

Limiting magazine size will force shooters bent on taking a life to reload more often. When this madman with the strange-colored hair walked into that Aurora, CO, movie theater with a semiautomatic weapon and a 100-round drum magazine, the only thing that spared many survivors was the fact that the shooter's gun jammed. Think of the carnage, in addition to what already was so bad, that would have taken place.

In Tucson, AZ—we met here in Washington yesterday with Gabby Giffords, a woman who was shot right in the head by a man who should have not had a gun. But he emptied a 33-round clip in less than 30 seconds, killing 6 and injuring many more, including Gabby Giffords.

In Carson City, NV, a mentally ill man went to an IHOP during breakfast time and killed four people. Three of them were National Guard personnel going to work. He shot 80 rounds in 80 seconds using 30-round clips.

Limiting the size of clips will not hurt hunters and sportsmen, but it will save lives. So I am going to vote in support of the Blumenthal-Lautenberg amendment.

In the case of Carson City, the example I just gave, let's talk a little bit about mental health. That incident at the IHOP restaurant reveals a tragedy, of course, but also the deficiencies in this Nation's mental health treatment system. That is another important part of our discussion about how to prevent gun violence. We simply have not done a good job of providing funding for and access to mental health services. This should be a bipartisan issue. Going back many years, it was bipartisan—Wellstone-Domenici.

While we have done a better job of doing certain things in mental health, we have done a poor job of removing the stigma that keeps Americans from seeking the treatment they need. We must do better. So the bill reported out of the HELP Committee, led my Chairman HARKIN, begins the work of improving access to critical services.

I hope to be able to have shortly—after we finish this list of amendments—the ability to move to Senator STABENOW's measure. She has worked with others on another bipartisan piece of legislation to go even further in doing something about the mental health problems so that we can alleviate, at least on occasion, these terrible tragedies.

As I have said many times, the efforts will not stop every criminal bent on violence, but last year's terrible tragedy in Newtown was a wake-up call that we are not doing enough to keep our citizens safe. It is hard to even comprehend the scope of the tragedy, let alone recover from it, but part of the healing process is this remarkable conversation about how to prevent violence in America. That conversation is taking place in America today because of Boston and because of the thousands of people killed with guns every year.

Part of the healing process is examining what can be done to prevent more tragedies such as the ones in Newton, CT; Aurora, CO; Oak Creek, WI; Carson City, NV; and multiple other places. I believe that if we can save the life of a single American, we owe to it ourselves to try. That is going to take courage by some people.

President Monson, the president of the Mormon Church, said this about courage:

Life's journey is not traveled on a freeway devoid of obstacles, pitfalls and snares. Rather, it is a pathway marked by forks and turnings. Decisions are constantly before us. To make them wisely, courage is needed: the courage to say, "no," the courage to say, "yes."

The courage today to say yes. Decisions do determine destiny. Today our decision will determine the destiny of our country. Today I choose to vote my conscience not only as HARRY REID a Senator but also as a husband, a father, a grandfather, and I hope a friend to lots and lots of people. I choose to vote my conscience because if a tragedy strikes again—sorry to say it will—if innocents are gunned down in a classroom, theater, or restaurant, I would have trouble living with myself as a Senator, a husband, a father, a grandfather, and a friend knowing I did not do everything in my power to prevent that.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

TRIBUTE TO POSTAL AND LAW ENFORCEMENT WORKERS

Mr. MCCONNELL. Mr. President, the last few days have been trying ones for our Nation. Monday's attack in Boston reminded us that terrorism can still strike anywhere at any time. As yesterday's news of an attempt to send ricin to the Capitol reminds us, it is as important as ever to take the steps necessary to protect Americans from those who would do us harm.

This morning I would like to recognize the postal and law enforcement officials for their excellent work in detecting and preventing this threat before it even reached the Capitol. They proved that the proactive measures we put in place do, in fact, work.

We have faith that the men and women charged to protect the American people will find those responsible for the attack in Boston and for the letter here at the Capitol. The truth will eventually come out, and justice will be delivered.

GUN AMENDMENTS

Mr. MCCONNELL. Later today the Senate will begin to consider amendments to legislation that deals with one of our most fundamental constitu-

tional rights as citizens. There are many different perspectives on this issue, and passions are high on all sides. That is why I would urge the majority to allow the full and open amendment process we were told the Senate would have. Today's votes are a very good start. The American people deserve the opportunity to be heard on this matter. We should respect that. So let's approach this debate in the spirit of transparency that the American people expect.

In my view, we should focus on keeping firearms out of the hands of the criminals and those with mental issues that could cause them to be a threat to our society. The government should not punish or harass law-abiding citizens in the exercise of their Second Amendment rights. It is that focus on protecting communities and preserving our constituents' constitutional rights that will be my guide as we begin to vote on amendments on this bill.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 649, which the clerk will report by title.

The assistant legislative clerk read as follows:

A bill (S. 649) to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale, and for other purposes.

Pending:

Manchin amendment No. 715, to protect Second Amendment rights, ensure that all individuals who should be prohibited from buying a firearm are listed in the National Instant Criminal Background Check System, and provide a responsible and consistent background check process.

The ACTING PRESIDENT pro tempore. Under the previous order, the time until 4 p.m. will be equally divided and controlled between the two leaders or their designees.

The Senator from California.

AMENDMENT NO. 711

(Purpose: To regulate assault weapons, to ensure that the right to keep and bear arms is not unlimited, and for other purposes.)

Mrs. FEINSTEIN. Mr. President, I would like to call up and make pending

amendment No. 711 to the bill before us.

The ACTING PRESIDENT pro tempore. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for herself, Mr. SCHUMER, Mr. DURBIN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. LEVIN, Mr. HARKIN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mrs. BOXER, Mr. REED, Mr. CARPER, Mr. LAUTENBERG, Mr. MENENDEZ, Mr. CARDIN, Mrs. GILLIBRAND, Mr. SCHATZ, Mr. MURPHY, Ms. HIRONO, Ms. WARREN, Mr. COWAN, and Ms. Murray, proposes an amendment numbered 711.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. FEINSTEIN. Mr. President, I happened to be on the floor and hear the remarks from the majority leader. I would like to thank him for his support of this legislation. It is extraordinarily important to me, to the people of my State, and, I believe, to a majority of Americans. I hope to make that clear during my remarks.

I would like to also thank the 23 cosponsors of this legislation. They are in alphabetical order: RICHARD BLUMENTHAL, Senators BOXER, CARDIN, CARPER, COWAN, DURBIN, FRANKEN, GILLIBRAND, HARKIN, HIRONO, KLOBUCHAR, LAUTENBERG, LEVIN, MENENDEZ, MIKULSKI, MURPHY, MURRAY, REED, ROCKEFELLER, SCHATZ, SCHUMER, WARREN, and WHITEHOUSE. I am very grateful for the willingness of the Presiding Officer and the others to step up, show courage, and do what is right for America.

There are all kinds of things we confront as Members of this great Senate. There are issues of national security, the economy, health care, immigration—all tough issues.

People often ask me why I care so much about assault weapons and why I stayed with this issue for more than 20 years.

The answer is this: In my view, the proliferation of this specific type of weapon goes to the heart of what kind of society in which we want to live. It goes to what kind of culture we are going to raise our children in, which brings us to the horrific massacre at Newtown, CT, 4 months ago.

Sandy Hook—and much has been said about it, but I can't forget—Sandy Hook was a safe school in a safe town. Candidly, it was inconceivable that such a tragedy could happen there, but it did. I can't exaggerate how this senseless murder of 20 beautiful young children and 6 incredibly brave adults affected me and millions around this country. I think it is fair to say that this event really shocked the conscience of America.

The pictures of these little victims still bring tears to the eyes of millions. I am very impressed with this one page of the New York Daily News. I carry it when I speak to people, trying to get their votes. Some say no, and I look at this picture of these smiling faces, and in the middle, "Shame on U.S." This was the cover of the New York Daily News. I think it carries the message of what we are trying to do here, and I hope to demonstrate that during the time that I speak.

I think the despair that we all felt, for some of us, has changed to determination. I believe that this amendment over time will finally begin to address not only the wanton, brutal violence, but the weapon that is often used to carry out this wanton, brutal violence.

To have a chance at understanding these mass shootings, we need to understand how they are perpetrated and by whom.

It is impossible to know with any certainty what motivated Adam Lanza, the Newtown shooter. We know he exhibited clear signs of mental disturbance. We know he had an extreme aversion to normal social life, and he didn't like physical contact. He was in and out of school and spent time in special education classrooms and was homeschooled by his mother. He lived in a room with blacked-out curtains and played violent video games for hours on end.

We know his mother purchased assault weapons for him and kept an arsenal at home. We know that they went target shooting together at ranges and that both were certified in gun safety. Their home was a veritable weapons depot, with many firearms, more than 1,600 rounds of ammunition, samurai swords, and even a gun safe in this young man's room.

It has been reported that Adam compiled a spreadsheet documenting hundreds of victims of mass murders—something he may have used as a measuring stick for his own sadistic plot.

We know one more thing: None of this information would have been caught on a background check. I say this although I support background checks. But this shows what is out there, which needs to be stopped.

On that December morning, Adam Lanza started his rampage by killing his mother. He then drove to Sandy Hook and shot his way into the school. He was heavily armed. This is what he carried: a Bushmaster XM15 assault rifle, a Glock handgun, a SIG Sauer handgun, ten 30-round magazines, and a Saiga 12-gauge assault shotgun. In less than 5 minutes, he fired at least 154 rounds from the Bushmaster in 2 classrooms. He stopped only when first responders arrived. He then took his own life. He died with 139 more rounds available to fire.

I am sure background checks would stop many would-be murderers, but they would not have prevented Newtown. The weapons were legally pur-

chased by his mother. While he was disturbed, he had no criminal record or record of mental illness and would not have been subject to a background check because his mother gave him these weapons.

Let me be clear: Universal background checks are very important. I strongly support them, but they would not have prevented the tragedy in Newtown.

I have watched these mass shootings escalate over the past 40 years—four decades of my public life. Twenty-nine have taken place in just the past decade, seven in the past year. Military-style assault weapons are often the weapon used in many of these shootings.

Just 3 days before Newtown, an AR-15 assault rifle was used to kill two people and seriously wound a third at a mall in Clackamas, OR.

Five months before Newtown, a gunman opened fire in a theater at a late-night performance of a brand new movie. He killed 12 and injured 58. The only reason he didn't continue was that this drum that he had in his weapon—a 100-round drum—jammed at approximately 50.

Although the Aurora shooter was being treated by mental health professionals, he owned a small arsenal of weapons, including a Smith & Wesson M&P15 assault rifle, a Remington 12-gauge shotgun, two Glock .40 caliber handguns, and a 100-round ammunition drum.

A number of weapons were used in the 1999 massacre at Columbine High School in Littleton, CO, where 13 were killed. The weapons were a TEC-DC9 assault pistol, a Hi-Point 9mm Carbine, a Savage pump-action shotgun, and a Savage 311-D 12-gauge shotgun.

High-capacity ammunition magazines also play a role in these mass shootings. In 2011, a gunman in Tucson used a semiautomatic Glock handgun equipped with a 33-round magazine to kill 6 and wound 12, including Congresswoman Gabby Giffords. In 2007, a Virginia Tech gunman used 2 handguns and at least 19 magazines to kill 32 and wound 17. Some of these magazines were 15-round versions. All told, he had nearly 400 rounds to fire.

Has this ended with Newtown? Was Newtown such a stirring event on the conscience of America that no one would try it again? What is the answer? The answer is no.

On March 18, just 3 months after Sandy Hook, a former student at the University of Central Florida planned to set off a fire alarm in his apartment and kill students as they fled. A roommate saw him with these weapons and called the police. The police came quickly and were able to prevent another massacre. Here is what he had: a .22 caliber assault rifle, known as German Sport Guns GSG-5; a .45 caliber handgun; two 110-round magazines; 4 homemade explosive devices; and a stockpile of approximately 1,000 rounds.

On March 31, an AR-15 assault rifle was used to assassinate a district attorney and his wife in Texas. The district attorney's wife innocently opened the door of their home. A gunman shot and killed her with a single bullet. As her husband turned to try to get to his weapon, he was killed in a burst of at least 20 rounds. This is the offensive nature of these weapons.

A shooting many years ago—because I came to know some of the victims who survived—encouraged me to submit the first bill in 1994. This was an attack by a man named Gian Luigi Ferri in a very high office building in San Francisco, CA, called 101 California Street. He came in and killed eight. He had two TEC-9s and magazines holding 50 rounds of ammunition.

He killed a young mother, Jody Sposato, 30, who had recently given birth to her first child. Her neighbor said, "She just had that little, lovely baby 10 months ago." I came to know Jody's husband, Steve, who was a wonderful, tall man who used to come to see me with his baby in his arms. I am delighted to see that he remarried and made a new life for himself.

Ferri also killed Donald "Mike" Merrill, who had recently adopted two children, a son and a daughter, ages 4 and 2, with his wife Marilyn.

One of the wounded, a beautiful young woman, Michelle Scully, was saved because her husband John died while jumping on her body, shielding her from the gunfire.

This is how these events unfold. The tragedies they leave behind are actually never completely recoverable.

Over the years, as I have watched, I have come to see that these weapons are attractive to two groups of people. There are collectors, there is target practice, some hunt, and some think they offer a strong defense. This is one group. But death tolls show there is another group who covet these firearms more for their deadly firepower—most notably, grievance killers, gang members, and juveniles.

Let me mention the grievance killers. Their goal is to kill indiscriminately. These are weapons that are easy to fire quickly. They can fire many times without overheating, and they can carry ammunition-feeding devices that exceed 100 rounds. These are the weapons of choice of this group of people. The question is, Can this group of people, who will kill with these weapons, buy these weapons easily? The answer today is yes.

These weapons are attractive to gang members because pistol grips and folding stocks make them easy to conceal and maneuver. These weapons pack enough firepower to confront other gangs as well as the police.

I would like to tell you one other story from my home town that touched me deeply. In 2004, undercover police officers Isaac Espinoza and Barry Parker confronted a man at the corner of Newcomb Avenue and Newhall Street in San Francisco. As the officers

approached, the shooter pulled out an AK-47 from beneath his coat and fired 14 rounds, killing Officer Espinoza and injuring Officer Parker, both of whom were armed.

Officer Espinoza was a real star in the San Francisco Police Department. Everyone liked him, and he had real credibility on the streets and in the community. He was very special. He had been a police officer for 8 years. During that time, he received four major service awards. Police Chief Greg Suhr, the current chief, said he wouldn't have been surprised if Officer Espinoza rose to be the chief himself one day. But he is gone. He left behind his wife of 7 years, Renata, and their daughter Isabella, who was 3 at the time of his murder.

Finally, assault weapons are attractive to juveniles because they are lightweight, have little recoil, and are easy to fire.

The takeaway is that nowhere seems safe from these acts of mass violence, made all the more deadly because of the military features of these particular weapons.

These mass killings aren't confined to dangerous areas. They happened in a mall in Clackamas. They happened in a movie theater in Aurora. They happened in a temple in Oak Creek. They happened in an office in San Francisco. Worst of all, they happen now in schools. Schools used to be safe places, but now we confront the legacy of Columbine, Virginia Tech, and Newtown.

President Obama relayed the story of a murdered child's mother. She said she hates when people say her son was "in the wrong place at the wrong time." When are schools ever the wrong place? Schools should always be the right place for children and they should always be the right time. And that is why we must take action.

I am relieved we are finally debating the issue of gun violence, in particular the amendment I offer today to introduce the Assault Weapons Ban in the underlying bill. It has been 9 years since the first Federal Assault Weapons Ban expired in 2004, and far too many deaths. The Assault Weapons Ban I offer today as an amendment has one purpose: to begin to dry up the future supply of assault weapons and high-capacity ammunition magazines over time, which will save lives. It does not affect any legally owned weapon possessed now.

I fully support the bill to expand background checks, increase penalties on straw purchasers, and strengthen school security. But these provisions are only part of a solution. The weapons I talk about can fire hundreds of rounds a minute with velocities and energy far exceeding the standard handguns. They do not belong on the streets where they can be bought without questions asked.

This amendment bans the future manufacture, possession, sales, and importation of 157 semiautomatic assault weapons by make and model. Let me

list some of the most infamous models. We have here a display. They include the AK-47, the AR-15, the Bushmaster XM15, the Smith & Wesson M&P15, the Hi-Point Carbine, the UZI Mini Carbine, and the Intratec TEC-9. They include the MAC-10, the Saiga-12, the Street Sweeper, and all 157 of them are explicitly, by make and model, delineated in the bill.

The bill also prospectively bans the manufacture, sale, and importation of all other assault weapons that can accept a detachable magazine and have at least one military characteristic, such as a pistol grip or barrel shroud.

Finally, the amendment bans the manufacture and importation—as well as the future sale or transfer—of large-capacity ammunition feeding devices capable of accepting more than 10 rounds. Here are some of these large magazines—and this is the drum that was used at Aurora. In many cases, such as the tragic shooting of Congresswoman Giffords, it is only when a shooter stops to switch magazines that police or others have the chance to take the shooter down, and he or she may well fumble in so doing.

Now what does the amendment not do? To clear up some misinformation, it is also important to know what the bill does not do. It does not take away any legally owned weapon. All weapons legally possessed on the date of enactment are exempted. The amendment does not require registration. If an assault weapon is legally owned before enactment and later transferred or sold, the recipient or purchaser must pass a background check as required in the underlying bill.

Finally, the amendment does not affect hunting or sporting firearms. Let me point that out. It protects legitimate hunters by excluding 2,258 specifically named firearms used for hunting and sporting purposes. It took 96 pages of legal bill language to list these hunting and sporting firearms by make and model so everyone can see clearly their hunting or sporting gun is excluded from the bill. It took my staff a long time and a lot of vetting to compile this list, but they have done it.

Some have argued that the legislation would violate the Second Amendment. Candidly, that is wrong. The original Federal Assault Weapons Ban I sponsored in 1994 was repeatedly challenged in Federal Court on a variety of grounds, including the Second Amendment, the Commerce Clause, the Due Process Clause, and the Equal Protection Clause. The Fourth, the Sixth, the Ninth, and the District of Columbia Circuit Courts all upheld the 1994 law, with three of them rejecting challenges based on the Second Amendment.

Since these rulings, the Supreme Court, in 2008, recognized an individual right under the Second Amendment in a 5-to-4 decision in the District of Columbia v. Heller. But Heller itself clearly rejects the claim that Second Amendment rights are absolute. In Heller, conservative Justice Antonin

Scalia stated: "The right secured by the Second Amendment is not unlimited."

And the Court said the Second Amendment does not protect "a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purposes." Case made.

Also, just like other constitutional rights, the Second Amendment's right to keep and bear arms is subject to reasonable restrictions. An assault weapons ban is such a reasonable restriction, and no assault weapon ban has ever been overturned by a court of law.

Don't take my word for it. Look at the Supreme Court decisions. Justice Scalia's opinion in *Heller* specifically stated, "Weapons most useful in military service—M-16 rifles and the like" are weapons that "may be banned." And there are weapons that are the like of the M-16 weapon on the street today that are covered by this bill.

Third, an assault weapons ban leaves available ample means for individuals to defend themselves and their families using firearms. This amendment imposes restrictions on one class of weapons—military-style weapons—that are highly dangerous and can kill large numbers of people quickly, with increasing velocity. It leaves open ample opportunities to possess and use numerous types of firearms for defense. I have no question this bill is constitutional.

A second false attack is that assault weapons covered by this ban contain only "cosmetic features" and are no more dangerous than any other firearm. Nonsense. Law enforcement officers and gun experts are the best ones to go to, and we have. And they have pointed out these features were designed to be added to military weapons to make them more deadly and they have the same effect on civilian versions.

Some examples: The pistol grip was first added to a rifle by the German army in World War II, when it was incorporated in the STG 44, which is called a "Storm Gun." This feature allows a shooter to "spray-fire" a large number of rounds over a broad killing zone without having to aim at each individual target.

Folding stocks were added to the M1 Carbine by the U.S. Army in World War II so the weapon could be more easily transported by soldiers traveling in cramped aircraft and military vehicles. Similarly, UZI manufacturers started adding folding stocks to their weapons in the early 1950s at the request of Dutch and German military who found the traditional wooden stock to be too long for use while traveling in armored vehicles.

Every law enforcement officer who testified on the Assault Weapons Ban in our Judiciary hearing was emphatic that military characteristics add to a weapon's lethality. From Baltimore County Police Chief Jim Johnson: Assault weapons are "meant for the battlefield." Milwaukee Chief of Police

Edward Flynn: "Military characteristics are not simply cosmetic in nature. These weapons are designed for combat." And John Walsh, the U.S. Attorney for Colorado, couldn't be more clear: These weapons, he said, are "crafted to be as effective as possible at killing human beings."

Now where are we today? Seven States and the District of Columbia banned assault weapons prior to the Newtown massacre. These are my own State, California, Connecticut, D.C., Hawaii, Maryland, Massachusetts, New York, and New Jersey.

Since Newtown, legislators in 20 States have introduced bills to either ban assault weapons or strengthen existing bans. Twenty States are now contemplating action.

Connecticut and New York passed laws to tighten their existing bans to prohibit assault weapons with one military characteristic, which is what we do in this bill.

Maryland expanded an existing ban on assault pistols to cover rifles and assault shotguns.

In Massachusetts and New Jersey, bills have been introduced to strengthen those States' assault weapons bans.

Efforts are also underway to prohibit these deadly weapons in States with no current assault weapon ban. In Florida, Illinois, Indiana, Minnesota, Missouri, Mississippi, North Dakota, New Mexico, Oregon, Pennsylvania, Vermont, and Virginia, bills have been introduced to impose an assault weapons ban for the first time.

All of these States have strong hunting or sporting traditions, but the sponsors of these bills recognize that no one needs an assault weapon to hunt or target shoot.

In other States, bills have been introduced to regulate assault weapons. An Arizona bill would require the sale of any assault weapon be done through a licensed gun dealer.

Bills in Kentucky and Texas would require one to obtain a license to purchase an assault weapon. The Kentucky bill would also require the registration of assault weapons and handguns. That is Kentucky.

Some bills have been introduced that would go even further than the amendment I have introduced today. California is seeking to strengthen its ban, going from a one-characteristic test to a zero-characteristic test. This bill would prohibit any semiautomatic rifle capable of accepting a detachable magazine.

A bill in South Carolina would require the government to seize any assault weapons used in certain crimes.

Even though more States are banning assault weapons, the need for a Federal ban has never been greater. If only California or New York bans assault weapons, nothing stops an individual from buying an assault weapon in a neighboring State, then crossing the border to commit violence. At a Judiciary Committee hearing, Senator DURBIN mentioned that guns are com-

ing into the city of Chicago which are being traced to the State of Mississippi.

I believe if this legislation does not pass, we will see bills passed in a number of States. That will result in a confusing patchwork of laws with different standards in different States. If this bill goes down, States will, I believe, pass additional legislation. It is only a question of time.

Some suggest there may not be enough support in the Senate to pass the Assault Weapons Ban. But the support is there among the American people. In poll after poll, that support is there. In no poll—even with all the discussion, even with the mobilization of gun owners and the NRA, a majority in every single national poll done shows that the majority want controls over assault weapons. I know of no poll done this year that shows less than a majority to reinstate a Federal ban on assault weapons. We have more than 170 organizations covering a wide range of groups that have endorsed the bill. Here are a few:

Major Cities Chiefs; International Association of Chiefs of Police; American Medical Association; American Academy of Nursing; American Academy of Pediatrics; National Education Association; American Federation of Teachers; the Children's Defense Fund; the Sierra Club; the United States Conference of Catholic Bishops; the United States Conference of Mayors; the National League of Cities; more than 800 mayors from across the country; Tom Ridge, former Governor and Homeland Security Secretary; John Warner, former Republican Senator from Virginia.

Few bills ever have such broad support, and I ask unanimous consent to have printed in the RECORD a list of endorsements.

I have also received letters and calls from Americans across the country, from all walks of life, including gun owners, who demand that we stop these weapons of war from claiming more innocent victims. I even had a member of the NRA call me and say, "I am a hunter and I have an AR-15 but I don't need it, and I am turning it in."

