of those you have worked with, not only today but on other days—Senator BLUMENTHAL, who is with you today, has been working so hard on these issues, and Senator BOOKER. The three of you have been—if there is a way to express inspiration beyond just using that terminology, I would like to hear it, because it has been so—an inspiration.

My basic question is this, and I will ask you to hold your answer for just a couple of minutes. My question is this: How do you stay focused? How do you stay inspired to continue this fight, which for you hasn’t been just hours long or days long or weeks, but it has literally been for years? I will ask forbearance for just a couple of minutes to give you a sense of part of the motivation that I have.

I am holding here—it will be difficult to see from far away, but this is a page from the Wall Street Journal dated Monday, December 17, 2012. It says at the top: “Connecticut School Shooting.” The headline below that, in larger letters, says: “Shattered Lives.” I, obviously, won’t read it all, but this has been on my desk since that week. We can see it is a bit yellowed, and every story here has an element of inspiration that is almost unimaginable. I mention that because I am from Pennsylvania. I don’t represent the State of Connecticut, but this tragedy happened in Connecticut, at Newtown, Sandy Hook Elementary School, stays with all of us for different reasons—maybe because some of us are parents, maybe because we were struck by the gravity of the enormity and brutality of that crime on what so many of us have called that awful day. But, I will tell you, I don’t think I have been as affected by a news event other than 9/11 in my life, and certainly not one that ever affected in the way that it had a determination and purpose to what I would go do and how I would vote. So this tragedy in Newtown in 2012 directly affected the way I would vote. It changed my thinking in so many different ways. I won’t walk through all of that tonight. But as much as these stories of these children inspired me then and continue to inspire me, I don’t want to add another set of stories to my desk or keep adding to the chronicle of suffering and the chronicle of murder and destruction that gun violence will leave with us.

Today the Washington Post—and I will just open this up for illustrative purposes—had one page and then another page, and they needed two pages of it, obviously, because of the number of victims. I didn’t count, but if that is not 49, it is close to 49. Each of them has a story as well. So just as the children whose stories were summarized in the Wall Street Journal in 2012, today’s Washington Post, in many other papers—have these stories.

We don’t have time to go through every story, but I was inspired by the lives of those children, what they had just done and what their last life meant to their community, and how in their very young lives they had already begun to achieve significant things in their life, either by making their sisters or brothers happy or by comforting their sisters and brothers and family and friends. I am sure the same will be said of those who lost their lives in Orlando.

Let me give you two examples in the interest of time. This is on page A–11 in the Washington Post today. It is one of the many many many children who had their lives cut short, including Akrya Monet Murray, 18 years old, who happened to be from Philadelphia. I talked about her earlier today. She was third in her class and on her way to a basketball scholarship, and she happened to be killed. She was killed. She was a remarkable young woman. I wish I knew her, but she just graduated from West Catholic in Philadelphia.

Here is someone as well who died in Orlando, Brenda Lee Marquez McCool, 49 years old, is one of the oldest on these 2 pages. Many of them listed, as many people here know, were 25 and 21 and 18 and 22, and on and on. But here are the first two lines of this vignette about Brenda Lee Marquez McCool. A two-time cancer survivor, McCool was first diagnosed with cancer about 8 years ago. This is what her ex-husband Robert Pelsley said: “The doctor gave her a year to live. She lived eight, and we outlived that.” She lived 8 years after a diagnosis of cancer. So her life and her fight to overcome cancer should be a reminder for us that this is a long fight. She lost her life ultimately, but she beat cancer for a long time, even though she lost her life this weekend.

I will give you one more. There are so many more, but we just don’t have time tonight to go through all. Shane Evan Tomlinson was 33. He was working that night, playing in a band, and he left there to go to the club, to be able to relax a little bit after working. He was a member of an all-male gospel choir at the House of Blues in Orlando. Again, he was 33 years old.

So I don’t want to keep adding to this chronicle. None of us want to. We all want to figure out a way to make progress on this issue, to finally say to ourselves that as Americans we can come together and take even incremental steps. But, I think, for this issue, it is more important. As all three Senators—Senator MURPHY, Senator BLUMENTHAL, and Senator BOOKER—have reminded us, what we are asking for here is a model of reasonableness. We are asking for a simple solution to a very discreet but horrific problem. If you are too dangerous to get on an airplane, if we have made that determination, why would you be allowed to have a firearm? Why would we continue to allow people to be allowed to have a firearm? Let’s solve that one problem.

Then, of course, there is the problem that we have tried to solve in 2013—and some aspects of gun deaths every single week, and in some communities every single day. I won’t mention a list of cities or communities, to not be exhaustive, but I think people know them. We have to figure out a way to stay focused on those communities even as we focus on the horror and gravity and dimensions of what happened in Orlando or Newtown or Sandy Hook or so many other places.

Let me think about this for a moment, because I, at long last, ask my question or ask the answer to Senator MURPHY. How about school shootings since Sandy Hook? What do we find there? Since Sandy Hook, a gun has been fired on school grounds nearly once a week for a total of 188 school shootings, including several in my home State of Pennsylvania, according to data compiled by Every Town For Gun Safety. This has happened weekly since Newtown. It is not as if we have become complacent, and we have not. And then the problem recedes as we recede in our action or lack of action, in our focus, in our determination, in our sense of urgency. The problem does not go away. The problem is not going away. If anything, it is growing in dimension.

Just look at the data on how this problem has grown since the 1960s and 1970s. It just didn’t happen in those days. It didn’t even happen much in the 1980s. But if you look at 1990 forward, you see incident after incident. In 2000 and forward, it goes on and on. So if anything, it is accelerating at a pace that no one—no one in this body—should be content about. So that means that every week—every single week—there is some schoolchild or school student. This goes all the way, obviously, to colleges and universities. So every single week some group of Americans who happen to be children or young adults are in a school shooting, and they are either the direct victim or the victim who lives through that horror and has the imprint of that horror.
for the rest of their lives. That is the reality.

So to anyone who thinks this is just a random occurrence, go to a school in a lot of places and talk to people in schools and go to our cities. I think we could go to almost any city.

I want to just mention a few more statistics because we were talking about children. Numbers don’t ever paint the right picture, but they are instructive on a night like tonight.

I live in a State which has a proud tradition of support for the Second Amendment—and I mean really strong, like maybe no other State in the country, maybe one or two others but not many—a strong tradition of hunting and sport. Hunting is almost a part of not just the culture of our State but part of family life. Fathers and sons go out and hunt, and I am sure fathers and daughters or mothers and daughters. It is part of growing up in some communities. They go out and hunt, they participate in it, they want to do it safely, they do a lot of training, and they pass on from one generation to another not just the experience but the rules and the way to do things.

We have as strong a tradition as any of these. By some estimates, there are about a million gun owners. I don’t know where that puts us in the rankings, but it is no lower than second or third or fourth in the country.

We have a lot of people in our State that not only value the Second Amendment, but the benefits of that amendment for their lives are significant because they get to own a gun to hunt and in some cases obviously to protect themselves or their families.

This is what the numbers tell us about just gun violence in a State like Pennsylvania as it relates to children only. According to the Pennsylvania Trauma Systems Foundation, every year about 400 children—meaning individuals under the age of 20. That is the cutoff. They don’t say under 18. This is under 20, so children, and I guess you could say young adults. Four hundred are treated for firearm injuries in the Commonwealth of Pennsylvania. This number does not count the children who die at the scene, like most firearm suicide victims, so it doesn’t even count some young people.

In 2013, there were 1,378 firearm-related injuries in Pennsylvania. Almost half of these were persons under the age of 25 years old. In that same year of 2013, the same year as Newtown, 1,670 children under 18 died by gunshot and an additional 9,718 were injured. So in just 1 year in one State, 1,670 children died by gunshot, 9,718 were injured.

That is the reality. When we consider the gravity of this problem in our cities, in communities of all kinds, and most tragically in Orlando, FL, we know it is a problem of great significance, dimension, and complexity. We know this is not easy to solve, but we know our country has faced huge challenges in the past. We are the country that won World War II. Without our participation, the Allies could never have won. That is who America was. That was a pretty tough problem, trying to defeat the Axis powers and trying to take on these powerful military machines, but we figured out a way to do that as a nation. We all came together.

We all came together after 9/11. It is a complicated problem involving rights, having to stand in line and say: We have to examine this process to make our airplanes safe so we don’t have airplanes flying into buildings.

That was a big problem, but we did not surrender to the terrorists after 9/11. We came together and figured out a solution to a problem. We haven’t solved the terrorism problem. We have certainly solved the problem of preventing terrorists from taking an airplane and flying it into a building, not only to kill innocent people but to create untold kinds of fear.

Where does that leave us with the children of Sandy Hook? Well, I will take another day to read some of the stories, but let me just leave you with one thought. I want to ask Senator MURPHY a question after I read this.

One of the children killed that day—and every child’s story is worthy of mention, but in the interest of time I will highlight, and it will be a highlight of one, Caroline Previdi. Caroline was 6 when she lost her life at Sandy Hook Elementary School.

Among other things they wrote: Caroline loved to dance and dance. Her smile brought happiness to everyone she touched.

That is what her obituary read at the age of 6.

She will be remembered for accompanying a nervous kindergartner on the schoolbus. Caroline, a first grader, sat with Karen Dryer’s son Logan on the bus each day. This is what Mrs. Dryer said about Caroline: She sat with her son Logan, who was scared. That is what a grateful mother said about Caroline and about what she did before she died.

What does that mean for tonight? If little Caroline, at the age of 6, could comfort someone younger than she was on the bus every day, knowing he was afraid, knowing he was scared or worried about what was happening in his life, a kindergartner on a bus—if Caroline could do that and show not just a measure of responsibility but a significant measure of responsibility—she took responsibility in her young life to help solve the one problem that one of her classmates or “almost” classmate, that one of her friends was having—I think we should take inspiration from Caroline’s sense of responsibility. She thought apparently it was her duty to help someone younger than she was and to give them comfort, to give a measure of security. In her young life, in that little world that she was, she figured out a way to be responsible. I hope that people across this Chamber will do more than just kind of casually review these amendments, usually think about this issue, and just stay in your lane, which the lane is, for a number of people here, the usual response is no laws will change this. I am glad we didn’t say that after 9/11, by the way. It is a good thing to not do that as a nation—no laws will change us, no policy will change us. I hope in light of what Caroline has taught us that we will all be responsible, serious, and sober about what we do here, and take inspiration from her courage, and use an old expression.

Is there something you can do with your vote this week, next week, next month, or next year that will help solve a part of this problem? Because this is a big problem which has not gone away, and every one of our lives is going to be affected by it in some way or another going forward. Many of us have seen too much of this in our States, and across our States.

Finally, Senator MURPHY, I will ask you this question. I will not guess at the answer. In light of those stories—and you know the stories, you know the families personally, I do not—how do you stay focused on our long-term goal that you are pursuing and we are talking about tonight, and how do you stay inspired in the midst of and in the absence of significant progress?

Mr. MURPHY. Thank you, Senator CASEY, for that question. I thank you for how you have conducted yourself since the shooting in Sandy Hook. I was remarking to Senator WARNER on the same topic, but it was really you and Senator WYDEN and Senator WASHINGTON and Senator SHELBY and Senator SCOTT and Senator HARKIN and Senator RICHARDSON and Senator HARRIS and Senator CASEY and Senator HARRIS and Senator TILLIS and Representative GAUDIANO and others on the floor today. I really appreciate our friends from the House and the Senate who have been so generous to meet with us, as have many of my colleagues when they come here.

In answer to your question, I go back to the families. Those families of Sandy Hook in the days and weeks following the shooting, came out and said we need to engage, we need to change something, and we are willing to change our minds or our level of advocacy. You were one of the most persuasive voices on behalf of the families of Sandy Hook in the days and weeks following the shooting, and you have been so generous to meet with us, as have many of my colleagues when they come here.

In answer to your question, I go back to the families. I go back to those families and I say that was the longest day that I had had legislatively while I have been here was the day in which that background check bill failed. Remember, it didn’t really fail. It got the majority of this Senate to vote for it, but it failed because of a Republican filibuster.

I thank Representative SWALWELL and Representative GABBARD for joining us on the floor today. I really appreciate our friends from the House being here.

I remember standing with them after that bill failed. They whispered to me some version of a very simple idea. They said: We aren’t advocates for 4 more years, are we? You are advocates for 4 more years, right? A tragedy like Sandy Hook, like Orlando or like Aurora, it fundamentally reordered the lives of those who are affected. The reason I think this Congress has been focused on this question perpetually since Sandy Hook is because those families continue to come here, continue to show up at our doors, and continue to press.
The simple answer to your question is as long as those families aren’t going to give up, then we are not going to give up. There is no more articulate spokesman in the Senate for children than you, Senator CASEY.

I have a feeling that this long as children’s lives are at risk because we are choosing to allow for dangerous criminals and potential terrorists to get weapons, that you are not going to stop either. I appreciate you being a big part of our effort on the floor today.

With that, I yield the floor for a question, without relinquishing control of it, to Senator KING.

Mr. KING. I say to the Senator, I have a series of questions and some comments.

First, I come from a predominantly rural State with a very high number of gun owners, a very low rate of gun crime.

What you are talking about here today on this terrorist threat, I think, is as one of the elements of the background check and covering the non-covered parts of gun sales, online gun shows, will that have any practical effect on the gun owners in Maine?

Mr. MURPHY. It will not have any practical law-abiding gun owners in Maine, and that is whom you and I are talking to. The only effect it would have is on criminals or felons who are attempting to circumvent our laws and get weapons by avoiding background checks. The only effect it would have is if there were individuals in Maine who were the subject of terrorist investigations. They would be prevented from buying weapons, but of course even those individuals—if they thought they were on the list for the wrong reasons—would have a process to grieve that. But for law-abiding citizens in Maine or Connecticut or Pennsylvania or New Jersey, this law has no impact on them.

Mr. MURPHY. It will have no practical effect. They will still be able to buy guns in either place. They would have to go through the instant background check and the law as if they were a felon or something like that. Then they would be prevented. But other than that, this isn’t going to have any practical effect on the practical law-abiding gun owners in Maine?

Mr. KING. I want to take a slightly different view than I have heard today on the issue of terrorism.

I am on the Intelligence Committee. Every Tuesday afternoon and Thursday afternoon that we are in session we meet upstairs in a closed room. Ever since I have been here in January of 2013, the subject in one way or another has been terrorism, has been the threats by this country is facing around the world.

What has happened in the last 4 years is a subtle change in the nature of that threat. When we first came, we were talking about Al Qaeda. We were talking about plots, We were talking about people coming here using airplanes, otherwise penetrating this country from abroad.

What has happened is that the terrorist threat is there and people are homegrown. In fact, there is even a term for it of hometown extremists or local terrorists.

ISIS is here. Every place there is a computer with an Internet connection, ISIS is there and people like the shooter in Orlando may never go to the Middle East. I think he actually had traveled, but many of the people involved in this threat to our Nation never leave the United States.

So here is what we are doing, and here is why your amendment makes so much sense. We are spending millions of dollars—in fact, billions over the past 15 years—to counteract this terrorist threat, and it suddenly occurred to me, we are spending millions of dollars to bomb ISIS’s weapons supplies in Syria and Iraq, and they can buy their weapons here. How much sense does that make? It is just crazy that we are spending millions of dollars to intercept these weapons and get them through, we are spending millions of dollars to bomb ISIS’s weapons supplies in Syria and Iraq, and they can buy their weapons here. How much sense does that make? It is just crazy that we are spending millions of dollars to intercept these weapons and get them through, we are spending millions of dollars to bomb ISIS’s weapons supplies in Syria and Iraq, and they can buy their weapons here.

Mr. MURPHY. It is well known that the large majority of sales are by law-abiding citizens and it is going to be almost impossible to get large numbers of sales past these background checks and prevent guns from going into the wrong hands.

Mr. KING. I think my colleague very smartly understands the scope of this. We are talking about a very small number of sales that actually would be affected. In 2015, thanks to a report Senator FEINSTEIN released, we know that in that year there were only about 215 sales at gun stores to individuals who were on the terrorist watch list. So it is a very small number of sales we are talking about in the first place.

Mr. KING. But if someone says: Well, if someone is on the list, then it doesn’t matter. Why are we worrying? Because it only takes one to kill a number of people.

Mr. MURPHY. Correct.

Mr. KING. And that is really the essence of what the Senator is talking about.

As I understand it, there are two parts of what we are talking about today. By the way, the Senator is not talking about an assault weapons ban or magazine control or any of those things; we are really talking about two things. The first is the terrorist watch list. If you are on the list, you can’t buy a gun. No fly, no buy. The second is to fill the loophole in the background check system. I understand the Senator’s argument, if we say “If you are on the watch list, you can’t buy a gun,” but there is this gaping 40 percent loophole where you could get a gun without any check whatsoever, then it doesn’t matter. Anybody—a felon or anybody—could get a gun under that circumstance. Is that the logical progression?

Mr. MURPHY. That is exactly right. And I think my colleague very smartly referred back to the initiation of the background check system, where no one was contemplating a terrorist watch list or a no-fly list existing. It is the same thing with Internet sales, it is the same thing with armslist.com, and it is the same thing with gun shows. Back when we passed the background checks law, the vast majority of gun sales were done in bricks-and-mortar stores. What has happened is those sales have moved into other forms, especially online.

So in all of these respects, as the Senator is accurately pointing out, all we are really seeking to do is to have the law and the initial intent of it catch up with the trajectory of time.

Mr. KING. And I find it hard to believe that if we were debating that law in 1993 under the current circumstances, that some cognizance wouldn’t have been taken of the risk of domestic terrorists.

Mr. MURPHY. I don’t think there would have been any question that category would have been included. That...
is probably why 90 percent of Americans support the adoption of this amendment or some version of it.

Mr. KING. By the way, I would mention that since the Senator has been on the floor today, 10 people have been murdered. It is about one a day. Since the Orlando shooting, 100 people—twice as many as in Orlando—have been murdered with guns.

So we are talking about Orlando, but we also talk about people all over the country, mostly innocent people, sometimes people who are victims of domestic violence. We are not talking about taking guns away from people; we are just talking about keeping people who shouldn’t have them from getting guns. And I have never met a gun owner who doesn’t agree that is just a commonsense restriction. Does my colleague view this in any way as a violation of the Second Amendment?

Mr. MURPHY. Senator UDALL was on the floor earlier, and he said somebody called his office earlier today asking why we were debating the Second Amendment today, and of course the answer to that is we are not debating the Second Amendment. There is actually nothing about this debate relevant to the Second Amendment because the Second Amendment is clear. As the Supreme Court has stated, an individual has a right to own a firearm. But, as that Supreme Court very clearly stated in an opinion by Justice Scalia himself, that right is not absolute. The Congress has the ability to say there are some weapons that should be out of bounds and that there are some individuals who are so dangerous they shouldn’t own weapons. So even the most conservative jurists on the Supreme Court have held very plainly that the Second Amendment allows for the Congress or State legislatures to decide who among individuals—felons, people who have been convicted of violent crimes, or individuals we suspect of terrorist activities—who shouldn’t buy a weapon.

Of course, as Senator Udall remarked earlier, if you go into any gun club in Maine or Connecticut, that is what people in those forums believe as well. They believe law-abiding citizens should be able to get any weapons they want, by and large, but they do not believe criminals should be able to buy weapons. That is a view held by gun owners and non-gun owners alike because everyone accepts that that is in keeping with the Second Amendment.

