

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

The numbers show this. Since 1980, the population of the Metro Atlanta water district has more than doubled from just over 2 million to over 5 million, and that is as a percentage of about 10.5 million people in the State as a whole in 2014. Since 2000 alone, the population of this metro area has grown by more than 1 million.

Since the formation of the Metropolitan North Georgia Water Planning District in 2001, water withdrawals in Metro Atlanta have decreased dramatically even as the population grew by more than 1 million. As a matter of fact, the consumption per capita has gone down by more than one-third.

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

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

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

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

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

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

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

I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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

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

The senior assistant legislative clerk read as follows:

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

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

The motion was agreed to.

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

The PRESIDING OFFICER. The clerk will report the bill.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2578) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Departments of Commerce and Justice, and Science, and Related Agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:

TITLE I

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of

grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to sections 3702 and 3703 of title 44, United States Code; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the International Trade Administration between two points abroad, without regard to section 40118 of title 49, United States Code; employment of citizens of the United States and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$294,300 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$473,000,000, to remain available until September 30, 2017, of which \$10,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding section 3302 of title 31, United States Code: Provided, That, of amounts provided under this heading, not less than \$16,400,000 shall be for China antidumping and countervailing duty enforcement and compliance activities: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities; and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

OFFICE OF UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by section 3109 of title 5, United States Code, \$54,250,000, of which \$1,000,000 shall remain available until expended: Provided, That section 141(a) of the Trade Act of 1974 (19 U.S.C. 2171(a)) is amended by striking "Executive Office of the President" and inserting "Department of Commerce": Provided further, That not to exceed \$124,000 shall be available for official reception and representation expenses.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of citizens of the United States and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of section 2672 of title 28, United States Code, when such claims arise in foreign countries; not to exceed \$13,500 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by section 1(b) of the Act of June 15, 1917 (40 Stat. 223; 22 U.S.C. 401(b)); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$106,500,000, to remain available until expended: Provided, That

the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION
ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, for trade adjustment assistance, and for grants authorized by section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), \$213,000,000, to remain available until expended; of which \$10,000,000 shall be for grants under such section 27.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$37,000,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, section 27 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3722), and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY
MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$30,000,000.

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

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

BUREAU OF THE CENSUS

CURRENT SURVEYS AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics, provided for by law, \$266,000,000: Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses for collecting, compiling, analyzing, preparing and publishing statistics for periodic censuses and programs provided for by law, \$862,000,000, to remain available until September 30, 2017: Provided, That, from amounts provided herein, funds may be used for promotion, outreach, and marketing activities: Provided further, That within the amounts appropriated, \$1,551,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the Bureau of the Census.

NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$38,200,000, to remain available until September 30, 2017: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, operations, and related

services, and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES,
PLANNING AND CONSTRUCTION

For the administration of prior-year grants, recoveries and unobligated balances of funds previously appropriated are available for the administration of all open grants until their expiration.

UNITED STATES PATENT AND TRADEMARK OFFICE
SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the United States Patent and Trademark Office (USPTO) provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the USPTO, \$3,272,000,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced as offsetting collections of fees and surcharges assessed and collected by the USPTO under any law are received during fiscal year 2016, so as to result in a fiscal year 2016 appropriation from the general fund estimated at \$0: Provided further, That during fiscal year 2016, should the total amount of such offsetting collections be less than \$3,272,000,000 this amount shall be reduced accordingly: Provided further, That any amount received in excess of \$3,272,000,000 in fiscal year 2016 and deposited in the Patent and Trademark Fee Reserve Fund shall remain available until expended: Provided further, That the Director of USPTO shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for any amounts made available by the preceding proviso and such spending plan shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That any amounts reprogrammed in accordance with the preceding proviso shall be transferred to the United States Patent and Trademark Office "Salaries and Expenses" account: Provided further, That from amounts provided herein, not to exceed \$900 shall be made available in fiscal year 2016 for official reception and representation expenses: Provided further, That in fiscal year 2016 from the amounts made available for "Salaries and Expenses" for the USPTO, the amounts necessary to pay (1) the difference between the percentage of basic pay contributed by the USPTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) as provided by the Office of Personnel Management (OPM) for USPTO's specific use, of basic pay, of employees subject to subchapter III of chapter 83 of that title, and (2) the present value of the otherwise unfunded accruing costs, as determined by OPM for USPTO's specific use of post-retirement life insurance and post-retirement health benefits coverage for all USPTO employees who are enrolled in Federal Employees Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI), shall be transferred to the Civil Service Retirement and Disability Fund, the FEGLI Fund, and the FEHB Fund, as appropriate, and shall be available for the authorized purposes of those accounts: Provided further, That any differences between the

present value factors published in OPM's yearly 300 series benefit letters and the factors that OPM provides for USPTO's specific use shall be recognized as an imputed cost on USPTO's financial statements, where applicable: Provided further, That, notwithstanding any other provision of law, all fees and surcharges assessed and collected by USPTO are available for USPTO only pursuant to section 42(c) of title 35, United States Code, as amended by section 22 of the Leahy-Smith America Invents Act (Public Law 112-29): Provided further, That within the amounts appropriated, \$2,000,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to the USPTO.

NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND
SERVICES

For necessary expenses of the National Institute of Standards and Technology (NIST), \$684,700,000, to remain available until expended, of which not to exceed \$9,000,000 may be transferred to the "Working Capital Fund": Provided, That not to exceed \$5,000 shall be for official reception and representation expenses: Provided further, That NIST may provide local transportation for summer undergraduate research fellowship program participants.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses for industrial technology services, \$145,000,000, to remain available until expended, of which \$130,000,000 shall be for the Hollings Manufacturing Extension Partnership, and of which \$15,000,000 shall be for the Advanced Manufacturing Technology Consortia.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by sections 13 through 15 of the National Institute of Standards and Technology Act (15 U.S.C. 278c-278e), \$63,300,000, to remain available until expended: Provided, That the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than \$5,000,000, and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$3,242,723,000, to remain available until September 30, 2017, except that funds provided for cooperative enforcement shall remain available until September 30, 2018: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding section 3302 of title 31, United States Code: Provided further, That in addition, \$130,164,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery

Products and Research Pertaining to American Fisheries", which shall only be used for fishery activities related to the Saltonstall-Kennedy Grant Program, Cooperative Research, Annual Stock Assessments, Survey and Monitoring Projects, Interjurisdictional Fisheries Grants, and Fish Information Networks: Provided further, That of the \$3,390,387,000 provided for in direct obligations under this heading, \$3,242,723,000 is appropriated from the general fund, \$130,164,000 is provided by transfer and \$17,500,000 is derived from recoveries of prior year obligations: Provided further, That the total amount available for National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$222,523,000: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That in addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$2,079,494,000, to remain available until September 30, 2018, except that funds provided for acquisition and construction of vessels and construction of facilities shall remain available until expended: Provided, That of the \$2,092,494,000 provided for in direct obligations under this heading, \$2,079,494,000 is appropriated from the general fund and \$13,000,000 is provided from recoveries of prior year obligations: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: Provided further, That the Secretary of Commerce shall include in budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition or construction project having a total of more than \$5,000,000 and simultaneously the budget justification shall include an estimate of the budgetary requirements for each such project for each of the 5 subsequent fiscal years: Provided further, That, within the amounts appropriated, \$1,302,000 shall be transferred to the "Office of Inspector General" account for activities associated with carrying out investigations and audits related to satellite procurement, acquisition and construction.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, \$65,000,000, to remain available until September 30, 2017: Provided, That, of the funds provided herein, the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and to the Federally recognized tribes of the Columbia River and Pacific Coast (including Alaska), for projects necessary for conservation of salmon and steelhead populations that are listed as threatened or endangered, or that are identified by a State as at-risk to be so listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guide-

lines to be developed by the Secretary of Commerce: Provided further, That all funds shall be allocated based on scientific and other merit principles and shall not be available for marketing activities: Provided further, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

FISHERMEN'S CONTINGENCY FUND

For carrying out the provisions of title IV of Public Law 95-372, not to exceed \$350,000, to be derived from receipts collected pursuant to that Act, to remain available until expended.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2016, obligations of direct loans may not exceed \$24,000,000 for Individual Fishing Quota loans and not to exceed \$100,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For necessary expenses for the management of the Department of Commerce provided for by law, including not to exceed \$4,500 for official reception and representation, \$56,000,000: Provided, That within amounts provided, the Secretary of Commerce may use up to \$2,500,000 to engage in activities to provide businesses and communities with information about and referrals to relevant Federal, State, and local government programs.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$30,596,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

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

SEC. 102. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901-5902).

SEC. 103. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures and equipment) not specifically provided for in this Act or any other law appropriating funds for the Department of Commerce.

SEC. 104. The requirements set forth by section 105 of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2012 (Public Law 112-55), as amended by section 105 of title I of division B of Public Law 113-6, are hereby adopted by reference and made applicable with

respect to fiscal year 2016: Provided, That the life cycle cost for the Joint Polar Satellite System is \$11,322,125,000 and the life cycle cost for the Geostationary Operational Environmental Satellite R-Series Program is \$10,828,059,000.

SEC. 105. Notwithstanding any other provision of law, the Secretary may furnish services (including but not limited to utilities, telecommunications, and security services) necessary to support the operation, maintenance, and improvement of space that persons, firms, or organizations are authorized, pursuant to the Public Buildings Cooperative Use Act of 1976 or other authority, to use or occupy in the Herbert C. Hoover Building, Washington, DC, or other buildings, the maintenance, operation, and protection of which has been delegated to the Secretary from the Administrator of General Services pursuant to the Federal Property and Administrative Services Act of 1949 on a reimbursable or non-reimbursable basis. Amounts received as reimbursement for services provided under this section or the authority under which the use or occupancy of the space is authorized, up to \$200,000, shall be credited to the appropriation or fund which initially bears the costs of such services.

SEC. 106. Nothing in this title shall be construed to prevent a grant recipient from deterring child pornography, copyright infringement, or any other unlawful activity over its networks.

SEC. 107. The Administrator of the National Oceanic and Atmospheric Administration is authorized to use, with their consent, with reimbursement and subject to the limits of available appropriations, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, or possession, or of any political subdivision thereof, or of any foreign government or international organization, for purposes related to carrying out the responsibilities of any statute administered by the National Oceanic and Atmospheric Administration.

SEC. 108. Notwithstanding section 14 of the Act of June 18, 1934 (commonly known as the "Foreign Trade Zones Act") (48 Stat. 998, chapter 590; 19 U.S.C. 81n), none of the funds provided for in this Act, or any other appropriations Act, for the Department of Commerce shall be available to enforce or carry out any activities under 15 CFR 400.43.

SEC. 109. (a) None of the funds made available by this Act or any other appropriations Act may be used by the Secretary of Commerce to manage fisheries in the Gulf of Mexico unless such management is subject to the boundaries for coastal States set out under subsection (b).

(b) Notwithstanding any other provision of law, for the purpose of fisheries management the seaward boundary of a coastal State in the Gulf of Mexico is a line 9 nautical miles seaward from the baseline from which the territorial sea of the United States is measured.

SEC. 110. The National Technical Information Service shall not charge any customer for a copy of any report or document generated by the Legislative Branch unless the Service has provided information to the customer on how an electronic copy of such report or document may be accessed and downloaded for free online. Should a customer still require the Service to provide a printed or digital copy of the report or document, the charge shall be limited to recovering the Service's cost of processing, reproducing, and delivering such report or document.