I ask unanimous consent to have printed in the RECORD excerpts from these letters.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENDORSEMENTS FOR THE ASSAULT WEAPONS BAN OF 2013

Law Enforcement: International Association of Campus Law Enforcement Administrators, International Association of Chiefs of Police, Major Cities Chiefs Association, National Association of Women Law Enforcement Executives, National Law Enforcement Partnership to Prevent Gun Violence, National Organization of Black Law Enforcement Executives, Police Executive Research Forum, Police Foundation, Women in Federal Law Enforcement, Chaska, Minn. Chief of Police Scott Knight (former chairman of the Firearms Committee, International Association of Chiefs of Police), Los

Angeles County Sheriff Lee Baca, Los Angeles Police Chief Charlie Beck, San Diego Police Chief Bill Lansdowne

Localities: U.S. Conference of Mayors, National League of Cities, Boston City Council, Los Angeles County Board of Supervisors, Oakland Unified School District Superintendent Anthony Smith, San Francisco Board of Supervisors, San Luis Obispo County Supervisor Bruce Gibson, Santa Cruz Board of Supervisors, Ventura County Board of Supervisors

California Mayors: Alameda Mayor Amanda Gilmore, Chula Vista Mayor Cheryl Cox, Long Beach Mayor Bob Foster, Los Angeles Mayor Antonio R. Villaraigosa, Malibu Mayor Lou La Monte, Martinez Mayor Rob Schroder, former Morro Bay Mayor Janice Peters, Oakland Mayor Jean Quan, Orange Cove Mayor Gabriel Jimenez, Petaluma Mayor David Glass, Pleasant Hill Mayor Michael Harris, Sacramento Mayor Kevin Johnson, San Diego Mayor Bob Filner, San Francisco Mayor Edwin M. Lee, San Jose Mayor Chuck Reed, San Luis Obispo Mayor Jan Marx, Santa Ana Mayor Miguel Pulido, Santa Barbara Mayor Helene Schneider, Santa Cruz Mayor Hilary Bryant, Saratoga Mayor Jill Hunter, Tiburon Mayor Emmett O'Donnell

California Cities: Beverly Hills, Calabasas, Chula Vista, Del Mar, Encinitas, Lemon Grove, Los Angeles, National City, Petaluma, San Francisco, Santa Rosa, Stockton, Ventura, West Hollywood

Gun Safety: Arizonans for Gun Safety, Arizona People Acting for a Safer Society, Brady Campaign to Prevent Gun Violence, Ceasefire Oregon, Coalition to Stop Gun Violence, Hoosiers Concerned About Gun Violence, Illinois Council Against Handgun Violence, Law Center to Prevent Gun Violence, Mayors Against Illegal Guns, Moms Demand Action for Gun Sense in America, Ohio Coalition Against Gun Violence, Protect Minnesota, StopOurShootings.org, Violence Policy Center, Washington Ceasefire, Wisconsin Anti-Violence Effort, Women Against Gun Violence

Education/Child Welfare: 20 Children, American Federation of Teachers, California PTA, California Teachers Association, Child Welfare League of America, Children's Defense Fund, Every Child Matters, Los Angeles Community College District, MomsRising, National Association of Social Workers, National PTA, National Education Association, NewSchools Venture Fund, San Diego Unified School District, Save the Children, United States Student Association

Religious: African Methodist Episcopal Church, Alliance of Baptists, American Baptist Churches of the South, American Baptist Home Mission Societies, American Friends Service Committee, Baptist Peace Fellowship of North America, Camp Brotherhood, Catholic Charities USA, Catholic Health Association, Catholic Health Initiatives, Catholics in Alliance for the Common Good, Catholics United, Church of the Brethren, Church Women United, Inc., Conference of Major Superiors of Men, Disciples Home Missions, Christian Church (Disciples of Christ), Dominican Sisters of Peace, Faiths United To Prevent Gun Violence, Franciscan Action Network, Friends Committee on National Legislation, Health Ministries Association, Heeding God's Call, Hindu American Foundation, Interfaith Alliance of Idaho, Islamic Society of North America, Jewish Council for Public Affairs, Jewish Reconstructionist Movement, Leadership Conference of Women Religious, Mennonite Central Committee, (Washington Office), National Advocacy Center of the Sisters of the Good Shepherd, National Council of Churches, National Episcopal Health Ministries, NETWORK (A National Catholic Social Jus-

tice Lobby), Pathways Faith Community, Pax Christi USA, PICO Network Lifelines to Healing, Presbyterian Church (U.S.A.) Office of Public Witness, Progressive National Baptist Convention, Rabbinical Assembly, Religious Action Center of Reform Judaism, San Francisco Interfaith Council, Sikh Council on Religion and Education, USA, Sisters of Mercy of the Americas, Sojourners, Unitarian Universalist Association of Congregations, United Church of Christ, United Methodist Church, United Methodist Women, United States Conference of Catholic Bishops Committee on Domestic Justice and Human Development, United Synagogue of Conservative Judaism, Washington National Cathedral, Women of Reform Judaism

Health care: American Academy of Nursing, American Academy of Pediatrics, American College of Surgeons, American Congress of Obstetricians and Gynecologists, American Medical Association, American Public Health Association, Association for Ambulatory Behavioral Healthcare, California Medical Association, Doctors for America, National Association of School Nurses, National Physicians Alliance, Physicians for Social Responsibility, San Francisco Mental Health Association, Society for the Advancement of Violence and Injury Research, Society of General Internal Medicine

Other: Alliance for Business Leadership, American Bar Association, Black American Political Association of California, Center For American Progress Action Fund, Grandmothers for Peace International, L.A. Gay & Lesbian Center, League of Women Voters of the United States, National Parks Conservation Association, NAACP, Precision Remotes, Sierra Club, TASH, VoteVets.org, Washington Office on Latin America

Former Elected Officials: Former California Governor Deukmejian, Former Secretary of the Department of Homeland Security Tom Ridge, Former U.S. Senator Richard Lugar, Former U.S. Senator John Warner

CONSTITUENT LETTERS IN SUPPORT OF THE ASSAULT WEAPONS BAN OF 2013

PAUL D.—NEWTOWN, CT

... There is no practical distinction between the rate of fire produced by this weapon and that produced by a fully automatic machine gun. While one weapon is clearly illegal, the other is legal because the outdated words used to describe it suggest a distinction that no longer exists. This dangerous inconsistency has essentially undermined existing law, putting the practical equivalent of banned weapons back on our streets.

The result has been devastating for our community and too many like it across the country. Legally, logically, and morally, your obligation is clear: we need you to take action now. Please support S. 150. . . .

GINA M.—NEWTOWN, CT

... Six children at Sandy Hook School were able to squeeze past the gunman in a doorway because he had to stop to reload. How many more would have been spared had his magazines been smaller? Think of those children, who had to watch their teacher and classmates brutally murdered in front of their eyes, now think of your own children. Think of your grandchildren. Think about the parents and spouses who have to live with the horror of knowing their children spent their last few minutes in terror and in pain as the bullets shredded their flesh. Think about the survivors of that massacre, also victims, who will have to deal with their own mental health issues for decades to come. . . .

RICHARD A.—NEWTOWN, CT

... Our pediatric practice lost several patients. I held two of these babies in my arms

in the delivery room when they were born. And I was at the firehouse that night with the older brother of one of our children.

This event has altered so many lives. One mother told me, having lost her daughter, that her sons saved her life.

These guns, these bullets blew open these children's heads, their bodies, their limbs. In what kind of society do we live, whereby these weapons are needed to defend and protect?

Do we need to splatter bodies and blood in order to defend? Do we need to shatter bones and decapitate our tyrannical governments? How can anyone justify these self proclaimed weapons of mass destruction . . . ?

MICHELLE D.—NEWTOWN, CT

... No one should have to live in fear. No one should have to live looking over their shoulder while shopping in a mall, grocery store, taking in a movie, attending school or simply going about their lives. No one should have to put their kids on their school bus and fear that they may not come home. NO ONE. . . .

CHRISTINA D.—NEWTOWN, CT

... We have no more time to waste. We must change for those lost at Sandy Hook, for the town of Newtown, for our country, for our children. We must protect our nation's people. . . .

PO M.—NEWTOWN, CONNECTICUT

I am a mother of four children (who graduated from Sandy Hook Elementary School) and the shooter lived in my neighborhood. We lost our neighbors, educators, and principal on that dreadful morning on December 14, 2012. Our neighborhood is one of the safest places in this country. Sandy Hook Elementary School was one of the most nurturing environment for my four children therefore we were in a state of shock when we heard the horrific news on December 14th.

I believe stronger gun regulations would have saved lives on that tragic day. I also believe if millions of people in this nation demanded change after Columbine, Virginia Tech, Tucson and Aurora then maybe just maybe this type of massacre in our neighborhood elementary school could have been avoided. It is unacceptable for us to not take action. Too many Americans are dying every year. You acted swiftly and boldly to institute measures to improve public safety after September 11th and you must do the same after December 14th. We have the right to feel safe in our schools, malls, movie theaters, places of worship, work place, salons and on our city streets.

I made a promise on December 14th that I will no longer stay silent and do more to save lives by writing, e-mailing and calling the lawmakers. I traveled down to Washington DC with 40 Newtown teachers, clergy, parents, students, other members of Newtown Action Alliance and families of victims on February 26th and 27th to meet with congressional leaders and to attend Senator Feinstein's Assault Weapons Ban hearing. We shared our stories of tragic loss, our pain and we asked many of you to honor the 26 lives by helping us to turn our tragedy into meaningful action and change. Please have the political courage to save American lives by banning military-style assault weapons, prohibiting gun trafficking, requiring universal background check on all gun purchases and limiting high capacity magazines. You have the ability to save lives and I am asking for your leadership.

AIMEE P.—NEWTOWN, CT

... Over the past two months, I have brought meals to neighbors who have lost children, and wept with friends who have had to tell their six-year-olds that five of their young friends had died. I have seen surviving

Sandy Hook students cling desperately to their parents, to their dolls, to their dogs. I have watched parents of surviving Sandy Hook students withdraw from their support systems. I have seen my own son, who just turned three, develop a sudden fear of monsters. The effects of this shooting, even in a community as supportive and loving as Newtown, will be with all of us forever.

In the time it took Adam Lanza to reload, children were able to escape. While it is unrealistic to think that we can stop every incidence of gun violence in this country, we have a moral obligation to do what we can to reduce the unacceptably high rate of gun-related deaths every year. A weapon that can put eleven bullets in a six-year-old in a matter of seconds has no place on our streets or in our communities. . . .

MERLYN L.

. . . I have been a member of the NRA since 1979 and I am willing to state they have gone way too far. They are promoting anarchy and overthrowing the government. Why are we allowing people to shoot each other at the movies and in schools? This is sick, we don't need these weapons. We got rid of the Wild Wild West a long time ago. . . .

DOUGLAS M.

. . . End this madness with people believing they have some right to own any kind of gun they wish and that it can shoot as many bullets as possible without reloading. Guns today have turned into a kind of game in which many people who have never served in the military pretend to be at war. . . .

MARY L.

. . . I am a life-long Republican, but fully support the ban on assault weapons. I also support the universal background checks as proposed by President Obama. . . .

JIM S.

. . . As PAST NRA members, I fully support President Obama's gun control plan. The NRA has no business in our government. . . .

. . . I spent 22 years in the U.S. Army defending our country—two of those years in Viet Nam.

ROBERT A.

Please stand strong with President Obama regarding meaningful gun control legislation—specifically regarding assault rifles. I carried them in the army and in Viet Nam. They are made for two purposes and two purposes only—to kill as many people as you can in the shortest time possible and kill a person with as much damage to the person as possible!!! There is no need for civilians to have these weapons of mass destruction.

PAUL N.

I am a multiple gun owning hunter and target shooting enthusiast. I also support MUCH tougher gun control laws, far beyond just assault weapon bans. We need to have strict registration and control of all weaponry as well and closing the ease of purchase loopholes. . . .

GORDON S.—COTTONWOOD, CA

As a gun owner, I have given up membership in the NRA, whose solutions to gun violence seem outrageously stupid. . . . I'm not a big Obama fan, but his stance, in light of mass gun violence on our "babies" seems reasonable. The NRA'S statement of position, it seems to me, leads us into a spiral of hate and destruction that may be violently braced from the "other" side; our lives do not have to become ones of revenge and fear. . . .

BARBARA C.—ARROYO GRANDE, CA

My mother was killed by a gun blast when I was 13 years old. I am now 76 and the pain and memory remains. . . . I accept indi-

vidual that hunt and feel a need to protect themselves in isolated areas, however our gun culture has caused many like me to suffer beyond words and the loss of young and too many lives. . . .

UMA L.—VIRGINIA TECH

. . . Had there been a ban on high capacity magazines, I am confident the death toll, the injured toll would not be as high as it was. Had my father's murderer used an assault weapon that day, I know for certain that many who are alive now—many who have become my friends—would not be with me today. . . .

. . . The day my father went to teach—went to die, really—he was sick. He was running a fever, and even though it was April, he felt cold. My mother didn't want him to go in, but he went anyway. That was the type of man he was—he believed in his duty, and he always did it. He was right where he was supposed to be—the right place at the right time. And yet, he never came home. He never came home because he was dead, and that was how I saw him next. Though I tried to warm his hands, they were like ice. And when I said goodbye, his lips were cold and there was no laughter. For the first time ever, my father is somewhere I cannot follow. . . .

. . . Somehow, the impact of gun violence and what it means to lose someone is something that we don't talk about in this country. It's as if the subject is taboo, a dirty secret to be shoved under the carpet. . . .

. . . Here's what we *do* talk about: our right to the second amendment. We talk about the right to bear arms and the right to protect ourselves. We talk about the right to carry our weapons in the street, our right to have them on our person at all times. We talk about the right to arm our children, our parents, our country. We talk about our right to bear the arms we like and our right to shoot the bullets we like.

Since my father's passing, I've heard many things. Some of these comments include: "I know you're grieving, but it [the loss of a parent] is part of the natural order."

Or:

"If your father'd had an assault weapon that day, he'd still be alive."

Or:

"It was a tragedy. A battlefield was created that day. If only someone'd had a gun."

. . . I find each of these statements to be appalling. . . .

. . . Death by gun is something that should never become normal. The idea of a battlefield becoming part of the common course of everyday life horrifies me. . . .

. . . Your everyday life should not be a battlefield. It should be a place where you are safe, where you can go about your business without fear. No one should have to worry about facing down the barrel of a gun. Not when they are at home, far away from a theatre of war.

Assault weapons and high capacity magazines are both things that belong to theatres of war. . . . In Seung-Hui Cho's case, he fired more than 158 bullets in less than ten minutes at Virginia Tech. His gun never jammed, and there was no window of opportunity for someone to tackle him. Had he had lower capacity magazines, a window of opportunity might have opened, and the casualties would have been less. . . .

. . . While some claimed that high capacity magazines would be necessary in the hypothetical situation of five or six attackers, the fact remains that it is a hypothetical. The issues we are discussing now are not hypothetical—they are painfully real. The murder of my father is not a hypothetical. It is real, and it happened because a sick boy got his hands on a gun and high capacity maga-

zines and used it to murder. If he had not had access to guns, much less high capacity magazines, I would not be writing this letter today. . . .

PATRICIA M.—TUCSON, AZ

. . . The shooter was stopped, not by another man with a gun, but by two ordinary citizens there that day to talk with our Representative, Gabrielle Giffords. If the shooter was forced to reload because the magazine only held ten or 15 bullets Roger and Bill might have been able to tackle him sooner—and fewer human beings might have been murdered or wounded, fewer families wrenching with the pain and sorrow of a loved one being murdered on a sidewalk.

That high capacity magazine coupled with a semi-automatic weapon gave horrific killing capability to the shooter. . . .

MELISSA L.

. . . In my 30 years as an RN working in Trauma centers, I have witnessed the destruction of guns—the useless senseless destruction of life. I am appalled that the NRA and other gun advocates do not believe in gun control and background checks. I support your efforts and the efforts of President Obama. . . .

CLIFF P.—HEMET, CA

. . . I understand that there are many fine people that are NRA members, but, at some point, they are going to see that their beliefs are being ignored by the money that is poured into the NRA by the gun makers.

As to my personal stance on this issue, I actually did a little hunting when young. I have friends that like to keep a gun in their home. I'm just a guy that cannot find any reason for assault weapons being in the hands of anyone outside of law enforcement.

GARY W.—LAKE FOREST, CA

. . . As a former marine and gun enthusiast, I support your bill completely. USMC boot camp was 12 weeks long, of which the combat school and rifle range portion was 5 weeks long. . . .

. . . I bet no more than 5% of the purchasers of assault weapons of all kinds know anything about the PROPER care and maintenance and use of the new toys they bought.

DORIS J.—SANTA ANA, CA

. . . I am a second generation native Californian and licensed gun owner who wholeheartedly supports your efforts to ban private ownership of assault weapons and multi-round clips. . . .

JEFF M.—WATSONVILLE, CA

I am writing to you as a gun owner. I FULLY SUPPORT your initiative to ban assault weapons and high capacity magazines. Thank you for standing up to those who say it will never happen. I say it can.

SARAH W.—SAN PEDRO, CA

. . . My six-year-old niece, Allison Wyatt, was a victim of the Sandy Hook Elementary School shooting. The pain felt by my family and the entire community is indescribable.

I am writing to offer my assistance and the assistance of my family members in securing support for gun control legislation. We are willing to help in any way we can. . . .

SHWETA N.—LOS ANGELES, CA

. . . renew the assault rifle ban in the United States. As a pediatrician, I have seen too many suicides, accidental deaths or injuries, and homicides resulting from laxities in gun safety and control.

I must advocate for my patients, who cannot speak with their own vote. Please stand for gun control. . . .

GARY V.—CLOVERDALE, CA

I am a gun owner, former Fresno California police officer, San Mateo County probation

officer, correctional counselor and court administrator. I spent 17 years of my Career dedicated to law enforcement and corrections mostly in California.

I support a complete ban on the possession of any . . . assault rifle or military weapon designed to fire more than 7 rounds of ammunition without reloading. . . .

. . . When your everyday citizen has access to such firearms it presents an enormous threat to police, fire and everyone else in the community. None of my fellow police officers, probation officers, etc. ever supported the possession of assault rifles or military weapons in the hands of the general public. We all knew it was a bad idea we had to deal with the danger it created daily.

It is time for the madness to stop and for meaningful legislation to be passed . . . The 2nd Amendment has been grossly interpreted by a group that plays on fear and generates enormous wealth for weapons manufacturers. . . .

STEPHEN R.—SACRAMENTO, CA

. . . I am 18 years old with plans for my life and I do not want to have to live in fear of dying young. I am absolutely sick of innocent people dying because of guns, and I am absolutely appalled that people are vehemently against banning firearms and other assault weapons. I fully support your move to ban assault weapons. I am young and I want to live my life in peace. I demand the right to live in a country free of the fear of gun violence.

THOMAS P.—SACRAMENTO, CA

. . . I grew up in Shasta County and was raised on a family cattle ranch. Guns were part of our everyday life and I have used them to hunt . . . I understand the concerns of rural gun owners and I do believe that their rights should be protected. But protecting those rights must not come at the cost of all of our safety. For too long, people have been able to buy dangerous (nearly-automatic) weapons in secret and amass dangerous arsenals of weapons that have no legitimate purpose. . . .

. . . The same people who claim that they will go bankrupt if taxes are raised one nickel, don't bat an eye at spending thousands of dollars on a new gun. . . .

. . . People in some parts of the state are now talking openly about how their second amendment rights are there to enable them to defend against government tyranny. This seditious talk is very frightening. I can't imagine what these people think would result from armed conflict with their own government . . . These people seem to think they are going to be heroes in some post-apocalyptic fantasy; they have lost their foothold on reality and they are very dangerous.

. . . Please let these delusional whackos know that they are not living in the state of Jefferson, they are living in America, and we are a country of laws. . . .

SUSAN E.—SAN DIEGO, CA

. . . I am a retired educator, who has experienced school violence first hand. I was the only administrator on campus when Andrew Williams killed two students and wounded 13 others at Santana High School . . . This senseless violence has to come to an end. The rights to life and safety have been forgotten in the rhetoric over 2nd amendment rights.

MINDY F.—SAN FRANCISCO, CA

. . . I was doing my job, I was protecting my kids and I was being a positive citizen in my community. I was exercising my right to the freedom of my religion and Buford O'Neal Furrow (a convicted felon out on parole who was deemed mentally unstable by authorities) tried to take all that away from me. And because of the easy accessibility of

assault weapons and large capacity ammunition clips guns in this country he was able to do that without a second thought.

To me the idea of living in a free country is the ability to live my life to the fullest. To be allowed to celebrate my faith alongside others of many faiths and not be persecuted for it . . . To be allowed to walk through life without the fear of being gunned down on the job. . . .

. . . I hope that this letter reminds those voting on these bills that there are real people and faces that are dealing with these tragedies. We are not just stories and not just victims. We are survivors what want to make sure what we lived through can never happen to anyone else. . . .

To conclude, not every issue we vote on in the Senate is a life-or-death matter. I deeply believe this is. Since the original Federal Assault Weapons Ban expired in 2004, there have been more than 460 incidents involving assault weapons, and here they are listed, 460 of them.

The most important duty a government has is to protect its citizens' safety. When 20 beautiful first graders are slaughtered, our government has failed that duty. When 12 are killed and 58 are wounded in a movie theater—a safe place—our government has failed its duty. When people are gunned down in malls, parking lots, and their offices, our government has failed that duty.

I do not believe our values are stronger because we allowed individuals to own weapons designed for the sole purpose of killing as many people as possible. And we must not resign ourselves to these tragedies. They cannot become just another fact of American life. We have a duty, I deeply believe, to take steps to stop these mass murders that have one common element—the use of assault weapons and high-capacity magazines.

Through hearings and markups, we have heard no compelling reason not to pass this legislation. Not a single court decision has been cited that suggests a ban is unconstitutional. No one can credibly dispute law enforcement testimony that assault weapons are more lethal than other weapons. A majority of Americans support taking action.

I urge my colleagues to vote on this amendment based on its merits, not with an eye toward politics or ratings from gun lobbying groups. It is a time to stand tall. As Gabby Giffords said: You must act. Be bold. Be courageous.

So I ask you to stand with the thousands of police chiefs and law enforcement officers who support this bill. Stand with the doctors and other health professionals who support this bill. Stand with the religious leaders who support this bill. And stand with the victims of gun violence and their families who support this bill. The time has come to take these weapons of war off our streets, away from criminals, grievance killers, and the mentally deranged. I urge my colleagues to stand tall and support this amendment.

Mr. LEVIN. Madam President, I wish to add my voice to those who have called on this floor for actions that address the epidemic of gun violence in

America. I strongly favor passage of legislation to address the loopholes that have allowed too many violent individuals to circumvent the background checks designed to keep them from committing horrific acts. I support the amendment offered by Senator FEINSTEIN to add to that legislation a ban on new military-style assault weapons and high-capacity ammunition magazines.

In May of 1999, I spoke to the Economic Club of Detroit in the aftermath of the Columbine shootings. I was surrounded by educators, clergy, law enforcement officials, and businesspeople who had dedicated their lives to protecting young people from an epidemic of gun violence in our city. I asked, "Are we willing to say enough is enough?"

That was 14 years ago next month. Since then, I have placed hundreds of speeches on this issue in the CONGRESSIONAL RECORD. After all that time and all those speeches, the question remains: "Are we willing to say enough is enough?" After Columbine, after Aurora, after Newtown, after the deaths and injuries of thousands of innocent people, many of them children, can we now say enough is enough?

This is what the National Law Enforcement Partnership to Prevent Gun Violence says on this topic:

Assault weapons were designed for the battlefield and have no place in our communities. These weapons were developed to enable a shooter to rapidly spray-fire multiple rounds at an enemy in combat, not to gun down small children, moviegoers, firefighters—or the law enforcement officers protecting them.

This coalition includes the International Association of Chiefs of Police, the Major Cities Chiefs Association, the International Association of Campus Law Enforcement Administrators, the National Association of Women Law Enforcement Executives, the National Organization of Black Law Enforcement Executives, the Police Executive Research Forum, and the Police Foundation. These groups—each of them dedicated to the safety of our people—tell us that the threat these weapons present to public safety, indeed, to the safety of those who keep us safe—is too great for us to allow it to continue.