Mr. KING. Don’t you think one of the problems with this debate as it has evolved over the past few years is that it has become a kind of either/or?

Mr. MURPHY. Right.

Mr. KING. And for the Second Amendment, there are no limitations whatsoever, and if you talk about limitations, you are against the Second Amendment. Do you accept that characterization?

Mr. MURPHY. I think you are exactly right. I think this has become an either/or debate in so many different perspectives.

I am so glad we are bringing together this question of how we respond to terrorism and how we protect Americans from the consequences of loose gun laws because there is also this juxtaposition in which these terrorist attacks are either about the fight against ISIS or about these gun laws, and they are about both. And this shooting in Orlando is about a whole host of other subjects as well.

So I think we have tried to stay true to the spirit of this question on the floor during this time. We are not suggesting that what we are proposing is going to solve the problem, but we do have to get out of this paradigm in which if you are a supporter of the Second Amendment, you can’t support any restrictions on individuals, whether or not they are on a terrorist watch list, to obtain guns.

Mr. KING. Well, this solution being proposed, even if it only prevents 1 person, that could mean 50 lives or 100 lives. I think that is important.

By the way, it is a dirty trick, Senator, to quote Justice Scalia on this subject. He did make it clear in the Heller decision, as you point out, that the Second Amendment, as the First Amendment or any of the amendments, is not absolute. People say the First Amendment says Congress shall make no law respecting speech, but you can’t yell “fire” in a crowded theater. That is established law. And Justice Scalia, in the Heller decision, said the same thing about the Second Amendment. It is not absolute. There are limitations that can be placed upon it, particularly in the transfer of firearms, and I think that is what we are talking about here.

So I commend the Senator, and I believe what we are talking about—and let me go back to the Intelligence Committee for a minute. It took me 2 or 3 months—maybe I am a slow learner—but as I was sitting in the Intelligence Committee, I finally had two really visceral insights. One was that we are the only people watching the intelligence community; that we have this large apparatus, and we have these small committees in the House and the Senate, and we are the only people watching. That is not relevant to this debate, but that was an important realization imposed upon me, and what I thought was an extraordinary responsibility to pay close attention to what these agencies are doing.

The second observation was that the fundamental role of the Intelligence Committee and, I would argue, the fundamental role of this body is to constantly monitor and calibrate the tension that exists between two fundamental principles of the Constitution, in this case, three. The first is in the preamble—the fundamental reason this government was formed in the first place—to insure domestic tranquility and provide for the common defense. That is the essence of any government, and the fundamental, sacred responsibility.

Then we have the First Amendment, the Second Amendment, and the Fourth and Fifth Amendments that have issues of privacy and issues of gun ownership, and we have to constantly balance and calibrate those provisions based upon technology and reality, circumstances, and facts.

So I think it is a new area of facts. We are facing a threat today in the United States that is different from what we have ever faced before, where we have people who are being motivated from abroad mostly but are in our society. In this country, the terrorist who came to Orlando was an American citizen, was born here—and we have to take cognizance of that. We have to take account of that reality. If we don’t, we are falling, it seems to me, our fundamental responsibility: to provide for the common defense. That is what the American people expect us to do—to keep them safe—and this is simply one piece of the armor we can provide to keep the people of America safe.

I would conclude with a question to the Senator. Is there any hope of getting this accomplished? Where are we? Why is this so hard? This seems to be a commonsense solution. I read a quote from the NRA today that said: We believe that terrorists should not have guns. So is there room for discussion, for compromise? Does my colleague feel there is an opportunity here to get to a place where we can respond to this new threat that is facing us without in any way compromising the values of the Second Amendment?

Mr. MURPHY. I thank the Senator for guiding us toward that compromise because it has to be there. On this issue, we are speaking the same language. Frankly, on background checks, we tend to speak the same language. We both say—Republicans and Democrats—that we don’t want criminals to get guns. We both say that we don’t want terrorists to get guns. Yet we have been unable to meet in the middle.

My understanding is that the major priority has a concern about the ability of people who are on some lists to get off the list. So do we. We have no less interest in due process than they do. So we want to bring these issues to a vote on the floor. Our preference is to bring a compromise that can pass and get the support of both sides.

I know we have had Senator TOOMEY and some others come to the floor today and suggest there is some work to be done to get a compromise. My colleagues and I can get there. If we can’t, then let’s at least take the vote and let the American people see where we stand.

Mr. KING. But my understanding is that this amendment as proposed does provide a specific process whereby a person who believes they are wrongfully on the list, wrongfully denied the opportunity to purchase a firearm, has the opportunity to contest that, to have it litigated, and have it resolved in a reasonably prompt manner.

Mr. MURPHY. I think that has been the difficulty in finding a compromise.
The existing text gives the ability already for anyone who believes they are on the list wrongly to get off that list. That is why I said that we are just as concerned with that, and the underlying amendment that we have proposed and Senator Feinstein has proposed does exactly that. It gives an escape hatch for anyone wrongly on that list.

Mr. KING. One of the odd things about this debate is that if this had been 15 years ago, I don’t think we would even be having this debate. Background checks were generally uncontroversial. If we had would have had the terrorist threat, I couldn’t believe—we have domestic violence on there. How about terrorism violence? That should be a part of this as well. That is all you are really proposing. Is that correct?

(Mr. SCOTT assumed the Chair.)

Mr. MURPHY. That is correct. It is only controversial here; it is not controversial the American public. By and large, they want this done. So we have created a controversy that doesn’t really exist in the living rooms and social halls of this country.

Mr. KING, I thank the Senator. I thank him for his answers and thank him for his leadership on this issue.

Mr. MURPHY. I thank the Senator. I think it is really important that we have the diversity of our caucus represented as part of this discussion today. Senator KING and Senator DONNELLY are both strong supporters of the Second Amendment. I am glad to yield the floor for a question, without losing my right to the floor, to Senator DONNELLY.

Mr. DONNELLY. Will the Senator from Connecticut yield for a question?

Mr. MURPHY. I will.

Mr. DONNELLY. Like all my colleagues on both sides of the aisle, I was sick when I learned of the tragic shooting in Orlando. Like many people, my thoughts have been with the families and with the friends of the victims, with the LGBT community, with the people of Orlando, and with all Americans who are mourning the loss of loved ones at the hands of senseless gun violence. My thoughts are also with the parents across our Nation. We have to explain to our kids, to our children, how can something like this happen in our country?

We are elected in this Chamber to do a job—to discuss issues, to debate them, and to vote on legislation that makes our communities and our country safer. I came to the floor tonight to participate in this discussion because we have a job to do and we have action to take. I thank Senator Murphy for leading this.

I am a supporter of the Second Amendment. I am also someone who believes it is reasonable for all of us to consider smart and responsible ways to reduce gun violence. Those things are not in opposition to each other. Since I have come to the Senate, we have talked about mass shootings in Orlando, in San Bernardino, in Charleston, and in Newtown, CT, the Senator’s home State. The truth is, there is gun violence across this country every single day. No State is immune, including my home State of Indiana. Every victim of gun violence is someone’s mother, father, sister, brother, or someone’s son or someone’s daughter or someone’s husband or someone’s wife, and those lives are destroyed.

There are bipartisan proposals we can consider today that can make a difference. They will not solve every problem, but we can save lives. We can start by considering the bipartisan proposal by Senators JOE MANCHIN and PAT TOOMEY that strengthens our background check system to help prevent criminals and individuals with serious mental illnesses from getting guns. This legislation requires background checks for all commercial gun sales, whether they are at a store or online, whether at a gun show or whether they are online.

We should also debate and pass bipartisan legislation that denies firearms sales to known or suspected terrorists. This is simple American common sense. What do American people expect of us. This is what we were elected to do. If a person is on a terrorist watch list, they shouldn’t be able to buy a gun. It is that simple and that uncomplicated. It is time to do what the families and Members of Congress to confront the serious problem of gun violence in our country, to debate our options, to work to find solutions to help keep all Americans safe, and to protect our individual rights. As Members of this body we have differences, but we shouldn’t have differences on this.

We have also demonstrated that we can find common ground at critical times. I am confident that every Member of this body agrees we should keep weapons out of the hands of criminals, terrorists, and people with mental illnesses. This should not be controversial. I urge all my colleagues to come together on behalf of the American people who have blessed us with this opportunity to serve here and to stand up for them and to vote on these proposals. It is the very least we can do for those families, for the people we represent, and for the serious obligation and responsibility they have given us to do these things. They expect us to do our job. It is time for us to step up to the plate.

With all that in mind, I have a question for my good friend, the Senator from Connecticut. The question is this: Don’t we owe it to the victims of Orlando, the victims from Newton in your home State, the victims of Charleston, and the victims of gun violence in all our States to have a vote on these proposals, which are bipartisan proposals? Mr. MURPHY. I think that last phrase is the most important. They are bipartisan in every single way. We have had bipartisan support for these proposals on the floor of the Senate. But, frankly, more importantly, in Indiana and Connecticut there is bipartisan support. Whether talking to progressive Democrats or rock-ribbed Republicans, they all are in the same position that if you can’t fly because we have deemed you to be a terrorist threat, then you probably shouldn’t be able to buy an assault weapon, and that if you are a criminal, it shouldn’t really matter whether you walk into a gun show or a gun store, you shouldn’t be able to buy a weapon.

So I think the Senator put it perfectly, which is that in every way these are bipartisan proposals. At the very least, it is incumbent upon us to show the American people where the Senate stands on these issues. Let’s show the people of Indiana and Connecticut and Illinois where Senators stand on these we are not red or blue. We are red, we are bipartisan grassroots support in this country.

Mr. DONNELLY. I have one more question. Does the Senator think we are underestimating the fact that Senators are underestimating the common sense of the American people; that they know terrorists shouldn’t be allowed to have these weapons; that they know it is a danger to our kids, to our families, that we can’t afford to do that to the American people to have faith in them, to believe in them; that they are ready to take these steps; that they are ready to see their Senators take these steps and to stand with us? We all love our children. We all love our families. We all want to make sure that when they go out to be with their friends, they come home safe that night. For all of our families—whether Republican or Democrat—most important, we are one team. We are in this together.

Doesn’t it seem to make sense that we ought to be able to reflect the will of the American people? I think the American people are ready for this. Don’t you?

Mr. MURPHY. It is a political issue here; it is not a political issue anywhere else. The Senator talked about, I think, a very apt description of our underestimation of the common sense of the American people. I also think we underestimate our ability to fundamentally address the fear that exists right now about the next terrorist attack. I think if we were able to come together and pass these two simple measures, it would be a show of faith for the American people that we get it—that we understand how anxious they are, how fearful they are, and there is a salve to the wound that could come if we were able to come together and act. It is not just that it would make a practical difference in stopping potential terrorists from getting guns, but it would have a psychological impact on people.

So I think the Senator is right that we underestimate the common sense of
the American public. But I think we also underestimate our ability to do something meaningful, to address what is a very legitimate anxiety in the public, having watched San Bernardino to Orlando.

I yield the Senator.

Mr. DURBIN. I wish to direct a question to the Senator from Connecticut.

First, I would like to acknowledge that the Senator from Connecticut took the floor about 10 hours ago and has stood here with his colleagues, the Senator from New Jersey, Mr. BOOKER, and many others who have joined him during the course of the day. Senator BLUMENTHAL of Connecticut was also here.

I would like to ask a few questions and then ask the Senator to react to a news story that just came out. I think it is really worth a few words from us right now to time to remind those who are just starting to follow this debate why we are here and particularly why the Senator has been on the floor for 10 hours straight. This is unusual in the Senate. It is technically known as a filibuster, when the Member takes the floor and doesn’t yield the floor. It is done for a variety of reasons. It has been done throughout the history of this Chamber. But I hope we can make it clear from the outset why we are doing it today, why we are doing it, why we are joining him today, and why this is an important message that we are trying to send across America from one coast to the other, including the islands of Hawaii.

We are dealing with this because what happened in Orlando has really focused America on gun violence and the terrible tragedy that occurred there, with 49 deaths and over 50 who are seriously injured as a result of this gunman, who turned his guns loose on these poor people who gathered at this nightclub.

I would like to ask the Senator from Connecticut, at the risk of repeating himself—which is part of what we do here, making sure that those who are following the debate—if he would tell us the two issues that he believes bring us together in this common effort late this evening on the floor of the Senate.

Mr. MURPHY. I thank the Senator for asking. We focus our attention on why we are here. Frankly, we are not here just to talk; we are here to bring some resolution to this debate and to move on to consideration of the CJS appropriations bill.

We are asking for two votes on what could be consensus measures with respect to protecting Americans.

One, we want to make sure that if you are on the terrorist watch list, if you are on the no-fly list, then you cannot buy a gun. You are prohibited by law from buying a gun. I think the controversy about that in the American public. It would make a tremendous difference.

Second, in order to make that provision truly effective, we need to make sure that no matter where you buy a gun—whether you buy it at a bricks-and-mortar store, online, or a gun show—you are subject to background checks. One of those provisions with respect to the floor. Both of them together protect Americans from terrorist attacks, protect the flow of illegal guns into communities like Chicago without having any effect on individual Second Amendment rights.

If you are a citizen in this country, the two measures that we are proffering for a vote on the Senate floor will have zero impact on you. If we can get agreement to move forward in a consensus way on those two measures, my hope is that we could come together and find language that both sides could agree with. At the very least, we should have a vote on these measures so we could see where people stand. Then we would gladly relinquish the floor.

Mr. DURBIN. I ask the Senator from Connecticut, without asking him to yield to him, if he will yield for a question.

Mr. MURPHY. Mr. DURBIN. Our colleague from California, Senator FEINSTEIN, has filed an amendment. I believe she is making slight changes to it, but the amendment addresses the first issue. It enables the Attorney General of the United States, in a few words, to say: You mean a terrorist can buy a gun in America and you can’t stop him? So, overwhelmingly, Democratic, Republican, Independent, gun owners, non-gun owners believe this is common sense. The Senator from California in this amendment says:

Hereafter the Attorney General may deny the transfer of a firearm if the Attorney General determines, based on the totality of circumstances, that the transferee—

Purchaser of the firearm—represents a threat to public safety based on a reasonable suspicion that the transferee is engaged, or has been engaged, in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources therefor.

In the first sentence of a six- or seven-sentence amendment, the Senator from California, in a few words, says exactly what the Senator from Connecticut has said. We want to give to the Attorney General the power to stop a terrorist from buying a firearm in this country.

Today we had a briefing, and I know the Senator couldn’t attend because he was here on the floor with this important responsibility. The briefing came from the leader of the Federal Bureau of Investigation, Jim Comey, and Jeh Johnson, the head of the Department of Homeland Security. They talked about what happened in Orlando. Some of the things they told us cannot be repeated outside of that closed-door briefing and some of it will come out as the investigation unfolds, but here is something they told us that can be shared.

This man who went into the Pulse nightclub at 2 o’clock in the morning in Orlando had two firearms with him. Before that tragic evening ended, he had shot hundreds of rounds into that crowded nightclub—one man, hundreds of rounds. We asked him why was it to put this in perspective for me. Since 9/11, we have focused on what happened that terrible day when 3,000 innocent Americans died because terrorists took over airplanes and crashed them into the World Trade Center and the Pentagon and might have crashed them into this building had the brave passengers and crew not stopped them over Pennsylvania.

What we do every single day is to spend hundreds of millions of dollars for safety on airplanes and airports because we don’t want to run the risk that a passenger will get on board a plane and endanger the lives of passengers, up to 200 passengers or more, with a bomb or something. We go to elaborate lengths. Think about it. How many times have you taken off your shoes, opened your bags, put things on the conveyor belt? We have done that now for 15 years so we don’t have to relive the tragedy of 9/11.

Think about this for a second. If that same terrorist decides not to use an airplane but to use a semiautomatic weapon, the kind of weapon used by this man in Orlando, that person can endanger the lives of hundreds of people and killed 49 in that tragic situation.

So my question to the Senator from Connecticut is this. As we are focusing on the use of these military-style weapons, are we not reflecting the new reality of the terrorist threat to America—not just airplanes and the other means they have used but now what appears to be a more common weapon of choice, commonly purchased at gun stores by even suspected terrorists. Is that not what you were focusing on and we are focusing on as the first thing that needs to be changed in the law?

Mr. MURPHY. Mr. DURBIN, let me read to you the transcript of a briefing I had of a Qaeda’s most important operatives, an American by the name of Adam Gadhah. He is deceased now, but here is what he said in a video that he sent to potential converts in the United States:

In the West, you’ve got a lot at your disposal. Let’s take America for example. America is absolutely awash with easily obtainable firearms. You can go down to a gun shop at the local corner and come away with a fully automatic assault rifle without a background check and most likely without having to show an identification card. So what are you waiting for?

This is an Al Qaeda operative, an Al Qaeda recruiter, specifically instructing their potential followers in the United States to go to gun shows to
buy assault weapons in order to carry out lone-wolf attacks. This isn’t theoretical. We aren’t making this up on the floor of the Senate. This is a clear, strategic decision on behalf of these groups. They are losing territory inside Iraq and Syria, and they are dependent on lone-wolf attacks, and they have figured out that the quickest pathway to massive death and destruction is not to hijack an airplane, is not to construct an explosive device but to buy and assemble weapons on the ground.

Mr. DURBIN. Will the Senator yield for a further question without yielding the floor?

Mr. MURPHY. I will.

Mr. DURBIN. Despite the worst mass shooting in the history of the United States of America that occurred in Orlando, FL, despite the national reaction and international reaction to this tragedy, there was nothing scheduled this week in the U.S. Senate on the issue of firearms and terrorism, nothing—not until the Senator from Connecticut took the floor 10 hours 20 minutes ago and said: I am not going to sit down until there is an agreement that we all vote on this issue on the floor of the U.S. Senate. It was not even on the schedule of things for us to discuss this week until this Senator from Connecticut and his friends and colleagues decided to make an issue of it.

I ask the Senator if he is aware of the fact that the American Medical Association put out a press release in Chicago. I think it is historic and I would like to read a story about it if my colleagues will bear with me for a minute. This is from the American Medical Association.

The worst mass shooting in modern U.S. history has prompted the American Medical Association to declare gun violence a public health crisis and urge that Congress fund research into the problem.

The AMA, which lobbies on behalf of doctors, said in a news release that it will press Congress to overturn 20-year-old legislation that blocks the Centers for Disease Control and Prevention from conducting research on gun violence.

A 29-year-old gunman slaughtered 49 people at a gay nightclub in Orlando, FL, before shooting himself. It was the deadliest mass shooting in American history. The worst mass shootings in modern U.S. history have often been spectacular, with bloodshed and images of carnage on television. But the American Medical Association said Wednesday that 49 people are not the only victims of gun violence.

The AMA said it is ‘often a poor kid who is murdered, who is incapacitated as it becomes news that is 1, 2, 3, 4 days old. But what Senator KING said was so important that this just happens every day. As Senator BOOKER says, it is often a poor kid who is murdered. I was on the floor earlier tonight, and I mentioned how my wife and I live in Zip Code 44105 in Cleveland. In the first half of the year in 2007, that Zip Code had more foreclosures than any Zip Code in the United States of America. It is a Zip Code where there is a lot of poverty. There is a lot of violence.