SEC. 111. To carry out the responsibilities of the National Oceanic and Atmospheric Administration (NOAA), the Administrator of NOAA is authorized to: (1) enter into grants and cooperative agreements with; (2) use on a non-reimbursable basis land, services, equipment, personnel, and facilities provided by; and (3) receive and expend funds made available on a consensual

basis from: a Federal agency, State or subdivision thereof, local government, tribal government, territory, or possession or any subdivisions thereof: Provided, That funds received for permitting and related regulatory activities pursuant to this section shall be deposited under the heading "National Oceanic and Atmospheric Administration—Operations, Research, and Facilities" and shall remain available until September 30, 2018 for such purposes: Provided further, That all funds within this section and their corresponding uses are subject to section 505 of this Act.

SEC. 112. The Secretary of Commerce may waive the requirement for bonds under 40 U.S.C. 3131 with respect to contracts for the construction, alteration, or repair of vessels, regardless of the terms of the contracts as to payment or title, when the contract is made under the Coast and Geodetic Survey Act of 1947 (33 U.S.C. 883a et seq.).

SEC. 113. Amounts provided by this Act or by any prior appropriations Act that remain available for obligation, for necessary expenses of the programs of the Economics and Statistics Administration of the Department of Commerce, including amounts provided for programs of the Bureau of Economic Analysis and the U.S. Census Bureau, shall be available for expenses of cooperative agreements with appropriate entities, including any Federal, State, or local governmental unit, or institution of higher education, to aid and promote statistical, research, and methodology activities which further the purposes for which such amounts have been made available.

This title may be cited as the "Department of Commerce Appropriations Act, 2016".

TITLE II

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$109,000,000, of which not to exceed \$4,000,000 for security and construction of Department of Justice facilities shall remain available until expended.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and departmental direction, \$25,842,000, to remain available until expended: Provided, That the Attorney General may transfer up to \$34,400,000 to this account, from funds made available to the Department of Justice in this Act for information technology, to remain available until expended, for enterprise-wide information technology initiatives: Provided further, That the transfer authority in the preceding proviso is in addition to any other transfer authority contained in this Act.

ADMINISTRATIVE REVIEW AND APPEALS

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, \$411,072,000, of which \$4,000,000 shall be derived by transfer from the Executive Office for Immigration Review fees deposited in the "Immigration Examinations Fee" account: Provided, That, of the amount available for the Executive Office for Immigration Review, not to exceed \$15,000,000 shall remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$89,000,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, \$13,308,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$885,000,000, of which not to exceed \$20,000,000 for litigation support contracts shall remain available until expended: Provided, That of the amount provided for INTERPOL Washington dues payments, not to exceed \$685,000 shall remain available until expended: Provided further, That of the total amount appropriated, not to exceed \$9,000 shall be available to INTERPOL Washington for official reception and representation expenses: Provided further, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That of the amount appropriated, such sums as may be necessary shall be available to the Civil Rights Division for salaries and expenses associated with the election monitoring program under section 8 of the Voting Rights Act of 1965 (52 U.S.C. 10305) and to reimburse the Office of Personnel Management for such salaries and expenses: Provided further, That of the amounts provided under this heading for the election monitoring program, \$3,390,000 shall remain available until expended.

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

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$162,246,000, to remain available until expended: Provided, That notwithstanding any other provision of law, fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection (and estimated to be \$124,000,000 in fiscal year 2016), shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the general fund estimated at \$38,246,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

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

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, \$225,908,000, to remain available until expended and to be de-

rived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, \$162,000,000 of offsetting collections pursuant to section 589a(b) of title 28, United States Code, shall be retained and used for necessary expenses in this appropriation and shall remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2016, so as to result in a final fiscal year 2016 appropriation from the Fund estimated at \$63,908,000.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by section 3109 of title 5, United States Code, \$2,374,000.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, and for expenses of foreign counsel, \$270,000,000, to remain available until expended, of which not to exceed \$16,000,000 is for construction of buildings for protected witness safesites; not to exceed \$3,000,000 is for the purchase and maintenance of armored and other vehicles for witness security caravans; and not to exceed \$13,000,000 is for the purchase, installation, maintenance, and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses: Provided, That amounts made under this heading may not be transferred pursuant to section 205 of this Act.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, \$14,446,000: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by subparagraphs (B), (F), and (G) of section 524(c)(1) of title 28, United States Code, \$20,514,000, to be derived from the Department of Justice Assets Forfeiture Fund.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$1,195,000,000, of which not to exceed \$6,000 shall be available for official reception and representation expenses, and not to exceed \$15,000,000 shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service for prisoner holding and related support, \$9,800,000, to remain available until expended.

FEDERAL PRISONER DETENTION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses related to United States prisoners in the custody of the United

States Marshals Service as authorized by section 4013 of title 18, United States Code, \$1,454,414,000, to remain available until expended: Provided, That not to exceed \$20,000,000 shall be considered "funds appropriated for State and local law enforcement assistance" pursuant to section 4013(b) of title 18, United States Code: Provided further, That the United States Marshals Service shall be responsible for managing the Justice Prisoner and Alien Transportation System: Provided further, That any unobligated balances available from funds appropriated under the heading "General Administration, Detention Trustee" shall be transferred to and merged with the appropriation under this heading.

NATIONAL SECURITY DIVISION

SALARIES AND EXPENSES

For expenses necessary to carry out the activities of the National Security Division, \$93,000,000, of which not to exceed \$5,000,000 for information technology systems shall remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for the activities of the National Security Division, the Attorney General may transfer such amounts to this heading from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$507,194,000, of which \$50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States, \$8,433,492,000, of which not to exceed \$216,900,000 shall remain available until expended: Provided, That not to exceed \$184,500 shall be available for official reception and representation expenses.

CONSTRUCTION

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

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to section 530C of title 28, United States Code; and expenses for

conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs, \$2,033,320,000; of which not to exceed \$75,000,000 shall remain available until expended and not to exceed \$90,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, \$1,201,000,000, of which not to exceed \$36,000 shall be for official reception and representation expenses, not to exceed \$1,000 shall be available for the payment of attorneys' fees as provided by section 924(d)(2) of title 18, United States Code, and not to exceed \$20,000,000 shall remain available until expended: Provided, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$6,848,000,000: Provided, That the Attorney General may transfer to the Department of Health and Human Services such amounts as may be necessary for direct expenditures by that Department for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent or fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed \$5,400 shall be available for official reception and representation expenses: Provided further, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, 2017: Provided further, That, of the amounts provided for contract confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past, notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses, or other custodial facilities: Provided further, That, notwithstanding section

1345 of title 31, United States Code, or any other provision of law, up to \$540,000 may be used to pay expenses associated with reentry programs to assist inmates in preparation for successful return to the community, including prison institution and Residential Reentry Center programs that involve inmates' family members and significant others, community sponsors, and volunteers.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$106,000,000, to remain available until expended, and of which not less than \$81,000,000 shall be available only for modernization, maintenance and repair, and of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation.

LIMITATION ON ADMINISTRATIVE EXPENSES,

FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$2,700,000 of the funds of the Federal Prison Industries, Incorporated, shall be available for its administrative expenses, and for services as authorized by section 3109 of title 5, United States Code, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

STATE AND LOCAL LAW ENFORCEMENT

ACTIVITIES

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women, as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5601 et seq.) ("the 1974 Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) ("the 2000 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); and the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); and for related victims services, \$479,000,000, to remain

available until expended, of which \$245,000,000 shall be derived by transfer from amounts available for obligation in this Act from the Fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601), notwithstanding section 1402(d) of such Act of 1984: Provided, That except as otherwise provided by law, not to exceed 5 percent of funds made available under this heading may be used for expenses related to evaluation, training, and technical assistance: Provided further, That of the amount provided—

(1) \$215,000,000 is for grants to combat violence against women, as authorized by part T of the 1968 Act;

(2) \$30,000,000 is for transitional housing assistance grants for victims of domestic violence, dating violence, stalking, or sexual assault as authorized by section 40299 of the 1994 Act;

(3) \$3,000,000 is for the National Institute of Justice for research and evaluation of violence against women and related issues addressed by grant programs of the Office on Violence Against Women, which shall be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(4) \$11,000,000 is for a grant program to provide services to advocate for and respond to youth victims of domestic violence, dating violence, sexual assault, and stalking; assistance to children and youth exposed to such violence; programs to engage men and youth in preventing such violence; and assistance to middle and high school students through education and other services related to such violence: Provided, That unobligated balances available for the programs authorized by sections 41201, 41204, 41303 and 41305 of the 1994 Act, prior to its amendment by the 2013 Act, shall be available for this program: Provided further, That 10 percent of the total amount available for this grant program shall be available for grants under the program authorized by section 2015 of the 1968 Act: Provided further, That the definitions and grant conditions in section 40002 of the 1994 Act shall apply to this program;

(5) \$51,000,000 is for grants to encourage arrest policies as authorized by part U of the 1968 Act, of which \$4,000,000 is for a homicide reduction initiative;

(6) \$35,000,000 is for sexual assault victims assistance, as authorized by section 41601 of the 1994 Act;

(7) \$35,000,000 is for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295 of the 1994 Act;

(8) \$20,000,000 is for grants to reduce violent crimes against women on campus, as authorized by section 304 of the 2005 Act;

(9) \$45,000,000 is for legal assistance for victims, as authorized by section 1201 of the 2000 Act;

(10) \$5,000,000 is for enhanced training and services to end violence against and abuse of women in later life, as authorized by section 40802 of the 1994 Act;

(11) \$16,000,000 is for grants to support families in the justice system, as authorized by section 1301 of the 2000 Act: Provided, That unobligated balances available for the programs authorized by section 1301 of the 2000 Act and section 41002 of the 1994 Act, prior to their amendment by the 2013 Act, shall be available for this program;

(12) \$6,000,000 is for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402 of the 2000 Act;

(13) \$500,000 is for the National Resource Center on Workplace Responses to assist victims of domestic violence, as authorized by section 41501 of the 1994 Act;

(14) \$1,000,000 is for analysis and research on violence against Indian women, including as authorized by section 904 of the 2005 Act: Provided, That such funds may be transferred to "Research, Evaluation and Statistics" for administration by the Office of Justice Programs;

(15) \$500,000 is for a national clearinghouse that provides training and technical assistance on issues relating to sexual assault of American Indian and Alaska Native women; and

(16) \$5,000,000 is for grants to assist tribal governments in exercising special domestic violence criminal jurisdiction, as authorized by section 904 of the 2013 Act: Provided, That the grant conditions in section 40002(b) of the 1994 Act shall apply to this program.