Even in the aftermath of the Newtown shootings and other horrific tragedies, some have argued that the problem with our society is not too much weaponry but too little. What these folks want, essentially, is to send Americans into combat. This is particularly true of these assault weapons and high-capacity magazines, which are specifically designed for military combat.

Now, our local and State police forces spend billions of dollars every year providing countless hours of training to law enforcement officers on how to react in a situation where they might have to fire their weapon. The U.S. Marine Corps sends its recruits

through a 59-day course before they are considered ready for combat, and those marines train relentlessly to keep their combat skills sharp. Yet, as any experienced police officer or marine or soldier will tell you, for all their training and skill, combat is chaotic. Telling friend from foe is never easy. And now some voices call for bringing that same level of combat to our streets and schools.

We can no longer be frozen into passivity. We must instead respond to the majority of Americans who support a Federal assault weapons ban and a ban on high-capacity magazines. Their voices and the voices of anguished families and of deeply concerned law enforcement officials should carry the day. We should heed those voices, support the Feinstein amendment and the underlying bill, and finally take action against this plague of violence.

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

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mrs. FEINSTEIN. Madam President, I ask that all time be equally divided between both sides.

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

Mrs. FEINSTEIN. I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

AMENDMENT NO. 719

Mr. CORNYN. Madam President, the Second Amendment of the U.S. Constitution is not merely about hunting, recreational shooting, or marksmanship, nor is it discretionary. This is one of the provisions of the Bill of Rights that the Founding Framers of our Constitution were so passionate about that they made sure it was included in our Constitution as part of the first 10 amendments to the Constitution. It is not a take-it-or-leave-it proposition. But its real significance is much greater. Indeed, the Second Amendment has long been viewed as a bulwark of individual liberty. It guarantees the most basic civil right in a free society, the right that allows responsible, patriotic, law-abiding citizens to defend themselves, to defend their families, and to defend their homes—all of this without having to rely on the government.

It is no mystery to any of us that the Federal Government—or State or local governments, including law enforcement—is not omnipresent. There are many parts of our country where law

enforcement is a long way away or simply unavailable. So the Second Amendment preserves the right of responsible, law-abiding citizens to be able to protect themselves, their families, and their homes without having to rely upon an omnipresent law enforcement presence.

The Founding Fathers understood that the right of self-defense can become meaningless without the right to keep and bear arms. Some are pushing to curtail Second Amendment rights in the hope of preventing another mass shooting. I share the sorrow of the families who are grieving over their loved ones who were lost. I have had the privilege and honor of meeting some of the families. I wish it were as easy as some would suggest to solve the problem with the wave of a magic wand or to pass some bill. Here is the inconvenient fact that advocates of strict gun control ignore—one of the facts. Every mass shooting committed in the United States over the last 63 years, including the Newtown shooting, occurred in a gun-free zone. In other words, in each of these horrific instances the attacks took place in an area where law-abiding citizens had effectively been disarmed.

I listened to the remarks of the distinguished Senator from California who I know passionately believes there has to be some solution legislatively we could pass that would prevent the repetition of some of these terrible tragedies. But she conceded herself that no background bill would have prevented Adam Lanza from acquiring these weapons which he effectively stole from his mother and then murdered her with those same weapons before committing further atrocities at Sandy Hook Elementary School.

We do know that if the current law was enforced that the Virginia Tech shooter would have been prevented from acquiring guns legally because we know he had already been adjudicated mentally ill by the State of Virginia. But those records were never transmitted to the FBI to be included in a background check. We know the shooter in Tucson failed a drug test, a disqualifying fact for somebody to be able to legally purchase firearms, given a background check. But that information was never transmitted to the FBI, so the Tucson shooter was not prevented from buying weapons, even though he should have been disqualified if the background check system had been working the way it should.

I believe the most appropriate response to the recent mass shootings is to make sure that our current laws involving mental illness, drug use, mental health adjudications are enforced more aggressively and more efficiently. But at the same time, while we are trying to find a solution to these problems and not just engage in meaningless symbolism, we should not be making it harder for law-abiding citizens to exercise their constitutional rights under the Second Amendment.

We can and we should embrace realistic, effective solutions to the mental health problem because no one I know believes that a mentally ill person should be able to purchase a firearm. But we also should not erode the constitutional rights of law-abiding citizens in the process. I think we will have an opportunity to vote on such a bill during the course of these debates.

In order to bolster the freedom of law-abiding citizens to keep and bear arms, I am offering an amendment that would allow Americans with concealed handgun licenses issued by their own States to exercise those rights in other States whose State law authorizes the issuance of a concealed handgun license. This is not a national standard. This is respecting the rights of individual States to determine whether they will in fact issue a concealed handgun license and to allow those persons who have a concealed handgun license issued by their home State to have that firearm legally in another State.

This is an interesting chart. You will notice that only two places in the country—the red, the District of Columbia and the State of Illinois—are the only two places in the country that do not have a regime of concealed handgun license issuance—only two, the District of Columbia and Illinois.

This amendment would not allow for concealed carry in Illinois or the District of Columbia, both of which have banned that entirely. Nor would this amendment affect the right of every State to set its own laws with regard to concealed carry. It would not establish a national standard for concealed carry and it would not allow anyone to disobey the laws of his or her home State. What it would do is effectively treat concealed carry licenses as a driver's license. If you are driving from Virginia to Texas, you do not have to obtain a separate driver's license for each State you drive through, but you do have to obey the speed limits and other laws of the State in which you are driving. This legislation would create a similar system for concealed carry permits. If it becomes the law of the land, someone with a concealed carry permit in Texas would no longer have to worry about obtaining a separate one when he or she was traveling across the country. However, all Texans would still have to follow the concealed carry laws in the State in which they happen to be located, just as residents of other States still have to follow the traffic laws of the State, even if they have a Texas driver's license. If they are in New York they still have to obey the traffic laws of New York.

This bill is very similar to an amendment that won the support of 58 Senators back in 2009, including 13 Democrats who are still serving in this Chamber. I would add that, for those who argue about the effectiveness of background checks—and I certainly agree that for people in the business of selling guns that background checks

are and should be the standard—but a concealed handgun license is like a background check on steroids. It is far more intrusive into the privacy and the background of the person who applies for a handgun license, so this standard ought to be one that those who support a robust background check regime could also support.

It is also a bipartisan idea that would make it easier for law-abiding citizens to exercise their Second Amendment rights and it would avoid the “gotcha” and a prosecution that might otherwise occur. If concealed handgun licensees happen to be traveling across the country and possess a firearm, without this law they might otherwise be prosecuted for a criminal offense.

Just one final point. For more than two decades now, one of the biggest supporters of concealed carry has been a remarkable Texas woman by the name of Suzanna Hupp. In October 1991, Suzanna and her parents were finishing their lunch at a Luby’s cafeteria in Killeen, TX, when a mentally ill man drove his truck into the restaurant, pulled out his gun, and began opening fire on customers.

When Suzanna realized what was happening, she reached into her purse to retrieve her handgun, but then she remembered her gun was not in her purse, it was in her car because Texas law at the time did not authorize a concealed handgun permit. As Suzanna told the Senate Judiciary Committee in chilling testimony a few months ago, “I wanted to be a law-abiding citizen.”

Her father courageously tried to tackle the gunman but was shot in the chest. Her mother was also eventually killed too. Thankfully, Suzanna escaped and she quickly became a powerful champion of concealed carry, which Texas legalized in 1995. Suzanna later on ran for the Texas legislature, where she served for 10 years. I thank her for all she has done to bring this issue home in ways that all of us can understand, and to protect the Second Amendment rights of responsible, patriotic, law-abiding citizens. Suzanna understands very well that we must never ever criminalize law-abiding citizens exercising their Second Amendment rights by passing misguided legislation which encroaches on those rights and does not solve the real problem, which we can do and I hope we will take up in enforcing existing laws and dealing with the mental health component that is a common element in so much of this legislation.

Mr. CORNYN. Madam President, I ask unanimous consent to call up my amendment numbered 719.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Texas [Mr. CORNYN], for himself and Mr. VITTER, proposes an amendment numbered 719.

Mr. CORNYN. Madam President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To allow reciprocity for the carrying of certain concealed firearms)

At the appropriate place, insert the following:

SEC. ____ . CONSTITUTIONAL CONCEALED CARRY RECIPROCITY ACT OF 2013.

(a) **SHORT TITLE.**—This section may be cited as the “Constitutional Concealed Carry Reciprocity Act of 2013”.

(b) **RECIPROCITY FOR THE CARRYING OF CERTAIN CONCEALED FIREARMS.**—

(1) **IN GENERAL.**—Chapter 44 of title 18, United States Code, is amended by inserting after section 926C the following:

“§ 926D. Reciprocity for the carrying of certain concealed firearms

“(a) **IN GENERAL.**—Notwithstanding any provision of the law of any State or political subdivision thereof to the contrary—

“(1) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and a valid license or permit which is issued pursuant to the law of a State and which permits the individual to carry a concealed firearm, may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

“(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

“(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes; and

“(2) an individual who is not prohibited by Federal law from possessing, transporting, shipping, or receiving a firearm, and who is carrying a government-issued photographic identification document and is entitled and not prohibited from carrying a concealed firearm in the State in which the individual resides otherwise than as described in paragraph (1), may possess or carry a concealed handgun (other than a machinegun or destructive device) that has been shipped or transported in interstate or foreign commerce in any State other than the State of residence of the individual that—

“(A) has a statute that allows residents of the State to obtain licenses or permits to carry concealed firearms; or

“(B) does not prohibit the carrying of concealed firearms by residents of the State for lawful purposes.

“(b) **CONDITIONS AND LIMITATIONS.**—The possession or carrying of a concealed handgun in a State under this section shall be subject to the same conditions and limitations, except as to eligibility to possess or carry, imposed by or under Federal or State law or the law of a political subdivision of a State, that apply to the possession or carrying of a concealed handgun by residents of the State or political subdivision who are licensed by the State or political subdivision to do so, or not prohibited by the State from doing so.

“(c) **UNRESTRICTED LICENSE OR PERMIT.**—In a State that allows the issuing authority for licenses or permits to carry concealed firearms to impose restrictions on the carrying of firearms by individual holders of such licenses or permits, an individual carrying a concealed handgun under this section shall be permitted to carry a concealed handgun according to the same terms authorized by an unrestricted license of or permit issued to a resident of the State.

“(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to preempt any provision of State law with respect to the issuance of licenses or permits to carry concealed firearms.”.

(2) **CLERICAL AMENDMENT.**—The table of sections for chapter 44 of title 18, United States Code, is amended by inserting after the item relating to section 926C the following:

“926D. Reciprocity for the carrying of certain concealed firearms.”.

(3) **SEVERABILITY.**—Notwithstanding any other provision of this Act, if any provision of this section, or any amendment made by this section, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, this section and amendments made by this section and the application of such provision or amendment to other persons or circumstances shall not be affected thereby.

(4) **EFFECTIVE DATE.**—The amendments made by this section shall take effect 90 days after the date of enactment of this Act.

Mr. CORNYN. Madam President, I know this afternoon at 4 p.m. we will vote on a series of amendments. For all of us who were worried and concerned about these episodes of senseless gun violence, I think we can actually find a solution not by encroaching on the rights of law-abiding citizens who are exercising their constitutional rights but by focusing on the areas where we can make a difference.

We need to enforce current laws on the books better, more efficiently, and more uniformly. We also need to deal with the mental health component which is common to so many of these mass shooting atrocities.

Mr. LEAHY. Madam President, my home State of Vermont does not require its citizens to obtain a permit to carry a firearm in a concealed manner, and the people of Vermont have exercised these privileges carefully and respectfully. Citizens respect the wishes of private property owners and restrictions in government buildings, and this is a regulatory framework that has worked in Vermont, and it is a set of rules that have been considered and adopted by the people and elected officials of Vermont, without interference from those who do not know Vermont or its citizens.

These are judgments made by State elected officials with the advice of State law enforcement leaders. These are not judgments made for the States by Federal legislators who think they know better and want to second guess the best judgments of State and local officials.

In matters of State police power, the Congress has traditionally not meddled in State affairs. That is how it has always been and that is how it should remain. That is what the 10th Amendment provides. What might work in Vermont might not work in Chicago. And it is not up to me as a Senator from Vermont to tell the elected and law enforcement officials in Illinois what their public safety laws should be.

The amendment we now consider would nullify the laws of all 50 States

that govern who from out of State may or may not carry a concealed weapon in that State. In fact, this amendment would permit a citizen of a rural Western State to bring his guns to the District of Columbia or Boston or other urban cities and override their public safety determinations. This is not a well-considered approach, and it is an immense imposition on law enforcement officials in a host State who will be commandeered by the Federal Government to police the concealed carry laws of 49 other States. I voted against an early version of the Brady bill because it imposed unconstitutional burdens on State and local law enforcement. The Supreme Court agreed with my view and ruled that unconstitutional.

In addition, this amendment would force a jurisdiction that is located within a State that may issue concealed carry permits but which does not allow citizens to carry concealed firearms in that political jurisdiction to favor out-of-state residents by requiring that they be allowed to carry a gun even though the instate resident is prohibited from doing so. This amendment should offend everyone's sense of State sovereignty and self-government.

This amendment is not about correcting some existing restriction of the Second Amendment right. That right is secure. Nor can it be about acting where the States have refused to act. The States are doing an exceptional job of entering reciprocity agreements with each other, based upon discussions and agreements between State officials and without meddling by the Federal Government. Thirty-seven States have reciprocity agreements with at least one other State; some have agreements with many other States. This amendment would unnecessarily trample on the 10th Amendment to the Constitution. It places an ideology over the rights reserved to the sovereign States.

I would hope that those who claim to believe in the principles of federalism would recognize the dangers associated with legislating a one-size-fits-all approach in matters of public safety and local concern. And what of the practical concerns, which Philadelphia Police Chief Charles Ramsey laid out in testimony in the House Judiciary Committee in September of 2011?

The Federal preemption of State laws represents a serious encroachment on State sovereignty. It is a subject we have examined thoroughly in the Judiciary Committee during the years of the previous administration and in relation to efforts then to strip the citizens of Vermont and other States of their rights to seek justice in the courts.

In a case called *Wyeth v. Levine*, the Supreme Court rejected efforts by a pharmaceutical company to shield itself from accountability under State law with Federal bureaucratic regulations when it grievously harmed a Vermonter. The Federal preemption of

State laws is a very serious matter and one that the Congress should not consider lightly.

Yet, despite the fact that the Judiciary Committee held three hearings and four executive business meetings to debate and consider legislative proposals, not once did the measure we now debate come up for discussion. Now, without having any regular order, the proponents demand that this amendment be made law.

This amendment, which would federalize the concealed carry laws of every State, is a slippery slope. If we vote to enact such precedent, then a future Congress with different views for a different era would have firm ground to preempt the laws of all 50 States to restrict or condition the ability of citizens to carry a concealed firearm.

We, as Senators, ought to be very careful about the path we are asked to take with this amendment.

This is not a measured approach. It is blanket preemption. It is not like the measured approach I took with the Law Enforcement Officers Safety Act, which permits highly qualified active and retired law enforcement officials to carry firearms across State lines. In that law, we have rigorous requirements. We have law enforcement officials who have training, who are sworn to uphold the law, and who have dedicated their careers to protecting the public. That is a measured approach, and it is far different from the amendment we debate now.

Many in this Chamber talk reverently about the importance of State sovereignty and the 10th Amendment. Many in this Chamber decry the presence of "big government" in the lives of Americans. Well, nothing reeks of big government like trampling the judgment of 50 State legislatures that are in a far better position than we are to set local public safety policy.

This amendment comes at the behest of special interests. As I have said repeatedly, we should not be taking orders from special interests. We are the Senators elected to represent the best interests of 314 million Americans.

I urge Senators to have the courage to oppose this amendment. It is unwise and unnecessary. For those who appreciate the ability of citizens to carry concealed firearms, opposing this amendment will help preserve those abilities.

Let's respect the virtues of federalism and let the States act in their own best judgment about who may or may not carry a concealed firearm in their State. Let's be cautious in our approach in matters of State police power and respect the values enshrined in the 10th Amendment to the Constitution.

Mrs. FEINSTEIN. Madam President, I wish to oppose amendment No. 719.

Amendment No. 719 would create a public safety crisis by forcing nearly every State to recognize the concealed carry permits issued by other States, even if the permit holder could not

qualify for a permit in the State to which he is traveling.

Imagine this: A man convicted of a domestic violence crime against his former girlfriend obtains a concealed carry permit from his State. Under amendment 719, he could travel across State lines and confront his ex-girlfriend, even if she lives in California, where his conviction would have prevented him from obtaining a concealed carry permit.

In other words, States with the weakest conceal carry permitting standards will set the national standard regardless of existing State laws.

States vary widely on how to regulate concealed weapons. For example, California prohibits possession by individuals convicted of violent misdemeanors; requires completion of a firearm safety training course; gives law enforcement broad discretion to approve or deny a concealed carry permit application; and requires applicants to show that they have "good moral character" and "good cause" to carry a concealed weapon.

On the other hand, Mayors Against Illegal Guns found that at least 28 States grant concealed carry permits to individuals convicted of stalking; at least 7 States grant those permits to people convicted of misdemeanor assault and battery; at least 12 States grant permits to individuals with no firearms safety training; and at least 9 States grant concealed carry permits to teenagers.

Ignoring these differences, amendment No. 719 would allow nonresidents who cannot meet a State's permit standards to carry a concealed weapon into the State.

This amendment would also endanger law enforcement officers. According to the California Police Chiefs Association, there is currently no national data system that records legitimate concealed carry permits, so it is impossible for an officer on the street to determine whether a permit is valid during traffic stops or other high-risk situations.

The vast majority of States have either rejected reciprocity or limited it to States with equivalent or higher standards. In fact, several States—such as New Mexico, Nevada, Arkansas, and Wyoming—have rescinded reciprocity with other States that no longer meet the State's minimum standards.

Major national law enforcement organizations—including the International Association of Chiefs of Police and the Major Cities Chiefs Association—as well as the National Network to End Domestic Violence, the American Bar Association, and Faiths United, are also joining with Mayors Against Illegal Guns to oppose amendment No. 719.

Congress should not support a law that undermines State law protections, puts our police officers in greater danger, and allows unfit and dangerous individuals to carry concealed weapons in another State.

I urge my colleagues to join with me in rejecting amendment No. 719.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. COLLINS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 715

Ms. COLLINS. Madam President, I rise to discuss the background check amendment proposed by our colleagues Senator MANCHIN and Senator TOOMEY.

I grew up in northern Maine where responsible gun ownership is part of the heritage of virtually every family. In fact, I cannot think of a family in my hometown of Caribou that did not have firearms in their homes when I was growing up, and that includes my own family. I strongly support our Second Amendment rights, and two recent Supreme Court decisions in *District of Columbia v. Heller* and *McDonald v. Chicago* make clear that those constitutional rights pertain to the individual.

As we have studied this important issue during the past several months, I have met with countless people who hold a wide range of views. They include the Sportsman's Alliance of Maine, known as SAM, Maine law enforcement officials, the NRA, victims of gun violence, licensed gun dealers, firearms manufacturers, mental health professionals, and school superintendents, among many others. These discussions have been so helpful to me as I seek to better understand the issues which confront us as we shape this bill.

We have discussed issues, including the inadequacy of mental health services, gaps in the reporting of data to the National Instant Background Check System, school safety, excessive violence in video games and movies, the lack of effective laws for gun trafficking, and straw purchases aimed at getting guns in the hands of criminals. Those are just some of the many issues I have had the benefit of discussing with my constituents.

As a result of these extensive discussions, I have decided to support the bipartisan compromise authored by Senators JOE MANCHIN and PAT TOOMEY. Their bipartisan effort would strengthen the background check system without in any way infringing on our Second Amendment rights. I would note their proposal represents a vast improvement over the provisions currently in the bill.

There were particular provisions of the legislation which was drafted by Senator SCHUMER that I oppose, such as the background check provisions which are in the bill. For example, if a father gives a gun as a gift to his son or daughter or a brother sells his hunting rifle to his brother, the provisions of the legislation would require that

those individuals undergo background checks. I found that to be completely unnecessary and onerous.

In addition, the bill that is on the floor now has burdensome paperwork requirements that are unnecessary and that many believe are unworkable as well.

By contrast, the Manchin-Toomey compromise takes a much more commonsense approach by requiring background checks only for commercial transactions. Their approach clearly exempts family gifts and transfers and truly private sales. Their amendment protects private sellers from lawsuits if the weapon is cleared through the expanded background check and is subsequently used in a crime. That is the same kind of protection that licensed gun dealers receive now.

The compromise also authorizes the use of a State concealed carry permit instead of a background check when purchasing a firearm from a dealer, recognizing the rigorous background checks and approval process these concealed carry permits require. Their amendment also improves interstate travel laws for sportsmen and sportswomen who transport their firearms across State lines in a responsible way.

The term "transport" includes staying in temporary lodging overnight, stopping for food, buying fuel, vehicle maintenance, and medical treatment, which will improve the quality and completeness of the data in the NICS. Their amendment would also mandate improvements that would require States and the Federal Government to send relevant records on criminals and people who are dangerously mentally ill through State plans that are developed in conjunction with the Department of Justice, which is another important improvement made by the Manchin-Toomey amendment since we know there are gaps in the reporting that make the background instant check system less effective than it should be.

The bill also fixes an unjust situation, where veterans have been inappropriately reported to the database without due process. The amendment requires a veteran to receive extra due process prior to losing his or her right to buy a gun, and that is only fair. Specifically, it requires that the VA either establish or designate a board for the purpose of hearing appeals by veterans who are considered adjudicated as mentally ill and the veteran can appeal directly to this board or an outside court of jurisdiction.

It was critical to my support of the Manchin-Toomey amendment that it explicitly bans the Federal Government from creating a national firearms registry. I am completely and unalterably opposed to creating a national registry of gun owners that would be maintained in Washington by the Federal Government. The bill imposes serious criminal penalties on any individual who misuses or illegally retains firearms records.

I am also pleased that the Manchin-Toomey proposal would create a national commission on mass violence. This is a proposal I have long advocated and is very much needed. It would convene experts to study all aspects of these horrible attacks and mass murders that have plagued our country, caused so much anguish to the families left behind, and have caused unbearable anguish for the survivors as well.

Obviously, this debate is just beginning on the Senate floor, and the Manchin-Toomey amendment is just one of many that will be considered. I will support some amendments, others I will strongly oppose. It is impossible to predict, at this early point before we have cast a single vote on the many amendments that have been filed to this bill, what the bill will look like in the final analysis and whether I shall be able to support it. I do believe the Manchin-Toomey background check amendment is a reasonable, commonsense, thoughtful proposal that I can and will support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

AMENDMENT NO. 717

Mr. BARRASSO. Madam President, I ask unanimous consent to call up my amendment No. 717.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO] proposes an amendment numbered 717.

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

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

The amendment is as follows:

(Purpose: To withhold 5 percent of Community Oriented Policing Services program Federal funding from States and local governments that release sensitive and confidential information on law-abiding gun owners and victims of domestic violence)

At the appropriate place, insert the following:

SEC. ____ . PROTECTING THE PRIVACY AND SAFETY OF LAW-ABIDING GUN OWNERS.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended by adding at the end the following:

"(1) PROTECTING THE PRIVACY OF LAW-ABIDING GUN OWNERS.—

"(1) DEFINITION.—In this subsection, the term 'private gun ownership data' means information held by a State or unit of local government that concerns—

"(A) a license or permit of an individual to purchase, possess, or carry a firearm;

"(B) a license or permit of an individual relating to ammunition; or

"(C) the location of an individual gun owner.

"(2) WITHHOLDING FUNDS FOR NONCOMPLIANCE.—

"(A) IN GENERAL.—Subject to subparagraph (B), and notwithstanding any other provision of this part, if a State or unit of local government receiving a grant under this part

publicly releases private gun ownership data during any fiscal year, the Attorney General shall withhold 5 percent of the amount that would otherwise be provided to the State or unit of local government under this part for that fiscal year.

“(B) EXCEPTION.—Subparagraph (A) shall not apply to any release of private gun ownership data that is necessary in the course of—

“(i) a bonafide criminal investigation; or
“(ii) a trial, hearing, or other proceeding of any court, board, commission, or agency.