The other night when I was in Washington, my wife heard gunshots and heard a police radio. That has happened far too many times when I am home. If my grandchildren are there, you are alarmed. The gunshots are usually maybe a quarter mile away, half a mile away, but we know that each time it might be somebody who is badly injured or worse. We see what is happening. We see maybe the Members of the Senate who have been at the beck and call of the gun lobby, maybe they are listening now. My question is, how do we make sure we remind them and remind the American people because I don’t think the American people think about what Senator KING said. There is roughly
one murder an hour on average in this country, 24 hours a day, 7 days a week. There are two or three people who are victims of gunfire hour after hour, day after day. All we really read about, all we really react to are these terrible mass shootings, but not the day-to-day violence. How do we bring that to people's attention so people in this body go home and do their job?

This Senate is not doing its job in confirming a Supreme Court nominee. It is not doing its job for the nine workers who work for Senator DONNELLY, Senator DURBIN, and I have in our States or the pensioners with the Teamsters Central States Pension Fund. They are not doing their job there either.

But on this one, until this Senate actually does the right thing, Senator MURPHY, how do we keep attention on this issue when people's memories fade and we go back to work and do nothing? That is why you are standing on this floor hour after hour. You can understand who is worse at this and I know we are not speaking to the country here, but this is a Senator from Connecticut who has not sat all day, has not been able to eat, just stands here and leads this debate and leads the charge to try and bring this to this Senate. Most of our colleagues are out for dinner or home by now, but Senator MURPHY is here pleading for our colleagues to stand up and do the right thing. I give my friend so much credit for the amount of time that I have been standing for the exact same

How do we sustain this until we get our colleagues here to finally do their job?

Mr. MURPHY, Mr. President, I give credit to Senators BOOKER and BLUMENTHAL, who have also been here. I think Senator BOOKER has been physically standing for the exact same amount of time that I have been standing as well. Hopefully, we are answering that question right now.

Let's try to be consistent here. Let's see the evidence of what is happening in social media today. This fillibuster has been the No. 1 trending topic on Twitter all day long. So there is nothing that is being discussed more on the most popular social media application in the country than our effort to bring light to this epidemic of tragedy that exists in our cities every day.

The Senator from Ohio probably doesn't know this, but last year there was a mass shooting, on average, more than once a day. If you categorize a mass shooting as four or more people being shot at any one time, there were mass shootings in Cleveland, Baltimore, New Orleans, Bridgeport, and Chicago on a regular basis.

I hope this effort is not just in the service of trying to bring a vote and a debate to the floor on these two measures, but on opening of this country's eyes to the epidemic of gun violence that exists.

Second, I think we need to do more of what Senator BALDWIN did tonight. We need to come to the floor and go out in our communities and tell the stories of who these victims are. We need to tell the story of who these young 17- and 18-year-olds are who are dying in your cities and my cities. We need to tell the stories of their moms and dads who were left behind. We need to personalize this in a way that is not real right now for most Americans.

I have been asked a number of times tonight: Why haven't we been able to move this debate? I think some of it is on us for not being as relentless as we can on the floor of the Senate and out in our states on commanding attention to this issue of the routineness of gun violence in our cities.

Frankly, it warms my heart to look around the room today and see 8 or 9 or 10 Senators still sitting on the floor at 10 p.m. at night. Maybe this is a means for us to recommit ourselves to bringing the message of the reality of everyday gun violence in our cities to every single corner of this country.

I thank the Senator from Ohio and will yield the floor.

Mr. SCHUMER. Mr. President, will my colleague from Connecticut yield for a question?

Mr. MURPHY. Mr. President, I yield for a question without losing my right to respond in due course.

Mr. SCHUMER. Mr. President, I just came from the Sandy Hook Promise Dinner, a dinner put together by the parents in his State. These are family members who have lost loved ones in that American tragedy of Sandy Hook. They were so inspired by the actions of their two Senators, who are also chair of this organization, the Senator from New Jersey, and so many others who have taken to the floor tonight. When I mentioned what was going on here, they rose up in a standing ovation. They inspire us, and I know they have inspired our good friends from Connecticut. They are amazing people.

When something like this happens and it hits you, as I think so many loved ones were lost in Orlando—as the good Senator from Wisconsin so eloquently documented earlier this evening—the natural inclination is to curse the darkness, to ask “why me?,” to be angry, to turn inward and say: I don’t want to live life anymore. For those who can light candles to try and prevent this from happening to others even though their losses will never, never, never be extinguished—their deaths a part of never been—is an amazing thing.

Before I ask my question, I wanted to convey to my good friend how his activities and the activities of his colleagues from Connecticut and the Senator from New Jersey and so many others here today have inspired us. I think the Senator is correct. If we can have a virtuous cycle of being inspired by others and then trying, through our small efforts, to inspire others, we will win this fight. I have every confidence that we will.

Dr. King said: The arc of history is long, but it bends in the direction of justice. That is something that we are all mindful of. It will bend in the direction of justice, and my colleague from Connecticut has helped to bend it a little bit more, and for that, we are so, so, so thankful.

I wish to ask my colleague a question about what we have heard from some on the other side, which is about the Second Amendment and the kind of proposals that we have seen by the Senator from Texas and the Senator from Pennsylvania, who seek a compromise and talk about the Second Amendment. To them, it almost seems that the Second Amendment is absolute. I, for one, believe in the Second Amendment. I believed there was a right to bear arms even before the Heller decision. I believe that it is not fair to read the other amendments of the Constitution in such an expansive way and then say that the Second Amendment means just militia. Some of my colleagues on this side of the aisle will agree, and some will disagree.

The question to my colleague is very simple. Even if he has a strong belief in the Second Amendment, no amendment is absolute. The First Amendment, so dear to us, can’t falsely scream “fire” in a crowded theater. That is a limitation on our First Amendment rights. We have laws against child pornography, as we should, and that is a limitation on our First Amendment rights. We have libel laws. If you say something that is false that hurts or damages someone, you can be sued. That is a limitation on First Amendment rights.

Isn’t it true that just as we have limitations on First Amendment rights, there are reasonable limits on Second Amendment rights? It would seem to me that one of the most logical limitations is to say that someone who is totally dangerous or might be totally dangerous has kind of tragedy that we saw in Orlando, Newtown, Aurora, and in other places across the country, such as San Bernardino, should not have an absolute right to a firearm. Another point here—before I get to my question—is that I find it ironic that so many of my colleagues who are so meticulous on the Second Amendment in terms of civil liberties and due process don’t really seem to care about it on all the other amendments. We have a number of Senators from New Jersey and Illinois here tonight who have worked hard on criminal justice reform, and we don’t hear rousing speeches from some of the Senators who have gotten up in the past few days to say something like: Let’s make sure we don’t make a single mistake when it comes to the criminal justice system. We have a number of Senators from New Jersey and Illinois here tonight who have worked hard on criminal justice relief, but we don’t hear from the other side about the need for making sure due process is followed when it comes to the criminal, except for the Second Amendment.

Let’s try to be consistent here. Let’s believe in all the amendments, but let’s
realize that every amendment has a limitation. That a balancing test has always been the watchword of the Supreme Court from the founding of the Republic. I ask my colleague to explore this inconsistency. I think about those victims of domestic violence. They had on a bulletproof desk, but the guy shot him in the head. There is no one who has done that, nor will there ever be. Everyone can tell you that a lot of people are in lives, because they know that back-grounds checks, when done right and thoroughly, have saved lives. They mostly help in cases of suicide and in cases of domestic violence. They had the courage to come to this Chamber, to come to our offices time and time again to advocate for something that they knew wouldn’t save their babies’ lives, but they did it because they knew it was the right thing and they had the courage to do it—the courage that many people did not have in this Senate Chamber.

Domestic violence, background checks help. Do we know what else helps with domestic violence? Going after stalkers. Right now you can be convicted of stalking and still get a gun in this country. That’s why we have a bipartisan bill in the House and in the Senate that would stop that.

We also bizarrely don’t include dating partners, even though in many parts of the law, they are included. You don’t have to be married to someone if you have a domestic violence conviction and you are dating partners. A Republican witness at a Judiciary hearing
agreed that that part of the law could change, but we cannot get that simple thing changed in the law because people are not willing to take just the slightest risk to vote for it, even when their own constituents favor it. As Senator Murphy pointed out earlier and over again, we have a situation where the majority of gun owners support these changes. We have a situation where the vast majority of people want to see these changes.

I thanked the Senator from Connecticut and asked him just one question focused again on the terror watch list. I know Senator Feinstein released updated information from the Government Accountability Office just yesterday which showed that roughly 91 percent of known or suspected terrorists who attempted to purchase a firearm were able to clear a background check in 2015. I think people would be pretty shocked if they knew that statistic, and obviously one of the reasons we are talking about this is that people understand how bizarre this situation is, that we can’t even close that loophole.

I asked Senator Murphy, what does that mean to you when you hear a statistic like that, that you have 91 percent of known or suspected terrorists who are able to purchase a firearm but are still able to clear a background check? Mr. Murphy. It shows, I say to Senator Klobuchar, that we are intentionally putting our constituents in danger, that we have data which tells us that when people on the terrorist watch list are walking into gun stores, they are getting approved at a 99-percent rate. By the way, the 10 percent who aren’t getting approved because they are on the terrorist watch list—it is because they are on some other list. But that is a chilling statistic. If you play it out over the course of 10 years, it is the same percentage. Over the course of 10 years, 90 percent of individuals who attempted to purchase guns who were on the terrorist watch list have been handed a gun that they could walk out with. It is a small number on a year-to-year basis—200 people—but it only takes one of those individuals in order to commit a mass atrocity.

I thank the Senator for coming back to the floor here tonight and making this very clear case because what we are asking for is eminently reasonable. We are asking, Senator Klobuchar, as you know, for debates and votes on two commonsense, bipartisan amendments to the underlying bill: first, legislation that would make sure that if you are on the terrorist watch list, if you are on the no-fly list, that you cannot get a weapon, that you are prohibited from buying a weapon, just like a criminal; and second, that background checks be extended to gun shows and to Internet sales so we make sure we have a net wide enough to capture these terrorists wherever they are trying to obtain weapons. If Senator Durbin has said over and over again for the last 10 hours, have an ancillary effect on the gun violence that is plaguing his city, my city, and your city, Senator Klobuchar, because many of the weapons that flow into Chicago and Hartford and Minneapolis come through sales that happen outside of gun shows and that aren’t subject to background checks.

So it is thrilling to me, frankly, to have a floor that is full of Senators at 10 o’clock at night. It is thrilling to me, as I stated earlier, that we have been—our collective effort has been the No. 1 trending topic on Twitter over the course of the day. It is thrilling to me that, as I just heard, our phone lines in our office are still ringing off the hook right now as we speak with people all around the country who are demanding that we continue to stand on this floor as long as we can, as long as I can, until we get these votes.

I thank the Senator for bringing this issue back to the floor.

I would be thrilled to yield for a question asking my right to the floor, to the Senator from Washington.

Ms. Cantwell. I want to thank the Senator from Connecticut for his tremendous leadership out here tonight and I want to thank for the Senators, if you have never led a filibuster, up until that point, you probably don’t know for sure that you are ready for this task, but a moment occurs in which you know you must act, steel is inserted into your spine, and you come out here and you give it your all.

Before asking a question, I want to thank the Senator from Connecticut and his colleague, the Senator from New Jersey, for showing such steel in making sure America hears our response to the events that have happened not just this past weekend but for so many weekends and so many days and so many incidents. I say to our colleagues that we deserve to have a vote on these two issues.

I know my colleagues are impressed that there are other colleagues out here, but we so admire your courage, in the face of such tragedy in your State, to not forget the effort that needs to happen in the United States of America, to let the American people know that policies they would like to see debated and discussed are getting bottled up. That is what tonight is all about. It is all about saying don’t bottle up these issues. If you want to test the fortitude of a human being to see how long they can stand on their feet, we will find out the answer to that.

But the real question is: “Are you going to let us vote on important public safety issues that the American public wants us to do something about?” That is what is so ironic about the fact that we can’t have these votes. The American people want us to have these votes and are fully supportive of this effort.

I thank my colleague who was just here who was a prosecutor herself, so she knows what this is all about. She knows on a day-to-day basis what it is about.

So this issue of voting on whether an individual on the terrorist watch list can purchase firearms—we say to people: If you are on the terrorist watch list, you are not going to let you on an airplane, and you cannot get a gun if you are on that list.

According to a 2015 poll, 77 percent of the American voters supported banning sales of guns to people on the terrorist watch list. So we have the majority of Americans support us in this effort. Yet we cannot get the support to make that happen here on the Senate floor.

I also want to bring up public safety because I am reading a statistic here that Washington is one of just 14 States where more people die by gunfire than by motor vehicle accidents. We also have a statistic that 61 percent of perpetrators who killed police officers with guns in Washington between 1980 and 2013 were prohibited from purchasing guns but were still able to get them.

This issue, for us, is something that we spend a lot of time here debating. There are other colleagues who have led the battle on trying to have background checks and closing the loopholes that exist in current law. I thank them for that. I thank them for their battles and efforts.

I wanted to ask the Senator from Connecticut if he is aware—and I am sure he will be somewhat aware—that this issue being neglected by the U.S. Senate is being taken up by citizens of the United States through every measure and vehicle available to them?

In the face of growing violence in our State, Washingtonians demanded change, and in 2014 voters in our State overwhelmingly passed a ballot initiative to require background checks for all firearm sales, including online sales at gun shows, and sales between private citizens. That is what we passed by initiative in the State of Washington.

Is the Senator from Connecticut aware that States are taking up this effort?

Mr. Murphy. I am aware, and I wish that weren’t the case. I wish that citizens through referendum didn’t have to take up this cause on a State-by-State basis because of utter inaction from this body.

I will cite statistics in a moment, maybe, Senator Cantwell, but when States act, it makes a difference. When States act, it results in an appreciable decline in gun homicide rates, but it is much better and much more effective if the Federal Government acts.

Ms. Cantwell. I so appreciate the Senator, and I wanted to ask him because his comments are right in line with the comments that I think are so important for people to understand.

This past March, we got the first hard numbers from the impact of this law that we passed in Washington State. In addition to the nearly 4,000
felons who were caught illegally trying to buy a firearm in Washington through a licensed dealer—another 50 felons were prevented from buying guns from private sellers because of the provisions of the new law. According to data from the FBI, nearly 8,000 private sales have been prevented that otherwise would not have without changes in the law.

So the fact that we now have this law in place in our State and are now seeing the results that we are actually stopping felons from getting firearms says to me that these are results that the rest of my colleagues and their States should look at. But we should do U.S. citizens a favor by, as you said, not continuing to have this be done State by State, but do it at the Federal level.

I ask my colleague from Connecticut how aware he is of this movement and how important it is that the American public continue to demand that we deal with these issues.

Mr. MURPHY. Let me just respond by giving some statistics about what happened in States with strong background check laws that they require for every gun purchase. We know that the numbers are staggering. This is unequivocal; this isn’t guesswork or conjecture. We know what they are with universal background check laws and States without them.

In States that have universal background check laws, 64 percent fewer guns are trafficked out of State. There are 48 percent fewer firearms suicides, 48 percent fewer police officers are killed, and 46 percent fewer women are shot to death by intimate partners. That is in States that have universal background checks, and those numbers would be even better and even stronger if we had that law applied nationally because what we know is that those intimate partners who are buying a gun in that fury, those individuals who are trying to traffic in illegal arms—all they have to do sometimes is cross a simple State line in order to find those weapons of destruction and bring them back into a State that has universal background check laws. So there is no doubt that stronger background check laws lead to fewer gun deaths. That is what the data shows.

Washington is proving that, Connecticut is proving that, and it is absurd that the U.S. Congress with 90 percent of the American public supporting this proposition doesn’t assure this protection for everyone who lives under the umbrella of security of this Congress.

Ms. CANTWELL. I would just say to the Senator from Connecticut—and I thank him for his leadership—that we need to come together and consider ways in which to stop gun violence. We need to improve the mental health system, and I know people have talked about that this evening as well. But I want the Senator from Connecticut to know that in the State of Washington we are looking at an additional ballot initiative to prevent gun tragedies involving mental illness. So I think people are going to continue to explore all the ways in which we can make sure that our citizens can become safe, and if it takes that initiative process, I think people are going to see the results, but let’s have a vote. Let’s at least know where your representative, where your Senator is on these policies that are important.

If you are on a terrorist watch list and you get on a plane, you shouldn’t be able to get a gun. Let’s have a good law like this good law that has been enacted in the State of Washington and background checks that produce results like catching felons and stopping them from having access to guns.

I thank the Senator from Connecticut for answering those questions and, again, for his leadership tonight on the Senate floor.

Mr. MURPHY. I thank the Senator from Washington, and I thank her for the work she did to allow the citizens of Washington to pass that referendum. That was a bright spot, and it was a reminder for those who were fighting this question out of the political morass that is Washington, DC, and you give it to voters, you give it to citizens, they choose the protections that we are asking for votes on here.

I would note that Senator KING is still on the floor. There are referendums planned in Maine; there are referendums planned in Nevada. This campaign of citizen-based activism, demanding changes in gun laws to reflect the overwhelming majority will of the public, is happening. It is inevitable. It is not stopping; it is marching forward. We would do well to listen to that temper and adopt these measures.

I will at this point yield for a question, without losing my right to the floor, to the Senator from Virginia.

Mr. KAINE. Mr. President, thank you for the opportunity to appear tonight, and I share my praise of my colleague, the Senator from Connecticut. We came to the Senate together. His leadership on this issue is something I admire, but more than leadership on the issue, I admire his heart and his compassion. He has suffered because his citizens have suffered. And if you suffer and you don’t try to change things—if you don’t try to do things differently—then you are not fully alive. I honor that in the Senator, that he is willing to be vulnerable suffering is trying to find help for others.

I have a little scar tissue on this issue. I would love to describe the Virginia experience and my own personal experience on this and then ask a series of questions of my colleague from Connecticut.

I was elected to office—to the Richmond City Council—for the first time in May of 1994. At the time I was elected, Richmond had the second highest homicide rate per capita in the United States. I was sworn in on July 1, 1994. On October 14, 1994—I will never forget that day—in my city council district, in a public housing community, Gilpin Court, which is the largest between Washington and Atlanta, a 35-year-old guy walked into an apartment and gunned down a family of six, from a 35-year-old woman, to her younger sister and her three little baby children. I got a call as a city council member. I raced to the scene, and it was chaos. That has begun a 22-year experience of being too intimate with this problem. That funeral of the family was an absolute heartbreak in Richmond with 3,000 people and six little white coffins at the front of the room is something that I will never, ever forget.

A number of years later I was Governor of Virginia. I had just taken a trade mission to Japan and had landed, had checked into the hotel, and had fallen asleep. Someone knocked on my door. It was April 16, 2007, and my security detail said: You have to call home. Something horrible has happened in Virginia, and it is bad.