OFFICE OF JUSTICE PROGRAMS

RESEARCH, EVALUATION AND STATISTICS

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Justice for All Act of 2004 (Public Law 108-405); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Victims of Child Abuse Act of 1990 (Public Law 101-647); the Second Chance Act of 2007 (Public Law 110-199); the Victims of Crime Act of 1984 (Public Law 98-473); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); and other programs, \$117,000,000, to remain available until expended, of which—

(1) \$41,000,000 is for criminal justice statistics programs, and other activities, as authorized by part C of title I of the 1968 Act;

(2) \$36,000,000 is for research, development, and evaluation programs, and other activities as authorized by part B of title I of the 1968 Act and subtitle D of title II of the 2002 Act;

(3) \$35,000,000 is for regional information sharing activities, as authorized by part M of title I of the 1968 Act; and

(4) \$5,000,000 is for activities to strengthen and enhance the practice of forensic sciences, of which \$4,000,000 is for transfer to the National Institute of Standards and Technology to support Scientific Area Committees.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Justice for All Act of 2004 (Public Law 108-405); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Trafficking Victims Protection Reauthorization Act of 2005 (Public Law 109-164); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); the NICS Improvement Amendments Act of 2007 (Public Law 110-180); subtitle D of title II of the Homeland Security Act of 2002 (Public Law 107-296) ("the 2002 Act"); the Second Chance Act of 2007 (Public Law 110-199); the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110-403); the Victims of Crime Act of 1984 (Public Law 98-473); the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416); the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); and other programs,

\$1,009,000,000, to remain available until expended as follows—

(1) \$382,000,000 for the Edward Byrne Memorial Justice Assistance Grant program as authorized by subpart 1 of part E of title I of the 1968 Act (except that section 1001(c), and the special rules for Puerto Rico under section 505(g) of title I of the 1968 Act shall not apply for purposes of this Act), of which, notwithstanding such subpart 1, \$15,000,000 is for a Preventing Violence Against Law Enforcement Officer Resilience and Survivability Initiative (VALOR), \$10,000,000 is for an initiative to support evidence-based policing, \$2,500,000 is for an initiative to enhance prosecutorial decision-making, \$15,000,000 is for an Edward Byrne Memorial criminal justice innovation program, \$20,000,000 is for a competitive matching grant program for purchases of body-worn cameras for State, local and tribal law enforcement, and \$2,400,000 is for the operationalization, maintenance and expansion of the National Missing and Unidentified Persons System;

(2) \$75,000,000 for the State Criminal Alien Assistance Program, as authorized by section 241(i)(5) of the Immigration and Nationality Act (8 U.S.C. 1231(i)(5)); Provided, That no jurisdiction shall request compensation for any cost greater than the actual cost for Federal immigration and other detainees housed in State and local detention facilities;

(3) \$41,000,000 for Drug Courts, as authorized by section 1001(a)(25)(A) of title I of the 1968 Act;

(4) \$10,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act, and the Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008 (Public Law 110-416);

(5) \$12,000,000 for grants for Residential Substance Abuse Treatment for State Prisoners, as authorized by part S of title I of the 1968 Act;

(6) \$4,000,000 for the Capital Litigation Improvement Grant Program, as authorized by section 426 of Public Law 108-405, and for grants for wrongful conviction review;

(7) \$13,000,000 for economic, high technology and Internet crime prevention grants, including as authorized by section 401 of Public Law 110-403, of which not more than \$2,500,000 is for intellectual property enforcement grants, including as authorized by Section 401 of Public Law 110-403;

(8) \$3,000,000 for a student loan repayment assistance program pursuant to section 952 of Public Law 110-315;

(9) \$20,000,000 for sex offender management assistance, as authorized by the Adam Walsh Act, and related activities;

(10) \$22,500,000 for the matching grant program for law enforcement armor vests, as authorized by section 2501 of title I of the 1968 Act: Provided, That \$1,500,000 is transferred directly to the National Institute of Standards and Technology's Office of Law Enforcement Standards for research, testing and evaluation programs;

(11) \$1,000,000 for the National Sex Offender Public Website;

(12) \$8,500,000 for competitive and evidence-based programs to reduce gun crime and gang violence;

(13) \$55,000,000 for grants to States to upgrade criminal and mental health records for the National Instant Criminal Background Check System, of which no less than \$12,000,000 shall be for grants made under the authorities of the NICS Improvement Amendments Act of 2007 (Public Law 110-180);

(14) \$15,000,000 for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act;

(15) \$125,000,000 for DNA-related and forensic programs and activities, of which—

(A) \$117,000,000 is for a DNA analysis and capacity enhancement program and for other

local, State, and Federal forensic activities, including the purposes authorized under section 2 of the DNA Analysis Backlog Elimination Act of 2000 (Public Law 106-546) (the Debbie Smith DNA Backlog Grant Program): Provided, That up to 4 percent of funds made available under this paragraph may be used for the purposes described in the DNA Training and Education for Law Enforcement, Correctional Personnel, and Court Officers program (Public Law 108-405, section 303);

(B) \$4,000,000 is for the purposes described in the Kirk Bloodsworth Post-Conviction DNA Testing Program (Public Law 108-405, section 412); and

(C) \$4,000,000 is for Sexual Assault Forensic Exam Program grants, including as authorized by section 304 of Public Law 108-405;

(16) \$41,000,000 for a grant program for community-based sexual assault response reform;

(17) \$68,000,000 for offender reentry programs and research, as authorized by the Second Chance Act of 2007 (Public Law 110-199), without regard to the time limitations specified at section 6(1) of such Act, of which not to exceed \$6,000,000 is for a program to improve State, local, and tribal probation or parole supervision efforts and strategies, and \$5,000,000 is for Children of Incarcerated Parents Demonstrations to enhance and maintain parental and family relationships for incarcerated parents as a reentry or recidivism reduction strategy: Provided, That up to \$7,500,000 of funds made available in this paragraph may be used for performance-based awards for Pay for Success projects, of which up to \$5,000,000 shall be for Pay for Success programs implementing the Permanent Supportive Housing Model;

(18) \$5,000,000 for a veterans treatment courts program;

(19) \$7,000,000 for a program to monitor prescription drugs and scheduled listed chemical products;

(20) \$22,000,000 for a justice reinvestment initiative, for activities related to criminal justice reform and recidivism reduction;

(21) \$4,000,000 for additional replication sites employing the Project HOPE Opportunity Probation with Enforcement model implementing swift and certain sanctions in probation, and for a research project on the effectiveness of the model; and

(22) \$75,000,000 for the Comprehensive School Safety Initiative, and for related hiring: Provided, That section 213 of this Act shall not apply with respect to the amount made available in this paragraph:

Provided, That, if a unit of local government uses any of the funds made available under this heading to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public sector safety service.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"); the Missing Children's Assistance Act (42 U.S.C. 5771 et seq.); the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Victims of Child Abuse Act of 1990 (Public Law 101-647) ("the 1990 Act"); the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248) ("the Adam Walsh Act"); the PROTECT Our Children Act of 2008 (Public Law 110-401); the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4) ("the 2013 Act"); and other juvenile justice programs, \$253,500,000, to remain available until expended as follows—

(1) \$65,500,000 for programs authorized by section 221 of the 1974 Act, and for training and

technical assistance to assist small, nonprofit organizations with the Federal grants process: Provided, That of the amounts provided under this paragraph, \$500,000 shall be for a competitive demonstration grant program to support emergency planning among State, local and tribal juvenile justice residential facilities;

(2) \$75,000,000 for youth mentoring grants;

(3) \$40,000,000 for delinquency prevention, as authorized by section 505 of the 1974 Act, of which, pursuant to sections 261 and 262 thereof—

(A) \$10,000,000 shall be for the Tribal Youth Program;

(B) \$5,000,000 shall be for gang and youth violence education, prevention and intervention, and related activities;

(4) \$68,000,000 for missing and exploited children programs, including as authorized by sections 404(b) and 405(a) of the 1974 Act (except that section 102(b)(4)(B) of the PROTECT Our Children Act of 2008 (Public Law 110-401) shall not apply for purposes of this Act);

(5) \$500,000 for an Internet site providing information and resources on children of incarcerated parents;

(6) \$2,000,000 for competitive grants focusing on girls in the juvenile justice system; and

(7) \$2,500,000 for a program to improve juvenile indigent defense:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: Provided further, That not more than 2 percent of the amounts designated under paragraphs (1) through (3) may be used for training and technical assistance: Provided further, That the two preceding provisos shall not apply to grants and projects administered pursuant to sections 261 and 262 of the 1974 Act and to missing and exploited children programs.

PUBLIC SAFETY OFFICER BENEFITS

For payments and expenses authorized under section 1001(a)(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, such sums as are necessary (including amounts for administrative costs), to remain available until expended; and \$16,300,000 for payments authorized by section 1201(b) of such Act and for educational assistance authorized by section 1218 of such Act, to remain available until expended: Provided, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for such disability and education payments, the Attorney General may transfer such amounts to "Public Safety Officer Benefits" from available appropriations for the Department of Justice as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the preceding proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

COMMUNITY ORIENTED POLICING SERVICES

COMMUNITY ORIENTED POLICING SERVICES PROGRAMS

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162) ("the 2005 Act"), \$212,000,000, to remain available until expended: Provided, That any balances made available through prior year deobligations shall only be available in accordance with section 505 of this Act: Provided further, That of the amount provided under this heading—

(1) \$11,000,000 is for anti-methamphetamine-related activities, which shall be transferred to the Drug Enforcement Administration upon enactment of this Act;

(2) \$187,000,000 is for grants under section 1701 of title I of the 1968 Act (42 U.S.C. 3796dd) for the hiring and rehiring of additional career law enforcement officers under part Q of such title notwithstanding subsection (i) of such section: Provided, That, notwithstanding section 1704(c) of such title (42 U.S.C. 3796dd-3(c)), funding for hiring or rehiring a career law enforcement officer may not exceed \$125,000 unless the Director of the Office of Community Oriented Policing Services grants a waiver from this limitation: Provided further, That within the amounts appropriated under this paragraph, \$30,000,000 is for improving tribal law enforcement, including hiring, equipment, training, and anti-methamphetamine activities: Provided further, That of the amounts appropriated under this paragraph, \$10,000,000 is for community policing development activities in furtherance of the purposes in section 1701: Provided further, That within the amounts appropriated under this paragraph, \$10,000,000 is for the collaborative reform model of technical assistance in furtherance of the purposes in section 1701;

(3) \$7,000,000 is for competitive grants to State law enforcement agencies in States with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures: Provided, That funds appropriated under this paragraph shall be utilized for investigative purposes to locate or investigate illicit activities, including precursor diversion, laboratories, or methamphetamine traffickers; and

(4) \$7,000,000 is for competitive grants to state-wide law enforcement agencies in States with high rates of primary treatment admissions for heroin and other opioids: Provided, That these funds shall be utilized for investigative purposes to locate or investigate illicit activities, including activities related to the distribution of heroin or unlawful distribution of prescription opioids, or unlawful heroin and prescription opioid traffickers through statewide collaboration.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

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

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

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

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

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

SEC. 206. Funds appropriated by this or any other Act under the heading “Bureau of Alcohol, Tobacco, Firearms, and Explosives, Salaries and Expenses” shall be available for retention pay for any employee who would otherwise be subject to a reduction in pay upon termination of the Bureau’s Personnel Management Demonstration Project (as transferred to the Attorney General by section 1115 of the Homeland Security Act of 2002, Public Law 107–296 (28 U.S.C. 599B)): Provided, That such retention pay shall comply with section 5363 of title 5, United States Code, and related Office of Personnel Management regulations, except as provided in this section: Provided further, That such retention pay shall be paid at the employee’s rate of pay immediately prior to the termination of the demonstration project and shall not be subject to the limitation set forth in section 5304(g)(1) of title 5, United States Code, and related regulations.

SEC. 207. None of the funds made available under this title may be used by the Federal Bureau of Prisons or the United States Marshals Service for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 208. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, or to rent or purchase audiovisual or electronic media or equipment used primarily for recreational purposes.

(b) Subsection (a) does not preclude the rental, maintenance, or purchase of audiovisual or electronic media or equipment for inmate training, religious, or educational programs.