“(3) REDISTRIBUTION OF WITHHELD FUNDS.—On the first day of the first fiscal year after a fiscal year in which amounts were withheld from a State or unit of local government under paragraph (2), such amounts shall be made available to States and units of local government that do not publicly release private gun ownership data.”

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Madam President, I rise today to speak about this amendment which to me is very simple and very straightforward. This amendment is designed to protect the privacy and the safety of law-abiding gun owners.

If a State or local government releases private information on gun owners—which we know has happened—then that State or local government will lose part of its funding that comes from the Federal Government. This includes private information on individuals who have licenses to purchase, possess, or carry firearms.

Again and again we have seen the irresponsible release of gun ownership information. Most recently, a newspaper published an interactive map of data received by government officials of gun owners in various parts of New York. One may wonder how the publication got such a list. They obtained this sensitive list from county officials. The map included the names and addresses of individuals who have firearm permits in the counties involved.

These individuals—law-abiding gun owners, retired law enforcement officers, victims of domestic violence—all had this information about their private lives released. The release of this information by county government did nothing to increase public safety and, in fact, I believe the government compromised public safety. By releasing the names and addresses, I believe the government put these permit holders and their families at risk. It also put a mark on the backs of their neighbors who may not have any firearms. Eventually, this newspaper took the map down, but the damage was already done.

In January of this year, a criminal attempted to burglarize a home in White Plains, NY. The homeowner was in his seventies and his gun information was released on the Internet. Thankfully, the robber did not successfully steal the firearms. Less than a week later—also earlier this year, in January—another home in New City, NY, that was disclosed on the Internet was robbed. This time, the robber successfully stole two handguns and two firearm permits—legally obtained firearm permits now stolen.

The timing of the disclosure and the robberies clearly appears to be more than just a coincidence. These criminals had the names, addresses, and a map. That is all they needed. And where did they get it? Because of the release of the information by the government.

This, to me, was an irresponsible disclosure.

It goes beyond that. They have also released information that put a victim of domestic violence at risk. According to a New York State Senator, the county officials also disclosed the name and the location of a victim of domestic violence who had a legal gun permit.

Throughout my medical career I have treated victims of domestic violence. I have seen firsthand the importance of not disclosing the location of victims of domestic violence. Often they move among a network of safe houses. They start a new life in a new city. This individual was so threatened that she contacted her State Senator, for one. While I don't know the specifics of her case, I do know there was someone in her life who posed a threat that warranted a gun permit. Victims of domestic violence should never have their location disclosed by State or county officials—not under any circumstances I can think of. This, to me, is a perfect example of the unintended consequences of a government releasing sensitive information.

As we can see from these examples, there are many unintended consequences that put the public at risk. The county officials were responsible, in my opinion, and they certainly did not increase public safety. I believe they harmed it.

So now we have two handguns that were stolen in the hands of criminals because of the fact that the list was released and then made public in a broader way. We now have a victim of domestic violence whose identity and location have been disclosed. This release of private gun ownership information not only puts the lives of gun owners and law enforcement and victims of domestic violence at risk but also their unarmed neighbors.

I bring this amendment to the floor. While this information clearly involves gun owners, it is about privacy and our rights as individual citizens. It is about protecting the privacy of law-abiding citizens who are exercising their Second Amendment rights. So today I ask my colleagues to support this amendment.

AMENDMENT NO. 719

I also wish to say a word about another amendment proposed earlier that we will be voting on later today which has to do with the concealed carry issue. I have a Washington Post front-page story from this past Saturday, April 13, and the article quotes a Member of this body. It is a front-page article that carries over. It says: “Somebody could come from Wyoming”—well, I am a Senator from Wyoming.

“Somebody could come from Wyoming to the big cities of New York or New Haven or Bridgeport and carry a concealed weapon.”

As a surgeon, I did some of my surgical training in New Haven and Bridgeport. So I am a Senator from Wyoming, and it mentions places where I did my surgical training, and I do have a concealed carry permit issued by the State of Wyoming.

I bring this to the attention of this body to say that I would, with this concealed carry permit, under the amendment I support, be able to carry concealed in Wyoming as well as if I returned to the place where I got some of my surgical training. What we need to have is this sort of reciprocity.

In Wyoming, we don't just hand out permits such as this. There is an entire regimen an individual must go through to obtain a concealed carry permit. First, a person has to prove they are proficient in handling a firearm by taking a course and getting signed off by a certified inspector, complete an application, pay a fee, and then of course submit fingerprints to the FBI for an evaluation. So a person has to go through all of those things. I will tell my colleagues, criminals do not apply for concealed carry permits. Criminals issue their own.

If an individual is currently prohibited by Federal law from carrying a firearm, they are going to continue to be prohibited under this amendment. This amendment allows law-abiding individuals to lawfully carry concealed firearms across State lines while following the laws of the host State. Just like a driver's license, this amendment is a license for self-defense across State lines in accordance with State laws.

I encourage my colleagues to vote in support of my amendment as well as the one we just heard about from Senator CORNYN about concealed carry.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I ask unanimous consent to speak for up to 45 minutes.

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

Mr. MANCHIN. Madam President, first of all, I wish to thank all of my colleagues because I know it has been a difficult time and there are an awful lot of people who have different comments on this legislation. They have different feelings about it. There are an awful lot of facts and nonfacts, truths and untruths that have been out there, and I wish to set a few of those things straight.

I think the Presiding Officer knows I am a proud gun owner. I come from a tradition in West Virginia, the same as the Presiding Officer from North Dakota. I am an A-rated lifetime, card-carrying member of the National Rifle Association. I agree wholeheartedly with the mission of the NRA, which is to defend the Second Amendment rights of law-abiding, gun-owning

American citizens such as the Presiding Officer and myself, to promote firearms and hunting safety. As a matter of fact, as Governor, I promoted the Eddie Eagle Program in West Virginia along with our friends. The NRA's mission includes promoting marksmanship and educating the general public about firearms.

I carry my card with me. I have had this for quite some time. It is a lifetime membership. Ever since I became a member, I have read all the magazines, as have most of us when we get them, and I have gotten all the special notices about when there was something of concern. I have always read their material, and I have said, Oh, that is great; I am glad someone is saying this and speaking out.

I was surprised when the latest alerts from the NRA were filled with so much misinformation about the firearms background check legislation that Senator TOOMEY and I are trying to get in front of the Senate to be passed. They are telling their members that our legislation would—and I quote—I want to quote this—“criminalize the private transfer of firearms by honest citizens, requiring lifelong friends, neighbors and some family members to get Federal Government permission to exercise a fundamental right or face prosecution.”

Where I come from in West Virginia—I don't know how to put the words any plainer than this—that is a lie. That is simply a lie. Anybody who can read knows that is not factual. There is nothing in this bill—there is not a universal background check. There is nothing in this bill that says if a person is living in a neighborhood and they want to sell a neighbor their gun, they can't do it. No background checks are required. If a person comes from a State with the gun traditions we have in our State, the gun culture, that person can give it to their son, their grandson, any of their family members, and no background check is needed. Why they would say the private transfer of firearms by honest citizens—this bill protects honest gun-loving, law-abiding citizens more than any piece of legislation we have had in the last two to three decades, and I think people who have read the bill know that.

I remember when the NRA used to feel a lot differently about background checks and it wasn't all that long ago. Back in 1999, their executive vice president, Wayne LaPierre, testified before Congress that background checks were reasonable. In fact, he said it over and over and over. Let me quote Mr. LaPierre: “We think it's reasonable to provide for instant checks at gun shows just like at gun stores and pawnshops.”

Because the law says if a person goes to a gun store now that is a licensed dealer, a person has to do the background check, and by law they have to keep the record, and by law they cannot use that as a registration. They

cannot, by law. In our bill, we even make sure any type of information for registration cannot be used. We said if a person tries to do it—if a government agency or a person who works for the government tries to use any of these records, it is a felony with 15 years of imprisonment. That is how much this bill protects my rights as a law-abiding gun owner.

Mr. LaPierre: “We think it's reasonable to provide mandatory instant criminal background checks for every gun sold at a gun show.” We have talked about this before. The law today says that if I go to a gun show and there is a licensed dealer, that dealer still has to do a background check on me and keep the proper record. But I can go to a table or go outside in the parking lot and nothing is required of me—nothing. All we are doing is taking current law and making it uniform so everybody plays by the same set of rules. We think it helps tremendously.

We talked about criminals and people who have been adjudicated through a court of having mental illness and it has been determined they are incompetent. We don't think those people should be able to buy a gun at a gun show or online or at a gun store. We believe the law-abiding gun owners whom I know in West Virginia—and I am sure the Presiding Officer knows in North Dakota—would not sell their gun, even though they don't have to go through a background check, to someone they know is mentally insane or has a criminal intent. That is not how we transfer or sell our guns in West Virginia.

I will tell my colleagues this. I have talked to all my gun owners all over my State, and I am so proud of them. They have heard all of this hogwash out there and all the lies from people trying to misrepresent. When I talked to them, over 87 of them said, I agree with you; you are right. They have read the bill.

This is tough, I understand, but all I am asking is for people to take the time to read it and make sure they know what is being proposed.

I would be OK if the NRA just said, Listen, we have tried the background checks and guess what. The Federal Government didn't do its job the way it was supposed to. They are right. The Federal Government did not clamp down. They did not require the States to turn in all of their records and impose any type of a penalty.

Guess what. In our bill, we fix that. I have told people before, I have been in the legislative process for quite some time. I have been Governor of my State and I have been involved in so many different aspects of government. I have never seen a perfect bill. I really have not. I have never had a perfect bill that I have ever voted on that did not have to be worked on.

So I would say to my friends—whether it be the NRA or any gun organization—if you do not like the thing you supported 10 years ago, then work with

me and let's fix it. If you believe they did not turn all their records in, I have got penalties. Also we have incentives for the States to do their job. We will fix that.

If you are saying there have been some of these agents who have been a little bit rogue, and they wanted to use these records, and you still, in your mind, believe they are going to take your records, we have said, now if they do it, it is a felony with 15 years imprisonment.

We are fixing everything you have told me. If you are saying as a law-abiding gun owner, I am looked upon as if something is wrong with me: Why would I want to own a gun? Why would I have a gun?

There are three types of gun ownership in America. You have a sportsman who likes to hunt, shoot, enjoy the family outings. You have one who buys it for the defense of themselves and their family. And you have a pure constitutionalist. I do not relate to this group here: that I am afraid my government is going to come after me and I have to defend myself against the U.S. Government or the military. I am not fearing that, so I am not in that category. I am in these two categories which most Americans are: either you are a sportsman or you want to defend your family and yourself and your property.

This bill protects that right more than any bill we have ever had before us. It will do it more than it has ever been done in the last two to three decades. I can stand at any crowd—and I have been going in front of some of the most ardent gun-support crowds—I have given them the bill and let them read the bill and I have taken every question they have asked me—every question. At the end, you might have one or two who say: I am sorry, I think you are overreaching. I think that basically I should have the right to buy, sell, do anything I want with a gun. This might be the same person who believes there should be no laws for anything, that you should not have to have a driver's license to drive a car, that you should not have to pay income taxes, that you should not have to abide by any laws we have on the books. I respectfully disagree, but I respect their position. That is a very small minority but, boy, can they talk. They are very loud, and I understand.

So the only thing I am saying is, if some of the friends I have known forever over at the NRA—if somebody made a mistake when they put this information out, please correct it because, I can tell you, in Washington or in West Virginia or as a human being, the only thing you have is your word and your credibility, and make sure when you tell someone something, you tell them the facts and the truth.

If that is your friend and it is someone you want to represent, honestly, say: Let me tell you both sides. You make your decision. I am going to defend you. I am an unconditional friend.

I am your friend no matter what, through thick or thin. Now we go on to the next thing, if you will, when things do not work out. I understand that. But I am just saying: Tell me everything. Tell me what I can expect of someone who might not agree with me and tell me what I can expect of the people who will agree with me. I can handle that.

I will tell my friends, if you lose your credibility in Washington, you have lost everything. I used to get all the magazines I received, all the special notices they wanted me to be alerted to. I start questioning, if you did not represent it accurately, how could I make an honest decision on how I should feel? That is all.

Madam President, I do not need to tell you. You know how relationships are built and how they are kept, and that is the most important thing here in this body. I say that with the utmost respect for everybody in this body. I understand some of our colleagues believe that supporting this piece of legislation is risky politics. I think there is a time in our life, a defining time in public service, a time when you have the ability to stand when you know the facts are on your side and walk into the lion's den and look that lion in the eye and tell that lion: Listen, not today; not today.

Even if politics are risky, remember the words of Andrew Jackson.

The brave man inattentive to his duty is worth little more to his country than the coward who deserts in the hour of danger.

I am not saying any of that. Everybody has their purpose and reason. This piece of legislation, the longer people read it, the more they study it, the more it sells itself.

My good friend JON TESTER from Montana spoke right on this floor 2 days ago. I said: JON, if you want to come down and say something, please do. I did not know what JON was going to say. But I did encourage JON: Please read it. Well, flying to Montana and back, you have a little bit of time to read, and JON used that time to read the bill, forwards and backwards. He spoke about the things in the bill it did and the things it did not do. That is what we have been talking about: that 90 percent of Americans—83 percent of West Virginians—support a criminal background check or a mental background check. They do not support infringing on an individual's right. If you are out in parts of my State—my beautiful State of West Virginia—where you know everybody, you know who is responsible or not, you know a family member you want to give a gun to. We know that. We did not infringe on that.

But they also believe that on the Internet you might never know somebody and that some background check should be required. If you read the New York Times today, you will see an article there that is very alarming and alerting. It allows us to see into the world of Internet transfers of guns—people who are known felons, people

who are making a living selling guns on the Internet because no one is checking anything. This bill would prevent that from happening.

Old Hickory also said:

One man with courage makes a majority.

One person, because, Madam President, you and the other ladies in this body have given us so much strength. You really do. You bring balance. As it is said in some of the movies, you complete us. You complete us as a body. You really do. I appreciate so much the grounding and the way you ground us, and I thank you for that.

As shown on this chart, this is an al-Qaida member too, and I want to speak about this. I was watching "Morning Joe" one morning, and they showed a clip. They showed a clip of this gentleman, who is an American, an al-Qaida terrorist who is an American. As you see there, if you ever click on this—this is very easy to pull up on your video—our gun laws are so outdated and so out of whack that even this person, who wants to do damage and harm to every American—even this person—has figured out how to exploit them, to arm themselves and people like him in our country. If you have not, you need to see this. His name is Adam Gadahn—Adam Gadahn is his name—telling sympathizers—telling sympathizers of al-Qaida—how to get their hands on guns in America with almost no questions asked—almost no questions. He says:

America is absolutely awash with 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.

And then he finishes:

So what are you waiting for?

"So what are you waiting for?" Those are his words. Well, I am not waiting. I am not waiting for him to get his hands on the guns. If you are a law-abiding American citizen, who can pass a background check, God bless you. I will fight to the nth degree to defend your Second Amendment rights. But if you are this guy, with the purpose this guy has for America and Americans, absolutely not. That is what we are asking. Our legislation shuts him down. It stops him cold in his tracks.

If al-Qaida's enthusiasm for gun show sales is not chilling enough, you have to read today's New York Times article about how easy it is for criminals to buy and sell guns on the Internet. Not only is it quick and easy, it is anonymous. You do not have any idea who you are dealing with. One of the people in the article describes these Internet sales as a "gun show that never ends"—"a gun show that never ends"—and I would add: never closes because the Internet is 24/7.

The Internet is a vast marketplace for guns. In 2000, the Department of Justice estimated that 80 online firearm auction sites and approximately 4,000 other sites offered guns for sale.

That was more than a dozen years ago, and we all know how the Internet has expanded since then. The online market may now exceed gun shows in terms of sales volume. We all know how we are using our technology more and more every day for our personal lives and how we depend on it. For example, the National Shooting Sports Foundation surveyed owners of modern sporting rifles in 2010 and found that 10 percent of them—10 percent of all rifles sold—had purchased their firearms at gun shows whereas 25 percent had purchased them online—25 percent.

Believe me, I understand the political stakes for my colleagues—and I sympathize; I have been there; I understand—who come from States such as West Virginia. And no State has a higher regard for the Second Amendment right to bear arms than my State. In fact, on the Great Seal of the State of West Virginia, the preamble is: "Montani semper liberi." In Latin that means: "Mountaineers Are Always Free." So you know how we feel. We are one of the few States that became a State during the Civil War. We broke away from Virginia at that time.

But West Virginians are also guided by a little common sense. I have said this. In West Virginia we know what nonsense is, we know what common sense is, and now we know what gun sense is. That is all we are asking for.

I am proud of all of my West Virginians. When they read our legislation, they understand that all we are doing is using common sense to protect the safety of the public, especially our kids and at the same time protect the Second Amendment right to bear arms.

John Adams once said:

Facts are stubborn things.

"Facts are stubborn things." It is hard. It is hard. And I am pretty stubborn myself, as I know, Madam President, you are, and all of our colleagues. If we were not, we would not be here.

So I am going to go through our legislation again and tell you what is the myth out there and what is the fact about our legislation.

Let's start with the myth that the NRA is repeating to their members. Let's start with that.

Here is the myth: This legislation will require background checks when a gun owner sells, loans, or gives a firearm to a relative, neighbor, or friend. It is going to prohibit that from happening. That is what they are saying this legislation does.

Here is the fact: Current law exempts such transfers from background checks, and our bill does nothing to change that—nothing to change that.

You can loan your hunting rifle to your buddy without any new restrictions or requirements or you can give or sell a gun to your brother or your sister, your cousin, your uncle, your coworker without a background check. You can post a gun for sale on the cork bulletin board at your workplace or on your church bulletin board without a background check.

We are not going to do anything to turn law-abiding gun owners into criminals, which is what they want you to believe any legislation and our legislation—mine and Senator TOOMEY's and Senators KIRK's and SCHUMER's—would do. It does not do that.

There is another myth: Nothing in this legislation would have prevented or will prevent any tragic mass shootings in the future.

Madam President, I know you were visited by the families, as most of our colleagues were, from Newtown—a most difficult time. Not one of them ever asked us to take the guns away. Not one of those families ever asked us to repeal the Second Amendment. They never infringed on any of that. And most of them to a “T” said: I know this would not have saved my baby. I know this law today that you are working on would not have saved my baby. They know that. They said: Maybe we can save somebody else's baby. That is all.

But let me tell you, this bill has a component called the Commission on Mass Violence because, as you go around and you talk to the children throughout the schools of your State, respectfully—I have been all over West Virginia—this generation has been desensitized to the violence that you and I grew up being scared to death of.

They have been desensitized. They can get on a video game and see things we can never imagine. This Commission on Mass Violence is put together by people of expertise who can tell us about guns. When a person says: Oh, I think that gun ought to be banned, wait a minute. That is my hunting rifle. It might look a little different, but it does not shoot any different. You might not know about it, so do not ban that gun until you know. So this Commission basically puts the expertise of guns on gun people who can explain it to us and then make an informed decision. This piece of legislation—the Commission on Mass Violence—puts together people with expertise in mental illness.

I go to grade schools, I go to the kindergartens since this happened at Newtown. Do you know what they tell me? They say: Senator, I can identify a child who has problems. I can identify a child who comes from a home with problems. They have mental challenges. They need help. I have nowhere to go. I have nowhere to send them. They have no insurance. They have no type of help or support.

We can fix that. But you have to listen to the people who understand mental illness.

Then, on top of that—this is a sad scenario because if we would have had the Commission on Mass Violence, and that Commission would have come back, and part of that Commission says, on school safety—as a Governor, and I know as an official in the Presiding Officer's State, we built a lot of schools, we modeled a lot of schools. Not one time did an architect ever come to me and say: Governor, we have

to put bulletproof glass on all first floors of our schools. Bulletproof glass.

Now, think about this. Adam Lanza shot out the front door and stuck his arm through and opened the door to get into that school. It was locked down. Most of the schools now have locks on them. Most of the classrooms have locks. If you can shoot the glass out and stick your arm into the door, what good is it?

We would have never thought about that. If we could have done that, maybe, just maybe, we could have prevented this horrible tragedy. I do not know. But the families are not asking us to look back, they are just asking to look forward. They are saying there could be another child, that there could be another massacre; can we stop it?

I do not say this bill is a panacea. But if I can stop one crazy person, if I can stop one criminal who has nothing but hatred and harm to inflict on other people, if I can do that, I have done my job, I think I have, and I can go home.

As one of the Newtown parents, Francine Wheeler, said: Please help us do something before our tragedy becomes your tragedy. This is so compelling. It really is. Our bill will ensure that the States get their records up to speed. The NRA was correct. They said: Hey, you have not done your job. I agree with them. We did not. But we are going to.

I have often said: You can either throw the baby out with the bathwater or you can change the water. I intend to make a change. That is all I am asking.

Our bill is going to prevent felons—it is going to prevent this guy and people like this guy from just going to the gun shows like a supermarket and getting whatever they want to get to do harm to us. It will not stop them all. If we can slow them down, we might have saved an American's life.

A national registry. I have talked about this so many times. That cannot happen. Section 122 of this bill:

Prohibition of a National Gun Registry. Section 923 of Title 18, United States Code, is amended by adding from our bill: The Attorney General may not consolidate or centralize the records of the acquisition or disposition of firearms, or any portion thereof, maintained by a person with a valid current license under this chapter; an unlicensed transferor under this section; possession of ownership of firearm, maintained by any medical or health insurance entity.

It goes on and on.

All I have asked for is for everyone to please read the bill. I do not know what the outcome will be. I know we are close. I know it is a tough decision. I know that. I feel good. I believe I am here for this purpose. I believe that and I am willing to walk anywhere that would allow me to speak the facts.

As I said, I have never seen a perfect bill. I am sure we can even improve on this legislation. But I will say, everybody was asked for input. No matter what side of the fence people were on on the gun issue, they were asked for

input. Whether it came from an organization representing millions of people, I wanted their input. Whether it came from a person who wanted to ban everything, I wanted their input. Then they were able to come together and say: If I am a law-abiding citizen, then let me exercise my rights as a law-abiding citizen.

The Second Amendment is very cherished by us and very sacred in West Virginia as it is in North Dakota and everywhere else. We made sure the culture we grew up with was protected and enhanced. We made sure of that.

I can go to any group in America and show them. When they see the facts, they will agree. I have been there. I know it happens.

So I finally will say: If you are a law-abiding citizen, and you are a law-abiding gun owner, you want to be treated and looked upon as a respected law-abiding citizen and gun owner, this bill does it for you. If you believe we should be able to treat our veterans better than we have because veterans today, if they are just evaluated by a VA court, if you will, and determined that—that is just not right. They can be put on the NICS list immediately. We have a 30-day period that every veteran coming out who might have some challenges—and God only knows, those men and women have sacrificed so much, what it has done to their lives. We owe them everything. We owe them the right to be able to live as a law-abiding citizen and to get back into the mainstream of America without having to fight for rights.

This bill does that for veterans. This bill does that. We notify 150,000 veterans—we notify 150,000 veterans who might be on the NICS and do not even know they are on it and give them that 30-day repeal period. We do that in this bill.

So if you want to really honor a veteran, if you want to thank them for their services and make sure they are treated with the utmost respect, this bill does that. If you are a criminal, if you have been deemed to be mentally incompetent through a court, you are probably not going to like the bill. I am the first to tell you that. I am sorry. You are not going to like it. I am not going to make any excuses. I do not think you want guns for the right reasons anyway. So I hope I can keep them from you. That is what I would say. I hope I can keep them from you.

I hope you cannot go down with an al-Qaida person over here who is an American terrorist, go with him and buy a gun. I hope you cannot do it at a gun show. I hope you cannot get on the Internet, where they do not know who you are and what you look like or what your intentions are, and buy a gun.

I would like to maybe find out if I can stop you. So I plead guilty to that. If that is what it is, I would. But I am proud of the work we have done. I am proud of all of the Senators. I know all Senators have to make a decision. I respect that.

I do not think ever in our lives has a bill come together with so many pieces of it and so much involvement and input, that took into consideration law-abiding gun owners like myself and the Presiding Officer and so many of us in this body, and respected that and enforced it; and also the respect of our veterans; we fixed that; also that the government hasn't done its job but could do a better job, and may could do it; and the ability to keep a person who should not have a gun strictly at a commercial transaction.