I called to find that a shooting was still taking place at Virginia Tech University in Blacksburg that eventually killed 32 people and injured dozens of others. At that point, at that point, it was the worst shooting incident in the history of the United States, but no longer. That was the worst day of my life, and it will always be the worst day of my life—comforting the families of the victims, talking to the first responders, who went into a classroom where bodies littered the floor and who heard in the pockets of deceased students and professors cell phones ringing as parents who had seen it in the news were calling their kids, just knowing they were at Virginia Tech to ask them if they were all right—calls that would never be answered. This traumatized some of the most hardened first responders whom I know. I knew priests and ministers in that community who had seen a lot and were traumatized in the days to follow.

The Senator from Connecticut has a reasonable proposal on the floor with respect to background record checks. The deranged young man who had committed that crime and then killed himself was not supposed to get a weapon. He was federally prohibited from getting a weapon because he had been adjudicated to be mentally ill and dangerous, but the weaknesses of a background check system—gaps in the background check system—had created the ability for him to buy this weapon and create this unspeakable carnage.

We learned everything we could learn from that tragedy; we fixed what we could fix. To my everlasting regret, I could fix part of the background record check system, but I went to the legislature and said: Let’s have universal background checks so this will not happen again. Even in the aftermath of the worst shooting tragedy in the United States, we went to the legislature to do the simple thing that the voters, that gun owners, and that NRA members said they should do.
Mr. MURPHY. It is in there for a reason. Mr. Kaine. It is in there for a reason. And it has been in there since 1787, and Virginians were the drafters. So it is in there for a reason, and it is important that we have that in the Constitution. Let me ask the Senator about the First Amendment. The First Amendment says there is a right to free speech and a right to freedom of the press. Does that mean that constitutionally I can go out and slander and libel anyone, and there is no consequence for that? Is that what the First Amendment means? Mr. MURPHY. The First Amendment is as important as the Second Amendment, but it comes with conditions and responsibilities. One of them is that you can’t slander your fellow citizens. You can’t yell “fire” in a crowded theater. There have been important limitations since the beginning of the Republic built around the First Amendment which have considered as any of the individual rights that are encompassed in the Bill of Rights. Mr. Kaine. There is another part of the First Amendment that says you have a right to assemble. My understanding is the Senator is a lawyer, so he can tell me if I am wrong about the right to assemble. You have a right to assemble, but a government can condition it. Can you say have to get a permit or you can assemble here, not there? It cannot discriminate among points of view, but the common constitutional provision is that there can be reasonable restrictions on the time, place, and manner of assembly under the First Amendment, and that is completely constitutional. Is that the Senator’s understanding of the clause? Mr. MURPHY. Another qualified right of the Bill of Rights. Mr. Kaine. I can do the same thing on the Third Amendment in terms of the provisio— Mr. MURPHY. It is wonderful that Senator Blumenthal, even with those family members hoping we would do the right thing, we couldn’t get there. As surely as night follows day, there are terrorist tragedies. And sometimes I hoped would never happen—a shooting tragedy has eclipsed even the horrific tragedy in Blacksburg in 2007. So the question that has to be asked is, What will it take and when will we act? So I would ask the Senator a series of questions because I am not just grappling with this as a legislator; I am grappling with this as a person, as a parent, as a friend, as somebody who has scar tissue. I have an organization, the National Rifle Association, that is headquartered in my State and that says we can’t do anything because of the Second Amendment. Let me ask a couple of questions of my colleague. The Senator would agree with me, would he not, that the Second Amendment is in the Constitution, so of course we have to do something because of the Second Amendment. Let me ask a couple of questions of my colleague. The Senator would agree with me, would he not, that the Second Amendment is in the Constitution, so of course we have to do something because of the Second Amendment. Of course, that is a mythology that has been created by the gun lobby and the NRA that there is this secret agenda to essentially get the camel’s nose under the tent through an expansion of background checks or a restriction on individuals who are on the terrorist watch list as far as buying guns, because the ultimate goal is to eventually paralyze into people’s homes and take away all of their weapons—gun confiscation. Of course, that is a mythology that has been created by the gun lobby and the NRA that there is this secret agenda to essentially get the camel’s nose under the tent through an expansion of background checks or a restriction on individuals who are on the terrorist watch list as far as buying guns, because the ultimate goal is to eventually paralyze into people’s homes and take away all of their weapons—gun confiscation.
have been unaware of this body or any State legislature putting in a proposal to take away folks’ guns, as advocates would suggest.

Let me ask the Senator this one. Here is a position this organization used to advocate all the time: We don’t want to have things that restrict law-abiding citizens; we just want to keep guns out of the hands of the bad guys.

For a very long time, that was the NRA’s position—don’t restrict law-abiding citizens; keep guns out of the hands of the bad guys. As far as you know, is there any way to enforce the existing laws and keep the guns out of the hands of the bad guys pursuant to the Federal laws that have been in place for a very long time and that prohibit nine categories of people from owning weapons? Is there any way to do that job and keep the guns out of the hands of the bad guys without a comprehensive background check record so that somebody who is selling can determine whether somebody who is buying is a bad guy?

Mr. MURPHY. When we passed the background checks law initially, I say to Senator Kaine, it was pretty good at keeping guns out of the hands of bad guys. But at that time the vast majority of gun sales occurred in brick-and-mortar gun stores. But what has happened, as you know, is that sales of guns have transferred from brick-and-mortar stores to online sales and to sales in gun shows. Because the law has not caught up, there are quite literally thousands of criminals and convicts and felons who are now walking into gun stores are just typing in armslist.com online and buying guns with no background check because the law has not kept up.

So if you are truly sincere about stopping the bad guys from getting the guns, then by definition you have to expand the number of sales that are subject to background checks is those that are happening in 40 percent of the sales, which occur now online and in gun shows—never mind the fact that the saddest of the guys are probably the ones who have had known communications and connections and communications and terrorist and who are not on that list today of those who are prohibited from buying guns.

Mr. Kaine. May I ask the Senator this since we have started to talk about that question. Has anybody come up to you and said: Hey, people on the terrorist watch list—we just shouldn’t be worried about them. Why would we worry about people on the terrorist watch list?

Have they tried to argue that those are good guys?

Mr. MURPHY. Quite the opposite. They would rise to the highest level of concern for most of our constituents.

Mr. Kaine. Here is where I am puzzled. For an organization that says that they support the Second Amendment, they advocate a position that has no support in the Second Amendment. An organization that shakes their fists and says we are trying to take their guns away—that has no basis because there are no such provisions that are on the floor and that have been introduced. An organization that says they want to keep guns out of the hands of bad guys—the only way to do that is a comprehensive background check record. So doesn’t it seem like the organization’s principles are really—well, let’s start with this: It seems to me they are at odds with the point of view of not only most Americans but also those gun owners. Most gun owners support the commonsense provisions that you are describing on the Senate floor.

Mr. MURPHY. I assume you have gun clubs in Virginia, just as we have them in Connecticut.

Mr. Kaine. Absolutely.

Mr. MURPHY. If you walk into a gun club in Connecticut, there is going to be pretty solid consensus that criminals should not have guns. And those law-abiding gun owners who sit in those gun clubs on Saturdays and Sundays have absolutely no problem with sales online or sales at gun shows being subject to background checks because they have gone through background checks themselves. They take pride in the fact that the background check takes less than 10 minutes. They know that it is nothing more than a 9-minute, on average, inconvenience for someone who is buying a gun, and they support it further.

Frankly, those guys in the gun clubs are amongst the loudest in their concern that terrorists have the ability today to buy dangerous weapons and commit mass murder like we saw in Orlando.

So this consensus that exists out there in the American public is not a consensus amongst progressive Democrats; it is a consensus amongst gun owners, non-gun owners, Democrats, Republicans, moms, dads, conservatives in Virginia, Georgia, Connecticut, California. There isn’t a cross-section of the American public that doesn’t support keeping bad guys from getting guns and thus the two reforms we are asking for here today—a law that prohibits people on the terrorist watch list from getting guns and a law that expands background checks to all of the forms in which guns are sold today.

Mr. Kaine. I would go one further. Not only is it consistent with what the American public wants in virtually any ZIP Code in this country, I think the notion of keeping guns out of the hands of bad guys, which for a long time has been the stated principle of the National Rifle Association—I think that is in accord with the opinions of the majority of gun owners. As I have seen polling by NRA members, the members of the organization overwhelmingly support background record checks because they want to keep guns out of the hands of bad guys.

Mr. MURPHY. Senator Kaine, they support it. NRA members support it at the exact same rate that non-gun owners and non-NRA members support it. In fact, NRA members, frankly, have been historically those who have been most supportive of provisions that would prevent guns from getting into the hands of criminals because by and large, NRA members are law-abiding citizens. Historically, they have had some of the greatest concern about this, which is why it is so hard to understand this disconnect between where their members are, where gun owners are, and where the advocacy organization is.

Mr. Kaine. That is talking about outside this building. How about the disconnect between what our citizens, gun owners, and NRA members want and expect us to do and the complete lack of action and, frankly, counter-productive action.

Let’s talk about that. Congress has given gun manufacturers a unique form of liability protection that virtually nobody else in this country gets. We have a number of businesses in place to stop research into causes of gun violence, to stop the ability to trace weapons in gun violence. These are not only not doing the right thing but doing the wrong thing in the sense that it is completely contrary to the wishes of the constituents who send us here to represent them.

Mr. MURPHY. When you present these issues to the American public, they scratch their heads because they assume already that individuals on the terrorist watch list cannot buy guns. They think it is absurd that we passed a law that subjects toy guns to a greater standard of negligence than real guns. I mean, that is what that law effectively did. That law said that if you sell a toy gun, then you are going to be subject to a higher standard of negligence if that gun misperforms than a real gun company is going to be held to if its gun—its real gun—misfires. When you explain that to somebody in your State, whether you are in a red State or a blue State, they scratch their heads.

It doesn’t make sense to them.

Mr. Kaine. Finally, Senator, if I could do this, I know as part of standing on this floor, you are not standing here over words in draft legislation, you are standing here because of people. I sat with you, and we talked about people in your community. I had met some who had been affected. I would love to tell you the story about just one Virginian, if I could, and then I would love to have you comment on the story I am going to tell you. I could tell a lot of stories about a lot of different people, but one just epitomizes to me so plainly this challenge, and it is a story of a man named Liviu Lebrescu.

Liviu Lebrescu was one of the people who were killed at Virginia Tech. He was a professor of aerospace engineering. On April 16, 2007, when Seung-Hui Cho came into Norris Hall and started shooting people, he stood in front of
the door and told his engineering students to try to get out of the window so that they would be safe. He blocked the door, and Seung-Hui Cho was shooting bullets through the door. He kept saying: Hurry, hurry, hurry. Until the last breath he took, he told students to hurry, block his classroom door. Students fanned out the window except one other student, Minal Panchal, who stayed behind and encouraged others to go ahead of them.

Professor Lebrescu was one of the 32 killed that day. Here is the amazing thing about Liviu Lebrescu that I just find myself continuing to contemplate. Liviu Lebrescu was 76 years old. He was born in the 1930s as a Jew in Romania. When Hitler and the Nazis started to sweep across Europe, he and his family were put into labor camps and concentration camps. But this amazing survivor, who was a young boy and a teenager, survived the Holocaust. Most of his family was killed. He survived the Holocaust, and he was a teenager with his family gone. A lot of people who had been through that experience in Romania decided to leave, they were so shattered, but he said: This is my home. My family is gone. This is my home. I am going to stay in Romania.

Then the Soviet Union took over Romania, and they asked that he renounce his Judaism, and he wouldn’t do it. Then they asked that he pledge allegiance to the Communist Party, and he wouldn’t do it.

He had gotten a Ph.D., and he was a well-recognized engineer, but suddenly, first, he couldn’t travel to go to academic conferences, and then second, he was going to lose his job.

This Holocaust survivor had to live under Soviet communism and be persecuted, but he wouldn’t give up his faith, and he wouldn’t give up his moral integrity. He kept trying for a better life.

Finally, in 1977, when he was past 40, he was allowed to immigrate to Israel, and he moved to Israel. That had been his dream. And he was a teacher in Israel.

In 1985, he got a 1-year teaching fellowship at Virginia Tech in Blacksburg to teach engineering. He came in 1985 for a 1-year fellowship, and he kept renewing it year after year after year because he found in Virginia, he found in America, he found in Blacksburg a community that he loved and a community that he cared about.

So somebody who survived a holocaust of the Nazis and who survived the Soviet oppression of his native land couldn’t survive the holocaust of gun violence in this country.

There is one more thing about Liviu Lebrescu. It is about the day he was killed because it was a very different day for him than it was for his students. It was a Monday. It was April 16, 2007. That day was a special day in the Jewish faith for somebody who was Jewish. It was Yom HaShoah from sundown on April 15, 2007, until sundown on April 16. It is the day to remember the Holocaust. For Jews worldwide and people who care about Judaism worldwide, it is a day to remember the Holocaust.

When you remember the Holocaust, well, it is one thing to reflect upon it, but it is another thing to reflect upon it as a Holocaust survivor. What you reflect upon is the perpetrators and the gravity of the tragedy that they perpetrated. You reflect upon the victims who lost their lives, and you reflect upon the survivors. You reflect upon the heroism that you also reflect upon the bystanders.

So while the students who went into that class on the morning of April 16 weren’t thinking about Yom HaShoah, Liviu Lebrescu was.

I have to believe that when that shooting started on that day where he was thinking about what he had been through, then he was faced with an existential—am I going to be perpetrator? Am I going to be a victim? Am I going to be a survivor? Am I going to be a bystander? Am I going to be a hero? He chose to be a hero, and he lost his life. He chose to be a hero, and he lost his life.

Would I do that? Would I stand in front of a door, block it, take bullets, and tell my students to get out the window? Would I do that? I cannot honestly stand here and say that I would.

I can’t say that I would have the courage of Liviu Lebrescu. He was a hero. I can’t say that I would have the courage of Liviu Lebrescu. He was a hero. I can’t say that I would have the courage of Liviu Lebrescu. He was a hero.

But in this body, we don’t have to be heroes; we just have to not be bystanders. We have been bystanders in this body. We have been bystanders in this Nation as this carnage of gun violence has gone from one tragedy to the next. To cast a vote, that is not heroic. To stand up and say, “We can be safer tomorrow. We can protect people’s lives,” that is not heroic. That is just saying I will not be a bystander. And that is all we have to do—stop being bystanders.

Mr. President, I would just ask my colleague from Connecticut if he has any close on that, and I appreciate the chance to engage in this dialogue with him.

Mr. MURPHY. I thank the Senator from Virginia. That is as compelling a case as can be made.

Before I yield the floor for a question from Senator BLUMENTHAL, who has been here with us, Senator Booker. For every one of the now 12 hours we have been standing here, I want to put that challenge to stop being a bystander to the body in very personal terms. This, for Senator BLUMENTHAL and me, is rooted in our history as well. I was not more than 30 days from my birthday when I got the call about the tragedy that was evidenced that day. That day was the day to remember the tragedy that was evidenced that day. But our challenge from those families is to stop being bystanders, and there are similar stories of heroism that I will ask later tonight from inside those classrooms, but a letter I keep with me is from a mother whose child survived Sandy Hook.

So let me just read an excerpt from it before I yield the floor to Senator BLUMENTHAL, to make this challenge real from a mom who thinks about this every day. She said:

In addition to the tragic loss of her playmates, friends and teachers, my first grader suffers from PTSD. She was in the first room by the entrance to the school. Her teacher was able to gather the children into a tiny bathroom inside the classroom. There she stood with 14 of her classmates and her teacher, all of them crying.

You see, she heard what was happening on the other side of the classroom. She was not thinking about Yom HaShoah during that day in April. When Hitler and the Nazis started to sweep across Europe, she and her family went. A lot of people who had been through that experience in Romania decided to leave, they were so shattered, but he said: This is my home. My family is gone. This is my home. I am going to stay in Romania.

Imagine what that must have been like. Sandy Hook, Sandy Hook, Sandy Hook.

Furious that lawmakers are too scared to take a stand.

This mother of a child who survived one of those Sandy Hook classrooms finishes by saying:

I ask you to think about your choices. Look at the pictures of the 26 innocent lives taken so needlessly and wastefully, using a weapon that never should have been in the hands of civilians. Really think. Changing the laws may inconvenience some gun owners, but it may also save a life—perhaps a life that is dear to me or you.

Are you willing to risk it? You have a responsibility and an obligation to act now and to change the laws. I hope and I pray that you do not fail.

This was written by the mother of a girl who survived the massacre at Sandy Hook.

I yield to my colleague from Connecticut—who has been here with me and Senator Booker since the beginning, 12 hours ago—for a question, without losing my right to the floor.

Mr. BLUMENTHAL. Thank you.

And I will ask a question of my colleague and friend from Connecticut, but first I want to thank all my colleagues who
have been here over these 12 hours off and on, speaking so powerfully, as our friend from Virginia just did about his experience.

Every one of us has this kind of experience that brings us here and binds us together because we have seen the flesh and blood and emotional impacts. And I want to read a letter also from a Newtown survivor—another. I read one earlier. This is from someone who lived through Newtown and wrote me after Orlando, and she said:

As a Newtown teacher who was in lockdown at the Middle School on 12/14, this work is particularly important to me. That could just have easily been my classroom, and I find it abhorrent that we have chosen as a nation to be complacent in the face of mass shootings. It is incumbent upon us, our elected officials to enact meaningful change in order to save lives.

I urge and implore citizens around the country, people who are watching this proceeding, who are listening to the powerful words of my colleagues—most especially Senator MURPHY—to let us know that you hear us, and equally important to let the other side of the aisle know, which right now is vacant—completely empty. This side is full, this side empty. Let us hear how you feel, the same way this teacher who lives in Trumbull, CT, let me know how she feels.

There is a lot of talk these days in our politics about the need for change, about bipartisanship and compromise, in the Senate campaigns, at every level of our elected process. Politicians are telling people they will change things in Washington, well, we can give people change in our laws, in our enforcement practices, in our culture. It all has to change for lives to be saved. It isn't only new laws, there has to be more resources for the enforcement of that law.

The background check is actually an enforcement tool. Expanding that check gives law enforcement the ability to stop people already prohibited by law from buying guns. The terrorist watch list and the Attorney General's discretion based on evidence to stop people engaged or preparing for terrorism to be barred from buying guns is an enforcement tool. It protects people. So people should demand changes not just in the abstract and in general terms but in the way we deal with guns.

This day has been enormously meaningful because of the reaction it has provoked across the country in our offices, the phones that have rung, the tweets that have emanated, and the messages we have received in every form, but it must be followed by action. In this Chamber we hear words. This place is filled with words. It is what we do in this place—we talk. But actions speak louder than words. Now is the time for action. Enough is enough.

Give us the votes. Give us the votes on these amendments. Let us vote. That is the reason we are here. Let us act to fulfill the expectations and the wishes of the American people who are begging for us to take meaningful action. We need to do our job. That is our job—to act and to protect the American people.

I would ask my colleague from Connecticut whether he believes we can reach a resolution here that will permit us to act, whether reasonable minds can come together, whether we can forge consensus involving the other side of the aisle, whether we can bridge the partisan divide together in a meaningful way—as we have done on veterans issues, on immigration reform, and on other issues, where we may not have crossed the finish line in the House of Representatives but, in the past, we have succeeded in bridging our differences. Is that possible?

I want to hear from the American people that they think it is not only possible but necessary, and it is our job.