SEC. 209. None of the funds made available under this title shall be obligated or expended for any new or enhanced information technology program having total estimated development costs in excess of \$100,000,000, unless the Deputy Attorney General and the investment review board certify to the Committees on Appropriations of the House of Representatives and the Senate that the information technology program has appropriate program management controls and contractor oversight mechanisms in place, and that the program is compatible with the enterprise architecture of the Department of Justice.

SEC. 210. The notification thresholds and procedures set forth in section 505 of this Act shall apply to deviations from the amounts designated for specific activities in this Act and in the accompanying report and to any use of deobligated balances of funds provided under this title in previous years.

SEC. 211. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A–76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

SEC. 212. Notwithstanding any other provision of law, no funds shall be available for the salary, benefits, or expenses of any United States Attorney assigned dual or additional responsibilities by the Attorney General or his designee that exempt that United States Attorney from the residency requirements of section 545 of title 28, United States Code.

SEC. 213. At the discretion of the Attorney General, and in addition to any amounts that otherwise may be available (or authorized to be made available) by law, with respect to funds appropriated by this title under the headings “Research, Evaluation and Statistics”, “State and Local Law Enforcement Assistance”, and “Juvenile Justice Programs”—

(1) up to 3 percent of funds made available to the Office of Justice Programs for grant or reim-

bursment programs may be used by such Office to provide training and technical assistance;

(2) up to 2 percent of funds made available for grant or reimbursement programs under such headings, except for amounts appropriated specifically for research, evaluation, or statistical programs administered by the National Institute of Justice and the Bureau of Justice Statistics, shall be transferred to and merged with funds provided to the National Institute of Justice and the Bureau of Justice Statistics, to be used by them for research, evaluation, or statistical purposes, without regard to the authorizations for such grant or reimbursement programs; and

(3) up to 7 percent of funds made available for grant or reimbursement programs: (1) under the heading “State and Local Law Enforcement Assistance”; or (2) under the headings “Research, Evaluation, and Statistics” and “Juvenile Justice Programs”, to be transferred to and merged with funds made available under the heading “State and Local Law Enforcement Assistance”, shall be available for tribal criminal justice assistance without regard to the authorizations for such grant or reimbursement programs.

SEC. 214. Upon request by a grantee for whom the Attorney General has determined there is a fiscal hardship, the Attorney General may, with respect to funds appropriated in this or any other Act making appropriations for fiscal years 2013 through 2016 for the following programs, waive the following requirements:

(1) For the adult and juvenile offender State and local reentry demonstration projects under part FF of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3797u(g)(1)), the requirements under section 2976(g)(1) of such part.

(2) For State, Tribal, and local reentry courts under part FF of title I of such Act of 1968 (42 U.S.C. 3797w–2(e)(1) and (2)), the requirements under section 2978(e)(1) and (2) of such part.

(3) For the prosecution drug treatment alternatives to prison program under part CC of title I of such Act of 1968 (42 U.S.C. 3797q–3), the requirements under section 2904 of such part.

(4) For grants to protect inmates and safeguard communities as authorized by section 6 of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15605(c)(3)), the requirements of section 6(c)(3) of such Act.

SEC. 215. Notwithstanding any other provision of law, section 20109(a) of subtitle A of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)) shall not apply to amounts made available by this or any other Act.

SEC. 216. None of the funds made available under this Act, other than for the national instant criminal background check system established under section 103 of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note), may be used by a Federal law enforcement officer to facilitate the transfer of an operable firearm to an individual if the Federal law enforcement officer knows or suspects that the individual is an agent of a drug cartel, unless law enforcement personnel of the United States continuously monitor or control the firearm at all times.

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

SEC. 218. Section 8(e) of Public Law 108–79 (42 U.S.C. 15607(e)) shall not apply to funds appropriated to or administered by the Office on Vio-

lence Against Women, including funds appropriated in previous appropriations acts that remain available for obligation.

SEC. 219. Discretionary funds that are made available in this Act for the Office of Justice Programs may be used to participate in Performance Partnership Pilots authorized under section 526 of division H of Public Law 113–76, section 524 of division G of Public Law 113–235, and such authorities as are enacted for Performance Partnership Pilots in an appropriations Act for fiscal year 2016.

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

TITLE III

SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 et seq.), hire of passenger motor vehicles, and services as authorized by section 3109 of title 5, United States Code, not to exceed \$2,250 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,555,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE

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

AERONAUTICS

For necessary expenses, not otherwise provided for, in the conduct and support of aeronautics research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$524,700,000, to remain available until September 30, 2017.

SPACE TECHNOLOGY

For necessary expenses, not otherwise provided for, in the conduct and support of space technology research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight,

spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$600,000,000, to remain available until September 30, 2017: Provided, That \$150,000,000 shall be for the RESTORE satellite servicing program for completion of pre-formulation and initiation of formulation activities for RESTORE, and such funds are independent of the asteroid rendezvous mission or satellite servicing demonstration activities on the International Space Station.

EXPLORATION

For necessary expenses, not otherwise provided for, in the conduct and support of exploration research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$3,831,200,000, to remain available until September 30, 2017: Provided, That not less than \$1,200,000,000 shall be for the Orion Multi-Purpose Crew Vehicle: Provided further, That not less than \$2,310,000,000 shall be for the Space Launch System, which shall have a lift capability not less than 130 metric tons and which shall have an upper stage and other core elements developed simultaneously: Provided further, That of the funds made available for the Space Launch System, \$1,900,000,000 shall be for launch vehicle development and \$410,000,000 shall be for exploration ground systems: Provided further, That the National Aeronautics and Space Administration (NASA) shall provide to the Committees on Appropriations of the House of Representatives and the Senate, concurrent with the annual budget submission, a 5 year budget profile and funding projection that adheres to a 70 percent Joint Confidence Level (JCL) and is consistent with the Key Decision Point C (KDP-C) for the Space Launch System and with the future KDP-C for the Orion Multi-Purpose Crew Vehicle: Provided further, That funds made available for the Orion Multi-Purpose Crew Vehicle and Space Launch System are in addition to funds provided for these programs under the "Construction and Environmental Compliance and Restoration" heading: Provided further, That \$321,200,000 shall be for exploration research and development.

SPACE OPERATIONS

For necessary expenses, not otherwise provided for, in the conduct and support of space operations research and development activities, including research, development, operations, support and services; space flight, spacecraft control and communications activities, including operations, production, and services; maintenance and repair, facility planning and design; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$4,756,400,000, to remain available until September 30, 2017.

EDUCATION

For necessary expenses, not otherwise provided for, in the conduct and support of aerospace and aeronautical education research and development activities, including research, de-

velopment, operations, support, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$108,000,000, to remain available until September 30, 2017, of which \$18,000,000 shall be for the Experimental Program to Stimulate Competitive Research and \$40,000,000 shall be for the National Space Grant College program.

SAFETY, SECURITY AND MISSION SERVICES

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics, space technology, exploration, space operations and education research and development activities, including research, development, operations, support, and services; maintenance and repair, facility planning and design; space flight, spacecraft control, and communications activities; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$63,000 for official reception and representation expenses; and purchase, lease, charter, maintenance, and operation of mission and administrative aircraft, \$2,784,000,000, to remain available until September 30, 2017.

CONSTRUCTION AND ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses for construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law, and environmental compliance and restoration, \$352,800,000, to remain available until September 30, 2021: Provided, That proceeds from leases deposited into this account shall be available for a period of 5 years to the extent and in amounts as provided in annual appropriations Acts: Provided further, That such proceeds referred to in the preceding proviso shall be available for obligation for fiscal year 2016 in an amount not to exceed \$6,905,600: Provided further, That each annual budget request shall include an annual estimate of gross receipts and collections and proposed use of all funds collected pursuant to section 20145 of title 51, United States Code.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$37,400,000, of which \$500,000 shall remain available until September 30, 2017.

ADMINISTRATIVE PROVISIONS

Funds for any announced prize otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Aeronautics and Space Administration in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers. Balances so transferred shall be merged with and available for the same purposes and the same time period as the appropriations to which transferred. Any transfer pursuant to this provision shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

The spending plan required by this Act shall be provided by NASA at the theme, program, project and activity level. The spending plan, as

well as any subsequent change of an amount established in that spending plan that meets the notification requirements of section 505 of this Act, shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

For the closeout of all Space Shuttle contracts and associated programs, amounts that have expired but have not been cancelled in the Exploration, Space Operations, Human Space Flight, Space Flight Capabilities, and Exploration Capabilities appropriations accounts shall remain available through fiscal year 2025 for the liquidation of valid obligations incurred during the period of fiscal year 2001 through fiscal year 2013.

NATIONAL SCIENCE FOUNDATION RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), and Public Law 86-209 (42 U.S.C. 1880 et seq.); services as authorized by section 3109 of title 5, United States Code; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; \$5,933,645,000, to remain available until September 30, 2017, of which not to exceed \$540,000,000 shall remain available until expended for polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including authorized travel, \$200,310,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science, mathematics and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.), including services as authorized by section 3109 of title 5, United States Code, authorized travel, and rental of conference rooms in the District of Columbia, \$866,000,000, to remain available until September 30, 2017.

AGENCY OPERATIONS AND AWARD MANAGEMENT

For agency operations and award management necessary in carrying out the National Science Foundation Act of 1950 (42 U.S.C. 1861 et seq.); services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; uniforms or allowances therefor, as authorized by sections 5901 and 5902 of title 5, United States Code; rental of conference rooms in the District of Columbia; and reimbursement of the Department of Homeland Security for security guard services; \$325,000,000: Provided, That not to exceed \$8,250 is for official reception and representation expenses: Provided further, That contracts may be entered into under this heading in fiscal year 2016 for maintenance and operation of facilities and for other services to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of

experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86-209 (42 U.S.C. 1880 et seq.), \$4,370,000: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

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

ADMINISTRATIVE PROVISION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the National Science Foundation in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers. Any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

This title may be cited as the "Science Appropriations Act, 2016".

TITLE IV

RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

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

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Equal Pay Act of 1963, the Americans with Disabilities Act of 1990, section 501 of the Rehabilitation Act of 1973, the Civil Rights Act of 1991, the Genetic Information Non-Discrimination Act (GINA) of 2008 (Public Law 110-233), the ADA Amendments Act of 2008 (Public Law 110-325), and the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111-2), including services as authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles as authorized by section 1343(b) of title 31, United States Code; nonmonetary awards to private citizens; and up to \$29,500,000 for payments to State and local enforcement agencies for authorized services to the Commission, \$364,500,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,250 from available funds: Provided further, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations of the House of Representatives and the Senate have been notified of such proposals, in accordance with the reprogramming requirements of section 505 of this Act: Provided further, That the Chair is authorized to accept and use any gift or donation to carry out the work of the Commission.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

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

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$385,000,000, of which \$353,000,000 is for basic field programs and required independent audits; \$4,500,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$18,500,000 is for management and grants oversight; \$4,000,000 is for client self-help and information technology; \$4,000,000 is for a Pro Bono Innovation Fund; and \$1,000,000 is for loan repayment assistance: Provided, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by section 5304 of title 5, United States Code, notwithstanding section 1005(d) of the Legal Services Corporation Act (42 U.S.C. 2996(d)): Provided further, That the authorities provided in section 205 of this Act shall be applicable to the Legal Services Corporation: Provided further, That, for the purposes of section 505 of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2015 and 2016, respectively.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.), \$3,431,000.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1984 (42 U.S.C. 10701 et seq.) \$5,121,000, of which \$500,000 shall remain available until September 30, 2017: Provided, That not to exceed \$2,250 shall be available for official reception and representation expenses: Provided further, That, for the purposes of section 505 of this Act, the State Justice Institute shall be considered an agency of the United States Government.