I do not know of any bill that we have had before or that we might have again that will do it all.

With that, I would say that it has been a pleasure to work with all of my Senators. They have worked hard. I know it is not going to go away. Whatever happens today will happen. I believe we have done a good job. I just ask my colleagues to consider this before we vote sometime this afternoon and make sure they feel good and comfortable and can go home and defend their position. That is all. Everybody has to do that. We have to respect that. I do.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. BALDWIN). Without objection, it is so ordered.

Mrs. GILLIBRAND. I rise to urge my colleagues on both sides of the aisle to join a strong bipartisan coalition which is taking real action to end senseless, deadly gun violence. This includes truly commonsense reforms which have nothing to do with infringing on our Second Amendment rights and the Second Amendment rights of our law-abiding citizens.

We have seen the Newtown parents here in Washington bravely telling their stories. They deserve better than this body turning their backs on them. The families of Aurora deserve better than this body turning their backs on them. The families of the more than 30 people who die every single day at the hands of gun violence deserve more from this body.

My friends, it is simply time to act. Today is the day for this body to show the American people their voices matter. When 90 percent of Americans demand us to expand background checks, we can deliver.

We should be able to agree we no longer need military-style weapons and ammunition clips on our streets. We should be able to agree it is time to crack down on the illegal handguns being trafficked on our streets into the hands of criminals.

Four years ago I met the parents of Nyasia Pryear-Yard. Nyasia was a beautiful 17-year-old honor student

killed in the prime of her life by an illegal handgun when she was just spending time with her friends.

I vowed to Nyasia's parents and classmates I would stop the flow of illegal guns which make their way onto our streets and into the hands of criminals by finally making gun trafficking a Federal crime and holding offenders accountable with stiff penalties. We have the opportunity today to give law enforcement the tools and resources they need and have long asked for. This is not a Republican or a Democratic idea. It is a smart idea and the action Nyasia's parents deserve from us.

According to the New York City mayor's office, 85 percent of the guns used in crimes come from out of State. At least 90 percent of those guns are illegal. They are illegally trafficked into our cities and State. Of all the laws we have on the books today, effectively none are directly focused on preventing someone from driving from one State to another with stricter gun laws, parking their car in a parking lot, and selling hundreds of firearms directly into the hands of criminals. It is shocking to me as a mother and as a lawmaker.

Instead, prosecutors primarily rely on laws which prohibit making false statements in connection with the purchase of a firearm. These are paperwork violations with penalties too low to be effective law enforcement tools.

Over the past 3 fiscal years, more than 330,000 guns used in violent crimes show telltale signs of black market trafficking, 420,000 firearms were stolen, and thousands of guns with obliterated serial numbers were recovered by law enforcement. While law enforcement is working overtime to track down illegal guns and apprehend those who traffic these weapons, current law restricts their ability to investigate and prosecute these crimes.

We can all agree this simply makes no sense and leaves all our communities vulnerable. All across this country in small towns and big cities, families are saying enough is enough. It is time to get serious and do something to prevent the next tragedy.

Now we are able to do so. Our bipartisan Stop Illegal Trafficking in Firearms Act would empower law enforcement to investigate and prosecute illegal gun traffickers, straw purchasers, and their entire criminal networks. This bill is not everything I wanted when I set out on this mission in 2009, but it is a good bipartisan compromise. It is a compromise I urge my colleagues on both sides of the aisle to support. If you do, we can stop the illegal flow of guns which are coming into our city neighborhoods, reduce gun violence, and reduce senseless gun death.

Law enforcement officials across the country need this legislation to protect our communities from illegal weapons. If you are a responsible, law-abiding gun owner watching this, you should support this legislation too. My friends who are Second Amendment sup-

porters, gun owners, and hunters support this commonsense legislation.

I am urging all my colleagues on both sides of the aisle to join us. Stand with families in our communities all across the country who are looking to us to take action. It is time to prevent the next senseless tragedy, prevent the next death, and the next Nyasia Pryear-Yard.

I urge you to stand with the brave men and women of our law enforcement at every level who are asking us to take these critical commonsense measures needed so they can do a better job for us and keep our families safer.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, as we close this debate on this historic bill, I urge my colleagues to again heed and hear the families of Newtown. They are here talking about not only the horror and unspeakable and unimaginable tragedy that befell them on December 14, just 4 months ago, but to speak also for the 3,400 or more who have perished since as a result of gun violence, the thousands more who will die needlessly if we fail to take action, and the many others who have died tragically as a result of gun violence.

Newtown shook America. It shocked and changed our country. We owe it to the families and we owe it to ourselves to heed and hear their message. We need to do something about the guns. That is what they told me again and again in Newtown and Connecticut and across the country. And those families have come here, mustering their courage and strength, showing us what is great about America—the grit and greatness of our Nation.

Somewhere in that time period, there were many bracelets, and I was handed one I have worn since. It says, "We choose love." "We are Newtown. We choose love." And that is what we should do today.

Those 20 beautiful children and 6 great educators whose pictures have been before us day after day, whose images have been before America week after week during these 4 months, for them, we are all Newtown. Let's choose love.

They are not the first to have perished in a mass killing. Well known to America, the names are now engraved in our memories, so that we merely need to say them to evoke the grief and tears—Aurora, Tucson, Virginia Tech. All of those names and others are likely not to be the last, and nothing we are doing here will end entirely the plague of gun violence. We will not solve the whole problem because there is no single solution or even necessarily a set of solutions we are debating today that will end all the tragic bloodshed. But we can save lives. We can make a start. We can literally stop a major part of it with commonsense measures that evoke common ground.

With a background check system, we can stop criminals, felons, the dangerously mentally ill, domestic abusers, and others who should not have guns from buying firearms and using them as weapons of war.

With a ban on illegal trafficking, we can stop felons and other criminals from trading and transporting guns across State lines, making a mockery of strong State laws, such as Connecticut's, which protect its people, and stop them from making straw purchases.

With measures on school safety, we can secure those educational institutions that have proven vulnerable again and again. The Campus Safety Enhancements Act will help us do that, and we can make our children less vulnerable.

With an assault weapons ban, we can begin to reduce and eventually end the flow of these military-style assault weapons designed to kill and maim human beings.

With a ban on high-capacity magazines, which I will offer through amendment No. 714, we can make killers less lethal, stop them from killing their victims as rapidly and numerously. We can gain time in those situations of mass killings where a few seconds can actually save lives.

With these measures and others that will be offered here today on mental health, for example, we can choose love. We can choose to make something positive of that unspeakable and horrific tragedy which befell Newtown and which has befallen many others before and since. We can do something. We can take action.

On the universal background check, which my colleague Senator MANCHIN spoke about a short time ago and which he has authored with Senator TOOMEY, we can choose a bipartisan commonsense measure. It is not everything I would hope would be in a background check measure, but it is a genuinely important improvement on current law.

We know background checks have worked on the 60 percent of sales where they have been applied because they have stopped about 2 million felons and other dangerous people who are prohibited by law from buying weapons from actually going into stores and purchasing them.

I understand the argument that we need more prosecutions and that existing laws need to be enforced more vigorously. As a prosecutor, I am very sympathetic toward that argument, and I will support zealously more resources and even better management to result in more prosecutions. We need to enforce existing laws more effectively, but that goal should not stop us from improving those laws, especially when law enforcement itself—our police and prosecutors at every level: State, Federal, and local—urges us to improve those laws to enable them to prosecute more of the dangerous people who use guns for evil purposes.

We ought to listen to those law enforcement officers, as I did for decades as a U.S. attorney and the State attorney general for 20 years. I am listening to them now when they say to me that we need a universal background check system, we need to make our laws more effective against assault weapons and high-capacity magazines, as well as on school security and illegal trafficking.

Ninety percent of the public, 90 percent of everyone in this Nation supports this commonsense measure and 74 percent of the members of the NRA. This issue is not about the NRA or any special interests—although they have maintained a stranglehold over this type of legislation for over a decade, maybe a generation—it is about a bipartisan compromise forged out of a clear need for rational, sensible action that we now have an obligation to adopt.

Nobody wants to take away guns. Nobody wants to take away rights. The Second Amendment guarantees the right to possess firearms. But some firearms should not be possessed, and some people should not possess any firearms. That is what brings us to this point, this historic point in a debate that should evoke bipartisan support, and I hope Members on the other side of the aisle who are still in doubt will come to support this measure. We need only a few votes. We have the vast majority of Democrats.

I salute Senators MCCAIN, KIRK, COLLINS, and others on both sides of the aisle who have made difficult decisions. But if this decision has seemed difficult to them and to many others, think of how difficult it has been for the Newtown families to come here and share their grief and pain with us, and they support the ban on high-capacity magazines because they know from their experience how lethal high-capacity magazines make any firearm—even more lethal than they would be otherwise.

I salute my colleague FRANK LAUTENBERG, who has been a champion of this cause for some time, as well as Senator FEINSTEIN, who included a high-capacity magazine measure in her bill—it is in her amendment now—and my colleague Senator MURPHY, who has been a partner in this effort. He and I have listened to the families of Newtown when they have told us why they support a ban on high-capacity magazines, which is supported by 65 percent of all Americans and 55 percent of gun owners. It is supported by groups across the board, from law enforcement to health care, gun safety, education, child welfare, and religious groups.

Madam President, I ask unanimous consent to have printed in the RECORD a list of those groups supporting a ban on high-capacity magazines.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GROUPS THAT HAVE ENDORSED THIS HIGH CAPACITY MAGAZINE BAN

The groups that have endorsed the high capacity ammunition magazine ban we are debating today include:

LAW ENFORCEMENT

International Association of Campus Law Enforcement Administrators
International Association of Chiefs of Police
Major Cities Chiefs Association
National Association of Women Law Enforcement Executives
National Law Enforcement Partnership to Prevent Gun Violence
National Organization of Black Law Enforcement Executives
Police Executive Research Forum
Police Foundation
Women in Federal Law Enforcement

HEALTH CARE

American Academy of Nursing
American Academy of Pediatrics
American College of Surgeons
American Congress of Obstetricians and Gynecologists
American Medical Association
American Public Health Association
Association for Ambulatory Behavioral Healthcare
Doctors for America
National Association of School Nurses
National Physicians Alliance
Physicians for Social Responsibility

EDUCATION AND CHILD WELFARE

American Federation of Teachers
Child Welfare League of America
Children's Defense Fund
National Association of Social Workers
National PTA
National Education Association
Save the Children

GUN SAFETY

Arizonans for Gun Safety
Brady Campaign to Prevent Gun Violence
Coalition to Stop Gun Violence
Law Center to Prevent Gun Violence
Mayors Against Illegal Guns
Newtown Action Alliance
Sandy Hook Promise

RELIGIOUS

African Methodist Episcopal Church
Alliance of Baptists
American Friends Service Committee
Catholic Charities USA
Catholics United
Faiths United To Prevent Gun Violence
Jewish Council for Public Affairs
National Council of Churches
National Episcopal Health Ministries
Presbyterian Church (U.S.A.) Office of Public Witness
United Methodist Church

OTHER ORGANIZATIONS

American Bar Association
Grandmothers for Peace International
NAACP
Sierra Club

LOCALITIES

U.S. Conference of Mayors
National League of Cities

Mr. BLUMENTHAL. Madam President, we have listened to the families of Newtown talk about high-capacity magazines.

Bill Sherlach, for example, who was the husband of Mary Sherlach—we have seen her picture here—had this to say about high-capacity magazines:

It's just simple arithmetic. If you have to change magazines 15 times instead of five times, you have three times as many incidents as where something could jam. Something could be bobbled. You just increase the

time for intervention. You increase the time-frame where kids can get out. And there's 11 kids out there today that are still running around on the playground pretty much now at lunchtime.

And those 11 kids he talks about are alive because the shooter needed to change magazines.

Another Sandy Hook family member, Nicole Hockley, the mother of Dylan Hockley, said the following:

We looked at the search warrants . . . and know that [the shooter] left the smaller capacity magazines at home, that was a choice the shooter made. He knew that the larger capacity magazine clips were more lethal.

David Wheeler, the father of Benjamin Andrew Wheeler, said the following:

The more bullets you can get out the end of that gun in the least amount of time, that is the single area that I believe affects lethality. And the size of the magazine placed in that weapon is a direct contributor to that—a direct contributor to that factor. There is a place for 30-round magazines, in the military, on the battlefield.

The families of Newtown have spoken clearly and powerfully, but the facts of other shootings support the ban on high-capacity magazines again and again. In Tucson, AZ, for example, Jared Loughner emptied a 33-round magazine in 19 seconds, killing 6 and injuring 13 before stopping to replace his magazine. When he went to reload, a bystander tackled him. Others joined in, subduing and disarming him. Loughner was stopped because he had to pause to reload. His 13th round killed 9-year-old Christina-Taylor Green. If Loughner had been limited to a magazine with 10 rounds, that little girl very likely would still be alive today. If Lanza had been limited to a 10-round magazine, beautiful girls and boys might well be alive today.

Newtown and Tucson are only two instances in which a shooter was stopped when he had to reload or when his firearm ran out of ammunition.

In Queens, NY, in 1993, Colin Ferguson boarded the Long Island Railroad with a 9mm pistol with a 15-round magazine. He opened fire, killing 6 and injuring 19 others in 3 minutes. When he went to load another magazine, he was tackled and disarmed.

In Chapel Hill, NC, in 1995, Wendell Williamson walked the streets of Chapel Hill with an M-1 rifle. He opened fire, killing two. When he paused to reload, a bartender tackled him and disarmed him.

In Springfield, OR, in 1998, Kip Kinkel went to his high school with several firearms and 1,127 rounds of ammunition. He opened fire, shooting 50 rounds, killing 2 students and injuring 24 more.

As his firearm ran out of ammunition and he began to reload, several students tackled him and restrained him until the police arrived.

There are many others. In fact, half of the mass killings since 1982 involved high-capacity magazines. Half of all those mass slaughters were enabled by high-capacity magazines.

Facts are stubborn things, as Ronald Reagan used to say. Everyone is entitled to his own opinion but not to his own facts, as Daniel Moynihan reminded this Chamber many times.

The most tragic stories for me involve law enforcement officers killed in the line of duty. In Connecticut they include Officer Robert Fumiatti of the New Haven Police Department; Master Police Officer Peter J. Lavery of the Newington Police Department; Patrolman Brian A. Aselton of the East Hartford Police Department; Officer James V. Spignesi, Jr. of the Connecticut Department of Environmental Protection; Officer Walter T. Williams, III of the Waterbury Police Department; Officer Daniel Scott Wasson of the Milford Police Department; Patrolman Kenneth Bateman, Jr., of the Darien Police Department; Patrolman Gerald T. DiJoseph of the Bridgeport Police Department; and the first, whom I came to know, at least through his family—although I never knew him personally Trooper Russell Bagshaw. I have known many of these families and had the privilege of coming to know their children in many instances as well. I want to talk about Russell Bagshaw in closing for just a moment.

Russell Bagshaw of the Connecticut State Police was in his patrol car, driving the streets of northeastern Connecticut in North Windham on a summer night in 1991. He was 28 years old and a 4½-year veteran of the Connecticut State Police.

Each of these men I have mentioned died as a result of gunfire from criminals. Some of these shooters got a stolen weapon, perhaps illegally trafficked. None of them should have had access to any firearm. Russell Bagshaw surprised two robbers coming out of a local sporting goods store. One of the robbers shot him with a semiautomatic 9mm pistol that had a second handgrip under the barrel, and a 30-round magazine filled with hollow point bullets.

Before Trooper Bagshaw had even a chance to use his radio or exit his vehicle, the shooter unloaded 17 hollow point bullets at the cruiser that took 6.6 seconds from that 30-round, high-capacity clip. The shooter fired haphazardly, but he had enough to pierce the bulletproof vest Bagshaw was wearing above the left armhole and to kill him instantly.

I attended his funeral, with lines and lines of his fellow troopers and others from all around the country. I had the privilege of meeting these families—and most especially his family—brave and strong, just as the Newtown families are.

Neither Russell Bagshaw's training nor any of the other preparations could stop or protect from this carnage. In fact, the troopers I met after the horrific tragedy of December 14 in Newtown and Sandy Hook told me that their bulletproof armor could not have defended them against the assault weapons with the number of rounds that Adam Lanza had at that time.

There is no preparation, no bullet-proof vest, no armor that can protect against these kinds of weapons shot at the range that many of them are. That is why we should listen to law enforcement—listen to the police and public officials and prosecutors who have told me since I began working on this cause in the early 1990s, when we passed the first assault weapon ban in Connecticut and I defended it in court, tried the case, and then went to State supreme court successfully defending our law against exactly the same constitutional arguments made now. They are equally without weight at this point.

So I urge my colleagues, whether they are wearing this wristband or not, to choose love. I know it will be difficult. It was difficult for many Connecticut legislators, and I carry with me the pen that our Connecticut Governor used to sign our law that significantly strengthened Connecticut's protection against these weapons, against criminals bearing them, against illegal sales, and against gun violence.

This cause is not going away whatever the outcome today. The vote will be close on many of these amendments. The Newtown families are not going away, the Connecticut effect is not going away, and we are not going away. Unfortunately, gun violence is not going away, and we need to redouble and reinvigorate our efforts. Whatever the outcome here today, we are not going away.

The world has watched Newtown exhibit the kind of strength and courage that we regard as uniquely American. Now the world is watching the Senate, and we will be held accountable for what happens here. History is watching. Let's be on the right side of history.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I rise as a parent, as a father, as an American who saw the horror of Newtown.

Too many times I have come to this Senate floor to say I offer my thoughts and prayers to the parents of the victims of an assault weapon attack. Too many times. Columbine, Aurora, Virginia Tech, Newtown. How many times will we have to offer our thoughts and prayers to the victims of gun violence?

I have two beautiful children, Alicia and Rob, and they are the most important and cherished people in my life. I don't know what I would do if anything happened to either one of them. So I am here for them and for the children they may have one day and for every child in Newtown and across America whose small voice has been silenced by a gun.

I don't think it is an exaggeration to say that each and every Member of the Senate felt a loss that day just 4 months ago. Here we are, 4 months later, trying to do something—but still not enough—for those children, for

those families, for all the families who have suffered the devastation of a shooter with the ability and the will to kill innocent people—as many as an assault weapon can kill as quickly as it can fire—a shooter with a desire to get off as many rounds in as short a time as possible.

In my view, we are already too armed. We are by far the most armed Nation in the world. There are more guns in America—almost 90 per 100 residents—than in any other nation. Do you know there are five federally licensed gun dealers in America for every McDonald's? Think about it. Think about how many times you see a McDonald's. Well, imagine five times as many gun dealers. There are about 310 million guns in America. But consider that those 310 million guns are owned by only about 40 percent of American households.

Now we are in the midst of a debate in which some are arguing that not only should we not ban assault weapons, but we should force every State to allow people to carry concealed weapons.

How does that help reduce gun violence? How are we reducing gun violence if we allow people to carry concealed weapons across State lines; if we allow someone in Florida or Virginia to carry their gun to New York City and Times Square or my home State of New Jersey? Is that the legacy we want to leave the children and families of Newtown?

I strongly oppose any amendment that would allow reciprocity for concealed weapons. Yet even as we skirt the real issues, banning the weapons and the ammunition devices that have caused our Nation so much heartbreak, we would have those who see this as an opportunity to weaken gun laws; those who see this as a way to push, from my view, a radical agenda and put more firearms into the hands of those who don't deserve them.

My home State of New Jersey has a gun control regime specifically tailored to a densely populated State. Our State requires affirmative permission to buy a firearm. But we leave that decision to those who know the State best in terms of its security—the State Police. They conduct a thorough background check, even more thorough than the Federal background check, and then the police sign off and give a purchaser a card to buy a firearm.

Of course we have commonsense safeguards to ensure the Second Amendment is not violated, including appeal rights. But under an amendment offered by one of my colleagues, soon New Jersey's carefully constructed firearms law, if this amendment were to be adopted, would be eviscerated. Soon New Jersey's law would only be as good as the least restrictive States. This amendment, in essence, is mandatory concealed carry reciprocity. Not the current type of concealed carry reciprocity where States might voluntarily enter into agreements to allow

their permits to be used in another State. No. This amendment forces States to accept other States' concealed carry permits.

I guess so much for the States rights advocates that I have listened to here so many times.

At least 28 States grant concealed carry permits to those convicted of stalking, and at least 7 States grant concealed carry permits to those convicted of misdemeanor assault and battery. At least 12 do not require any firearms safety training before the issuance of a concealed carry permit. Florida and Utah do not even require residency for a concealed carry permit. Yet this amendment would force States such as New Jersey to accept these permits even if the out-of-State concealed carry permit owner would not be eligible to simply possess a gun under our laws, much less carry.

This amendment would turn our positive discussion on how to best protect our children into another feather in the cap of the NRA and its gun manufacturers, another example for it to show how it has a stranglehold on this national discussion. And, in my view, this is just asking for more gun violence, not ending it. Not banning assault weapons is asking for more gun violence. Allowing larger clips with more firepower does nothing to end the violence. It is not about hunting. If you need 100 rounds to hunt a deer, you are in sad shape.

Do we honestly think it makes sense to allow someone without a mandatory background check to buy an assault weapon that can fire up to 13 rounds a second with something called a bump fire stock? Should we not even be considering making weapons that can fire 13 rounds a second legal on the streets of America?

Bang. That is one round fired. It took me 4 seconds to say those five words. In those 4 seconds, if I had an assault weapon, I could have gotten 52 rounds—52 bullets—fired in the time it took me to say five words. There is no need for that kind of firepower on the streets of America. There is no need for the same weapons of that sort to be on the streets of Newark, NJ, or Newtown, CT, as they are in Baghdad, Kabul.

Any attempt that uses the Second Amendment as an excuse to allow that type of firepower on the streets without some common sense applied to it is not solving a problem, it is creating one.

I will support efforts during this debate to go even further in keeping mass slaughter weapons out of the hands of criminals. I do not believe assault weapons—some of them having names such as “Street Sweeper”—are about anything other than mass killing. I strongly believe in banning assault weapons and high-capacity magazine clips that allow a deranged individual to kill dozens of people in a matter of seconds. There is simply no rationale for having these weapons on our streets—unless your intent is to inflict

terror and destruction and mass casualties.

In a nation where there are already 310 million guns and far too few regulations as to who owns and carries them, I believe we have a responsibility to take these assault weapons off the street. I understand that not everyone shares that view, but the one thing I cannot understand is how someone can argue against something as simple and as basic as requiring a background check before putting a deadly weapon in a person's hand.

We owe it to the American people. We owe it to the children of Newtown, to the families who are still trying to pick up the pieces from that tragic day. We owe it to the family of the 6-year-old boy from Toms River who was shot recently by a 4-year-old neighbor with a .22 caliber rifle that was in the house. He did not survive the wounds. We owe it to every victim of gun violence to send a message that America will no longer be the most armed Nation in the world without at least having commonsense gun safety regulations.

Who among us would be content with the counsel of patience and delay when we lose a neighbor or lose a loved one to the type of violence we could have prevented by a vote in the Senate today? It is time for some profiles in courage, and I believe that in the men and women of the Senate there exists that opportunity and that moment for a profile in courage to stand up for what is right. That is the opportunity that is presented to us today.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. I ask unanimous consent that I be recorded as cosponsor on the Grassley amendment No. 725.

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

Mr. COBURN. Madam President, I rise to speak on the issue the Senate is considering. It has been an interesting 3 or 4 weeks as we have considered and talked and thought about how we address what is best for our country and how we do that in a way that will protect the Constitution and protect individual rights and protect States rights. A lot of ideas have been thrown out, many of them with great infirmities in terms of either impacting Second Amendment rights, impacting 10th Amendment rights or the infirmity that they will not do anything to actually solve the problem.

I come from a State that is very pro-gun. I am very pro-gun. I own a multitude of weapons. I know how to handle them, I know how to fire them, and I know how to safely store them. The issue in front of us is, how do we protect this Second Amendment right and the Supreme Court's rulings that have affirmed our individual right to self-defense and our individual right to freedom? I believe I actually have an answer that the Senate could coalesce around.