Mr. MURPHY. I thank the Senator for that question, and I guess we both agree that of course it has to be possible. There just aren't many moments in which the American public is so resolute in their belief that we should do something and this place is no exception. Let them know in its belief it should stay on the outside of consensus. There just aren't many issues where the American public has decided at a 90-percent rate that we should act and we refuse to do so.

But if you have a government that doesn't allow for this condition to persist for very long, but I will be honest with my colleague. The burden is not so much on us. The burden is on our Republican friends to come to the table with proposals that mirror those that are supported by the American public.

Today, the proposals we are asking for votes on enjoy the support of 90 percent of Americans—increasing the background check, allowing law enforcement the ability to stop people already prohibited by law from buying guns. The terrorist watch list and the Attorney General's discretion based on evidence to stop people engaged or preparing for terrorism to be barred from buying guns is an enforcement tool. It protects people. So people should demand changes not just in the abstract and in general terms but in the way we deal with guns.

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need to do, I thought to reach out to you anyway. Like many Americans I felt so paral-zyed since Sunday’s shooting in Orlando. On Sunday afternoon I brought my 4-year-old to the University of Hawaii campus for a film screening and I found myself, for the very first time, strategizing about where to sit and what I would do if there was an active shooter on campus. I had been combining my work, family, and health—but couldn’t escape. I am not an anxious person by nature but I refuse to accept that powerlessness to gun violence must be our accepted “new normal.” I work diligently at my job and as a mom to care for my own kids and the community of students I work with and am intentional in trying to create a safe place for them and their growth and learning. So it seems completely insane that in 2016 we have nothing more inspiring to offer a nation of families other than hoping that loved ones are not “in the wrong place at the wrong time.” That is totally unacceptable to me and I am willing to help with any community or national efforts to bring about necessary change. I have personally sent postcards . . . to every Senator who voted against background checks. Please let your supporters in Hawaii know what we need to do.

Senator BOOKER mentioned this both in his chair and CHRIS MURPHY gave his maid-en speech. He was my friend. We had sort of just met and become fast friends. The first speech he gave was on this topic, and I understood his personal passion. But what he is doing now is bigger than that. He has displayed physical courage, emotional courage, and political courage that I think we couldn’t imagine even at the beginning of the week. And even though all of us are committed to this issue, he shocked our conscience in that caucus room and laid down a marker for all of us to do better and to do more. I just want to say one thing before I go into a sort of preamble to my question, and that is: My instinct about this is that our political oppo-nents absolutely rely upon our being despondent. I think they absolutely rely upon the idea that we will give up by the end of the week—that we get our memo that this week is the Na-tional Defense Authorization Act, next week is the Justice-Science-Judiciary appropriations measure, and every week it is a different topic. Donald Trump will say something and distract the national media, and everybody will move on.

But there is why I am so hopeful about what has happened today. It is not just that we have a bunch of Members of the Senate on the floor pretty late at night. It is very difficult to get any of us together for anything other than lunch—for anything—and yet here we are working at all hours recruiting through staff and everything else, but this was organic. We saw what was happening, and we wanted to offer our moral support—and not, frankly, to him as a friend and a colleague but to everybody across the country who deserves people who are going to fight on this issue.

The other really exciting thing that is happening is on the Senate floor. And that is more important. The gallery doesn’t usually get more and more crowded through the day. People visit, they come and check out the gallery—and we are yammering at each other or we are very quietly shuffling around—and then they leave. But what is happening in the gallery physically is that people are actually coming to see that something meaningful has happened. Senator MURPHY’s phone lines are ringing off the hook. CHRIS MURPHY himself is the No. 1 trending topic on Facebook. And it is not about CHRIS MURPHY. It is about the sense that maybe we can actually do something here. Maybe we can actually do something to save lives.

So for all of the people who are watching this online or observing it on Twitter or hearing about it for the first time, I want people to understand that this is the continuation of a move-ment, not to a conclusion point. This is a point at which we are not going to accept that if 90 percent of the public is demanding that we take ac-tion, the Senate and the House won’t. That is unacceptable to me.

Since we are alone, there have been nearly 1,000 mass shootings. That is not 1,000 people killed. That is 1,000 mass shootings. Over 40,000 Americans have been killed by guns, and there are zero changes to our gun laws. The shooting in Orlando was the worst mass shooting event that our Nation has ever seen in one night—49 people killed and 53 shot and injured. Those numbers are shocking, but here is what I think is even more shocking—and Senator Booker mentioned this both in public and in private: Since then, more than that many people have been killed as a result of gun violence. This happens all of the time.

Now, the Orlando situation was uniquely shocking because of the public dimension, because of the homophobia, because of the awful, graphic, shocking violence in one place at one time for one purpose—to strike terror in people’s hearts and to strike terror in the hearts of people who are gay, that is emotionally shocking. But in terms of the number of people killed, this was actually pretty similar to any other day in the United States.

So my first question for Senator MURPHY is—have you taken a break, you haven’t had a meal, you haven’t been able to interact with your son or your wife except in the gallery and at your podium. I guess my question for you is this: Do you feel momentum now? Do you feel momentum now? Mr. SCHATZ, I thank the Senator for that question, and I appreciate your talking about how this happened or-ganically. We didn’t decide to do this until this morning. We certainly had been talking about the need to show that we were sick and tired of the normal trajectory of thoughts and prayers being sent out and then a dissipation into nothingness, as is the trend line after these tragedies. We knew we had to do something. It is shocking that is wonderful about this is that much of this is organic. This is now a dozen col-league who are on the floor close to midnight this evening, and the gallery is increasing in numbers at this very time. Maybe we can actually do something here. Maybe we can actually do something to save lives.

So I do feel momentum here. We are hopeful that we will be able to work together to at least votes on these measures so we can show the American public where everybody is. If we don’t win those votes, we will live to fight another day. But these are galvanizing moments, and it is heartwarming to know that there are so many colleagues who have stepped up to the plate to take part.

Mr. SCHATZ. I thank the Senator from Connecticut. I would like to ask a question specifically about the terror gun loophole. We know there is not even due process for individuals suspected of being sent out and then a dissipation into nothingness, as is the trend line after these tragedies. We knew we had to do something. It is shocking that is wonderful about this is that much of this is organic. This is now a dozen colleagues who are on the floor close to midnight this evening, and the gallery is increasing in numbers at this very time. Maybe we can actually do something here. Maybe we can actually do something to save lives.

Mr. MURPHY. Anybody denied a firearm transfer based on a background check when trying to buy a gun. Anyone denied a firearm transfer based on a background check when trying to buy a gun.

Mr. SCHATZ. Thank the Senator from Connecticut. I would like to ask a question specifically about the terror gun loophole. We know there is not even due process for individ-uals. That is just plain false. There are several layers of due process, starting with the procedures that are available to anyone who does not pass a back-ground check when trying to buy a gun. Anyone denied a firearm transfer has the right to find out the reason for the denial, submit correcting informa-tion to the Attorney General, and even bring a civil action against the govern-ment.

The bill that Senator FEINSTEIN has introduced—of which I think every Member of the Democratic conference is a cosponsor—provides additional due process. A person denied a firearm transfer because he or she was dete-rmined to be a known or suspected ter-rorist cannot challenge the determination in court. According to the FBI:

A range of quality control measures are used to ensure that the Terrorist Screening Database contains accurate and timely infor-mation. This includes periodic audits, post-encounter reviews con ducted by the Terrorist Screening Center
and the agencies that nominated the record to ensure the information continues to satisfy the applicable criteria for inclusion.

Just yesterday, the majority leader stated the obvious—that nobody wants terrorists to have firearms. But what is really missing is the law enforcement piece. The bill being proposed by Senator CORNYN—a very skilled and good legislator—is just not viable. The Republicans who would vote for this bill over Senator FEINSTEIN’s proposed legislation would keep the loophole wide open, because this bill is unworkable. It will require law enforcement officials to prove to a court that a gun buyer has already committed an act of terrorism instead of stopping likely terrorists ahead of time. Or the government would have to prove to a court that there is probable cause that a gun buyer will commit an act of terrorism.

So in order to stop somebody from buying a gun, you have to show that this person is an actual or committed terrorist. Now, I am not the lawyer—and I am looking around and seeing a number of lawyers on the floor. But my instinct is if you have probable cause that someone is about to commit an act of terrorism, you don’t allow a database to be pinged and say: I’m sorry, sir; we can’t give you your gun today. You would arrest that person. You would detain that person.

So my question for Senator MURPHY is first about this proposal from Senator CORNYN, and whether you think this would be workable. And then, if you wouldn’t mind fleshing out—even if we are able to solve this so-called terror gap issue, if you would talk about straw purchases and the gun show loophole and how we have to be complete in our strategy—that even if we solve this problem legislatively, there are gaping holes in our security when it comes to this issue, I would like you to talk us through how all of these issues work together. Because one thing I know about Senator MURPHY is that he is deadly serious about actually solving this problem. You don’t want to run on this problem. You don’t want to tweet on this problem. You want to actually fix it because you feel it in your gut.

(Mrs. CAPITO assumed the Chair.)

Mr. MURPHY. I thank the Senator for bringing up this bogeyman issue that continues to come up about due process. Let’s first be clear that there is a difference here. There is not a single Member of the Republican majority who decry the lack of due process when it comes to individuals who are denied the right to fly because of their inclusion on this list. Nobody stands up and says that there isn’t the ability to grieve the fact that you are on the list of those individuals who are prohibited to fly. Yet there is some special consideration that is supposed to be given to an individual who is deemed to have an association with a terrorist group who wants to buy an assault weapon. It would seem almost the opposite. Maybe that individual should be given extra consideration.

Of course, this idea that has been proffered in the Cornyn amendment that we voted on in December is laughable. It is not a serious attempt to solve this problem in that it would provide for a court determination and a court process before anybody on that list would be allowed to purchase a firearm. That individual would have to walk into a gun store. The gun store would say, no, you have been flagged by the Department of Justice, and we are going to call them to see if they would like to take you on for 72 hours in a process that no one knows what it would look like. There would be potential discovery, the ability to rebut the claim that you were a terrorist. It would be a laughstock, a mockery of the judicial process.

I think those who have supported the amendment probably know that. They are voting for it so they can claim that they supported something other than the piece of legislation that the majority of Americans support, which is the simple addition to the list of those who are prohibited from buying weapons of individuals who are on the terrorist no-fly list.

I will state very quickly as to your second question, yes, of course, if you are serious about solving this problem, you can’t just put those individuals on the no-fly list, on the list of those who are prohibited from buying weapons. You actually have to also close that loophole that allows for thousands upon thousands of gun sales to occur at gun shows and online because a terrorist or a would-be terrorist may get denied at the bricks-and-mortar gun store, but then they can later that day go online or that weekend go to a gun show at the convention center and buy a weapon. So you have to do both, which is why we are asking for both of these votes.

Mr. SCHATZ. I thank the Senator from Wisconsin. I believe firmly that as Senator CORNYN is a Skilled and good legislator, he is looking at a number of things—about the no-fly list. Mr. SCHATZ. Thank you. I believe firmly that as Senator CORNYN is a Skilled and good legislator, he is looking at a number of things. I believe firmly that as Senator SCHUMER said, you can’t pick the amendments you like and pick the amendments you don’t like. I believe that we can protect the Second Amendment while protecting communities from gun violence.

As stated by the late Justice Scalia, ‘Like most rights, the Second Amendment right is not unlimited. It is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose.’

To Senator SCHUMER, I would like to ask him, how does he view the Second Amendment fitting into this conversation? Speaking of bogeyman, I think that there is this sense that if you are for reasonable restrictions on purchasing a gun, that you are against the Second Amendment, that it is just a bunch of people in the State of Hawaii, that people who are the most concerned with gun safety, the people who impart gun safety to their children, the people who do this right are gun owners, are hunters, are people who even have a gun for protection.

So the question I have for the Senator is, What is the right balance, both between those who believe in the Second Amendment and recognize, as the Supreme Court has very clearly, that there are limitations on that right; for instance, your ability to lose that right if you committed a crime or if you have had known association with terrorist organizations.

Mr. SCHATZ. Thank you. I believe the Senator from Wisconsin has a question for the Senator.

Mr. MURPHY. I yield to Senator BALDWIN for a question without losing my right to the floor.

Ms. BALDWIN. Thank you. Through the Chair, I would like to ask the Senator from Connecticut a question, actually about a number of things—about the need for us to stand united as a country in the fight against hatred and terrorism and easy access to what are really weapons of war. It is about 6 hours ago that I came to the floor to participate in this very important discussion.

Mr. MURPHY. That was 6 hours ago?

Ms. BALDWIN. Yes.

Mr. MURPHY. Wow.

Ms. BALDWIN. One of the things I did was read through the names and tell a little bit about each of the 49 victims of the shooting in Orlando. I am not going to do that again, but I do want to display their beautiful faces because I do think telling these stories is part of creating the resolve we need as a nation, as a nation united to take action. Not to repeat too much of what I said earlier.
this evening, but our thoughts and prayers are no longer enough.

It gets me thinking about what will it take, how many mornings do we have to wake up to news of a shooting in an elementary school or college campus, a theater where people are gathering for a chance to escape and enjoy a movie, or as we learned last Sunday morning, a nightclub during June, which is Gay Pride Month, where people were celebrating the accomplishments of a movement not enough years ago to realizing themselves and recognizing that we still live in a world with discrimination but feeling safe among friends, colleagues.

It was an act of hate. It was an act inspired by terrorists and terrorism, and it couldn’t have happened without such easy access to a weapon of war. We offer our thoughts and prayers, but our thoughts and prayers simply are not enough. Again, it makes me think of what will it take? I am ashamed it has taken us this long.

Earlier I read some names. Now I am going to share a list of catastrophic events. Each one brought terror to a community, brought grief and sadness to families, and they have been reduced to ways of referring to them much in the way that we decided to call the terrorist attacks on September 11, 2001, 9/11.

If you just look back a decade, and this is not a database of all of them, but it is a database of many of the mass killings in our country: the Amish school shooting in Lancaster County, PA, in 2006, killed 6, wounded 5; the Trolley Square shooting in Salt Lake City, UT, in 2007, killed 6, wounded 2; the Aurora theater shooting in Aurora, CO, in 2012, 12 dead, 58 wounded; the Sikh temple shooting in Oak Creek, WI, in 2012, 7 dead, 3 wounded; the Accent Signage Systems shooting in Milwaukee, WI, in 2012, 7 dead, 7 wounded; the temple shooting in Newtown, CT, in 2012, 28 dead, 2 wounded; the Mohawk Valley shootings in Herkimer County, NY, in 2013, 5 dead, 2 wounded; the Pinewood Village Apartments shooting in Washington, DC, in 2013, 5 dead, 0 wounded; the Santa Monica rampage in Santa Monica, CA, in 2013, 6 dead, 3 wounded; the Hialeah apartment shooting in Hialeah, FL, in 2013, 7 dead, 0 wounded; the Washington Navy Yard shooting in Washington, DC, in 2013, 12 dead, 8 wounded; the Alturas tribal shooting in Alturas, CA, in 2014, 4 dead, 2 wounded; the second Fort Hood shooting—I can’t believe I have to say that—in Fort Hood, TX, 3 dead, 12 wounded; the Ilsa Vista mass murder in Santa Barbara, CA, in 2014, 6 dead, 13 wounded; the Marysville-Pilchuck High School shooting in Marysville, WA, in 2014, 5 dead, 0 wounded; the Customize.com shooting in Menasha, WI, in 2015, 3 dead, 1 wounded; the Charlottesville church shooting, Charleston, SC, in 2015, 9 dead, 1 wounded; the Chattanooga military recruitment center shooting in Chattanooga, TN, in 2015, 5 dead, 7 wounded; the Aurora theater shooting in Aurora, CO, in 2015, 3 dead, 9 wounded; the San Bernardino mass shooting in San Bernardino, CA, in 2015, 14 dead, 21 wounded; the Kalamazoo shooting spree in Kalamazoo, MI, in 2016, 6 dead, 2 wounded; the Planned Parenthood clinic in Colorado Springs, CO, in 2015, 3 dead, 0 wounded; the Planned Parenthood clinic in Colorado Springs, CO, in 2015, 3 dead, 9 wounded; the Orlando nightclub massacre in Orlando, FL, in 2016, 49 dead, 53 wounded.

What will it take? How many times do we have to wake up to these tragedies?

I have the honor of representing the State of Wisconsin, and as you heard me read through that list, you heard that my home State, which I love, is not immune to these acts of violence. I just want to talk about some of the mass shootings in Wisconsin in recent years.

In November of 2004, during hunting season in Sawyer County, six hunters were killed and two were wounded.

In March of 2005, a gunman burst into the Church of Living God congregation during church services and fired 22 rounds, killing 7, including the pastor and his family.

In June 2007, five people were killed by a gunman, including twin infants, their mother, and two other victims in Delafield.

In October of 2007, six young adults were killed during a party in Crandon, WI.

In August of 2012, a gunman killed six and wounded four, including an Oak Creek police lieutenant, when he opened fire at the Sikh Temple of Wisconsin during Sunday morning services. He had a semiautomatic pistol, in my dear former colleague in the House, Charles Rangel, whom he shot 15 times.

The victims of the Sikh Temple shooting were Satwant Singh Kaleka, age 65, and founder of that Sikh Temple; Paramjit Kaur; 41 years old; Prakash Singh was 39 years old; Sita Singh was 41 years old, Ranjit Singh, age 49; Suveg Singh, age 41. Just a couple months after the Sikh Temple shooting in Oak Creek, WI, a gunman killed three and wounded four when he opened fire inside a salon and spa in Brookfield, WI. The shooter was the estranged husband of an employee who entered the Brookfield armed with a .40-caliber handgun and murdered three people, including his wife, and injured four others, including a pregnant woman.

The victims of the Planned Parenthood Spa shooting were Zina Haughton, age 42, the shooter’s estranged wife. According to witnesses, she heroically tried to stop her husband from harming others before being killed. Cary Robuck, age 32, and Maelyn Lind, age 38, were also victims.

In June of 2015 in Wisconsin a gunman killed three, including two men and an 11-year-old girl, on the Trestle Trail bridge in Menasha, WI.

We also had some success in thwarting what could have been horrendous mass killings in our State.

In late January 2016, a plan for a mass shooting at a Masonic temple in Milwaukee was thwarted by the intensive work of the FBI, and the plotter was arrested and criminally charged. I think it is important to note that while I have talked about these mass shootings, these mass casualty events, we have so many Americans daily basis to violence in our communities, and it is an epidemic. Since those shootings in Orlando on Sunday morning, throughout the country we have seen at least that many deaths due to gun violence.

In Milwaukee, the local newspaper has taken to creating a homicide tracker. They are literally counting the homicides because they are so rampant. So far this year, their homicide tracker notes 51 homicides. This is just in one city in Wisconsin. Eighty-two percent of those homicides were caused by people using guns rather than other means.

I just want to tell you one more name and one more story. In May, last month, a little girl in Milwaukee named Zalaya Jenkins approached a patrol officer and asked if they could keep her safe. The next week, 1 day before Zalaya’s 10th birthday, she was shot by a stray bullet while watching television inside her house. She died 11 days later.
Whether these murders were perpetrated in violent communities, whether they are the acts of terror and terrorists, whether they are hate crimes, the fact remains that we have to tackle this. When will be the time? The time is now.