TITLE V

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service

through procurement contract, pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2016, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices, programs or activities; (6) contracts out or privatizes any functions or activities presently performed by Federal employees; (7) augments existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent; or (8) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress; unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

SEC. 506. (a) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

(b)(1) To the extent practicable, with respect to authorized purchases of promotional items, funds made available by this Act shall be used to purchase items that are manufactured, produced, or assembled in the United States, its territories or possessions.

(2) The term "promotional items" has the meaning given the term in OMB Circular A-87, Attachment B, Item (1)(f)(3).

SEC. 507. (a) The Departments of Commerce and Justice, the National Science Foundation, and the National Aeronautics and Space Administration shall provide to the Committees on Appropriations of the House of Representatives and the Senate a quarterly report on the status of balances of appropriations at the account level. For unobligated, uncommitted balances and unobligated, committed balances the quarterly reports shall separately identify the amounts attributable to each source year of appropriation from which the balances were derived. For balances that are obligated, but unexpended, the quarterly reports shall separately identify amounts by the year of obligation.

(b) The report described in subsection (a) shall be submitted within 30 days of the end of each quarter.

(c) If a department or agency is unable to fulfill any aspect of a reporting requirement described in subsection (a) due to a limitation of a current accounting system, the department or agency shall fulfill such aspect to the maximum

extent practicable under such accounting system and shall identify and describe in each quarterly report the extent to which such aspect is not fulfilled.

SEC. 508. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That for the Department of Commerce, this section shall also apply to actions taken for the care and protection of loan collateral or grant property.

SEC. 509. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 510. (a) Notwithstanding any other provision of law, amounts deposited or available in the Fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601) in any fiscal year in excess of \$2,602,000,000 shall not be available for obligation until the following fiscal year:

(b) Notwithstanding section 1402(d) of such Act of 1984, of the amounts available from the Fund for obligation, the following amounts shall be available without fiscal year limitation—

(1) to the Assistant Attorney General for the Office of Justice Programs—

(A) \$50,000,000 for victim services programs for victims of trafficking as authorized by section 107(b)(2) of Public Law 106-386, or programs authorized under Public Law 113-4;

(B) \$16,000,000 for an initiative relating to children exposed to violence;

(C) \$12,000,000 for the court-appointed special advocate program, as authorized by section 217 of the Victims of Child Abuse Act of 1990;

(D) \$15,000,000 for supplemental victims' services and other victim-related programs and initiatives, including research and statistics, and for tribal assistance for victims of violence;

(E) \$20,000,000 for programs authorized by the Victims of Child Abuse Act of 1990;

(F) \$3,000,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the Victims of Child Abuse Act of 1990; and

(G) \$18,000,000 for community-based violence prevention initiatives, including for public health approaches to reducing shootings and violence.

(2) to the Director of the Office for Victims of Crime, \$52,000,000 for assistance to Indian tribes only for supplementing victims' services and other victim-related programs and initiatives.

(3) to the Department of Justice Office of Inspector General, \$10,000,000 for oversight and auditing purposes.

SEC. 511. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

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

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

(b) Within 60 days after the date on which an audit described in subsection (a) by an Inspector General is completed, the Secretary, Attorney General, Administrator, Director, or President, as appropriate, shall make the results of the audit available to the public on the Internet website maintained by the Department, Administration, Foundation, or Corporation, respectively. The results shall be made available in redacted form to exclude—

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

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

(c) Any person awarded a grant or contract funded by amounts appropriated by this Act shall submit a statement to the Secretary of Commerce, the Attorney General, the Administrator, Director, or President, as appropriate, certifying that no funds derived from the grant or contract will be made available through a subcontract or in any other manner to another person who has a financial interest in the person awarded the grant or contract.

(d) The provisions of the preceding subsections of this section shall take effect 30 days after the date on which the Director of the Office of Management and Budget, in consultation with the Director of the Office of Government Ethics, determines that a uniform set of rules and requirements, substantially similar to the requirements in such subsections, consistently apply under the executive branch ethics program to all Federal departments, agencies, and entities.

SEC. 515. None of the funds appropriated or otherwise made available under this Act may be used by the Departments of Commerce and Justice, the National Aeronautics and Space Administration, or the National Science Foundation to acquire a high-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, "Standards for Security Categorization of Federal Information and Information Systems" unless the agency has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact information systems within the Federal Government and against international standards and guidelines, including those developed by NIST;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation and other appropriate agencies; and

(3) developed, in consultation with NIST and supply chain risk management experts, a mitigation strategy for any identified risks.

SEC. 516. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 517. (a) Notwithstanding any other provision of law or treaty, none of the funds appro-

priated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada;

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

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

SEC. 518. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR section 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

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

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

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

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

SEC. 520. None of the funds made available in this Act may be used to authorize or issue a national security letter in contravention of any of the following laws authorizing the Federal Bureau of Investigation to issue national security letters: The Right to Financial Privacy Act; The Electronic Communications Privacy Act; The

Fair Credit Reporting Act; The National Security Act of 1947; USA Freedom Act; and the laws amended by these Acts.

SEC. 521. If at any time during any quarter, the program manager of a project within the jurisdiction of the Departments of Commerce or Justice, the National Aeronautics and Space Administration, or the National Science Foundation totaling more than \$75,000,000 has reasonable cause to believe that the total program cost has increased by 10 percent or more, the program manager shall immediately inform the respective Secretary, Administrator, or Director. The Secretary, Administrator, or Director shall notify the House and Senate Committees on Appropriations within 30 days in writing of such increase, and shall include in such notice: the date on which such determination was made; a statement of the reasons for such increases; the action taken and proposed to be taken to control future cost growth of the project; changes made in the performance or schedule milestones and the degree to which such changes have contributed to the increase in total program costs or procurement costs; new estimates of the total project or procurement costs; and a statement validating that the project's management structure is adequate to control total project or procurement costs.

SEC. 522. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2016 until the enactment of the Intelligence Authorization Act for fiscal year 2016.

SEC. 523. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(RESCISSIONS)

SEC. 524. (a) Of the unobligated balances available to the Department of Justice, the following funds are hereby rescinded, not later than September 30, 2016, from the following accounts in the specified amounts—

- (1) "Working Capital Fund", \$55,000,000;
- (2) "Legal Activities, Assets Forfeiture Fund", \$362,945,000, of which \$58,945,000 is permanently rescinded;
- (3) "United States Marshals Service, Federal Prisoner Detention", \$69,500,000;
- (4) "Federal Bureau of Investigations, Salaries and Expenses", \$80,000,000;
- (5) "State and Local Law Enforcement Activities, Office on Violence Against Women, Violence Against Women Prevention and Prosecution Programs", \$5,020,000; and
- (6) "State and Local Law Enforcement Activities, Community Oriented Policing Services", \$10,000,000.

(b) The Department of Justice shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report no later than September 1, 2016, specifying the amount of each rescission made pursuant to subsection (a).

SEC. 525. None of the funds made available in this Act may be used to purchase first class or

premium airline travel in contravention of sections 301–10.122 through 301–10.124 of title 41 of the Code of Federal Regulations.

SEC. 526. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency, who are stationed in the United States, at any single conference occurring outside the United States unless such conference is a law enforcement training or operational conference for law enforcement personnel and the majority of Federal employees in attendance are law enforcement personnel stationed outside the United States.

SEC. 527. None of the funds appropriated or otherwise made available in this Act may be used in a manner that is inconsistent with the principal negotiating objective of the United States with respect to trade remedy laws to preserve the ability of the United States—

(1) to enforce vigorously its trade laws, including antidumping, countervailing duty, and safeguard laws;

(2) to avoid agreements that—
(A) lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies; or

(B) lessen the effectiveness of domestic and international safeguard provisions, in order to ensure that United States workers, agricultural producers, and firms can compete fully on fair terms and enjoy the benefits of reciprocal trade concessions; and

(3) to address and remedy market distortions that lead to dumping and subsidization, including overcapacity, cartelization, and market-access barriers.

SEC. 528. None of the funds appropriated or otherwise made available in this Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohamed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 529. (a) None of the funds appropriated or otherwise made available in this Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—
(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 530. To the extent practicable, funds made available in this Act should be used to purchase light bulbs that are "Energy Star" qualified or have the "Federal Energy Management Program" designation.

SEC. 531. The Director of the Office of Management and Budget shall instruct any department, agency, or instrumentality of the United States receiving funds appropriated under this Act to track undisbursed balances in expired grant accounts and include in its annual performance plan and performance and accountability reports the following:

(1) Details on future action the department, agency, or instrumentality will take to resolve undisbursed balances in expired grant accounts.

(2) The method that the department, agency, or instrumentality uses to track undisbursed balances in expired grant accounts.

(3) Identification of undisbursed balances in expired grant accounts that may be returned to the Treasury of the United States.

(4) In the preceding 3 fiscal years, details on the total number of expired grant accounts with undisbursed balances (on the first day of each fiscal year) for the department, agency, or instrumentality and the total finances that have not been obligated to a specific project remaining in the accounts.

SEC. 532. None of the funds made available by this Act may be used to pay the salaries or expenses of personnel to deny, or fail to act on, an application for the importation of any model of shotgun if—

(1) all other requirements of law with respect to the proposed importation are met; and

(2) no application for the importation of such model of shotgun, in the same configuration, had been denied by the Attorney General prior to January 1, 2011, on the basis that the shotgun was not particularly suitable for or readily adaptable to sporting purposes.

SEC. 533. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 534. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation shall submit spending plans, signed by the respective department or agency head, to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

SEC. 535. (a) The head of any executive branch department, agency, board, commission, or office funded by this Act shall submit annual reports to the Inspector General or senior ethics official for any entity without an Inspector General, regarding the costs and contracting procedures related to each conference held by any such department, agency, board, commission, or office during fiscal year 2016 for which the cost to the United States Government was more than \$100,000.

(b) Each report submitted shall include, for each conference described in subsection (a) held during the applicable period—

(1) a description of its purpose;

(2) the number of participants attending;

(3) a detailed statement of the costs to the United States Government, including—

(A) the cost of any food or beverages;

(B) the cost of any audio-visual services;

(C) the cost of employee or contractor travel to and from the conference; and

(D) a discussion of the methodology used to determine which costs relate to the conference; and

(4) a description of the contracting procedures used including—

(A) whether contracts were awarded on a competitive basis; and

(B) a discussion of any cost comparison conducted by the departmental component or office in evaluating potential contractors for the conference.

(c) Within 15 days of the date of a conference held by any executive branch department, agency, board, commission, or office funded by this Act during fiscal year 2016 for which the cost to the United States Government was more than \$20,000, the head of any such department, agency, board, commission, or office shall notify the Inspector General or senior ethics official for any entity without an Inspector General, of the date, location, and number of employees attending such conference.

(d) A grant or contract funded by amounts appropriated by this or any other appropriations Act may not be used for the purpose of defraying the costs of a banquet or conference

that is not directly and programmatically related to the purpose for which the grant or contract was awarded, such as a banquet or conference held in connection with planning, training, assessment, review, or other routine purposes related to a project funded by the grant or contract.

(e) None of the funds made available in this or any other appropriations Act may be used for travel and conference activities that are not in compliance with Office of Management and Budget Memorandum M-12-12 dated May 11, 2012 or any subsequent revisions to that memorandum.