As I talk to the most avid gun owners in Oklahoma, many of whom are opposing me trying to reach a compromise, the one question on which they agree with me is this: What if you could know as a gun owner or whoever you are—if you have a gun and you are going to sell it, what if you could know that you are not selling that gun to somebody on the “do not buy” list?

We have all these words going on now. Background check—there is no background check with the NICS list. It is a check against people who are prohibited from buying. It is not a very good list, by the way, because the States have not complied, the courts have not complied with people who have been convicted of felonies. We have a lot of problems in terms of a “do not buy” list.

We have to think of this list like the “do not fly” list that Homeland Security has. Nobody wants to get on an airplane with somebody who is on that “do not fly” list because they are on that list for a very good reason.

Most gun owners—as a matter of fact, I have not met one yet who wants to sell a gun to somebody who is on a “do not buy” list, which is called the NICS list. So how do we do that? How do we do that in such a way that we do not raise the cost, limit the freedom, or otherwise impede a free activity that is available, guaranteed under our Constitution?

The other thing I have learned is that the easier laws are to comply with, the more compliance you will get.

My proposal is very simple and straightforward. Let's create a way that whoever is selling a gun in this country can know they are not selling it to a criminal, they are not selling it to somebody who is prohibited, which is an illegal alien, a child sex abuser, a felon—those people. How do you know? And can we do that in a way that doesn't inhibit commerce, doesn't inhibit your rights as an individual under the Second Amendment, doesn't inhibit the rights of a State under the 10th Amendment? How do we do those things?

You know, it is not hard. With our rights come some responsibilities. What if I could tell you that you could take out your cell phone and go to a portal and you could get a certificate that says—on your cell phones or printed out on your printer—that you are not on the list, and with that would be a PIN number, so that whomever could be selling you a gun would say, “I am going to check your PIN number to see that this is not bogus, now show me your ID,” and you could actually confirm whether somebody was on the list? That is how we control it. We make it easy. We don't put up large hurdles.

I find myself caught between both extremes in this debate. I actually think it is smart policy to make sure we put in place something allowing law-abiding citizens to do the right thing, to

actually make a difference. If we were to do that, a large percentage—not all of them—of the transfers of weapons and guns to people who should not have them would stop.

The emotion associated with all the violent events over the last 3 or 4 years tends to cause us to lose sight of some pretty commonsense principles. We are not going to stop all gun violence in this country. People who are going to do illegal things are still going to do them. We cannot stop it all, but we can do straightforward, simple things that can make a big difference in lessening the availability of weapons to people who should not have them.

The other thing we can do is we can make it so that veterans do not automatically lose their Second Amendment right because for a short period of time, due to their service, they were incapable of managing their financial affairs. That is the right thing to do. We can do this. That is in this proposal.

But what I fear is going to happen is nothing. So what we are going to be offering when there is a time to allow other amendments is my amendment No. 727, which does the following things:

It reauthorizes the “no buy” list at an appropriate level.

It creates reforms to the grant system so that States will comply with reporting those people who are dangerous to themselves or somebody else, so we incentivize States to do that.

We create a protection for the Second Amendment rights of veterans.

We require the courts to submit to the “no buy” list those who are convicted of violent felonies. We require some transparency in State reporting so we can know whether a State is actually complying by reporting those who are a danger to themselves and other people, those who are truly mentally infirm. That is because one of our big problems—if you take Virginia Tech, the individual who committed that crime was known by the State to be a danger to themselves or somebody else. Yet they did not report it to the “do not buy” list. We incentivize that.

We allow for exceptions for people who are already authorized in their State to purchase guns, whether it is a concealed carry permit or whether it is what the State may use to say: Here is your authorization to say you are not on it. In other words, we give States primacy protecting the 10th Amendment. If they want to go further, they can, but we also allow them to innovate, which is one of the things our forefathers wanted us to make sure we did when we did things in Washington.

We create a consumer portal that is easy. We also create penalties if you misuse that portal for some other purpose.

We enforce a destruction of those records into that portal so that the government cannot use that as a list to know who is purchasing guns. So we eliminate the concern over record-

keeping and its assault on the Second Amendment.

We also sunset this, so if it actually doesn't make a marked improvement—which I think it will—in 5 years, it goes away and we do something different.

The other thing is we limit the ATF's ability to grossly violate the intent of previous laws in terms of demand letters on federally licensed firearm dealers.

I daresay there is a difference in culture on guns in this country depending on where in the country you are, but there is a place to be found in the middle, in the Senate, for doing something that is common sense. What we are proposing is something that is simple, it doesn't cost any money to speak of, it is easily accessible, it is verifiable on both ends of the commercial transaction, it does nothing to eliminate the Second Amendment provisions in the Constitution or take away 10th Amendment rights of States, and it will actually decrease transfers of weapons to those who are on the “do not buy” list. Is it a comprehensive plan? No. Will it solve the problem? Yes. Will it work? Yes.

Some of the criticisms we heard—if there is no record, how do you know they did it? If 90 percent of the people in this country—which is what the media are all quoting—want us to do that, 90 percent of us think there ought to be an enhancement to the “no buy” list in terms of utilizing it, that same 90 percent of the people are the gun owners in America. So if 90 percent is the number, then you are going to have at least 90 percent compliance with this very simple, straightforward way that you can know you are complying with the law.

The other area that is confusing is that people want—and why they want—a record of a gun. It is for the investigation of a crime. Well, guess what. The best way to not ever have that crime is to have an effective check on the “do not buy” list. It will not eliminate all crime, but they say the infirmity with ours is that the weapon cannot be traced. That is right, it cannot be traced. The vast majority of used weapons are not sold through gun dealers or at gun shows. They are sold by average, everyday Americans to somebody else.

If we don't want the straw purchasers, felons, or illegal citizens buying them, then what we ought to do is set up something that 90 percent of Americans are going to comply with. It is not hard to do. It is easy to do the right thing. It doesn't please the gun control groups, and it doesn't please the hard Second Amendment rights groups.

If we think about it and actually make it easy for people to know that they could not sell a gun to somebody on the “do not buy” list, America would comply, and we would actually see a positive outcome of this debate.

I am amazed at the misinformation people have about guns when they

come to the Senate floor and talk about them when they have never fired some of those weapons, have never held them in their hands, and do not know what they are designed for.

I plan to come back tomorrow when I will bring up this amendment for consideration.

Our Founders had a Bill of Rights, and we have a Constitution. It was really designed for moral and good people. In that bill, as affirmed by the Supreme Court, was a Second Amendment right, and that is not going away. That right is not going to go away. Even if we were to take it away, the Supreme Court would probably bring it back.

We really ought to be leading and talking about what the real problems are in our country. What are our real problems? One of the real problems is that we are not a moral and great people anymore compared to what we were when our Founding Fathers drafted those documents. We are in some moral decline, and that is because of an absence of real leadership at a lot of levels and in a lot of areas in our country. We ought to recognize that we cannot legislate away the evilness about us. We cannot fix it all with a law. We fix it in the way we live our lives and the way we treat one another and how we reach out to give our lives for another person every day.

One of the crucial things is that we have become self-focused as Americans rather than Nation focused, and that is why we have seen this moral decline come upon us.

What I think our country is looking for is real leadership on the principles which matter, that change people's minds about what they do and how they do it. We are getting into a much larger debate than guns. Evil is out there. That criminal element is out there. That mental illness is out there. We are not going to address all of that with a few laws on guns. We are going to address that by character-based, morally led, morally affirmed leadership at all levels throughout our country.

As a physician, I am trained to fix the real disease, not treat the symptoms. This debate is about symptoms. It is an important debate. There are things we can do, but the real disease is our moral decline as a country.

The historians talk about it. John Taylor, the Scottish historian, talked about it. It is about the decline of all republics and what happens to them. America is built for a good, moral people. We have to have the leadership that calls us back to that.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 720

Mr. BURR. Madam President, I ask unanimous consent to call up my amendment numbered 720.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR] for himself, Mr. WICKER, Mr. INHOFE, Mr. CRAPO, Mr. RISCH, Mr. COCHRAN, Mr. MORAN, Mr. THUNE, Mr. ROBERTS, and Mr. ENZI, proposes an amendment numbered 720.

Mr. BURR. Madam President, I ask that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To protect the Second Amendment rights of veterans and their families)

At the end of subtitle A of title I, insert the following:

SEC. 114. CONDITIONS FOR TREATMENT OF CERTAIN PERSONS AS ADJUDICATED MENTALLY INCOMPETENT FOR CERTAIN PURPOSES.

(a) IN GENERAL.—Chapter 55 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes

“In any case arising out of the administration by the Secretary of laws and benefits under this title, a person who is mentally incapacitated, deemed mentally incompetent, or experiencing an extended loss of consciousness shall not be considered adjudicated as a mental defective under subsection (d)(4) or (g)(4) of section 922 of title 18 without the order or finding of a judge, magistrate, or other judicial authority of competent jurisdiction that such person is a danger to himself or herself or others.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by adding at the end the following new item:

“5511. Conditions for treatment of certain persons as adjudicated mentally incompetent for certain purposes.”.

Mr. BURR. Madam President, I rise today in the middle of an important debate on gun control to talk about an issue that should have been at the forefront for years, and it deals with our Nation's veterans.

I am specifically talking about 129,000 of our Nation's war heroes. Due to a determination within the Veterans' Administration, these war heroes have been deprived of their Second Amendment rights to own firearms.

This is apparently a much tougher issue to understand than I thought because it makes common sense to me that we should hold all individuals to the same threshold before we take their constitutional rights away. If a person is a Social Security beneficiary and Social Security makes a determination that person has a hard time handling their finances, Social Security will assign a person to him or her who will help them to navigate the financial challenges that a senior runs into. They don't just send somebody to do that and then turn around and put their name on the NICS list, which is

the instant background check that automatically deprives a person of their Second Amendment right.

The IRS doesn't equate the fact that because someone cannot handle their finances that they are mentally incapable or that they are a harm to themselves.

What we have is a Veterans' Administration that when they find the veteran needs help with their financial affairs, the VA sends their name to the FBI, and they go on a NICS list. All of a sudden that takes away their Second Amendment right to own a gun.

It says anybody who lives in that house—so it could be a spouse, a child, including an adult child—cannot own a firearm because the ruling says there cannot be a firearm in the residence. Clearly, after an appropriate determination, if a veteran, or any other American, is found to be a harm to themselves or has a mental disability, we would all agree that person should be disqualified from gun ownership.

Let me say for the purposes of my colleagues—and for the American people—this is not the standard we currently apply at the Veterans' Administration. We look at a veteran who served his country and we say: You cannot balance your checkbook, so we are going to assign a fiduciary to you to balance your checkbook. That person cannot own a firearm. Think about that. The fiduciary may be the spouse, and suddenly that name goes to the NICS list. Why? Because within the VA an examiner has determined that an individual could not handle their own finances.

The examiner is not a medical professional. I am talking about somebody who made a determination as to whether this veteran could handle the deposits of their VA checks and line up the payments which they need to make. If it has been determined they could not do that on their own, that would therefore automatically trigger that veteran's name. That name would be sent to the FBI and they would then be deprived of their Second Amendment rights in this country.

Let me suggest that the current process is arbitrary. It doesn't look at whether they represent a danger to themselves or to others. It is in no way relevant to whether the individual should have access to firearms. To the credit of those who have brought amendments to the floor for the gun bill, they have tried to address this issue.

I commend Senator MANCHIN, Senator TOOMEY, and Senator KIRK—who has been passionate about this—but what they have tried to do is say: We have to get an appeals process that is streamlined and easier.

What I am saying to my colleagues is, these are people who should have never had their Second Amendment right taken away. They should not be on the NICS list. There has been no judicial determination of mental incompetence and no judicial determination

that they are a threat to themselves or to others. There has been no medical determination of a mental disability that would cause them to be a threat to themselves or anybody else. We have simply made a financial decision that they were not capable of handling their own finances.

What I disagree with is that I don't want the Senate to focus on what should be the appropriate appeals process. What my legislation, amendment No. 720, does is get to the heart of it. It says what we are going to do is require the VA to go through a different process to make a determination before taking their Second Amendment right away.

Some will say the VA has an appellate process. We have 129,000 veterans today who currently have had their Second Amendment right taken away. Only 200 of those veterans have sought relief. Only 200 out of 129,000 veterans have sought relief. Here is the shocker: In less than a dozen cases the appeal has been reversed. The determination has been reversed in less than a dozen cases.

Why would only 200 people appeal this decision which was arbitrarily made by the Veterans' Administration? Well, the VA doesn't provide any help. As a matter of fact, the veteran is on his or her own. Even the cost for the appeal is absorbed by the veteran.

We have made it as difficult as we possibly can to deprive veterans of their Second Amendment, and then to say we are going to make it even harder for you by making it harder for us to reverse this because now veterans will be required to have financial skin in the game. Well, out of the 128,000 who haven't applied, having looked at only a half dozen being appealed, where is the incentive to invest money? A person might as well throw it down a rat-hole.

So what I am suggesting to my colleagues is that the standard shouldn't be, Can you take care of your finances; the standard should be and ought to be, Are you a harm to yourself or to others—a determination that everywhere else in society is made by the bench, by a judicial review.

My good friends who offered an amendment to fix the appellate process suggested we should internally, within the VA, set up this appeals process whereby we overcome some of the hurdles of the costs and whether a veteran has aid. Let me say to my colleagues: Are we confident we can set up a real appeals process within an agency that is so blind they put 129,000 people on the NICS list and deprived them of their Second Amendment right? Can we take the individuals who made this interpretation and believe they can go through a fair appellate review of an applicant's request to be taken off the list? I personally don't believe that can happen. For that reason I am offering an amendment to this bill to change the standard—not to eliminate whether a veteran is listed as a harm to them-

selves or others, and that, in itself, would take away one's Second Amendment ability to own a gun, but it is to say apply the same standard to veterans we apply to every other American.

Imagine what would happen if every Social Security beneficiary who got assigned somebody to help with their finances lost their Second Amendment right to have a gun. We would kill ourselves, 100 Members of the Senate, trying to get to the Senate floor to change the law because the pressure would be so great. The numbers may not be as big as we might see out of Social Security, but that is the entire population.

I suggest to my colleagues I can't think of a population in America that deserves their Second Amendment right protected more than those who laid their life on the line to protect this Republic we have.

In conclusion, I urge my colleagues to support amendment No. 720. I am not sure what the disposition of this piece of legislation will end up being, but I am convinced that with the addition of amendment No. 720—a vote in favor of this amendment makes whatever this bill looks like at the end of the day a better bill, one that fairly represents our Nation's veterans, and I think continues our commitment to people who have made the ultimate sacrifice to their country.

I thank the Chair and I yield the floor.

THE PRESIDING OFFICER. The Senator from Connecticut.

MR. MURPHY. Madam President, they say when a person outlives their child, it is unnatural; it violates the laws of nature, and a person is never ever the same. We all wish we never have to experience that phenomenon.

But on Friday, December 14, 20 sets of moms and dads sent their first graders off to school at Sandy Hook Elementary in Newtown, CT, expecting, as every parent does, to see them come home on Friday and then go out and spend a wonderful weekend with their kids. It was going to be a great weekend because it was the Christmas season. As a parent of a little boy who is a little bit younger than the first graders who went into that classroom that day, I know how amazing the Christmas season can be with a little one. Whether they were going to be picking out their Christmas tree or putting up outdoor lights or visiting Santa Claus, it was going to be the kind of weekend parents live for.

Those parents sent their kids off to school that morning and a few hours later, one shockwave of violence later, 40 parents had outlived their children.

I have been so angry for months. I have been angry at Adam Lanza. I have been angry at his mother for giving him access to those guns. I have been angry at this place for 20 years of inaction. But, mostly, I have been angry at the people in this Chamber and outside of this Chamber who say what we are discussing here right now this week

wouldn't have changed what happened in Newtown. I am angry for this first simple reason: They are wrong. Guns have become so much more powerful in this Nation over the past several decades—so powerful that the assault weapon, the military-style assault weapon that was brought into that school that day, was fired at 20 children and every single one of the kids who was hit died. None of them survived because of the power of that weapon. It got off over 150 bullets in a time period that was perhaps only 5 minutes long, from a weapon that could discharge 6 bullets a second. If there had been a weapon of lesser power in that school that day, there might be kids still alive.

Second, the shooter, to get 150 rounds off, only had to switch magazines 6 times. During at least one of those exchanges, a bunch of kids ran out of the room, and they are alive today. If we had a limitation on magazines that was closer to 10 rounds, Adam Lanza would have had to have changed clips 15 times, providing another 9 opportunities for some subset of those 20 kids to run out and rejoin their parents for the weekend.

In addition to passing laws that would have changed the reality in Sandy Hook, we have an obligation to make sure it doesn't happen again, and we have an obligation to do something about the routine, everyday gun violence plaguing this Nation. Twenty-eight people died in Newtown that day, including 26 at the school, the shooter, and his mother. But every single day the average is higher. Thirty people on average are dying across this country from gun violence. From a statistical point of view, December 14 was just an average day.

So what do we do? The amendments we are debating here today offered by my Democratic colleagues are a good step in the right direction. I suggest there are three rules that should guide our actions. Frankly, I think these are pretty simple rules that the vast majority of the American public in every single State we represent here would agree with.

First, I believe people should be able to own guns, to protect themselves, to shoot for sport, to hunt, but the criminals shouldn't be able to own guns. If someone opposes the Manchin-Toomey amendment, they cannot say with a straight face they oppose criminals getting guns. If a Member votes against Manchin-Toomey, they are basically saying they are OK with more criminals having guns.

Ninety percent of Americans want us to make this commonsense change. Ninety percent of Americans want us to crack down on the number of criminals who have weapons out there, because they know almost 40 percent of gun sales in this country are done without a background check.

For a while, I could only explain opposition to near universal background checks through the power of the gun

lobby, because I thought people must know in their heart that a simple, easy thing to do is to make sure criminals don't own guns, so there must be some external pressure that is forcing people to do the wrong thing. The longer I have spent in this place, the more I am convinced there are people who actually believe we should go back to the days of the wild, wild west; that we should usher in a new era of gun control Darwinism, in which the good guys have guns and the bad guys have guns and we hope the good guys shoot the bad guys. The gun lobby frankly tells us this. We should probably listen to them. They say the only way to stop a bad guy with a gun is to give a good guy a gun, that the government should get out of the way.

The second rule is this: Some guns are too dangerous to have on the streets. We have always accepted this premise. We have always said there are certain weapons that should be in the hands of law enforcement and the military only. Guns have changed over the years. Guns that used to be in the hands of the military now are available to the public and Adam Lanza had one of those weapons when he walked into that school. These are military weapons. These aren't weapons one needs to defend one's home. These are not weapons we need to go out and shoot at targets or hunt in our forests. These are weapons designed to kill as many people as quickly as possible, and they are finding their way into our schools and our movie theaters and our places of worship. Some guns are too dangerous to have on the street.

Third, some ammunition too easily allows for mass murder. The young man who walked into the movie theater in Aurora had a weapon and attached to it was a 100-round drum. Who on Earth needs a 100-round drum of ammunition to protect themselves, to go out and shoot for sport? Nobody does. It should be illegal. Thirty rounds is too much as well. Thirty-round clips, one-hundred-round drums, too easily lead to mass murder and it is being seen in this country over and over and over.

We can take a step forward to realizing those three basic principles today on the floor of the Senate. We can vote for the Manchin-Toomey amendment supported by 90 percent of the American public which will make sure less criminals have guns, something that everybody out there—except for a subset of people in this Chamber—agrees on. We can make the decision to take these dangerous assault weapons off the streets, allowing for thousands of weapons to still be legally purchasable, but to say the most dangerous ones should stay in the hands of the military and law enforcement, and we can say enough is enough when it comes to these high-capacity clips.

We know the shooting stopped in Aurora and Tucson when they exchanged magazines. We know kids escaped in Newtown when the shooter exchanged

clips. Less bullets per magazine means more people survive these mass shootings. We can do that today as well.

When we vote today, I would suggest that of all of the victims we can think about—and I have been coming down to the floor for the last 2 weeks talking about victims; I probably told the story of 50 or 60 or 70 victims on the floor of this Senate—that we think of two specifically. I would end today by talking first about a woman from Chicago named Shirley Chambers. Shirley raised her four kids, three boys and one girl, in the infamous Cabrini-Green housing complex in Chicago. That is where “Good Times” supposedly took place. It was a tough life, but she remembers her kids riding tricycles throughout the neighborhood and she said they were all happy kids.

On January 26 of this year, seven people were killed from gun violence—seven people in 1 day were killed from gun violence in Chicago. One of them was her son Ronnie Chambers. His mother buried him soon after his death. Ronnie was one of the 3,300 people who had been killed by gun violence in our cities and in our suburbs since December 14 of last year. She had four kids, but after Ronnie died Shirley was childless, because all four of her children had been killed by guns on the streets of Chicago: Carlos, Jerome, LaToya, and now Ronnie, all gone. She said, “My life will never ever be the same again.” Isn't that the understatement of the decade.

Lastly, I want my colleagues to think of Mark and Jackie Barden. I have talked a lot about little Daniel on the floor of the Senate, so I will end my remarks in this debate with him. Mark and Jackie lost Daniel that morning. These parents from Newtown have been so generous. They have visited our offices. They have allowed myself and Senator BLUMENTHAL to come to this floor and to tell the story of who their kids were and who their kids would have been. Mark and Jackie said this of Daniel after he died:

Everyone who has ever met Daniel remembers and loves him. Words cannot express what a special boy Daniel was. Such a light. Always smiling, unfailingly polite, incredibly affectionate, fair, and so thoughtful towards others, imaginative in play, both intelligent and articulate in conversation; in all, a constant source of laughter and joy. Daniel was fearless in his pursuit of happiness and life. He earned his ripped jeans and his missing two front teeth. Despite that, his mother said, he was just so good. He embodied everything that is wholesome and innocent in the world.

Every morning, the Bardens' kids would leave for school in succession. They all went to different schools. Daniel was the youngest, so he left the latest. Like most kids, he never got out of bed until he absolutely had to. So every morning, his older brother, whom he adored, left for school before Daniel had gotten up. But not on December 14. Every single morning that school year, Daniel had slept in as his brother went off to school. But on Fri-

day morning, something different happened. Daniel got up early, and as his brother was walking down the driveway to the bus, for the first time that entire school year, Daniel ran after him in his pajamas and flip-flops, and he hugged his older brother, and he said goodbye.

Losing a child is unnatural, but what should be just as unnatural is a Senator's unwillingness to do something to change that reality. Occasionally, in truly exceptional moments, we hold the power here that is so big and so bold to change the reality of life and death. We cannot amend what happened to the Bardens. Their loss will sear forever. We cannot change the fact that Shirley Chambers lost her four children. She will bear that loss for the rest of her life. But we can reduce the likelihood that more kids will die of gun violence in Chicago. We can reduce the chances that another Sandy Hook will happen. These parents cannot understand the casual willingness of this body to turn our backs on a chance to make sure that kind of loss does not happen to more parents. To them, that would be truly unnatural.

I yield back.

The PRESIDING OFFICER. The Senator from Iowa.

AMENDMENT NO. 725

(Purpose: To address gun violence, improve the availability of records to the National Instant Criminal Background Check System, address mental illness in the criminal justice system, and end straw purchases and trafficking of illegal firearms, and for other purposes)

Mr. GRASSLEY. Madam President, I ask consent to set aside the pending amendment and call up my amendment and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. GRASSLEY] for himself, Mr. CRUZ, Mr. GRAHAM, Mr. THUNE, Ms. AYOTTE, Mr. HOEVEN, Mr. HATCH, Mr. FLAKE, Mr. COATS, Mr. CORNYN, Mr. ROBERTS, Mr. WICKER, Mr. JOHNSON of Wisconsin, Mr. INHOFE, Mr. RISCH, Mr. RUBIO, Ms. MURKOWSKI, Mr. BOOZMAN, Mr. JOHANNES, Mr. PORTMAN, Mr. MCCONNELL, Mr. BLUNT, Mr. VITTER, and Mr. COBURN, proposes an amendment numbered 725.

Mr. GRASSLEY. Madam President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under “Text of Amendments.”)

Mr. GRASSLEY. Madam President, the Senate will vote today on an amendment that I am offering for myself, Senator CRUZ, Senator GRAHAM, and many others, as a substitute.