It is amazing for me to see so many of my colleagues on the floor of the Senate as the hour nears midnight in Washington, DC. We have a bill before us in the Senate that is the appropriate opportunity to take up this measure offered by my colleague from Connecticut and another colleague, Senator Feinstein from California. It is the Commerce-Justice-Science appropriations bill. We can’t let another moment pass without a vote, without doing everything within our power to make the world a little safer, to do more than hold these victims and their families in our thoughts and prayers. Thoughts and prayers are no longer enough.

Earlier today my colleague from Connecticut talked about the power of this moment and how people are taking to social media and urging their elected officials to listen and act. I want the people’s voice to be heard. I want it to be clear that our colleagues who suggest that the American public for some reason isn’t behind this—we know the opposite to be true. We know how much support there is for universal background checks and for doing something as common sense as making sure that people who are on the terror watch list are not eligible to purchase guns, something as simple as allowing the FBI to deny a firearm sale to somebody who is not able to fly on a commercial plane because they are being investigated for terror. In addition to tweeting, I ask Senator Murphy, what would he urge people to do right now to help us act?

Mr. Murphy, Madam President, I thank you for this opportunity, which is at the center of this moment. This can’t just be about the 30-some odd Senators who have taken to the floor over the last 12 hours. And by the way, we have now been on the floor for over 12 hours.

This has to be about something bigger. This has to be about a national movement that commands this place to act. It has happened before, and it has to happen here. It means voters have to elevate their voice and make sure that their voice is heard.

It means more people have to start asking questions about why their Members of Congress, why their Senators, are voting in a way that is contrary to the vast majority of their constituents. It means everyone in this country deciding not to accept what exists today as the status quo.

And let’s remind everyone, as Senator Durbin has over and over again, that what exists today is not just a regularity of mass shootings; that prior to 2008, it was one per 2 months—these are the big shootings—that now happen once every single month. It is also the regularity of gun violence that happens in our cities, such as that kids in Hartford, CT, explained to me a year ago that police sirens and ambulance sirens are their lullaby at night because it is just a regular facet of their existence. The American people can’t accept that either.

Let me just say before I turn the floor over to Senator Merkley how proud I am of all of our colleagues, not just for joining in but for the way in which this debate has been held. This debate has lasted over the last 12 hours. We are angry at a lot of people, but I am really proud that this debate has been on the level and that we have tried to remain as dispassionate as we can about the path forward.

Let me add one statistic to the mix. I just heard that my office has received 10,000 phone calls today. I actually have no idea how my office could handle 10,000 phone calls, so I asked to double the number and triple check. We only have two phones up front. But we have apparently received 10,000 phone calls today encouraging all of us to continue on this mission.

I appreciate that is being done by the staff on the floor. They are staying and laboring extra hours. We know that is not in their job description. This is the professional staff who man the desks and also the political staff within both caucuses and the personal staff. There are a lot of people who didn’t know they were going to be staying this late tonight, including those who are reporting our words, and I thank them as well.

I want to acknowledge that there is progress being made as we speak on trying to find a path forward. So I want to thank those on both sides of the aisle who are working to try to find a way forward to take these votes.

We are hopeful at this hour. We still have more to say, and at this point I will yield for a question to Senator Merkley without relinquishing my right to the floor.

Mr. Rounds. (Mr. Rounds assumed the Chair.) Mr. Merkley. Thank you. I appreciate the opportunity to ask a question of my colleague from Connecticut.

Earlier I came to the floor and I was reflecting on the connection between Connecticut and Oregon in terms of the shooting in Sandy Hook and the shooting we had last year at Umpqua Community College, the 10 individuals who were killed. At Umpqua Community College. But as I was pondering during the day, my head was going further back in time to 1998 when I was running for my first race for State legislature. Our primary was held May 19 of that year, and I was immersed in this campaign. I was running a race against the two former State representatives and the head of the water district, and I was the individual who had never run for office and never held office, and I assumed I would lose. But on May 19 when the results came in, I had won the primary.

Two days later, on May 21, a young man who had been expelled from his school—his name was Kip Kinkel—Thurston High School in Springfield, OR, took the guns from his house. He murdered his parents. He proceeded to go to Thurston High School. He had with him a 9mm Glock. He had a .22-caliber semiautomatic rifle, he had a 22-ounce Mark 22, and he had 1127 rounds of ammunition. His goal was to shoot as many students, to kill as many students as he could. He shot a lot of students. Two died and twenty-five were wounded. As he exhausted the ammunition in the semiautomatic rifle, he had to reload the magazine, and as he did that, he was tackled by one student who was already wounded, six others piled on, and the carnage ended. But he had only begun to tap into the 1127 rounds of ammunition he was carrying. Thank goodness that individual, that student, Jacob Ryker, succeeded in stopping him when he was reloading that rifle.

The year went on. November was the general election. I was elected to the Oregon House. The Oregon House came into session in January of 1999, and we said: It is time to fix the background check system we have in our State. It is time to close the gun show loophole. We make no sense is to have this background check system when you go to a gun store and then no background check system when you go to a gun show. And we knew that many people who had felony backgrounds were seeking guns. We knew that many people who were deeply mentally disturbed were seeking weapons. They were being turned away at the gun store, and they were going to the gun show or they were going to the classifieds. So we tried to pass that bill to close that background loophole, the gun show loophole, and we failed. We could not muster the majority, just as this body has not been able to muster the majority to address the complete illogic of this situation and when the citizens of Oregon took this into their own hands. They petitioned for an initiative. They put it on the ballot, and the citizens of Oregon voted overwhelmingly—by a huge margin—they voted overwhelmingly to close the gun show loophole. But it would be many years later—not until 2015—that the legislature would take the additional step of closing the classified ads loophole, or the Craig’s List loophole, as it is known. In Oregon, if you go to a gun store or a gun show or to a Craig’s List listing, you have to go through a background check. But someone who is turned away in Oregon can go to any of a number of States across our country, bypass that background check, buy those guns, and come back to our home State.

It makes no sense to have a national system without national effectiveness. And I still much appreciate my colleagues being able to talk about this, to talk about the fact that those who are on a terrorist list should be on a list to deny guns, and that
those who are denied guns—to have it effectively, you have to have a background check system.

My State is a State that loves guns. We are a State with incredible wilderness. People love to hunt. They love to target fish for love to have their guns. And they love the Second Amendment and nature. But they voted for the background check system because they knew it didn’t make sense to have guns in the hands of felons or deeply troubled individuals because of the carnage that comes from that.

There is another story I wanted to share that is related to 1998. This story fast-forwards from the primary election to the general election in October, November. So it was as we were approaching that first Tuesday in November, the general election, which would be held November 3. The day was October 6, so roughly a month away—a month before—a young man named Matthew Wayne Shepard was offered a ride home by two other young men, Eric McKinney and Russell Henderson. They didn’t give him a ride home. They took him out to a very rural area near Laramie, WY. They tied him to a fence because he was gay. They robbed him, they pistol-whipped him, they tortured him, and they left him there to die. It was 18 hours later that a bicyclist riding past saw this young man still tied to a fence. The bicyclist thought that Matthew Wayne Shepard was a scarecrow but went to investigate, realized it was a young man, and proceeded to get help. Matthew was extremely damaged. His skull was fractured, his brain stem absolutely inpatient. He was classified it was a young man, and proceeded to get help. Matthew was extremely damaged. His skull was fractured, his brain stem absolutely inflamed. He never regained consciousness. He died six days later.

It was a hate crime that rocked the Nation. It was a hate crime that shocked the conscience. These crimes were the first of some regular these hate crimes against our LGBT community—but this one caught the attention of the Nation, and a bill was crafted, the Matthew Shepard Hate Crimes Prevention Act. That bill was championed by my predecessor in office, Gordon Smith, but it didn’t get passed until I came to the Senate in 2009—not because I came but because it took that long to build the support on the foundation that others had laid in the years before. So we passed that hate crimes act, but the hate crimes act doesn’t stop the discrimination against the LGBT community. It doesn’t stop the promotion of hate.

I am going to be submitting a resolution, and I thought I would read it tonight. It is a resolution that Senator MARK KIRK has agreed to cosponsor, that Senator BALDWIN has agreed to co-sponsor, that Senator CORY BOKER has agreed to cosponsor, and I hope many others will join us in this. It says the following:

(1) Equal treatment and protection under the law is one of the most cherished constitutional principles of the United States of America.

(2) Laws in many parts of the country still fail to explicitly prohibit discrimination against lesbian, gay, bisexual, and transgender...individuals.

The failure to actively oppose and prohibit discrimination leaves our LGBT individuals vulnerable based on who they are or whom they love; vulnerable to being attacked in their homes; vulnerable to being denied credit or other financial services; vulnerable to being refused basic services in public places, such as restaurants or shops, or terminated from employment or otherwise discriminated against in employment.

(4) To allow discrimination to persist is incompatible with the founding principles of this country.

(5) Failure to ensure that all people of the United States are treated equally allows a culture of hate against some people in the United States to fester.

(6) This hate culture includes continuing physical assaults and murders committed against LGBT individuals, and particularly against transgender individuals, in the United States.

(7) The events that transpired on June 12, 2016, in Orlando, Florida, were a horrifying and tragic act of hate and terror that took the lives of 49 individuals and injured 53 more. The victims were targeted because of who they were, who they loved, or who they associated with.

(b) It is the sense of Congress that—

(1) it is time to end discrimination against LGBT individuals and stand against the culture of hatred and prejudice that such discrimination against them fosters among some.

(2) it is incumbent on policymakers to ensure that LGBT individuals benefit from the full protection of the civil rights laws of the United States and the Nation; and

(3) Congress commits to take every action that is embedded in the law that is necessary to make certain that all people in the United States are treated and protected equally under the law.

That is the philosophy embedded in our Constitution—equal treatment and equal opportunity. It is the spirit of anti-discrimination that is our higher self that we should treat each individual with respect, each individual with dignity. It is the principle of opportunity for all that cannot take place when discrimination interferes. It is the spirit that we have carried along a long journey—a journey in which we have reached out to embrace individuals who were excluded.

Our original practices in this Nation operated under the vision of full opportunity for all, but it was a flawed vision. It was a vision that didn’t include Native Americans. It was a vision that at that time didn’t include individuals who were minorities. It was a vision that at that time didn’t include women. But over time we have reached out and started to make that incredible picture portrayed in our founding documents and in the hearts of our Founders a reality. We have done so in step by step along an arc. It was Martin Luther King who said that “the moral arc of the universe is long but it bends towards justice.” But that bending takes place because ordinary mortals such as ourselves make it happen. They apply themselves to that effort, whether in their everyday life with the individuals they encounter and work with and live with and worship with and recreate with or in the lives of legislators who work within their institutions to say: We are changing hearts, but let’s change our laws as well.

Let’s consider the 1964 Civil Rights Act as a foundation, an anchor, a foundation of laws against discrimination, but when you read the 1964 act, you don’t see any protections for our LGBT community. Now many of us have put forward a law called the Equality Act that would remedy that, that would use the foundation of the 1964 Civil Rights Act to extend full equality for the LGBT community.

It is unbelievable that today in America you can get married to someone you love in the morning and announce it in the afternoon and be fired from your job—legally fired from your job or evicted from your apartment before nightfall because your marriage demonstrates that you are gay or lesbian or transgender. Some States have remedied that, but we haven’t done it as a nation. And when you have a legal structure that embraces discrimination, that fosters a culture of discrimination among some.

I am sure it will be sometime before they call up the act in hearing in committee. That shouldn’t be the case on something so profound, so important. It there should have had a hearing after it was introduced, and we will keep pushing for that hearing. We hope it can get to the floor, but in the meantime, let’s stand behind a sense-of-the-Senate that it is way past time for us to address this issue of discrimination that fosters this culture of hatred. We saw that culture in full demonstration the night of October 6, 1998, when Matthew Shepard was tied to a fence, brutally assaulted, tortured, and left to die. The news report that aired in Orlando, FL, with the deaths of so many beautiful young people on that tragic night.

So we have before us two challenges. Let’s address simple measures that can make a difference—that terrorists shouldn’t have access to guns and that we should have a background check system that actually works, so gun shows and classified ads are treated the same as a purchase at a gun shop.

Let’s address simple measures that can make a difference—that terrorists shouldn’t have access to guns and that we should have a background check system that actually works, so gun shows and classified ads are treated the same as a purchase at a gun shop.

When Kip Kinkel took 1,127 rounds of ammunition and 3 guns to his school to kill as many of his schoolmates as he could, he was stopped because he ran out of ammunition and had to reload, and those 2 seconds gave a fellow student, Jacob Ryckman, an opportunity to tackle him. He probably saved dozens of lives that day.

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close the terrorist loophole, to expand on these consensus proposals to make our Nation safe is by building an inclusive society, we have to remember that the way in which we歧视 rhetoric of these terrorist groups, we color in a place that we don't do that. Instead, what did they do, they didn't attack him, they didn't scream at him, they didn't convey their justifiable anger, even outrage, which we all would consider a justifiable feeling of vengeance, of score settling. However you want to call it, they didn't do that. What did they do? They forgave him.

Nadine Collier, the daughter of Ethel, who had been killed in the church that day, said to the killer: "You took something very precious from me, you never talk to her again. I will never, ever hold her again. But I forgive you. And have mercy on your soul."

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Mr. MURPHY. I thank the Senator from Connecticut. The question I pose with respect to that commitment as it applies to LGBT Americans. I do hope we do have to have a full dialogue—not just any dialogue, but a full dialogue.
So said Nadine Collier, a remarkable testament to forgiveness, to mercy, which is almost superhuman. I am not sure I could have done that, I am not sure many people could have. She wasn’t the only one. Other relatives took comfort in the fact that being there to pour love and support did help everyone express pain but always showing grace and praying for mercy.

None of us or very few of us—and I count myself among those who could not—could do that in that circumstance. That was Charleston, SC.

Let me take it back in time. I was so moved that Senator BALDWIN mentioned, when she was doing that chronology, that she started in 2006, 10 years ago. I mentioned Lancaster County before, Lancaster, PA. The first incident she mentioned was so-called Nickel Mines, a small community in Lancaster, this Amish community. It is this great community of faith of industriousness people and a community that is bound together by their work ethic, by their faith, and by their families.

Even that tranquil community—that community which has enjoyed for generations a kind of tranquility that many other communities would not—was subjected to violence.

Ten years ago, this coming October, a man entered a one-room Amish schoolhouse in Nickel Mines, PA, with a cache of weapons, including a 9mm pistol, two shotguns, a stun gun, two knives, two cans of gunpowder, and 600 rounds of ammunition, into this small community of the Amish community.

He executed five girls and wounded six others before taking his own life. It is hard to comprehend the horror of that scene, just like so many others we talked about.

Yet on the very same day, as the shooter committed this heinous act, a grieving grandfather told young relative: “We must not think evil of this man.” “We must not think evil of this man.” “We must not think evil of this man.”

I mentioned both of those scenes, scenes of the kind of bloodshed, tragedy, and horror that we cannot even imagine. I cannot. But in both instances you had very close relatives in the immediate aftermath of the killings expressing mercy and forgiveness. Nadine Collier saying:

But I forgive you. And have mercy on your soul.

And the Amish grandfather said: “We must not think evil of this man.”

We are not asking anyone in this Chamber to do anything like that. We are not asking anyone here to forgive someone who just murdered one of their family members. We are not asking anyone in this Chamber to do something which is, in a sense, superhuman. We are just asking people to support two votes.

In this place, when you are a U.S. Senator you are judged on a number of scales—mostly judged on how you vote. That is what we are supposed to be doing here—how you vote. And that becomes the scoreboard of your work. That becomes one of the measures against which people will make a judgment about you. So we are not asking people to do something that is all that difficult. I know there might be some political difficulty to it but, come on, this isn’t like having to forgive someone who murdered your loved one and you are standing in front of them. This isn’t as difficult as what the families of all these places mentioned went through—Nickel Mines, PA, all the way through Sandy Hook Elementary School, CT, and all the way to Orlando, FL. We are not asking people to do anything very difficult. All you have to do is put your hand up and then put it down twice if you are going to vote for it. And if you want to vote against it, so be it.

But at least put your hand up to allow a vote on two simple measures that will begin—just begin—the long journey to rectify a substantial national problem that takes 33,000 people every year. When thinking for it is that, a foot in the door, maybe even a toe in the door—but just a start to do something about this problem we have to reduce this number.

No one can convince me that the greatest country in the history of the human race cannot begin to tackle this problem. This idea that there is nothing we can do, that all we need to do is enforce the law just doesn’t make sense anymore. It really, really doesn’t if you look at the facts.

In essence, there is nothing we can do, some say in Washington, other than enforce the law and just hope that good law enforcement every day of the week is going to save 33,000 lives. That is not logical. It is not tenable based upon the facts. To me, it is unacceptable.

So I would ask the Senator from Connecticut, a very simple question. What are we asking people to do, Members of the Senate, in the next couple of days and asking them as we are asking Members of the Senate to do something which puts them in any risk beyond political risk?

If you could just reiterate for us what is at stake here, why we need to take at least these two actions, and how we can begin to solve this problem.

Mr. MURPHY. I thank the Senator from Pennsylvania for his comments and the question. Of course, the answer is that there is absolutely no risk involved in the votes that we are hopeful to bring forward in the Senate. Why? Because these are propositions that are supported by the vast majority of the American public. There is no controversy at the facts.

The risk is in doing nothing. The risk is in continuing to allow for this very large loophole for would-be terrorists to walk through.

I won’t read it again, but several times on this floor today, I have read this quote from a now-deceased Al Qaeda operative in which he very clearly advertises to recruits here in the United States:

You can go down to a gun show at the local convention center and come away with a fully automatic assault rifle, without a background check. . . . So what are you waiting for?

This is one of Al Qaeda’s top operatives, directing individuals in the United States to take advantage of this loophole. We have seen this trend line away from other means of terrorist attacks to the assault weapon, to the firearm. So we should pay attention to this trend and do something about it.

The real risk is doing nothing. Senator CASEY. There is no risk in voting for this. You will be celebrated by the American people. After tonight, I hope there will be even more who will join our call.

The real risk is in standing pat and allowing for ISIS to recruit straight into the loophole that we have created. Think about what we are doing. We are selling guns to the enemy knowingly if we allow the set of laws today to persist. That is why we have to move forward and enact these commonsense measures.

With that, I yield to Senator KING for a question, who has been great to be a part of us for the last late evening, without losing my right to the floor.

Mr. KING. I wish to discuss with the Senator and bring back the point we were discussing some 4 hours ago. It is hard to believe that it was some 4 hours ago, but this is really a national security discussion. This is really a national security discussion because of the changed nature of our adversaries and the changed strategy that they have for attacking us.

But first I want to go back to the Constitution, and purely by coincidence today I am wearing the Constitution. My daughter bought me this tie at the Library of Congress, and it is handwritten with the Constitution. You can see “We the People” in very large letters.

Why are governments formed, why are constitutions written? Going back to the earliest human societies, the fundamental function of bestowing power on the government is to protect you. Security is the fundamental, most sacred obligation of any government. And our Framers recognized that because in the preamble to the Constitution—the heart of the document, why we are doing this today was explaining to posterity, and two of the fundamental purposes, among several others, are to ensure domestic tranquility and provide for the common defense—the basic function of any government and the explicit function of our government.