SEC. 536. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

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

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

SEC. 539. None of the funds made available by this Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless a Federal agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

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

SEC. 541. None of the funds made available under this Act may be used in contravention of section 7606 ("Legitimacy of Industrial Hemp Research") of the Agricultural Act of 2014 (Public Law 113-79) by the Department of Justice or the Drug Enforcement Administration.

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

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

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 4685

(Purpose: In the nature of a substitute)

Mr. MCCONNELL. Mr. President, I call up the substitute amendment No. 4685 to H.R. 2578.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL], for Mr. SHELBY, proposes an amendment numbered 4685.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 4686 TO AMENDMENT NO. 4685

Mr. SHELBY. Mr. President, I call up amendment No. 4686 to the substitute amendment.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Alabama [Mr. SHELBY] proposes an amendment numbered 4686 to amendment No. 4685.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To make a technical correction)

On page 23, beginning on line 15, strike "U.S. Census Bureau," and insert "Bureau of the Census,".

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I rise this morning to encourage my colleagues on both sides of the aisle to support H.R. 2578, the Commerce, Justice, Science, and Related Agencies appropriations bill for fiscal year 2017.

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

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

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

The Commerce-Justice-Science bill before us meets the subcommittee's allocation of \$56.3 billion in discretionary spending. This level is \$563 million above the fiscal year 2016 enacted amount and is \$1.6 billion above the budget request. However, when taking out scorekeeping adjustments and comparing true spending, this bill is actually \$1.83 million below the President's request.

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

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

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

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

This committee remains supportive of science and innovation by maintaining healthy funding for the National Science Foundation, while preserving a balanced space program within NASA. The budget request that NASA presented to Congress included, I believe, a disingenuous combination of discretionary spending and an unprecedented amount of funding disguised as mandatory spending. The truth is that NASA's request only totaled \$18.2 billion—a cut of \$1 billion from what Congress provided last year. These cuts, if they were enacted, would erode ongoing science missions, delay exploration launches, and stifle American innovation.

In contrast to the budget request, the bill now before us funds NASA at \$19.3 billion, preserving the funding Congress provided in 2016. This level makes it possible for the agency to continue supporting ongoing science and exploration missions, especially the Space

Launch System and the Orion capsule development, which are both in critical stages of development.

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

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

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

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

First of all, we actually were going to bring a bill that was bipartisan, and I was going to join with my colleague of so many years, Senator SHELBY of Alabama, where we have worked together, where we have tried to come up with how we meet the needs of the

United States of America to protect our citizens, to make sure that we are the country of innovation and discovery, and that we do this in a way that is also fiscally responsible. In order to have bipartisanship, you must start with friendship. Senator SHELBY and I have developed that over the years based on mutual respect, candor, civility, and consultation. I was looking forward to bringing the bill based on context.

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

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

I want to say to America, first of all, that in the underlying bill we really worked hard to make America safe. The Senate CJS bill includes \$3.7 billion to protect Americans from terrorism and to respond to growing threats and incidents. With Senator SHELBY leading the way and working with me, we worked to help the FBI transform from fighting bank robbers to fighting ISIL and lone wolves. The bulk of the Department of Justice, or DOJ, counterterrorism funding is for the FBI—\$3.5 billion to uncover and disrupt plots against America. For example, we fund the Joint Terrorism Task Force, where all the agencies work together in 104 cities. We make sure we have a watch list through the Terrorist Screening Center of individual investigations resulting in arrests for those who seek to join ISIL in Syria. This legislation, this appropriations bill before us, also funds something called the National Security Division—\$95 million to make sure we

have the prosecutors, law enforcement, and coordinated intelligence communities to make the case against terrorism. We fund the Office of the U.S. Attorneys at \$51 million, and we also make sure that when we catch the bad guys they go to Federal prison.

Also, we help local law enforcement to train and respond to the active shooter incidents. In the last decade, we have had to respond to 160 incidents in which there was an active shooter trying to commit mass murder. Overall, the bill contains a 1-percent increase for Federal law enforcement. It is what we could do with our budget allocation, but that is not enough. Our tight allocation means we can't afford the resources to respond to the threats of America and stay within the budget caps. The FBI needs the right tools, the right technology, and the right training to stop terrorists before they act to uncover these lone-wolf and organized operations. That is why later on in the bill, I will offer an amendment for emergency funding for the FBI to add \$170 million to fight terrorism, whether it originates overseas or here in the United States. We have helped with emergency supplemental funding for the FBI before, every year between 2001 and 2008, but the threat is growing with emergencies now.

But Sunday's attack was also a hate crime. No hate crime should be tolerated against any community or any group, ever. America's strength lies in its diversity. We also have to stay together, and we have to stand strong in denouncing prejudice and violence directed at any group. We must speak out against hate in any form.

I, too, want to express my condolences to those people who died in Orlando. I also want to express my condolences to their family members, to the injured, and to all who will bear the permanent impact of this.

This bill is also a way of showing that we are serious about hate crimes. The bill that Senator SHELBY and I brought here maintains funding for the Civil Rights Division of \$148 million to enforce anti-discrimination laws. We worked with Assistant Attorney General Gupta and her colleagues to keep schools, workplaces, and companies safe and free from intolerance and discrimination. But again, there, we need more help, and I hope to add \$30 million to that agency to fight discrimination. Hearing the strong cries across the country, I know there will be those who will be calling for action on gun control. Senator FEINSTEIN and others will speak later on today on that.

In terms of what just happened—it happened in Orlando, but it happened in Newtown and so on—I think we have a good response in the bill, and I think there are good pending amendments. But I also want to speak to the other part of the bill. One of my big issues is jobs—jobs today and jobs tomorrow. In this legislation, working again with my colleague, we put money into this for jobs and innovation.

Why is innovation so important? For the companies in the S&P 500, about 80 percent of their value comes from intangible assets—patents and trademarks and research software—not bricks and mortar and inventory. That means that through innovation, companies need new knowledge to invent new products and to have new jobs. We want to win not only the Nobel Prizes, but we want to win the markets, and we have to start with research. That is why we fund the National Science Foundation at \$7.5 billion, supporting more than 11,000 research grants, and the National Institute of Standards and Technology at \$974 million to make sure that it sets our standards for products to be sold everywhere in the world. Those are American standards, not Chinese standards. We are not buying Chinese mammogram equipment. We are not buying Chinese equipment to make our cars lighter and safer. Also, we are doing important work there on cyber security.

Also, we have the National Oceanic and Atmospheric Administration. I am very proud of the work they do in terms of fisheries and our oceans and certainly their work in the Chesapeake Bay. But we also have the very important weather prediction, where, again, working with the other side of the aisle, we made sure they had the right computational capacity to be able to do the weather forecasting that we need.

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

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

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

tration and the Economic Development Administration.

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

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

MASS SHOOTING IN ORLANDO

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

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

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

As the Director of the FBI said, "Once an investigation is closed there is then no notification of any sort that is triggered by that person then attempting to purchase a firearm," when the case or cases were closed as inconclusive. That was FBI Director Comey.

Therefore, I have introduced legislation that would—if you have been questioned about a possible terrorist act—much more so if you have been put on the terrorist watch list but have been taken off because, as the Director said, that case was closed as inconclusive, his words—when you go to purchase a gun, you can purchase that gun legally. Why shouldn't the FBI be notified that

the person who has just purchased the weapon had been on the terrorist watch list? It is common sense. I don't think that even the NRA can object to this—and they are accustomed to getting their way around here—because this does not in any way inhibit the purchase of that firearm. This is after the fact of the purchase that a notification is given to the NCIS system—the National Instant Criminal Background Check System—that this person was once under investigation by the FBI and/or put on the terrorism watch list.

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

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

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

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

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

This Senator had just been elected in 2000. In the first year of my tenure in the Senate, 9/11 happened. What I saw was remarkable. This Senate came together to crowd around the Senators from New York, Connecticut, and New Jersey, offering them the unity of the Nation. At the time that we were still under the terror watch on that very evening of September 11, 2001, the Members of Congress in this Senate and the House said: We don't care. We are going to the center steps on the

east front of the U.S. Capitol Building, and we broke out in unison singing “God Bless America.” We were showing our unity.

Where is that unity now? It is being expressed in pockets around this country, and it is being expressed to those grieving in Orlando. We must do more.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Missouri.

Mr. BLUNT. Mr. President, I want to follow up on the remarks of our friend Senator NELSON from Florida.

Let me first say a couple of things about the bill that is on the floor. This is a challenging bill to bring to the floor. Senator SHELBY is the chairman of the committee. He has done a great job on bringing a bill to the floor. It is not the bill he would have written if he were writing the bill by himself. Senator MIKULSKI has done the same thing. By having these bills on the floor, we have a chance to let all the Senators express their views by offering amendments and voting on amendments.

This bill has some excellent things in it at a critical time and pursues a national network of manufacturing centers. A couple of years ago, Senator BROWN and I were able to get Advanced Manufacturing Centers of Excellence into the law in a way that the Commerce Department could do things that they otherwise are not able to do. This fully funds an important program that the administration zeros out every year. The victims of child abuse advocacy centers are centers where kids can go who have either been the victims of a crime or the witness to a crime and have the interview that needs to be had and have it one time, in almost all cases by somebody who knows what they are doing—a forensic interview that puts that crime on the record in a way that kids don’t have to constantly relive that moment because somebody who might be very good at interviewing adults isn’t very good at interviewing kids, someone who doesn’t understand how traumatic that moment is if you are 2, 5, or 15.

Senator COONS and I were able to put legislation on the books that extended that program a few years ago, and I am grateful to see the program fully funded, even though I am annually puzzled by why the Justice Department says we don’t need these programs for these victims. That is taken care of here.

Lots of things happened, as we should be focusing on the law enforcement community. Once again, after what happened Sunday morning, we are praising the law enforcement community. We are praising the equipment they have. I haven’t heard anybody critical of the fact that there were armored vehicles—not armed vehicles but armored vehicles—there, the BearCat they used that could perforate the wall. Those weren’t in the State capital, and the local police didn’t have to call and ask: Is it OK if we get the armored vehicle brought down here from Tallahassee? They had a vehicle.

Many of these vehicles were bought under programs that uniquely allow either funding or equipment to be transferred. When you see those holes in the wall where victims got out and law enforcement officials got in, that was the very kind of vehicle that many in this Congress were critical of just a couple of years ago when those same vehicles were being used to save lives, bring people out who had been injured in our country, and we heard a lot about the militarization of the police. We didn’t hear any of that over the weekend, and thank goodness we didn’t hear that.

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

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

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

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

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

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

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

Senator STABENOW and I have been working for a long time now to try to create an opportunity for States—back to the counseling element of this—to treat all health care, including mental health care, the same. We have a bill, the Expand Excellence in Mental Health Act, where we have had 24 States that have applied for the grant process to make a proposal to the Federal Government that would allow them to try this program for a couple of years so they can see what happens. The 8 to 24 States that are able to do this will likely find out that not only is this the right thing to do on all fronts, but it is the right thing to do in terms of health care costs generally. If we treat mental health care like we treat all other health care, all of those costs will go down.

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

This brings me to one of the points I wanted to be sure to make today. We always talk about mental health after one of these tragedies occurs. People with a mental health issue are much more likely to be the victim of a crime than they are to be the perpetrator of a crime. As we have this discussion, we want to be careful that we don’t drive people further away from an interest in seeking treatment.