I believe that the underlying bill infringes on the Second Amendment rights of law-abiding gun owners and it does not provide for adequate measures against criminals who commit gun violence.

My approach is much better than the Manchin-Toomey amendment.

The current background check database, called NICS, is broken. Not enough accurate information on prohibited persons is making its way into the database. This is particularly true for mental health records.

Checking firearms purchasers against an incomplete database will not be effective in stopping prohibited persons from gaining access to guns.

Additionally, we should not further strain the existing, broken system by expanding the use of an incomplete database to more transactions, as Manchin-Toomey would. We should fix the existing system. And that is what my amendment does.

First, we should reauthorize NICS. So the Grassley-Cruz amendment reauthorizes NICS Improvement Act grants to States for providing mental health records.

The amendment codifies one of President Obama's Executive orders that requires the Attorney General to issue guidance to federal agencies about which records they must submit to NICS.

It improves NICS as well by clarifying the definition of "adjudicated mentally incompetent," so that it includes only actual adjudications, not a single psychiatrist's diagnosis.

Manchin-Toomey does not.

Mental health records would also be improved by requiring the Federal courts to make available to NICS information concerning such situations as defendants who plead guilty to a crime by reason of insanity.

This approach is consistent with what Washington Post columnist Courtland Milloy writes today. He says:

[T]he national gun-control legislation set for debate in Congress would rely on a bureaucratic dragnet of "background checks" so extensive that anybody's hands could end up being the wrong ones. Including mine.

He thinks that gun control supporters are "bent on harassing [him] into giving" up his gun.

He also offers a prescription for the actual problems:

Go after the criminal. Take his illegal gun. Leave everybody else alone.

My amendment reflects that view. It enhances criminal prosecutions of those who use guns.

The real way to fight gun crime is to pursue criminals, not law-abiding citizens.

Under my amendment, Federal gun crime prosecutions are to be increased. This will happen because the very successful Project Exile will be expanded nationally. This initiative requires Federal and State officials to develop agreements on enforcing gun laws. It requires the U.S. Attorney to designate at least one assistant to prosecute firearms cases. Project Exile will be expanded to 18 jurisdictions, including three tribal jurisdictions, with high violent crime rates.

The Grassley-Cruz amendment authorizes \$15 million per year for

Project Exile, which will cover more Federal prosecutors and ATF agents.

Manchin-Toomey does not.

The amendment also establishes a task force for prosecuting felons and fugitives who fail NICS background checks.

Right now, thousands of people who are prohibited from owning guns fail background checks. Yet, the Justice Department prosecutes less than 1 percent of them. More of these criminals need to be prosecuted.

Manchin-Toomey does not address the issue.

The amendment also increases the maximum sentence from 5 years to 10 for those who lie and buy on the form that needs to be filled out when purchasing a gun from a licensed dealer.

We also need to think hard before the Justice Department asks gun dealers to sell guns to felons and then doesn't track them. That is why Operation Fast and Furious was such a disaster. It led to the death of a brave Border Patrol agent, Brian Terry.

To avoid such an ill-considered operation in the future, the amendment requires the Attorney General, the Deputy, or the head of the Criminal Division to personally approve any programs for selling guns to criminals.

The Leahy amendment's similar provision would allow the Director of ATF to make this determination. But the ATF Director did not object during Fast and Furious. So that defeats the whole point of requiring high-level approval.

Oversight work on Fast and Furious showed the need for Federal statutes against straw purchasing and gun trafficking. The amendment contains such offenses, but in a more targeted way than does the Leahy amendment.

And now that there is a trafficking offense, the amendment strikes ATF's unnecessary ability to issue demand letters collecting information on purchasers of certain rifles along the southwest border.

The way to target gun violence is to direct efforts against criminals, not law-abiding citizens. So the amendment increases the maximum penalty from 10 to 15 years for transferring a firearm to a prohibited user, as well as the penalty for illegally possessing a firearm.

It creates a 15-year maximum sentence for transferring a firearm to someone knowing that it will be used for a crime of violence, drug trafficking crime, foreign narcotics kingpin crime, or terrorism.

Contrary to what the majority would have the American people believe, mass shootings are not only about guns and mental illness. They are also about what has happened to us as a society.

So the amendment authorizes a study by the National Institute of Justice and National Academy of Sciences on the causes of mass shootings.

There are other proposals on that subject before us. But they are careful not to look at the entire problem. I

don't want to single out any possible cause. But I also don't want to exempt any potential cause.

So some of the mass shooters, for instance, watched and used disturbing video games. The possible influence of violent video games should be part of what is examined.

The amendment also expands the rights of law-abiding gun owners.

It allows interstate firearms sales by permitting out-of-State dealers to sell in a State if they comply with all State laws in which they are selling.

It permits members of the armed services to buy a gun in their State of residence or where they are stationed.

The amendment allows firearms dealers to access NICS to run background checks on their prospective employees. But unlike Manchin-Toomey, the amendment requires that the rights of the prospective employee be respected. The employee would have to be provided notice and have to give their consent before such a check could be run.

Also unlike Manchin-Toomey, the amendment would expand the rights of lawful gun owners to travel through other States without fear of prosecution. Manchin-Toomey, whatever its intent, would make it more likely that law-abiding gun owners would be arrested and prosecuted as they traveled through other States.

Title II of the amendment addresses mental health.

It reauthorizes the bipartisan Mentally Ill Offender Treatment and Crime Reduction Act.

These funds are used for mental health courts, crisis intervention teams, veteran treatment courts, police academy efforts, and prison services.

The amendment allows Byrne grants to be used for mental health programs and operations by law enforcement or corrections.

It allows COPS grants to be used for training law enforcement to deal with mental illness.

To restore the gun owning rights of our veterans, a judicial determination would be necessary to determine that a person is a danger to himself or others to be considered to have been adjudicated mentally defective.

Title III is focused on school safety.

It reauthorizes the Secure our School grants at the prior funding level of \$30 million per year for 10 years.

To safeguard taxpayer money, it would require that different offices that award grants at the Justice Department consult with each other before these grants are awarded.

We want to help as many different schools as possible.

Finally, we should understand that Manchin-Toomey would not have stopped Newtown.

People who steal guns do not submit to background checks.

We heard testimony in the Judiciary Committee that background checks will be effective only if they are universal and accompanied by gun registration.

We should not start down the path to gun registration, as history shows where that leads.

Manchin-Toomey creates, not closes, loopholes by requiring background checks for some private sales but not others.

We have heard from gun control groups that were it to pass, they would immediately seek to expand background checks even further.

This would be a running start on a slippery slope.

The way Manchin-Toomey works, if someone takes out an ad for a gun in their church bulletin or farm bureau newsletter, they would have to proceed with a background check.

Manchin-Toomey's exception for family member transfers provides cold comfort.

If the family member transfers the gun to another family member he does not know, but is found later that he had reasonable cause to believe is prohibited, they could face 5 years in jail.

Even worse, for the first time, a violation of Federal law would be based on a violation of State or local law.

A family member may not know the firearms laws in the place where the other family member resides.

Those laws are published.

Ignorance of the law is no excuse.

A person would have reasonable cause to believe that a family member was in violation of them even if the person did not actually know those State or local laws.

If they transferred the gun to a family member, and they did not know the permitting rules in another state, under Manchin-Toomey, that family member could face up to 5 years in jail.

That is unacceptable.

We cannot have the fate of law-abiding citizens turn on assurances of prosecutorial discretion.

Finally, my amendment, and not Manchin-Toomey, protects the rights of law-abiding gun owners to travel through other States if their guns are unloaded and ammunition is secured.

Manchin-Toomey seems to do this but it does not.

It cuts back on existing protections.

It provides that the criminal immunity does not apply if the transportation does not violate any gun felony.

But some State laws say that not having a State permit for a gun is a felony.

So a law-abiding gun owner who did not have a permit would commit a State felony.

Under Manchin-Toomey, they could be arrested and prosecuted.

Other States that make gun transportation crimes misdemeanors could change those to felonies and eliminate the force of the Gun Owners Protection Act.

My amendment contains common-sense measures to fight gun violence in our communities and protect the 2nd Amendment rights of law-abiding gun owners.

This is the better way to go.

Mr. LEAHY. Madam President, today the Senate is scheduled to vote on an amendment proposed as a partisan Republican alternative to the bipartisan legislation that was reported by the Judiciary Committee and that has been the business before the Senate for the last 2 weeks. The committee held three hearings and four markups starting in January and concluding in the middle of March. Republican members of the Committee participated but did not offer this substitute at any juncture. When Majority Leader REID introduced the Safe Communities, Safe Schools bill on March 21 and then was forced to end a filibuster to proceed to it last week, the sponsors of this measure were among those filibustering. They justified their filibuster on the fiction that the bill before the Senate somehow violated the Second Amendment. Of course it does not. If further proof were needed, the fact that they have now reversed themselves to offer a substitute that steals large portions of the bipartisan underlying bill provisions would be it.

The amendment the Senate is now being forced to vote on contains 81 pages of legislative text, and was filed just this morning, so I am not even sure of the amendment number. This last-minute alternative is apparently being offered so that Republicans who fear crossing the Washington gun lobby can go home and say that they voted for something. I invited all members of the Judiciary Committee to work with us and to bring forward their best ideas to reduce gun violence in our society and to have them be fully heard in the Judiciary Committee, in regular order. When Senator GRASSLEY and others came forward, we worked with them to incorporate changes in the Leahy-Collins gun trafficking bill and the Boxer school safety bill to accommodate them. This is our reward. No good deed goes unpunished apparently. I am disappointed that after the tremendous effort so many Senators on the Judiciary Committee made to carefully consider and debate legislation, to reach across the aisle to build consensus, and to work with a seriousness of purpose that would honor the victims of Newtown, Connecticut and all of those whose lives have been affected by gun violence, that this is their response.

The Republican amendment was never proposed during the months of Judiciary Committee consideration. It has not been the subject of hearings. No Senator who supports this effort will have any standing to demand regular order on any other matter, least of all on consideration of comprehensive immigration reform legislation that will next be considered by the Judiciary Committee.

I oppose the Republican alternative and encourage other Senators who are serious about making progress in the effort to reduce gun violence to do the same. This amendment is not a serious effort to fulfill the extraordinarily important obligation we took on as Senators after the tragedy in Connecticut.

The Senators from Connecticut have spoken eloquently over hours and days on the Senate floor. Senators Kaine and Warner from Virginia gave moving remarks on the anniversary of the tragedy at Virginia Tech. They have helped to celebrate the memory of those who lost their lives in Connecticut, in Virginia, and in other terrible events. They have carried to the Senate the voices of millions of Americans who are demanding that we take meaningful action. I commend them for their work. There are measures on which we will vote today that will carry out our responsibility. The alternative that Republicans put forward for a cover vote is, in my view, not one of them.

I am especially disappointed that after working so closely with the Ranking Member on the legislation to combat straw purchasing and firearms trafficking that Senator COLLINS, Senator GILLIBRAND, Senator KIRK and I introduced, and after earning his support on that measure in the Judiciary Committee, that his amendment contains a proposal that will take us backward, not forward, when it comes to dealing with these serious problems. Anyone serious about the problems on the Southwest border involving straw purchasing and gun trafficking should be determined to give law enforcement the tools they desperately need. The Leahy-Collins bill does that. The watered-down version shoehorned into this Republican alternative does not.

The legislation that Senator COLLINS and I introduced was drafted with input from law enforcement. It provides the tools law enforcement needs to combat straw purchasing and gun trafficking, and it has the support of numerous major law enforcement organizations. We did not just work with law enforcement, however. We consulted with other Senators from both sides of the aisle, including Senator GRASSLEY, and incorporated their suggestions. We even worked with the National Rifle Association to address all of its substantive concerns.

In contrast, the junior Senator from Texas, a self-proclaimed leader of the filibuster against considering any gun violence legislation, introduced his watered-down version of our bill on straw purchasing and gun trafficking just this week. He did not offer amendments when the Judiciary Committee, a Committee on which he is a member, met to consider and report the Leahy-Collins-Gillibrand bill. His bill takes the serious proposal Senator COLLINS, Senator GILLIBRAND and I developed and strips out almost all of the important tools that law enforcement requested and needs. As far as I can tell, his bill has not been endorsed by any law enforcement groups. Ours is endorsed by the National Fraternal Order of Police, the Federal Law Enforcement Officers Association, the FBI Agents Association, the National District Attorney's Association, and all nine of the members of the National

Law Enforcement Partnership to Prevent Gun Violence, including the International Association of Chiefs of Police, the Major Cities Chiefs Association, the Police Executive Research Forum, and others.

There is no wonder as to why. The trafficking provisions suggested by the Republican alternative essentially give straw purchasers a road map to avoid prosecution. As long as straw purchasers ask no questions and bury their heads in the sand, they cannot be held accountable. The Republican substitute requires prosecutors to prove beyond a reasonable doubt that a straw purchaser knew for certain that he was buying for a prohibited person. A straw purchaser could have every suspicion in the world that the actual buyer is a dangerous criminal, but as long as he deliberately shields himself from getting confirmation of that fact, he is untouchable. Willful ignorance will be their shield.

The substitute also gives gun traffickers the same road map. The bill Senator COLLINS and I have proposed prohibits an individual from buying a gun and giving it to someone you know will then give it to a criminal. The Republican proposal inexplicably removes this provision. So as long as the organizer of a firearms trafficking ring uses a middle-man between the straw purchaser and the ultimate recipient, it is simple to avoid prosecution for providing guns to dangerous criminals.

The proposal from the junior Senator from Texas also takes out the provision in the Leahy-Collins bill that allows law enforcement to use wire taps to investigate straw purchasers and gun traffickers. And it also takes away the ability to prosecute gun traffickers for money laundering and racketeering and to seize their ill-gotten proceeds. How does this make us safer? What is the rationale for weakening these law enforcement tools?

Not content to undermine the straw purchasing and gun trafficking measures Senator COLLINS and I have proposed, the Republican substitute aids the Mexican drug cartels by eliminating an existing tool that the Justice Department needs to combat violence on the Southwest border. The ability of cartels to purchase firearms in the Southwest has led to terrible violence. In order to investigate and stem the flow of dangerous weapons to the cartels, the Justice Department requires licensed gun dealers in that area to report sales of multiple long guns such as assault rifles to the ATF. This practice has provided law enforcement with major investigative leads, yet the Republican proposal prohibits it.

The Republican substitute also interferes with state prosecutions of gun crimes. Under existing law, a person who is traveling through a state with a gun he is not allowed to possess in that state can assert as a defense that he was merely traveling between two states in which his possession would be legal. This is fair. But the Republican

proposal takes this defense and places the burden on the state prosecutor to disprove the defendant's claim beyond a reasonable doubt in all cases, even if the defendant has offered no evidence at all to support his claim. If the state prosecutor fails to meet this high burden, the Republican proposal requires the state to pay the defendant's attorney's fees. This is a clear intrusion on the longstanding police powers of states.

I previously have spoken about the amendment proposed by Senators MANCHIN and TOOMEY. That amendment contains a number of important provisions. One aspect of the amendment that has not received enough attention is the additional due process it affords to veterans who have been deemed mentally incompetent by the Department of Veterans Affairs. The amendment provides that before veterans who have been adjudicated mentally incompetent lose their right to a firearm, they can go before a board or a court to evaluate whether they can safely use a firearm. The amendment requires that veterans be notified of this opportunity. This adds to existing law that allows veterans who are no longer mentally incompetent to regain their right to a firearm. These laws are important and I support them.

I cannot support the Republican proposal, however, because it rolls back the existing laws that prohibit mentally ill people from possessing and using guns. It rolls back these laws not only for veterans, but for many civilians deemed mentally incompetent. It would force the FBI to purge existing records from the background check system for those mentally incompetent people. This is dangerous. It is unwise, and it makes us less safe.

What this Republican alternative proposes is weak and unworkable and will be of little use to law enforcement. I urge all Senators to reject this proposal. We have heard much criticism and blame directed at the Justice Department for not adequately enforcing existing laws. But when Congress passes toothless laws it is Congress and not law enforcement that is to blame. The Republican alternative is not a serious solution to the plague of gun violence.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. ENZI. Madam President, I want to speak today about the series of votes that are going to be taking place this afternoon on gun rights. I wanted to start off by telling a little story and explain why there are some difficulties with some of those amendments that are here.

I had a person in Cheyenne come to me and say: I advertised a gun I wanted to sell. The guy was from southern Colorado, so he had to drive about 300 miles. But he was former FBI and had a concealed carry permit. He was willing to drive up to Cheyenne and wanted to do it the right way—both of them wanted to do it the right way.

The person from Colorado was willing to pay the fee for doing a gun check. The person in Cheyenne arranged for a federally licensed dealer to do that. So they met at the gun store with the gun. Of course, credentials as a former FBI agent is probably good enough to get through a gun check. Concealed carry permit, there is reciprocity in Wyoming for that. They did not think there would be any problem. They looked at it and put it into the system and got word back that he would know in 5 days. Well, it is a long trip to get a gun. The person had a gun that was just like it. He was convinced of the credentials, so they went to his house and finished the transaction. The fellow from Colorado went home. The fellow from Cheyenne went down to retrieve his other gun. He found out that it is now in the Federal system. So he can have a background check done on himself to get his own gun back.

So there are difficulties with the gun check. They are not immediate. There is not a computer that immediately says: This person is not in there so go ahead and sell them a gun. It can be a 5-day process, which, for a 3-day gun show can be a bit of a problem, or even a shorter one than that.

I want to talk a little more broadly about gun rights because the Senate will be voting on proposals today that affect rights not created by the law but, rather, were created by the Constitution that last a lot longer than anything we do in this body. Wyoming is a State of gun owners. A large number of Wyoming residents grow up learning to respect and lawfully use firearms.

As a matter of fact, many schools and youth organizations build hunter safety and gun safety into their curriculums so that young people become familiar with the responsibilities of gun ownership at an early age. Therefore, it should be no surprise that a majority of Wyoming residents have called on me to oppose any legislation that puts additional restrictions on the freedoms they enjoy and use daily.

I have been saying for some time that the bill before the Senate does not focus on the problem. There is no doubt that we need to do more to curb the senseless acts of violence which continue to occur in this country.

One of the things we need is parents to be more careful and more repetitive at telling their kids it is not right to kill people, it is not even right to bully them, and it is definitely not right for them to kill themselves. Until we can get that message across to our kids, I hope that we do not rely on a few votes by this body to make everybody feel

comfortable that all of the problems are taken care of. They will not be.

The Senate should focus on making sure current laws are enforced; they are not. Finally, our Nation and its communities should be doing more to foster the idea that life has to be respected. However, the problem with several of the proposals we will vote on today is that they add to programs with track records of failure.

Additionally, I oppose limiting the rights of gun owners to transfer their firearms to their neighbor or loan hunting rifles to their family members. The underlying bill the Senate is debating would restrict that right in many areas and would only make gun ownership more burdensome on lawful citizens.

My colleagues in other States may not realize this, but in Wyoming guns are not used just for self-defense and recreation. They are a tool. Ask the rancher who uses a rifle to defend his livestock from predation or the outfitter who uses a gun to protect clients in the back country.

Firearms do have everyday uses in Wyoming. Sometimes it is necessary to transfer or loan a gun to a nephew, a niece, or an employee. But under what is being considered, that right may be severely infringed. I do not condone acts of gun violence. I am a father and a grandfather and will do everything I can to keep guns out of the wrong hands. However, I am not willing to infringe on the constitutional right of lawful gun owners when the laws already designed to protect us are being unenforced.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HEINRICH). Without objection, it is so ordered.

Mr. REED. Mr. President, since 1968, more Americans have been killed by gun violence in the United States than have died in all the wars in American history combined. This is a heavy toll on public safety and public health. As a body, this Senate can do more and should do more to make our communities safer.

It has been too many years, too little action, too much tragedy and heartbreak since the last debate on guns. I know all my colleagues share my utter horror at the mass shootings at Sandy Hook Elementary School in Connecticut last December. Yet our responses to this and other tragedies are vastly different. I am motivated by them to demand passage of serious, concrete, and comprehensive measures to try to safeguard innocent and precious lives, to prevent the next Newtown, the next Aurora, the next Tucson, and countless other devastating examples of senseless gun violence.

Unfortunately, it seems we are on the verge of throwing up our hands and saying there is nothing we can do. But there is something we can do.

We will take a series of votes this afternoon to reinstate the assault weapons ban and prohibit high-capacity magazines, amendments I am cosponsoring, and a compromise effort to close the gun show loophole and require better background checks. These measures balance protection for responsible gun ownership with protection for public safety.

As someone who has served in the U.S. military, I believe carrying a gun is a serious responsibility. However, today it is far too easy for criminals, domestic abusers, gang members, and terrorists to buy weapons.

Today's New York Times describes just how easy it is. One South Carolina man is noted as:

a fugitive from the Rhode Island police who has two outstanding felony warrants as well as a misdemeanor warrant. His legal status bars him from owning guns, but he was recently seeking to buy an AK-47 assault rifle on [the website] Armslist and was also trying to trade a Marlin rifle. He posted photos to his Facebook account of an AK-47 he had already purchased, along with a variety of other guns.

Clearly, the system is broken, and there is room for common sense reform. Indeed, we need to close gaping loopholes in current law which allow the sale of firearms at gun shows or online without accountability or background checks to determine whether the buyer has a criminal record.

The Manchin-Toomey compromise, while not perfect and not my ideal solution, would go a long way toward closing these loopholes. I wish to personally commend both Senator MANCHIN and Senator TOOMEY for their bipartisan, and, indeed in many respects, courageous steps to try to make this legislation possible for all of us.

In March of 2004, during the 108th Congress, when Democrats were in the minority, Senator MCCAIN and I worked together on bipartisan legislation to close the gun show loophole. With his great leadership, we passed an amendment 53 to 46, which was one of several successful gun safety amendments. Ultimately, the gun lobby defeated the underlying bill, a bill it originally supported and identified as a top priority. This was because we had managed to pass sensible gun safety measures, at least in the amendments to the legislation.

This is proof that passing sensible legislation to keep guns out of the hands of dangerous individuals is possible with bipartisan cooperation. We have done it.

Gun ownership is a fundamental right in this country, but reasonable limitations on military-style assault weapons and high-capacity ammunition clips are fully consistent with the Second Amendment.

Indeed, in the 2008 majority opinion in the Heller decision, Justice Scalia made clear that the Second Amend-

ment is "not unlimited" and is not "a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose."

Limiting access to military-style weapons and strengthening background checks would help save lives and make our communities safer. We also need to improve access to mental and behavioral health care. One of the ironies is that more often an individual with mental illness is the victim of gun violence or other types of violence than the perpetrator of violence. However, it is still important to take any opportunity to help strengthen our mental health system.

This is why I support the Harkin-Alexander amendment which, among its many provisions, would include my bipartisan youth suicide prevention measure, the Garrett Lee Smith Memorial Act reauthorization, legislation which was led very courageously and successfully by our former colleague, Senator Gordon Smith. I urge my colleagues to support these amendments and to muster the same kind of bipartisan cooperation Senator MCCAIN, I, and several others had years ago.

It is my wish we can reach a sensible consensus. Indeed, an overwhelming majority of Americans are demanding this. There is no question what the American people want. The question we will settle is are we responding to the American people or are we responding to a very narrow self-interest. I hope we will respond to the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, this afternoon I, rise to defend the Second Amendment to our Constitution. Recent mass killings, such as those in Connecticut and Colorado, are the impetus for the gun control legislation we are discussing before the Senate now.

I mourn the victims of these senseless acts of violence carried out by serious and disturbed individuals. Unfortunately, this legislation, I believe, would do nothing to prevent such tragedies going forward.

The harsh but unavoidable fact is no amount of government intervention can prevent irrational people from doing terrible things. Therefore, we should not react to these tragedies in an irrational manner in the Senate which would erode a fundamental right of every citizen in the United States.

The Second Amendment states, as you well know, unambiguously, "The right to keep and bear arms shall not be infringed." It makes plain to criminals their targets have the right to defend themselves, their families, and their property.

Since criminals do not follow the law and never will follow the law, new restrictions will hinder only the law-abiding among us, I am afraid. Make no mistake, this is only the first assault on the Second Amendment. More background checks today, gun registration

tomorrow, who knows what will follow after this. Congress should reject it all now.