Now, here are three important dates: 1812, 2001, and 2016. There is 1812 because that was the last time an adversary violated our shores. That was when Washington was burned by the British. It was the last invasion of America until 2001, but 2001 and 2012 have some similarities because 2001 was, in effect, a foreign invasion. It
was plotted abroad, it was planned abroad, and people come here from outside of our shores and attacked our country.

Now, in response to that attack in 2001, we mobilized a number of resources in ways of protecting our aircraft, we developed great intelligence, an ability to determine when people were plotting against us, and indeed we sent our blood and treasure and young people to Afghanistan because we knew the threat. That was the reason we went there and in fact are still there—to keep that country from becoming an incubator for terrorists to attack this country, and we have been effective. We have been effective in preventing an attack on our country from abroad.

So as is always the case with warfare, our adversaries have developed a new strategy, and that is why the third date I mentioned is 2016. It was in the last few years, particularly in the last year, that ISIS has begun to be beaten back and to lose its territory in Syria and Iraq, that they have developed a new strategy which doesn’t involve sending people here. It doesn’t involve sending arms here or bombs or anything. They are using the Internet to radicalize people who are already here—often they are U.S. citizens—and then turn them against us. That is the new nature. This is terrorism 2.0. That is the nature of the struggle we are in now, and that is why the amendment that is being proposed makes so much sense from the point of national security.

If we discover an arms cache in Syria, we bomb it, but if ISIS wants to attack us here with terrorism 2.0, we sell them weapons. It makes no sense. The first rule of warfare is disarm your enemies, if you can, and that is exactly what we are talking about.

I think a lot of people just say: Well, this is gun control. We are talking about gun control. We are talking about national security. We are talking about defending ourselves from a strategy that relies upon people being able to acquire guns easily in this country—people who are terrorists or who are inspired by the terrorists or who want to be terrorists. And we can’t have a bill that says you have to have probable cause to show you have already committed a terrorist act. That is too late. It has to be prevented, and that is what we are talking about here today.

So I think it is very important to remind ourselves that this is really a national security bill, and it makes no sense to close the terrorist loophole unless you close the gun show loophole because the terrorists aren’t stupid. The terrorist APB they send out from somewhere else in the world to tell somebody to get a gun and kill people will also say, by the way, do it at a gun show or do it online because they will not check you.

My colleague already read a quote from the Al Qaeda operative who explicitly told people to do that. So if we don’t do both things, it really is a false security. We are kidding ourselves. So we have to, one, close the terrorist loophole. I would venture to say 90 percent of the American people agree to that. If you were to walk up to people and say to them: How do you think people should be prevented from getting on airplanes but they should be able to buy guns, they would look at you like you were crazy. That doesn’t make any sense.

Yes, there are constitutional provisions built into the amendment we are talking about that allow people who are wrongfully on that list to have an opportunity to get off the list and to contest that designation. So this isn’t some kind of wholesale violation of the Second Amendment. This respects the Second Amendment and is based upon the premise that due process is available in this situation.

Then we have to close the gun show loophole, or the airplane loophole because otherwise doing the first thing just isn’t going to be effective. So the two things together, to me, are national security and personal security because of all the other tragedies that we are talking about, the fact that don’t involve Al Qaeda or ISIS or al-Nusra or al-Shabaab or any of the other terrorist organizations but involve our individual citizens being killed in just stunning numbers. Since we started talking today, since the Senator took this floor—a dozen people have been murdered by guns—one an hour, 24 hours a day, 365 days a year.

So we have a national security reason to do this, and we have also—remember, the preamble, and I will finish with my question. The preamble has two pieces: provide for the common defense. That is what I have been talking about—national security. Insure domestic tranquility. That is keeping people safe here, not from enemies abroad but from criminal elements within our own society—again, the most fundamental and sacred obligation of “we” as a government. If we don’t do this, we are committing constitutional malpractice. We are not abiding by the most sacred obligation in our Constitution—to keep our people safe. It can be done consistent with the Second Amendment, respectful of the Second Amendment, but in a way that will fundamentally realize the promise the Constitution makes to all Americans; that their government will protect them from foreign attack and from domestic unrest.

So I ask the Senator: Does he view this as, in large measure, a national security issue?

Mr. MURPHY. I thank the Senator from Maine, especially because, as he mentioned in his previous comments, he sits on the Intelligence Committee and so he is, frankly, privy to information he likely cannot state on the floor but is directly on point, which is this notion these terrorist groups, whether it be Al Qaeda or ISIS, now are more dependent than ever on inspiring and launching lone-wolf attacks. Why? Because they are losing ground in Syria and in Iraq, and this notion there was going to be an inevitable caliphate that was going to grow and prosper and control large amounts of territory in the Middle East is no longer a reality.

As someone earlier today said on the floor, there is a record-low trickle of American citizens today going abroad—maybe it was my colleague from Maine—to join Al Qaeda, which suggests how their pull, how their gravitational pull has been greatly reduced.

It means there are right ways and wrong ways to engage in this second front, this effort to try to launch lone-wolf attacks. The wrong way is to marginalize Muslim communities in this country by telling them they are less than, by telling them they are threats by nature of their ethnicity or their religion, to the United States. Mr. KING. Will the Senator yield for a question?

Mr. MURPHY. I will yield for a question.

Mr. KING. On February 15, 2015, Dabiq, which is the sort of public newspaper of ISIS, published an explicit strategy for what they hope will become a worldwide conflict. The strategy is that westerners will fall into the trap of persecuting Muslims and drive them into the arms of radicals. That is the strategy.

So to the extent that we persecute and marginalize these overwhelmingly peaceful citizens who want to be citizens of our country or citizens of other countries in the world, we are doing their job. They said that is what we want to do and indeed some people in our society have fallen into that trap and are doing it. This is exactly what they want because they want this to be a war between Islam and the West. Do we really want to radicalize 1.6 billion people and 3.3 million here? This country, the vast majority of whom want nothing more than what the rest of us want, which is to raise our families and live our lives and enjoy the benefits of this wonderful country.

So I agree with the Senator and would ask him if he conurs that if we are marginalizing people of any faith, then in this particular case we are driving them into the arms of our adversaries.

Mr. MURPHY. The name Dabiq itself, which is the name of the publication this organization—that ISIS sends to the rest of the world is rooted in a spot that is representative to this terrorist group of the historic clash between East and the West. So the name Dabiq of ISIS is based on this idea that we convince would-be converts that this is a fight between the Muslim faith and the Christian faith, which just again speaks to the fact that there are right ways and wrong ways to go about fulfilling the mission my colleague has articulated in the preamble of the Constitution.
The wrong way is to blame these attacks on everyone who shares the Muslim faith. The right way is to target the very small subset of individuals of any faith who have connections to terrorist groups. The good news is that because of a network of surveillance we have anSubscribe to our newsletter for more articles like this. You can unsubscribe at any time. Your information will be *not* shared with anyone.

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Senator BOOKER and Senator and I think I can speak on behalf of the Senator has set. So personally—we could maybe—we could maybe—cause we hoped that when we got here its reputation for dysfunction, it is be-
choice to run for this body even amidst me it has meant so much that the Sen-
ator has been here for the totality of like Senator BOOKER and I made the over again. To the extent that people power and just done and said and
ored special interests and money and
te who, over a period of time, has ig-
how they have affected this debate.

The filibuster right here—I know a little bit about social media. This fil-
buster right here has been the focus
trend on Twitter, the focus of Facebook. It has created media atten-
ton on a problem because in a sense the Senator is giving hope. His very in-
tention of coming here has met the tal-
gent need that this auspicious body, this greatest del-
erative body on the planet Earth, this Senate, designed by the Constitu-
tion to deal with the biggest problems of our land—this body would not just
be on the wall, that the Senator chose to do is to say: Enough. Stop. We are going to have a discussion about an issue that is not just on the minds of the American public but is
grievously affecting the hearts and the spirit of our land.

Tens of thousands of people since Sunday have been standing around our country in vigils, in solidarity, express-
ing their pain and expressing their sor-
row but expressing the feelings they have that we should be better than to allow such grievous, terrorist, hate-ul acts to happen on our soil. While the American public has been stepping up, this body today had a different plan—to move on a piece of legislation, to barely acknowledge this.

So before I want to really reframe this, I just want to say to the Senator, thank you for the courage that you have put forth to say: Enough is enough. No business as usual; we are going to push for two commonsense amendments that cannot end gun violence in America, cannot stop terrorist activity here and abroad, but they can take a step—
a constructive step—toward beginning to choke the flow of commodity of these incidents on American soil. As has been said time and again, as has been said by a number of Senators today, what reason was our govern-
ment organized in the first place? We heard Angus King—wearing the Con-
stitution on his tie—talk to that pre-
ambule: common defense, domestic tranquility.

So I want to frame this again. But the first frame, I just have to say—the Senator and I talked about it after cau-
cus lunch yesterday, we talked about it during the day, and we talked about it last night. I say to the Senator, you are not talking about it today; you are doing it—no business as usual. For that, I am grateful.

It is merited that we also thank the many people who are involved. When the Senate is open past midnight, hun-
dreds of people have to be here as we sit here on the floor. The pages are in their first days, and this is one of their sem-
inal experiences. Not the folks who are working behind the dais there, not the great Republican colleagues who have had to man the chair, but there are se-
curity guards and subway operators and the people who are sitting folks in the gallery.

I want to say thank you, and I want to point out the fact that Cmns has helped to pay for food for not only a lot of the folks here but including the Re-
publican cloakroom. I appreciate you, Senator MURPHY.

Now I want to get to the framing of what this is about because there has not been a lot talked about it.
m, over 80 percent of American gun owners say we need to close the terrorist loophole. In fact, over 70 percent of NRA members say we should close the terrorist loophole.

What nation when they are at war—
chop down about this Chamber and tonight, with the hundreds of thousands of interactions, the ten thousand phone calls that have just come into our office alone speak to the way that desire there is to help this country to act—to act on the issue of the epidemic of gun violence.

Of course, what we have proffered here are two simple measures that we think is our way to get votes on. But we don’t want votes; we ultimately want agreement. Hopefully, the momentum that comes from today and tonight and the 13 hours that we have been on the floor will get us there. I will yield for a question at this point, without losing my right to the floor, to Senator BOOGER.
checks, they need to be universal because if it is just the brick-and-mortar gun retailers, you go there and you are going to have to do a background check.

By the way, those background checks stop people of every single year, not just people who may be suspected of terrorism. Frankly, they stop criminals, but we now know that we are a nation of change, where the buyers of weapons have migrated from the brick-and-mortar stores now to another market, online or gun shows. Unless we close those avenues for terrorists to use, they are going to use them—so very much common sense again. The second thing that you were saying today is that we need to close the terrorist loophole, and we need to make sure we are doing universal background checks. That is the reason we are here—the grit of a Senator and the common sense of two amendments that are very critical.

For a moment, I want to tell you what was perhaps the most touching time for me in this 13, 14 hours. I actually checked the rules, and you can't acknowledge people who are in the Gallery. They are not here now, but I am not talking about anybody who is here, but your wife and child showed up. When I heard you talk as a parent about the love of your child and how you did something that is so important for us as Americans—in fact, I think it is at the core of who we are that this is what calls us to do, which is to take courageous steps of empathy and say, when other people's children are dying, that is not their problem. It triggers empathy in me. I think of my own child. I think about my niece. I think about my nephew. I think about my family.

There is a privilege in this country that is a dangerous type of privilege. It is the type of privilege that says if something is not happening to me personally, if a problem is not happening to me personally, then it is not a problem. It is not a problem if it is not happening to me personally.

That is contrary to what we say about ourselves as a country. The spirit of this country has always been we are all in this together. We all do better when we all do better. If there is injustice in our midst affecting another family, another State, another neighborhood, then that is an injustice that is thrusting on me personally.

Senator MURPHY, this is one of your core values. It is expressed by great Americans. It was expressed by Martin Luther King in perhaps one of the greatest pieces of American literature, the "Letter from a Birmingham Jail," this idea that if anything is going on wrong in Connecticut, if a tragedy happens there, if children are murdered there, that is not Connecticut's problem, it is our problem. Dr. King said:

Injustice anywhere is a threat to justice everywhere. It is a common garment of destiny.

So, to me, that is a core element of our Nation. It is what our Founders understood when they said we are in this together. The very Declaration of Independence ends with a nod toward that interdependence, toward that interdependence, toward that interdependence. Our Founders on the Declaration of Independence, right at the end, that in order for this Nation to work, we must be there for each other. We must care about each other. We must invest our own self-interest in the justice that happens to my brother or my sister; it is affecting me. That Declaration of Independence ends with those words: "We mutually pledge to each other our Lives, our Fortunes and our sacred honor."

Now we see these tragedies, and I don't want to believe that we are becoming numb to them. We see them as some distant reality and not as a personal attack because when you attack one American, you attack us all. When you close that avenue where you can make a difference to preserve and protect life and you do not claim it to me, that is a sin.

There is a great writer, great thinker, Nobel laureate, who said to the effect that the opposite of love is not hate, it is indifference. The opposite of love is not just hate, it is inaction—lack of caring, lack of compassion.

What gets me upset about this issue is that these are the tools that have been enumerated by wise colleagues of mine. We have legal scholars in our caucus who understand clearly that there is no absolute right when it comes to freedom of speech. As has been quoted many times, the majority opinion in the Heller case, there is no absolute right to bear arms. It has been said by multiple Senators, just closing the terrorist loophole doesn't infringe on the rights of any American to bear arms, of any American sportsmen, any American law-abiding citizens.

This is not just saying that if you are someone who is believed to be a terrorist, you should not be able to purchase a gun. If you are somebody on that no-fly list, you should not be able to purchase a gun. Even with that, as you pointed out, there should be due process so that if you have to grieve that, there is a process for you to grieve being on that no-fly list.

When I see the Senator's child come here to listen to her father, when I see parents—many of my colleagues have children. I hope that when we hear about a mass shooting, we don't just say I am praying for those families but begin to think that what is happening to my fellow American is a threat to me. It is happening to us all. We all are lesser as a result of it. We have to think to ourselves, "How would it feel if I fail to act, to do what is right, to close a terrorist loophole?" What if right now that person our children is working to help, right now that person in our country whom our enemy is working to inspire, what about that person who right now is seeking to do harm to Americans, what happens if they exploit that loophole tomorrow, next month, next year? What happens if they exploit that loophole, and this time they go to a playground, a train station, a movie theater, your school, your church, your neighborhood?

If you know there is something we can do to stop our enemy from getting arms and doing us harm—and we have seen now from San Bernardino to Orlando, FL, the terrorists are looking to do us harm—and we can stop our enemy with a commonsense amendment that is believed and supported by the majority of Americans, the majority of Republicans, the majority of gun owners, the majority of NRA members, yet this body can't do that, then we are setting ourselves up for future acts of violence and terror that could have been prevented. Who is it if it is our child or our family or our community or our neighborhood?

There is one more step I have to mention, I say to Senator MURPHY. There is one more step that is important to this because if you close that loophole and make sure those terrorists cannot exploit the backdoor, if you make sure those background checks are universal—hearing agreed to by the majority of Americans, the majority of the Republicans, the majority of gun owners, the majority of NRA members—you are also going to benefit by creating a background check system that stops criminals from getting guns, that better undermines their ability to get their hands on weapons that they want to carry out violence in our neighborhoods, communities, and our cities. That is where it gets deeply personal to me. As the Senator has for his child, every American has for their kids. We have big dreams. This is a nation of dreams, the American dream, which is known across the globe. It is a bold dream. It is a humble dream that this is a nation where our children can grow up, have the best of opportunities. Our children can do better than us. It is the American dream.

But the challenge I see with American reality, where we have such liberal access to weapons by people who are criminals, what that has resulted in have seen it time and time again, many children taken, killed, murdered, time and time again, every day, every hour. Time and time again, another dream destroyed, another dream devastated, another dream murdered. And those are not just my worries. I have seen it across my State. I have seen it in our cities and on our street corners where shrines with candles and Teddy bears are set up, marking place after place and street after street where children have been murdered. I have stood on too many streets looking down at bodies—13-year-olds, 14-year-olds, 16-year-olds murdered in our Nation with a regulatory that has not been seen in
wars past. I have been to funerals with parents begging us to do something about the violence in our country. I have seen children who are living, yet live with trauma and stress because they hear gunshots in their neighborhood.

We have the power to stop this, and we can't assume that these problems are not ours. Langston Hughes said it so poetically: "There is a dream in this land with its back against the wall, to save the dream for one, we must save the other." How many children's dreams must be destroyed by gun violence before we do the commonsense things we agree on to begin to shrink those numbers?

It is written in Genesis that when Joseph's brothers see him approaching, with murder in their eyes, they said, "Here comes the dreamer, let us slay him, and see what becomes of his dreams." We have lost so many, and so many have been slain, but the dream of America. There are people who want to take it from us. They want to inject it with fear and hate. The dream of our country cannot die.

There are rules and loopholes that allow madmen, terrorists, and criminals to get their hands on assault weapons. We cannot let the dream of our country die and be dashed and killed. We can do something about it, and it is unacceptable, when you have the power, to do nothing.

We, those of us elected to this body, are the caretakers of that dream. We are the torch with the light, the hope, and the promise of this country that still attracts so many. Hundreds of millions of people in our Nation believe, as do so many people outside of our Nation, that we must make sure that we form a more perfect union, where we see that unfinished business, the work to be done, and answer the call of our citizens.

I reached out to Mr. Booker. I said that what has happened this afternoon, the two of them come over to his home, excited that night because he was in American history. He had been so poetically: "There is a dream in this country where we accept this level of violence in our country where we accept as inevitable, true, and unchangeable, and we are right on the precipice of getting to the point in this country where we accept this level of gun violence and gun homicide as just a normal facet of life in this country. I know it because I heard the kids in the North End of Hartford tell me that the sound of ambulances and police sirens is their goodnight lullaby. They are afraid to fall asleep to the response of the next shooting.

I knew it at the beginning of this week, when, as the news was filled with not just another mass shooting but the worst mass shooting in the history of this country, this body signaled that it wasn't going to take up any measures to combat the epidemic of gun violence in the wake of the worst mass shooting in the history of this country. It has felt like we have fallen upon the precipice of accepting this as the new normal in this land.

All we are doing tonight is standing here and talking. We are asking for a vote. And I think, as I will speak to in a moment, we have gotten to a place where we are going to get votes on these important amendments, but all we are doing here is talking.

Mr. MURPHY, Mr. President, I thank my friend for the question, and I thank him for standing, quite literally, with me every second of these last 13-plus hours. I thank my friend from Connecticut who is about to speak, for doing the same.

It is nice to have friends. It is nice to have friends who are committed to the same thing as you are, but it is just nice to have friends.

It doesn't have to be like this. There are so many things in this country that we accept as inevitable, true, and unchangeable, and we are right on the precipice of getting to the point in this country where we accept this level of gun violence and gun homicide as just a normal facet of life in this country. I know it because I heard the kids in the North End of Hartford tell me that the sound of ambulances and police sirens is their goodnight lullaby. They are afraid to fall asleep to the response of the next shooting.

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I am going down to the club. I am heading downtown.

On his way to the club, he texted to his dad: “I love you.” Those were the last words Jose ever heard from his son.

His family said that he went to the club that night to dance. “Oh, and he can dance and get down,” a family friend said. “Yes, he can.”