If one out of four adult Americans has a diagnosable mental health issue, this is not unique. If one out of nine adult Americans has a diagnosable mental health issue that impacts how they live every day, we should be talking about this as a health care issue. Clearly, somebody who does irrational things may have a mental health concern, but we don't ever want to make the mistake that mental health and crime are somehow the same thing.

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

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

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

GUN VIOLENCE

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

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

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

The world is different today than it was at the end of last week. There is a newfound imperative for this body to find a way to come together and take action to try to do our part to stem this epidemic of gun violence and in particular this epidemic of mass shootings that plagues this Nation like no

other industrialized nation in the world. There is something fundamentally different happening in the United States that causes us to have these catastrophic-level mass shootings on almost a monthly basis. In 2015 it caused us to have 372 mass shootings. The definition of a mass shooting is when four or more people are shot at any one time. Every day results in 80 or more people being killed by guns through domestic violence, accidental shootings, and homicides.

It won't surprise you to know that for those of us who represent Connecticut, the failure of this body to do anything at all in the face of that continued slaughter isn't just painful to us, it is unconscionable. I can't tell you how hard it is to look into the eyes of the families of those little boys and girls who were killed in Sandy Hook and tell them that almost 4 years later, we have done nothing at all to reduce the likelihood that that will happen again to another family. I shudder to think what it will be like for Senator NELSON 4 years from now to talk to the parents of those who were killed this past weekend in Orlando and tell them that 4 years after Orlando and 8 years after Newtown, Congress has been utterly silent.

I have stood on this floor dozens of times talking about this subject. I often come down to tell the story of the voices of the victims of these gun homicides and mass shootings just to make sure people know who these victims are. They are real people with families. This isn't new to me, but I am at my wit's end. I have had enough. I have had enough of the ongoing slaughter of innocents, and I have had enough of the inaction in this body.

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

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

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

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

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

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

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

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

I am prepared to stand on this floor and talk about the need for this body to come together on keeping terrorists away from getting guns—through those two measures—for, frankly, as long as I can, because I know we can come together on this issue. I know there is

other really important business to be done here. I know other people have amendments they would like to call up. I know there are other issues that Senators would like to raise. But having come through the experience of Newtown, I have had enough.

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

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

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

Let me tell my colleagues what I mean about how this affects Sandy Hook in an ongoing way and why I couldn't help myself but to come down and take this stand today. The families that are dealing with this grief in Orlando are spread out all over the country and all over the greater Orlando area. It is awful. We just can't imagine—I certainly can't imagine—what it is like to lose a child. These are young men and women who died in that nightclub. But it is something different to lose a 6- or 7-year-old. It is something different when four or five of those kids lived on one road in Newtown. All of a sudden, overnight, four or five kids disappear. They are gone. It is something different when all of the other kids in that school heard those gun shots. They had to flee, stepping over the bodies of the administrators and their teachers.

That pain stays with you for a long time as a community, such that in the months and months after what happened in Sandy Hook occurred, you could be in a classroom and hear a young child scream out a word that seemed like a non sequitur. In one par-

ticular class the word was "monkey" and, every so often, we would have a student stand up and yell "monkey." That was a safe word. The teachers had worked out that if a conversation started in class about the shooting, about maybe what one kid had seen and another student didn't want to be a part of that conversation—because we remember there were survivors from these classrooms as well as from the classroom next door—if one kid didn't want to be in that conversation, then that one child would stand up and say "monkey" at the top of their lungs, and a teacher would come over and break up that conversation. I don't know why, but I think about that a lot—about a little kid standing up and screaming "monkey" in the middle of the classroom, just as a reminder of how the trauma of these events doesn't end.

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

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

Now, again, you can say what I am proposing today wouldn't have changed the result in Sandy Hook because this individual in Sandy Hook did buy the weapon with a background check through a legal means—his mother. I understand that. There is no one change in law that is going to apply to every situation. But it potentially would have been impactful in Orlando. As I am sure Senator FEINSTEIN will explain later today, there is a possibility that if her bill had been in effect, the FBI could have put this individual on a list that would have prohibited him from buying a weapon. And had we expanded background checks to make sure that they applied to Internet sales and gun show sales, then he might have been stopped in his ability to get this

weapon. We can't know that for sure, but we certainly can say that it would have been less likely that he would have been able to get that weapon and carry out this crime had those laws—again, supported by the vast majority of the American public—been in effect. And by acting, by coming together and finding a way to act on these two non-controversial measures, I think we also send an important signal to the American public and to would-be murderers that we are serious about stemming this epidemic.

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

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

Orlando is the worst mass shooting in American history. A gunman shot and killed 49 people and shot and injured at least 53 others outside of Pulse, a gay nightclub in Orlando. At about 2 o'clock in the morning on Sunday, a gunman opened fire inside Pulse, a large gay nightclub in downtown Orlando. It opened in 2004. The owner started it to, frankly, promote awareness of the area's lesbian, gay, bisexual, and transgender community, and they host monthly LGBT-related education events. There was one ununiformed Orlando police officer working security at the nightclub, along with a number of other private security officers. The police officer working security exchanged fire with the gunman after this incident began. The gunman proceeded to retreat back into the nightclub and take the remaining club-goers hostage, where he held them for three hours until 5 a.m. A SWAT team comprised of true heroes stormed the club with stun grenades and an armored vehicle. The gunman was killed in the resulting firefight. One officer was injured. Law enforcement rescued approximately 30 hostages.

In a press conference at about 10:30 that morning—we all remember this—the police indicated that 50 people were killed and 53 more were injured. The shooter was identified as Omar Seddique Mateen, 29, a U.S. citizen from St. Lucie County, FL.

We now know that this shooter became a person of interest to law enforcement in 2013 when the FBI learned that he had made comments to coworkers alleging possible terrorist ties, and again in 2014. The FBI did open an investigation into the shooter, but it was subsequently closed when they didn't think that it warranted any further investigation.

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

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

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

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

So I think it is right that we drill down today on this issue of stopping would-be terrorists from getting guns because just since 2009 this would be the sixth American mass shooting to be investigated by the FBI as an act of

terrorism. We think of terrorists as using bombs or improvised explosive devices as their weapons of choice. In fact, the reality is that over the course of the last 12 months, it has been the military assault weapon that has been the weapon of choice of would-be terrorists.

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

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

They have two narratives that they proffer in order to recruit people into their ranks: No. 1 is that the caliphate was inevitable and growing, and for a long time it was. That so-called caliphate—their geographical territory of control—was growing. No. 2 is that the East is at war with the West, that this is a fight between the Muslim faith and the Christian faith.

Well, that first narrative is not as available to them as it used to be because the people who are thinking of signing up for ISIS don't have to read too deep in the news to know that the so-called caliphate is shrinking, not growing. It doesn't look so inevitable that ISIS is going to control big portions of the Middle East for the long term. Looks like the gig might be up for them, so they are now more than ever relying on the second narrative—that this is a much broader war between the East and the West, and so lone wolf attackers in places such as Paris or Brussels or Orlando or San Bernardino become much more important to their continued international growth. So it is not without coincidence that terrorist groups have made it very clear to potential converts in the United States that a firearm works just as well as a suicide bomb. They took credit very quickly for this attack, and they are going to be hoping there are others who will go to a store and buy a powerful assault weapon and turn it on Americans. It is our duty to do everything possible to make sure that doesn't happen.

It isn't an either/or proposition. It is not fight them there or fight them

here. It is not focus on terrorism or focus on guns. It is both. It is the need to continue to support the momentum that exists on the ground in the Middle East to defeat ISIS and defeat them for good and to harden our defenses here in the United States to make sure these potential lone wolf attackers can't get access to an assault weapon.

Think about this statistic today. We know who is on the list of those who are being watched as potential terrorists, and we can match that against who has requested to buy a weapon, and the statistics are pretty stunning. Individuals on the consolidated terrorist watch list cleared a background check when seeking to obtain a gun in 91 percent of the attempted transactions between 2004 and 2014. That is a total of 2,043 successful transactions out of 2,233. There are 2,000 people, over the course of 10 years, who are on the terrorist watch list and who walked into a gun store and bought a weapon. Now, those are only the ones we know about, because 40 percent of gun sales happen outside of gun stores. So there are likely another 1,000 to 2,000 people on the terrorist watch list who got guns through other mechanisms.

If we are serious about taking on terrorism, then we have to beat these guys where they live in the Middle East, and we have to support the administration's efforts to do that and supplement them, but we also have to make sure these potential mass shooters don't get their hands on powerful weapons, especially when we know they have connections to terrorist sources. In order to do that, we have to do both. We have to put those people who are on the terrorist watch list on the list of those who are prohibited from buying weapons, and we also have to make sure that wherever that person is going to buy a weapon, they are checked to make sure they aren't a terrorist.

Mr. President, I don't know how long I will last here, but I hope I will be able to give time to our leadership to come together and try to find a path forward on legislation that will make this country safer and will acknowledge that our gun laws are part of the story—not the whole story but part of the story—as to why this mass slaughter continues in this country. I live every single day with the memory of Sandy Hook. I know this is inconvenient for the leadership and for colleagues on both sides of the aisle. I get that. Most of the time around here, I am a team player, but I have had it. I have had enough, and I just couldn't bring myself to come back to the Senate this week and pretend like this is just business as usual. We have to do something. We have to find a way to come together.

I don't know how long this will take, but I am going to stand here and continue to hold the floor while we give time for our colleagues to try to figure out a path forward to recognize that without changes in this Nation's gun

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

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

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

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

I think for Senator MURPHY and myself, the deeply emotional experience of Orlando evokes the images and sounds and sights of Newtown on that tragic day when both of us were there and witnessed the aftermath of 20 beautiful children and sixth grade educators gunned down senselessly and needlessly in an act of unimaginable and unspeakable horror.

This effort is more than about just words. This Chamber is filled with words. Rhetoric is the business of the floor of the Chamber. We are here today to seek action, and action has been too long delayed on banning gun violence, the kinds of acts of hatred and terror that happened in Orlando. Actions speak louder than words, and the Nation deserves action. Ninety percent of the American people want sensible, commonsense measures like background checks to be adopted by the Senate.

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

We need to strengthen the FBI because its investigative authority, in effect—perhaps not legally but in effect—would have been strengthened by this kind of measure, enabling anybody too dangerous to fly to also be stopped from buying a gun. This individual could have been stopped—not with any certainty, but at least the possibility is

realistically there—and its investigations might have been continued and pursued had that law been in effect. Background checks are a means to enforce existing law and prevent categories of people already deemed too dangerous to buy guns—convicted felons or drug addicts or others in those categories adopted literally decades ago with the full support of the opponents of background checks who may be in opposition now. These measures complement each other.

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

The defenses must be hardened at home. That is part of what we are seeking to do here, just as we fight abroad against terrorism that would reach our shores and threaten our security.

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

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

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

We have lived too long, and I have worked literally for decades since I first supported a ban on assault weapons in Connecticut in the early 1980s

and then defended it in court after it was adopted. These measures of protection will require steps against those kinds of assault weapons that are truly weapons of destruction, designed to kill and maim human beings as quickly as possible and as many people as possible.

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

So I ask my colleague a question, and I look forward to continuing to ask questions and working with him as part of this team today to continue the pressure that we feel must be brought to bear at this moment of national crisis, when the conscience of the nation can be evoked, when we all owe it to ourselves to search our consciences and convictions, look at ourselves in the mirror, and look the Nation in the eye and say: We must act. We cannot allow this moment in our history to pass without action.