My opposition to the legislation before the Senate is not abstract. Gun control laws have proven ineffective in reducing violent crime. As gun ownership in the United States has increased over recent years, nationwide crime rates have decreased. Nonpartisan studies, however, show no correlation between the now-expired assault weapons ban and the decrease in crime rates. Still, violence has spiked in certain parts of this country.

In Chicago, for example, murder rates are soaring. Yet Chicago has among the most Draconian and restrictive gun laws in the country. These trends have developed not because of gun control legislation but in spite of it.

Despite this failed record, the legislation before the Senate pushes more of the same. This so-called compromise amendment would do nothing but compromise our Second Amendment rights.

First, it would drastically expand background checks for gun purchases in an inconsistent and unenforceable manner. The legislation mandates background checks for all firearms purchases at gun shows between two nonlicensed parties. Yet it is unclear whether the same buyer and seller would have to run a background check if they meet at a gun show but wait until it is over to execute the sale.

The legislation also mandates background checks for any gun purchase pursuant to an advertisement by a buyer or seller. This would be extremely difficult to enforce under a narrow definition of what constitutes an advertisement. Under the extremely broad definition provided in this amendment, enforcement would be virtually impossible.

Will determined criminals not simply avoid gun shows and advertisements? We can bet they would. I believe we should not restrict transactions between law-abiding citizens, especially when we will not prevent such transactions between criminals.

This amendment would also allow health care providers to place a patient in the National Instant Criminal Background Check System database. I believe this would violate patients' privacy and remove their Second Amendment rights based on subjective judgments and without any clear guidelines or due process.

It is unclear whether a patient must be informed of the health care provider's decision to submit his or her private health information to authorities. This provision could very well discourage those who need mental health services from seeking them for fear their constitutional rights may be abrogated. We should not put doctors and patients in this position.

In addition, the FBI estimates enforcing these background checks would cost approximately \$100 million annually. At the same time, this amend-

ment would prohibit the FBI from charging federally licensed firearms dealers to run these background checks.

To carry this out if it were to become law, the money must come from someone. Will it be gun buyers or taxpayers? Either way, I oppose it.

Again, this legislation is just the first step. It would lay the groundwork for even more Draconian and ineffective gun control measures. As one of the Justice Department's leading crime researchers has stated, the government's ability to implement near-universal background checks would rely, at least in part, on "requiring gun registration." I oppose that.

Mr. President, there are as many guns in this country perhaps as there are people, according to some estimates. That is more than 300 million people, and there are probably over 300 million guns. The bureaucracy we have today cannot track all of the people illegally residing in this country, why then would anyone believe the bureaucracy could track all of the guns illegally possessed in this country? And who would pay for that? Would gun owners again be subject to still more fees or taxes for exercising their Second Amendment rights?

Who would have access to this so-called registry? Would the public know who owns guns and who does not? Who would ensure this sensitive information is protected and not used for political purposes, and how?

We do not know the answers to these questions, but we do know that such restrictions will not prevent the next tragedy. We should not start down this dangerous road. What should we do instead? I have a few suggestions.

Instead of undermining the Second Amendment, Congress should focus its attention on three areas: First, I believe robust prosecution of violent criminals is the best deterrent to violent crime. Prosecutors should punish to the fullest extent of the law individuals who misuse guns, knives, or anything else to commit violent crimes. There should be no leniency whatsoever for the commission of such crimes.

Secondly, we should examine and address any deficiencies—and we have them—in our mental health system. Time and again we have seen a strong connection between mental illness and violent crime. We should not fall prey to the delusion government can prevent all bad things, nor should we assume simply throwing money at the problem will solve it. We should, instead, do a better job of helping those with mental illnesses before their problems spiral out of control.

Third, I would suggest we should weigh the impact of violence in the entertainment industry on violent crime in this Nation. Many video games, movies, television shows, and songs contain graphic depictions of violence. Common sense tells us that glorified violence can distort impressionable minds, particularly those afflicted with

mental illnesses or mental challenges. Still, many in Hollywood defend the First Amendment to the Constitution with the same wild-eyed zeal they trash the Second Amendment to the Constitution.

I stand here to defend the Bill of Rights in its entirety.

In closing, let me mention that since January 1 of this year I have held public meetings in each of my State's 67 counties. Overall, my constituents are deeply concerned about any infringement upon their Second Amendment rights. They are concerned about their ability to protect themselves, they are concerned about their ability to protect their families, and they are concerned about their ability to protect their property.

They are concerned that the activities, traditions, and way of life they have long and peaceably enjoyed, and which are protected by the Constitution, could possibly be outlawed. They are concerned they may unknowingly run afoul of a new gun control law because the proposals before us are so illogical and inconsistent and contrary to common sense.

I believe this bill is an overall legislative misfire. I have outlined what I believe would constitute a clear-eyed response to the situation at hand. I will continue to vigorously oppose gun control legislation, and I will continue to stand firm in defense of the Second Amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Would the good Senator from Alabama yield?

Mr. SHELBY. I will be glad to yield for a question, but my time is up.

Mr. MANCHIN. Mr. President, I respect the Senator's views. He is a true friend. But on the bill Senator TOOMEY and I have been working on, if I could point out and ask the Senator's concerns and consideration about that, if he would, especially relating to the Second Amendment. I am a defender, I think Senator TOOMEY is, as is the Senator, a defender of the Second Amendment.

In our amendment we basically strengthen and enforce and promote it. Here is what we have: We allow dealers to sell guns at gun shows in different States, which they can't do now. We allow Active-Duty soldiers to buy guns in their home States, which they can't do now. We fix a legal discrepancy that will allow people in transit across the State to carry an unloaded and locked weapon. And we explicitly state the bill does not expand the authority of the ATF. Plus we make it a penalty by a felony and 15 years imprisonment by registration.

Mr. SHELBY. May I respond?

Mr. MANCHIN. Absolutely.

Mr. SHELBY. I would tell the distinguished Senator and my friend from West Virginia, for whom I have a lot of respect, that I totally disagree. This is the first step in the erosion of our

rights under the Second Amendment. That is why I oppose this legislation. I totally and fundamentally disagree with the author.

Mr. MANCHIN. I respect the Senator's position on this, and I thank him.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I ask unanimous consent to be recognized to talk about the pending amendments for about 8 minutes.

The PRESIDING OFFICER. The Senator is recognized.

Mr. GRAHAM. Mr. President, this debate we are having about gun control legislation and how to solve a difficult problem is a good debate. Quite frankly, I never understood why we would not want to have this debate. This is an issue where most Americans very much would like to see something of substance accomplished. But the goal is to do something of substance that will address the underlying problem, not just pass legislation, quite frankly, in a more feel-good category.

Senators MANCHIN and TOOMEY are very sincere. I know they are trying to fix a problem that is seen by a lot of people to be a problem, and I understand where they are coming from. But I want to take my time to talk about two things.

The President has given a lot of speeches about this issue, very emotional in nature—that State of the Union Speech—and he has literally traveled all over the country to sort of gin up support for three things: a universal background check, the banning of assault weapons, assault rifles, and limiting magazine sizes. At the end of the day, the Senate will take up these measures individually and somewhat collectively, and here is what I think will happen.

I think when it comes to the magazine size limitation, that is not going to pass the Senate simply because there are thousands, if not millions, of magazines beyond 10 rounds out in the current marketplace. From a criminal point of view, this legislation wouldn't affect them one bit. They will get a magazine of whatever size they would like. It would affect law-abiding citizens and put them in a bad spot.

The best way to interrupt a shooter in a Newtown situation is not to limit the magazine size but to have a security officer in the school who can confront the shooter before they get to the kids. Don't kid yourself that having to reload is going to be the answer to interrupting a crazy person bent on destroying the lives of innocent people. In a school environment, in my view, the best way is to confront that shooter with a trained law enforcement officer. The Grassley-Cruz-Graham amendment has money put back into the system—money President Obama cut out of school safety, some \$300 million, at a time when that was very unwise. So we would restore that money.

Two months ago, maybe a little longer, there was a young woman at

home in the Atlanta suburbs with her twin daughters—I believe they were twin daughters—and there was a home invasion by someone who had just been released from jail. She took her children up on the second floor and hid in the closet. She got on the cell phone and called her husband asking what to do. She grabbed a .38 revolver. The guy broke into the closet, she fired six times, emptying the gun and hitting him five to six times. He was still able to get up and drive away.

Approximately one-third of the assaults in this country are committed by more than one person. In the hands of that mother, six shots were not enough. It wouldn't bother me one bit if she had 30 rounds. In the hands of a mentally unstable person or convicted felon, one bullet is too many. That is why I oppose the magazine size limit. It does not address the problem.

Now, as to the AR-15, there are 4 million of these rifles available. It is one of the most popular selling sportsman's rifles in the country. I have been in the military for almost 30 years. It is similar to the M16, but it is a semiautomatic, not a fully automatic rifle. The reason I own one is because I like to shoot. I am not going to bother anybody. I am not going to do anything wrong with the gun. I passed the background check to get the rifle.

Why an AR-15? Vice President BIDEN, who is a good friend, has suggested a double-barrel shotgun is the best way to defend a home in case you find a lawless environment. We have had hurricanes, earthquakes, or other natural disasters where law enforcement is not available to families because the system is broken. They can't call, they can't travel, there has been a catastrophic event, such as Sandy, Hugo or Katrina. These things happen in the real world where law and order breaks down.

The Vice President was talking to a young man who was worried about this, and he said: You don't need an AR-15, you need a double-barrel shotgun. That is the best way to defend your home.

To be honest with you, I disagree. If there is a roving gang in the community, and there are three homes, one without a gun, one with a double-barrel shotgun, and one with an AR-15, they are going to pick the AR-15 last. Now, you may not agree with me, but I think that makes sense as a self-defense weapon. So that is why the assault ban is not going to pass.

Less than 2 or 3 percent of all murders in this country are committed with a rifle of any kind. Most murders committed in this country, violent acts, with a gun, are committed with handguns.

At the end of the day, the magazine limitation is not going to pass because it doesn't address the problem. In the hands of a mother, six rounds is not enough; in the hands of a criminal, one is too many. The AR-15, 4 million guns available; the assault weapon is a very popular selling gun, and I think under

Heller that type of weapon would be protected. It is not the gun you own, it is who owns it.

At the end of the day, the universal background check is not going to make it. Senators MANCHIN and TOOMEY are trying to find a solution in a smaller way. I appreciate that. But here is my concern about background checks.

Last year, 80,000 people failed a background check, and 9,000 of the people who failed the background check were convicted felons on the run from the law. Yet only 44 people were prosecuted out of 80,000. Of those 9,000, I can't find one case where the law enforcement community found out a criminal on the run from the law tried to buy a gun and they went and picked him up. We at least ought to be catching dumb criminals. If they are dumb enough to fill out a background check while they are on the run, the system ought to catch them.

Let me tell you of another problem we found. In 2005, there was a young lady named Alice Boland, who is a paranoid schizophrenic, a very troubled young lady with a history of mental illness, who pled not guilty by reason of insanity for trying to kill the President of the United States and a Secret Service agent. The threats were made at the Canadian border, and she eventually came to South Carolina with her family.

She was adjudicated by a Federal court, pled not guilty by reason of insanity, and the plea was accepted. She was confined to a mental health institution by the court. When she got out, she went home, and in February of this year she went to Walterboro, a small community near Charleston, and bought a .22 semiautomatic pistol. She filled out the background check, and her plea of not guilty by reason of insanity was not entered into the background check system. The fact she was confined to a mental health institution by a Federal court didn't make it into the background check system.

She bought the gun, went to a private school—Ashley Hall in Charleston—went to the office area where the staff was located, pulled out the gun, and the gun didn't fire. Thank God it didn't. But our background system doesn't catch people like her.

There are 14,000 people in South Carolina who have been adjudicated a danger to themselves and others by a competent court under due process who are not in the Federal background system. There may be up to 1 million people.

The Grassley-Cruz-Graham bill will fix that problem. It would make sure before you get a law enforcement grant from the Federal Government, the State that requests the grant has to enter into the Federal database people who have been held mentally a danger to themselves or others by a competent court. It looks like we could at least do that to get thousands, if not up to 1 million people, who have been deemed to be a danger to themselves or others

into the background check system before we expand it.

So I support Grassley-Cruz-Graham. I think it has a comprehensive approach. It has an antitrafficking component to it. It has a task force that will have \$50 million available to the Federal law enforcement community to go after people who fail a background check or who are felons. I think it is a much better approach than the other legislation on the floor.

So I will be opposing Manchin-Toomey. I appreciate the spirit in which it has been offered, but I think defending the background check system is not the problem. Making the background check system capture mental health adjudications and doing something about a felon who fails a background check is a wiser approach rather than expanding a broken system.

When we only have 44 people out of 80,000 prosecuted, something is wrong. Why create more paperwork where nobody is going to do anything about it. Let's focus on the problem.

So I think this has been a good debate for the Senate. When it is all said and done, after a reasoned debate, the President's proposal—more emotional than practical—of a universal background check, which would have included a private sale, no matter what he said, is not going to carry the day in the Senate.

We should be going after the criminal, not the law-abiding citizen, and all of us should want to make sure that those who are a danger to themselves and others do not have access to a weapon. That is a commonsense approach to a hard problem.

I look forward to the votes today and the votes to come because this is an issue which should be debated. I am not afraid to voice the courage of my convictions. Everyone in this body is sincere about their approach to the problem, but I think at the end of the day what is going to prevail is common sense.

Mr. President, I yield the floor.

Mr. MANCHIN. Mr. President, would the Senator from South Carolina yield for just 1 second?

Mr. GRAHAM. Absolutely.

Mr. MANCHIN. I appreciate so much the Senator's sincere approach.

The only thing I would say is that my and Senator TOOMEY's approach and what we are doing is not a universal background check and would not touch the private sector.

Mr. GRAHAM. Absolutely. It is taking a more limited approach. I totally understand it.

Mr. MANCHIN. I thank the Senator, and I appreciate it.

The PRESIDING OFFICER. The Senator from Massachusetts.

BOSTON MARATHON BOMBING

Ms. WARREN. Mr. President, I rise today to give my first speech from the floor of the Senate. I rise with a heart heavy with mourning, but I also rise with the gratitude of a fearless peo-

ple—gratitude for the Nation's prayers, strength, and resolve.

Two days ago there was a cowardly and despicable terrorist attack in the city of Boston. Two times blasts from hidden bombs rocked the streets of Copley Square. Two times courageous Bostonians ran toward danger to help their fellow citizens. Three were killed, more than 170 were wounded, and many remain in critical condition.

Two days ago was Patriots' Day in Massachusetts.

Patriots' Day is one of our most cherished holidays. We celebrate the lives of ordinary men and women who, in the hour of reckless darkness and peril and need, rose before dawn in Lexington and Concord and let the world know that liberty and freedom, a government of the people, would be established on this Earth. We celebrate Patriots' Day with reenactments and pancake breakfasts, with barbecues and baseball, and with the Boston Marathon.

The marathon is always the greatest of celebrations. We love the speed of the winners, we love the endurance of the participants, and we love the passion of the supporters, but, as the Scripture says, "The race is not to the swift or the battle to the strong . . . but time and chance happen to them all."

To all the families who lost their children; to all those who were injured and wear the scars of tragedy; to all the citizen heroes, the first responders, the healers who acted with courage in the midst of chaos; to all those who bore witness at Boylston Street; and to the people of Boston and Massachusetts: No one can replace what we have lost. No one can relieve the weight of our sorrow. But here today and in the days and weeks ahead, wherever we are, we will grieve together, hurt together, and pray together.

Today I rise to remember the lives of those we have lost, to support those who survived, and to honor those who served.

Today we remember Martin Richard, an 8-year-old who, like third graders everywhere, spent time drawing pictures, a little boy who loved to play soccer, hockey, and baseball in his neighborhood in Dorchester. We also pray for his sister and his mother to recover from their injuries.

We remember Krystle Campbell, who grew up in Medford and never missed the marathon. Lively and happy, Krystle was always there for others. When her grandmother was recovering from an operation, Krystle moved in to help her because that is the kind of young woman she was.

We remember Lu Lingzi, who came to the United States from China to study statistics. She loved Ben & Jerry's ice cream, and she posted to her friends that morning that she had a wonderful breakfast. Her passing ignites the world in our common humanity.

We will miss them.

To those of you who were injured on April 15, know that we are here for you.

Every year during the marathon we are one family. We cheer for each other and we carry each other across finish lines. When tragedy strikes, we are also one family. We hurt together and we help together. In the weeks and months ahead your struggles will be our struggles, your pain our pain, your efforts our efforts. We will be together through sorrow and anger, rehabilitation and recovery. We will be together because we are one family.

To those who served, we honor you. In ancient times the heroes of myth and legend were part mortal, part god, for it was thought that no mortal man or woman could truly be great. This week the people of Boston and the people of this country prove the ancients wrong. Our heroes are our friends and our neighbors. They work in Copley and at Children's, and when they were called to act, they answered.

There was the man in a cowboy hat who came to Copley to hand out American flags in memory of his sons. When the bombs went off, he raced to help a young man who lost both his legs, applying a makeshift tourniquet, lifting the man into a wheelchair, and navigating him through the chaos so he could get medical attention.

There was the man who realized that spectators would be trapped by the barricades and started to remove them, only to be hit by the second blast. Battered and burned, he told me yesterday that he was glad he celebrated not because he lived but because he helped.

There were the marathoners who ran past the finish line to Mass General, unconcerned with their own sweat and tears but resolved to donate their blood.

There were the brave firefighters, police officers, EMS, and guards, coordinating the first response and bringing protection in the wake of peril.

There were world-class hospitals, doctors, nurses, and support staff who refused to accept fatigue and worked through the night.

There were friends, strangers, neighbors, and shopkeepers who gave a home to everyone who was stranded, food to those who were hungry, and comfort to all who needed it.

Across this Nation, whether on Facebook or PeopleFinder, Monday, the whole country was connected to Boston. Our city, our Commonwealth, and our country have been through a grim ordeal. We have seen terror before, but we will not be afraid, and we will not let it change us. Bostonians are tough. We are fighters, and we will not be broken.

Yesterday I met a woman who is recovering in the hospital. Badly injured, clearly in pain, she focused on getting back to work. She said that people counted on her, so she would be back soon. That is the strength and resilience of Boston. Our spirit is indomitable, our will is unyielding. Our Governor and our mayor have demonstrated unwavering resolve.

The men and women of law enforcement are hard at work. In the coming

hours, days, and weeks, when we learn more from their investigations, we will identify who did this, and we will bring them to justice.

In times of calamity, in times such as these, we must remember the words of John Winthrop, who counseled the founders of Boston:

[t]o do justly, to love mercy, to walk humbly with our God. For this end, we must be knit together, in this work, as one man. . . . We must delight in each other; make others' conditions our own; rejoice together, mourn together, labor and suffer together. . . . So shall we keep the unity of the spirit in the bond of peace.

May God bless those who have gone and leave them at peace. May He support those who survive and help them carry forward. May He protect those who serve their fellow man. And may He always watch over the people of Boston, of Massachusetts, and of these United States of America.

CONDEMNING THE HORRIFIC ATTACKS IN BOSTON, MASSACHUSETTS

Ms. WARREN. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 101, which was submitted earlier today.

The PRESIDING OFFICER.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 101) condemning the horrific attacks in Boston, Massachusetts, and expressing support, sympathy, and prayers for those impacted by this tragedy.

There being no objection, the Senate proceeded to consider the resolution.

Ms. WARREN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

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

The resolution (S. Res. 101) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolution.")

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. COWAN. Mr. President, on Monday a great Boston tradition and a historic holiday in the Commonwealth of Massachusetts were marred by a cowardly and detestable act of violence. Dozens of innocent civilians, gathered to watch an iconic, peaceful athletic event, were injured by explosions and three lives were lost. I am honored today to join the senior Senator from the Commonwealth of Massachusetts, Ms. WARREN, in offering a resolution honoring the heroes and remembering the victims of that horrible day.

We continue to pray for the injured and hope they begin to heal, and we mourn those who were killed and the families who survive them.

As a community, our hearts ached on hearing about the youngest victim,

Martin Richard, a vibrant 8-year-old boy from Dorchester—the same age as my son—who came to watch his father finish the marathon, who lost his life. We share in his family's grief and continue to send our prayers to his mother and sister, who are still in the hospital with very serious injuries.

Yesterday we struggled to watch Patty Campbell fight back tears as she talked about her beautiful and always smiling daughter Krystle. This 29-year-old woman from Arlington and Lingzi Lu, a Boston University graduate student who was from China's northeastern city of Shenyang, were also tragically taken from us by this heinous act.

Events such as those of Monday remind us that, yes, evil still exists in the world, but these events also remind us how unified and resilient the American people are. While the city of Boston witnessed terror, we also witnessed remarkable displays of bravery, support, kindness, and compassion.

The Nation and the world saw the best of the people in the Commonwealth during Monday's tragic events. Countless residents showed such strength and grace in the face of this terrible tragedy.

I am in awe of the bravery shown by our police, fire, and emergency personnel. I am so proud of the medical providers, volunteers, and spectators who rushed toward the noise and smoke to help the injured even as they themselves remained in imminent danger. They helped to evacuate the victims and worked into the night and following days to offer care and protection.

Doctors, nurses, residents, and volunteers worked and continue to work in some of the best hospitals in the Nation right there in Boston to save lives and help victims recover.

I am also grateful for the support the Commonwealth has received from the President, national law enforcement, and my colleagues here in the Congress. The people of the Commonwealth are comforted that the Federal resources needed to help care for the victims and bring to justice those responsible for this assault will be provided. We appreciate that these tangible actions by the Federal Government represent the intangible support given to us by citizens in every State across this Nation.

As we remember those lost and injured, we know that what is good about the human spirit will triumph over the cowards who attacked us. Make no mistake, we will find them and justice will be done. The city of Boston, the Commonwealth of Massachusetts, and the American people will come together and overcome this senseless tragedy. You may visit terror upon us, but we will never be terrorized.

The PRESIDING OFFICER. The Senator from Arizona.

SAFE COMMUNITIES, SAFE SCHOOLS ACT OF 2013—Continued

AMENDMENT NO. 715

Mr. MCCAIN. Mr. President, given the importance of this debate, I believe it is important for me to explain why I am supporting amendment No. 715, offered by Senators MANCHIN and TOOMEY, to S. 649, the Safe Communities, Safe Schools Act of 2013.

Like all Americans, my heart goes out to the people of Newtown, Connecticut; Aurora, Colorado; Tucson, Arizona, and all other cities and towns impacted by senseless gun violence. These tragic events are impossible to fully comprehend unless you were there and extremely difficult to relate to unless you experience the effects personally. The rest of us are left with more questions than answers, and differing—albeit well-intentioned—solutions designed to preserve our way of life while doing our best to ensure these horrible events are less likely tomorrow.

As everyone is aware, in January of 2011, the citizens of my home State—as well as people around the country and world—were shocked and horrified by the senseless violence of a severely disturbed young man with a gun. Six people were killed and 13 injured. One of those victims was a bright young Congressional staffer named Gabe Zimmerman, who was highly regarded by his colleagues and had a future filled only with promise. Yesterday, here in the Capitol at a room dedication for Gabe Zimmerman, we were provided with a very real portrait of a man who was doing what he loved, serving the people of Arizona, when his life was tragically cut short. I think his father's comments are worth repeating today. Ross Zimmerman, Gabe's father, said:

An echo of Gabriel will persist, perhaps for centuries. It isn't worth the loss, but the echo is good and true. . . . I ask that you and our descendants take inspiration from my son's echo as you conduct the affairs of this Congress and the affairs of this nation.

Another life impacted by those tragic events is that of Congresswoman Gabrielle Giffords. Her life, while still filled with great promise, was unalterably changed that fateful day. Congresswoman Giffords, and her loving husband Captain Mark Kelly—who are both with us here in Washington today to witness this debate—reflect the determination of the American spirit and are beautiful examples of how good really does triumph over evil.

Gabby, Mark and the countless other examples of heroism and resilience that America witnessed in Tucson, Aurora, Newtown and elsewhere around the Nation, are clear reminders of why we are all here serving, and the gravity of the issues we are asked to address. Their presence here today further reminds us that we are here to serve a cause greater than our own self-interest. There is nothing like looking in the eyes of a still-grieving parent who has just lost a young son or daughter to remind you of that fact.