He was born in Florida, but he loved the Mexican national football team, adored his family, liked to play tricks on his young sister, and was a huge Harry Potter fan. He had a job at Universal Studios. He worked on the Harry Potter ride, and that was a big deal to Luis.

Upon hearing of his death, J.K. Rowling tweeted out a tribute to him. His job at Universal was a passion for him because he loved Harry Potter, but it was also paying for his education. He was studying to be a physical therapist at Seminole State College.

His friend said:

Luis was by far the best person I knew. He inherently made us all better people by simply existing around us. Part of him will always live on in every good decision that I make.

Kelly, a friend of his on Facebook, asked: “How could this happen to someone so kind?” How could this happen to anyone?

In December of 2015, Jonathan Aranda was shot and killed in the morning hours of December 8 in New Haven, CT. He was 19 years old. He had just graduated from Eli Whitney Technical High School in Hamden, CT. In a statement, the superintendent of schools talked about the devastation in the entire educational community because of the loss of this beautiful young man. His cousin said he was hard-working, and he was well-liked. He worked at Brook & Whittle, a packaging company in Guilford. He was getting ready to leave the house when he had stopped by a friend’s house to talk about cars, and then, bam, this senseless act of violence happened.

His friend said that he was quick to lend a hand when you needed help and he wouldn’t ask for anything in return. He worked the third shift and he came home, and then he helped his friends and his family. His younger sister said that he was a humble and loving person, and he never picked fights. A very, very likeable kid, said his cousin. He didn’t have a problem with anybody.

Luis Vielma was 22 years old when he was killed on Saturday night in the worst mass shooting in the history of this country. This shooting has gotten a lot of publicity, and it has prompted us to come down to this floor and demand change. But nobody in this country knows about Jonathan Aranda. He was killed in December of last year on the streets of New Haven, and his family and friends and his educational family was not for him, but he didn’t make headlines. There are the 80 others that day on December 8 who died didn’t make headlines either, but their deaths are just as meaningful, just as impactful, and just as unacceptable as the 50 people who died late on Saturday night, early Sunday morning in Orlando.

It doesn’t have to be like this. That is why we have come to the floor this evening.

I am going to turn the floor over to Senator BLUMENTHAL in a moment. Actually, I will turn it over to Senator BOOKER for some comments and then to Senator BLUMENTHAL. But let me just finish these remarks by talking about the families of Sandy Hook. Senator BOOKER was talking about courageous acts of empathy. I think it is a wonderful turn of a phrase. I think about the courageous act of empathy inherent in the decision made by the families of those murdered in Sandy Hook to come to the Congress to argue in 2013 and then again in 2014, 2015, and 2016 for background checks, because if you know the two people in Sandy Hook, background checks on sales at gun shops or with respect to online sales wouldn’t have mattered in that case, because that sale was done with a background check. To the families of Sandy Hook, what would matter much more is being able to say to Potter ride, and that was a big deal to Orlando.

Those are all maybes, but life isn’t always a game of certainties. What we know for sure is that many of those killed in Orlando would have been alive today. Had we years ago passed a law that puts people who have had an buster, maybe Jonathan Aranda would have been alive today. Had we taken that vote. They came to this Congress to argue on behalf of Jonathan Aranda, who was still alive in the spring of 2013 when we took that vote. They came to this Congress to argue on behalf of those still living on the streets of this country who could benefit by an expanded background check system that would stem the flow of illegal weapons on their streets. Had we been successful, had we been able to pick up a few more votes to persist and beat that filibuster, he would have been alive today. Had we years ago passed a law that puts people who have had an intersection with the FBI with respect to terrorist connections on the list of those who are prohibited from buying guns, maybe that network would have caught up with Omar Mateen, and he would never have bought the weapon that he used to kill those in Orlando.

Those are all maybes, but life isn’t always a game of certainties. What we have been asking for here today is just to take a step forward and take a vote on two commonsense measures that can start to show that we have the ability to make progress as a body. There is a laundry list of other things that everyone who has spoken wants to happen. Our families in Sandy Hook have a laundry list of other things that they want to occur. But we want to start with these two commonsense measures.

Through the Chair to Senator BOOKER and Senator BLUMENTHAL, I think we can report some very meaningful progress over the course of these 13 hours. When we began this debate on the floor, when we declared that we were going to move forward with the CJS bill without a commitment to talk about what happened in Orlando, to talk about how we fix it, and when we began, there was no commitment, no plan to debate these measures. It is our understanding that the Republican leader and the Democratic leader have spoken and that we have been given a commitment on a path forward to get votes on the floor of the Senate on a measure to assure that those on the terrorist watch list do not get arms runs, to close the Feinstein amendment, and an amendment introduced by myself and Senator BOOKER and Senator SCHUMER to expand background checks to gun shows and to Internet sales.

We have still have to get from here to there, but we did not have that commitment when we started today, and we have that understanding at the end of the day. There is no guarantee that those amendments will pass. But we have some of the movement that existed before we started and maybe a little bit stronger now and try to prevail upon Members to take these two measures and turn them into law.

So I am deeply grateful to be standing here at now 1:40 in the morning with both of my friends who started here with me now going on 14 hours ago. I gladly yield to my friend Senator BOOKER for a question and any final comments that he may have.

Mr. BOOKER. This is my final question. I ask the Senator one more time, will you yield for a question?

Mr. MURPHY. I yield for a question without relinquishing my control of the floor.

Mr. BOOKER. I just want, again, to say thank you to you. We started this about 13 and a half or almost 14 hours ago with business as usual. We started almost 14 hours ago with no focus on these issues. I can go on about the filibuster—your standing tall, your multiple colleagues standing with you, over 2 dozen representing States from East to West—and this measure is standing here together. It now seems that we at least will have a vote on those two things, the closing of the terrorist loophole and the expanding of the terrorist block so that we have just now, checks that forestall black terrorists who seek to get weapons through secondary avenues. So that is a good step. It is not everything I
would have hoped for out of this day. But it seems clear to me that we have some work to do in changing the hearts and minds of some of our colleagues so that these measures that have failed in the past can pass now.

For those of you who don’t know the history of this body, a lot of the most proudest legislation of America—let’s take the Civil Rights Act, for example—failed many, many, many times. But those who kept fighting and didn’t give up didn’t give in to cynicism were able to break that measure on the floor. This has happened with many pieces of legislation, from the abolishing of slavery to a woman’s right to vote.

Sweet Honey in the Rock is a group that I love. They sing a song called Ella’s Song, where they say: We who believe in freedom cannot rest. We who believe in freedom cannot rest until it is won.

So my hope is that this filibuster, now going into its 14th hour, didn’t just win a vote on these two amendments, didn’t just stop business as usual, didn’t just get a chance to have a final determination at least on these two amendments, but that it happened to do what it takes for our freedom in this country didn’t give in to cynicism and stop fighting. Thank God that those who have reasons to be cynical about government didn’t fall into that trap of cynicism, didn’t take that refuge for cowards and kept fighting in this body for so much of the legislation that we take for granted, for workers’ rights to the rights of immigrants.

So my hope, Senator MURPHY, if I can express it to you, is that not only will we fight to win the vote on these two amendments—one by DIANNE FEINSTEIN in closing the terrorist loophole and the other authored by you, me, and Senator SCHUMER to expand background checks—but my hope is that this filibuster did not just get those four votes but will mobilize it and engage more people to reach out to their Senators.

I really appreciate the fact that your office got 10,000 calls. I appreciate the fact that our colleagues have been active on social media, but that is nothing calling you, who already support this, and not reaching out to Senators who are deliberating over whether to support this or not.

We are all here because folks not only didn’t take that refuge for cowards through cynicism, that toxic state that debilitates us from being agents of change, but we are also here not just because of people who shun cynicism but because of people who embrace love. Love is that word very powerful—love of country, love of patriotism necessitates loving your country, men and women, and if you love your country, men and women, you don’t just tolerate them. I think that is kind of a cynical aspiration for this country, that we will be a nation of tolerance, stomaching each other’s right to be different. If we are a nation of love, we just stomach someone’s right to be different. Love actually sees the truth of who we are. We each have value, worth, and merit. We need each other. We are interwoven in each other’s destiny. And if there is injustice facing you, it affects me, and I have reasons to be cynical as well.

I am here, Senator BLUMENTHAL is here, Senator MURPHY is here, and all of the people who are working here, we are here because of this conspiracy of love of folks who didn’t just take care of themselves and their families, they got engaged in their country, in their communities, in their neighborhoods. They did it for others. They served, they volunteered, and they sacrificed.

So we are on another inflection point in America in the worst mass murder in our country’s history. You cannot control always what happens to you, but you can control your response to it. Let our response to this hateful act be love. Let our response to this terrorist act seeking to scare us be courage.

Let us in the days ahead act with love and courage, as demonstrated by our engagement with our political system—pressing, pushing, letting our representatives know in this body that we want them to support commonsense initiatives, the closing of the terrorist loophole and expanding that with background checks that shut off the back door for terrorists to exploit to get assault weapons to do repeats of what we saw. With that kind of courage, with that kind of love, our enemies do not win. We do. With that kind of courage, that kind of love, we don’t stumble, we don’t stop, we don’t rest on our heels, but we advance this country toward its highest ideals that we will be a Nation with liberty and justice for all. We are all families. From inner city communities to suburban, from rural to urban, all communities should enjoy safety, security, strength, and prosperity.

So with that, I ask the question, does Senator MURPHY agree that we have not just achieved this first step of stopping business as usual, letting this body hold this actuality among two measures that were not on this agenda until this action began? Does the Senator believe that is not enough, and with thousands of people watching, people on social media, we need to get more engagement to begin, as the Senator said earlier, not to change the hearts and minds of all Americans—frankly most of America is with us—but to start focusing on the Senators that will be deliberating over the coming hours, maybe days, about these specific pieces of legislation?

Mr. MURPHY, I thank the Senator. This is an important start, but it is not sufficient.

What is unacceptable is to do nothing. What would have been unacceptable is to spend this entire week on legislative business that was irrelevant to the epidemic of gun violence that has been made more real than ever by the tragedy in Orlando. So I thank Senator MURPHY that Senator Blumenthal and our colleagues over the course of 14-some odd hours. I think we can report having made progress, but certainly not enough.

I will yield for a question to my friend Senator BLUMENTHAL, who has been on the floor with us for the entirety of this time, standing with me, and frankly I have been standing with him, my senior Senator in this fight since 2012. I yield to him for a question without relinquishing control of the floor.

Mr. BLUMENTHAL. I thank Senator MURPHY. And I join in thanking all of the staff who have worked over this day and into the night and into the next day at great personal sacrifice and at great benefit to the American people.

I want to thank my colleague Senator BOOKER for his eloquence, his perseverance, and his dedication to this cause, and Senator MURPHY for his courage and strength in this cause that brings us here today, tonight, tomorrow, and in the days ahead because this experience is, as he has said, only the next step.

We have talked a lot in great—and some of it very powerful and compelling—terms about what is at stake here. Certainly the reason we are here has to do with the deadliest mass shooting in the history of the United States. But the numbers are important. Numbers are cold, hard, and stark. Forty-nine people were killed in the single attack in Orlando in an ordinary day in America, dozens of people are shot without any notice. It is not a headline, barely a mentioning. Certainly there are no speeches on the floor of the U.S. Senate. The fact is that gun homicides are a common cause of death in our Nation—the greatest, strongest Nation in the history of the world—and about as many people as car crashes, and in direct contrast to the experience of other countries where, for example, in Poland and England, only about one out of every million people dies in a gun homicide—about as often as when an American dies from an agricultural accident or falling off a ladder. These numbers come from the New York Times. There were 54 over the course of just a few days ago, June 13, which I ask to be printed in the Record if there is no objection.

Mr. MURPHY. I would ask the Senator to withdraw that request at this time.

Mr. BLUMENTHAL. I will offer it at another time. Thank you.

The point is that we can do something about these numbers. We can reduce them, and we can save lives if we adopt commonsense central measures.
such as are going to be debated specifically and given a vote in the U.S. Senate.

A result of our staying—our colleagues and the three of us staying—is no more business as usual. Enough is enough. Let’s listen to the American people. There is a consensus. The poll numbers show that 90 percent of the American people think we should have background checks. The majority of gun owners and the majority of people also believe that something should be done. The law, of course, is to be changed and a historic opportunity to be national consensus in favor of those laws, to protect the citizens of every State.

If we don’t do the job, it will be obvious to the American people that we have failed. The majority of those people think that we should do something, and we can’t afford to let them down. We need to be a part of the solution and not a part of the problem. The solution is not to say that we cannot do anything, but to work hard to find a way to pass laws that protect our citizens, regardless of where they live.

Mr. MURPHY. I thank Senator BLUMENTHAL for the final question. Let me reiterate my thanks to everyone who has participated in the debate and to those who have shown up in person. We are here because there is a consensus, and the American people are asking us to take action.

I am embarrassed, frankly, that it took the tragedy in Sandy Hook for me to wake up to the fact that people all around this country, in New York, in cities across the country, have been living through this terror for years without any action being taken.

The American people have already made up their minds. They want a background check system that captures potential terrorists. They want to make sure that nobody can buy a gun without a background check. They want to be able to know who they are buying from.

I am confident that we will be successful, as we are now. We need to keep working hard to pass these laws. We need to keep working hard to protect our citizens. We need to keep working hard to make sure that our laws are strong enough to protect our citizens.
still will do a world of good. I am pleased that we are on a path to get those votes. It is a necessary but insufficient response to the carnage that we witness in this country every single day.

This is personal to all of us. Senator KAINE said it well earlier tonight—that we have scar tissue, but it is razor-thin scar tissue compared to those today in Orlando who are living through the catastrophe of losing a 21-year-old son in the prime of his life or losing a 24-year-old daughter at all of her potential ahead of her. Our scar tissue is there, but it is tiny.

I close by telling a story that I told during my first speech on the floor of the Senate. I introduce you to Dylan Christopher Jack Hockley, who in this picture is age 6. According to just about everybody who knew him, it was impossible not to fall in love with Dylan Hockley if you met him. He loved video games, and he loved jumping on the trampoline and watching movies. He loved munching garlic bread. He had dimples, he had blue eyes, and he had this very mischievous little grin. You can see it here. And he is wearing one of his favorite shirts. His big smile would light up almost any room he was in. He loved to cuddle. He loved to play tag every single morning with the neighbors at the bus stop. He liked to watch movies, the color purple, and he loved seeing the Moon. He loved eating his favorite foods, especially chocolate. He was so proud that he was learning how to read, and he would bring a new book home every day. Most importantly, he adored his big brother Jake, who was his best friend and his role model.

Dylan’s mom Nicole, who has been a champion in the cause of ending gun violence in the country, always thought that Dylan was, in her words, “a bit special, a bit different.” She said:

He was late to develop speech. He was late to learn to crawl, and there was always a little something about him, but we couldn’t put our finger on it.

He said he only liked bland foods and he wanted only plain spaghetti. He had a habit of flapping his hands when he got excited. He would put his hands over his ears when he heard sudden or loud noises. He was diagnosed with autism, but, as his father points out, autism is a spectrum with many different facets to it.

Dylan loved repetition, and he would watch his favorite movies over and over again—“Up,” “Wall-E,” and “The Gruffalo.” He would find a particular portion of that movie that he loved and he watched that portion. He would rewind, he would watch it, he would rewind, and he would watch it. When he watched his favorite parts, his laugh was infectious.

Dylan was struggling with autism as a student at Sandy Hook Elementary School, but he was a special boy who was going to turn into a special young man.

He idolized his brother Jake, but he idolized someone else as well. He idolized a woman named Anne Marie Murphy. Anne Marie Murphy was his special education teacher and his personal aide. Over the course of the beginning of his first grade year, they formed a bond, a deep bond that is often hard to form for kids with autism like Dylan. Their bond was so tight that he had a picture of her on the refrigerator, along with his class. Every day when he would walk up to the refrigerator, he would point to the picture and say “There’s my class! There’s Mrs. Murphy!” It meant something to him to have that relationship, and he loved going to school in large part because he knew he had someone there who loved him back.

Senator BOOKER has talked about the expectations that we should have for each other, that expectation of deep classroom and a life each other. Dylan and Anne Marie Murphy had it.

Senator BLUMENTHAL and I got to Sandy Hook Elementary School after most of the families had come to realize that their loved ones weren’t coming back. The boys and girls were probably lying on the floor of those classrooms. We still saw and heard things that I think we both wish we didn’t hear and see.

When Nicole Hockley was standing in or outside the firehouse, when she came to the slow, awful, cripping realization that her little boy was not coming back, she had a moment where she thought to herself, maybe Anne Marie will come back and she will tell me what happened to my little boy. Then she had a second thought: that Anne Marie probably wouldn’t leave Dylan if he was in danger.

When Adam Lanza walked into that classroom, he fired his military-style assault weapon with clips attached to it, holding 30 bullets, Anne Marie Murphy probably had a chance to run or to hide or to panic. Instead, Anne Marie Murphy made the most courageous decision that I can imagine. Instead of running, instead of hiding, instead of panicking, Anne Marie Murphy found Dylan Hockley and embraced him. Do you know how we know that? Because when the police entered the classroom, that is how they found Dylan Hockley—dead, wrapped in the embrace of Anne Marie Murphy.

It doesn’t take courage to stand on the floor of the Senate for 2 hours or 6 hours. It doesn’t take courage to stand up to the gun lobby when 90 percent of your constituents want change to happen. It takes courage to look into the eye of a shooter instead of running, wrapping your arms around a 6-year-old boy, and thinking about death as a trade for just a tiny, little, itty piece of increased peace of mind for a little boy under your charge.

So this has been a day of questions. I ask you all this question: If Anne Marie Murphy could do that, then ask yourself what you can do to make sure that Orlando or Sandy Hook never ever happens again.

With deep gratitude to all of those who have endured this very late night, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

MORNING BUSINESS

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

CHARITIES HELPING AMERICANS REGULARLY THROUGHOUT THE YEAR ACT

Mr. HATCH. Mr. President, today I wish to discuss a topic that has been near and dear to me—my entire life: the importance of charities and charitable giving to the well-being of America. I am taking this moment to discuss this issue for several reasons.

Late last year, Congress managed to make permanent a few of the temporary charitable tax provisions that I have supported for years. Since then, two of my esteemed colleagues, Senator THUNE and Senator WYDEN, have introduced legislation to enact several more important charitable tax provisions. And later this week, the Alliance for Charitable Reform, the Council on Foundations, and the Independent Sector will send its members to fan out across Capitol Hill to tell Members of Congress and their staffs about the good and essential work charities and nonprofits perform every day in America.

Alexis de Tocqueville wrote in “Democracy in America” of the importance of intermediate associations that stand between the individual and a centralized state. Alexis de Tocqueville said:

“...for along with the difficulties of war, natural disasters, and economic recessions and depressions, and it is no secret that our economy has been growing much too slowly in recent years. That means that a well-organized, well-funded charitable community is essential to the well-being of those in need. As State and local governments grapple with budget deficits and revenue shortfalls and as Americans face unemployment, stagnant wages, and lower workforce participation, people in need are turning for help in greater numbers to churches, charities, shelters, and other social welfare groups.

[The text continues with a discussion of charitable groups and their role in helping Americans and concludes with a call to action.]