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

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

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

Mr. MURPHY. I thank my colleague for the question, and I want to reiterate the nature of our partnership that he underscored.

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

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

who has been fighting this fight for years.

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

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

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

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

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

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

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

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

On the issue of Second Amendment rights, which Senator MURPHY has just pointed out so well, that is the law of the land. There is a Second Amendment right for law-abiding people to buy and possess firearms. But is it not true that in these measures, we are talking about people who are dangerous and who are recognized to be dangerous? That is why they are on the list. And there is also a right on their

part to remove their names from that list if there is an error or a mistake of fact that has caused them to be on that list without good reason. So these measures that bring us to the floor today acknowledge and recognize the importance of that Second Amendment right, and the potential impact of our opponents in their arguments against it—saying that there is a lack of due process and that the people will be denied that Second Amendment right—is really mistaken. Is that not correct?

Mr. MURPHY. That is true. I thank the Senator for making that patently clear.

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

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

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

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

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

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

We both understood, with other colleagues, that right now our Nation stands at a point of vulnerability to

those who seek to do us harm, those who seek to inflict terror, those who seek to inflict grievous bodily harm, those who seek to kill Americans, and they have the ability to exploit loopholes in order to have access to weapons.

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

There is a saying that the only thing necessary for evil to be triumphant is for good people to do nothing. I am grateful to Senator MURPHY for his conviction in our conversations yesterday and into the night that we could not just go along with business as usual; that we have had enough; that we have to push this body to come to some consensus on that which the overwhelming majority of Americans, indeed, the overwhelming majority of gun owners in this country and, indeed, the overwhelming majority of NRA members in this country believe; that we should put commonsense safety measures in place to protect against terrorists obtaining firearms to inflict the kind of carnage we have seen too often in this country and in others. Please understand, while many people imagine that when terrorists act, they act with bombs, more and more across the globe and across the United States they are acting with assault weapons and firearms.

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

The Constitution of this country begins with the understanding that the primary responsibility of this Nation is about the common defense. It says in our preamble that "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America." Written there in plain English, the Constitution laid out the very form of government in which this body stands and put in clear English at the beginning that we are to focus on domestic tranquility, the common defense, the general welfare. So we cannot go on with business as usual in this body. We must stand because this violence in our country will continue unless we take measures, commonsense

measures, to restrict these firearms from going to known or suspected terrorists.

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

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

The Senator from Connecticut, my colleague and friend, went through the unforgettable lists of mass shootings—Newtown, 20 schoolchildren and 6 employees killed; Santa Monica, 5 Americans killed; Washington, DC, at the naval yard, 12 people killed; Fort Hood, 3 people killed; Isla Vista, CA, 6 people killed; Marysville, WA, 4 people killed in a high school cafeteria; Charleston, SC, 9 people at a church killed; Chattanooga, TN, at a military recruiting office, 4 marines and a naval petty officer killed; Roseburg, OR, 10 people killed at a local community college; Colorado Springs, CO, 3 people killed at a Planned Parenthood clinic; San Bernardino, CA, in an act of terrorism, 14 people killed; Orlando, this past weekend—this past Saturday night—49 innocent people murdered, killed.

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

Senator MURPHY and I talked yesterday about coming to the floor today and not letting business as usual happen. We talked with our other colleagues who will come to this floor today and who all have in their hearts that word: Enough. Enough. Enough.

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

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

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

Mr. BOOKER. Mr. President, I have a question, but I think I can have a pre-amble to my question to set the context of the question.

The PRESIDING OFFICER. Ask the question through the Chair.

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

I direct my question to the Senator from Connecticut.

Mr. MURPHY. I thank my colleague for his question. I think this is a question people throughout this country are asking today: Why are these measures we are asking for consensus on today so controversial in the Senate when they are not controversial in the American public?

My colleague Senator BOOKER talked about the statistics. It is not just that 90 percent of the American public supports expanded background checks to make sure people aren't criminals when buying guns; it is that the majority of gun owners support expanded background checks. It is Democrats who support it. It is Republicans who support it.

Similarly, on the issue at hand today, which is making sure potential terrorists don't obtain weapons, a similar majority of the American public supports that as well. There is less polling on that question, but suggestions are that 75 to 80 percent of Americans support the idea that if you are on the terrorist watch list, if you are on the consolidated list, then you shouldn't be able to obtain a weapon.

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

So part of our effort—and part of my belief—is to come to the floor today to continually reinforce what the real story is about the nature of the underlying right and about what the data tells us, but also, Senator BOOKER, about what we know to be the threat to this country. Research shows that on U.S. soil, people who are seeking to commit acts of terror rely almost exclusively on guns. And when guns are used in potential acts of terror, they are vastly more likely to result in casualties—when guns are used.

Now, this isn't me talking. This is an analysis of domestic terror attacks in the United States by Professor Louis Klarevas of the University of Massachusetts. He showed that since September 11, 2001, 95 percent of the associated deaths connected with terrorist attacks—with terrorism—were committed with guns.

According to a project run by the Department of Homeland Security's Center for Excellence at the University of Maryland—something called the Global Terrorism Database, which is a government database run by the Department of Homeland Security—terrorist attacks in the United States are 10 times more likely to result in fatalities when they involve guns than when they do not. Between 1970 and 2014, nonfirearm terrorist attacks resulted in deaths 4 percent of the time, whereas 40 percent of the attacks involving firearms resulted in deaths.

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

In the West, you've got a lot at your disposal. Let's take America for example. America is absolutely awash 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. So what are you waiting for?

Even if his facts weren't 100 percent correct on whether you can get a fully automatic weapon at a gun show, this is clearly a message being sent by some of the most notorious operatives and recruiters within the Al Qaeda and ISIS network: Go get a gun. They are easily obtainable. Do as much damage as possible.

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

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

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

Mr. SASSE. I thank the Senator from Connecticut.

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

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

In your colloquy with the senior Senator from Connecticut, I think the question was asked that there is due process for I think what the Senator has been calling the terrorist watch list. I would just ask if the Senator can explain to me what the terrorist watch list is. I am familiar with the terrorist screening database. There is a series of lists that fall from the database, but I don't think there is any such thing as

the "terrorist watch list," and I certainly don't understand what due process rights would apply to this list. If the Senator could help clarify that, that would help me. I thank the Senator.

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

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

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

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

Mr. DURBIN. If the Senator from Connecticut will yield for a question—first, let me say at the outset I thank him for his leadership. I am happy to join with this willful band who feels as he does; that this is an issue long overdue and that the American people have asked us over and over again: When is Congress going to do something about these mass shootings and the carnage which has taken place?

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

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

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

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

My question to the Senator from Connecticut—there are so many other aspects we need to address—straw purchasing is one, assault weapons is another—but what the Senator is trying to focus on is not just the horrible tragedy that occurred in Orlando but to really expand our reach in terms of addressing new legislation when it comes to closing the loopholes in the law—loopholes which allow gun show sales without background checks and sales over the Internet without background checks. I would ask the Senator from Connecticut the rationale behind including that provision.

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

Think about living in a city in which, over the course of what should be a celebratory weekend, there are 60-some odd incidents of gunfire, and that is just gunfire that hits people. So it is

critical we acknowledge that this epidemic that we are often focused on because of these mass shootings is an epidemic that exists every single day in this country.

Senator DURBIN is right that part of the reason we are asking that expanded background checks be part of this agreement that we come to over the course of today is because while we are on the bill that funds the Justice Department, while we are debating the bill that funds, in part, the background checks system, let's make sure it works. As the Senator knows, the data is clear: In jurisdictions that have near-universal background checks, there are less gun deaths—period, stop. In jurisdictions that decide they are going to apply background checks to as many sales as they can—let's be honest, you often can't get every sale, but you can certainly say, if you are selling guns online through advertisement or you are selling guns at a gun show that is organized and marketed, that those sales should be subject to a background check. In States that do that, they have lower rates of gun crimes. As the Senator knows so painfully—because Chicago sits right at the intersection of other jurisdictions—States can't do this by themselves. Even if a State decides to expand out the forums in which a gun sale is subject to a background check, if the other State next-door—let's say Indiana—has a lower standard, then your law is virtually meaningless. Of course, that is the story line in Chicago. The story line in Chicago is a handful of gun dealers—irresponsible gun dealers across the State line—selling guns to individuals who then take them into Chicago.

This is certainly a debate brought on by another mass shooting, and we certainly have an obligation to make sure the terrorists don't obtain guns, but the Senator is right that this ultimately has to be an issue of doing something about our urban gun violence as well.

Mr. BLUMENTHAL. Will the Senator yield?

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

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

My question to my colleague from Connecticut is whether these kinds of

measures that we are seeking to advance on the floor today also empower and enable a stronger alliance with our allies abroad that are joining us in this fight.

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

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

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

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

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

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

(Mr. SASSE assumed the Chair.)

Mr. BOOKER. Senator MURPHY, I am grateful for your yielding for a question. I think I want to drill deeper down on that point because I am not sure if Americans understand that there is a lot of bipartisanship when it comes to CVE, countering violent extremism. I am very proud to serve on the Homeland Security Committee. I have worked with members on the other side of the aisle to do a lot of commonsense things to try to counter violent extremism here at home. Those involve efforts of coordination, as Senator MURPHY was talking about, investing resources in trying to counter violent extremist efforts here at home.

There is a tremendous bipartisan effort that has gone on in this country since 9/11 in trying to take down silos of information—sharing, cooperating, coordinating, and investing resources in many ways to keep us safer as a nation. We should all be very proud of that. But it is clear—especially from what should be stunning to people who don't know this and from the information you read—that the very enemies we are talking about—terrorist organizations that now have become common knowledge in this country, because people know Al Qaeda, they know ISIS, and folks are focused on that—the very enemies we are fighting against are aware of the big loophole that exists in this Nation—that someone who is a suspected terrorist, who has a terrorist intent, who is even known by the FBI, can come to our Nation or can be a citizen of our Nation and go to a gun show and buy weapons.

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

Think about this. We can take an action to stop someone from flying, but we do not have the ability in this country right now to stop that known individual from getting in a car and driving down 95 from New Jersey and going to a gun show and buying weapons.

The data show that the GAO has found that between February of 2004 and December of 2014 there were at least 2,033 cases where a known suspected terrorist tried to buy a firearm or even obtain it. We know there are that many people trying to do this and that we have the ability to stop those folks. So given the context of all the areas in which we are cooperating to stop terrorism and that there is this one black hole where now the information isn't being shared for actions to stop folks from getting these weapons that can do such carnage, isn't this a

glaring gap in our overall security procedures, policies, and structures in our country?

Mr. MURPHY. I thank the Senator. It is a glaring loophole, and it is unclear why it has persisted. This idea of closing the loophole has been backed by both Democratic and Republican administrations, and I think the Senator talked about how this has been a bipartisan commitment. The George W. Bush Department of Justice supported the exact same bill that we are talking about today, in 2007. Attorney General Holder, in response to a question from Senator FEINSTEIN at a 2009 Judiciary Committee hearing, said: I think that legislation was initially proposed by the Bush administration. It was well conceived, and we will continue to support that.

Not so long ago, this was an issue that was conceived by a Republican administration. It didn't seem to become controversial until gun lobbying organizations decided that it should be. We should remember that about all the things we are discussing here, because we live in a world today in which we think the issue of gun laws is the third rail of American politics. But all of the legislation that we are talking about could not have passed if it wasn't for Republicans and Democrats coming together, whether it be to support the existing background check system or to support the existing ban on assault weapons—plenty of Republicans voted for that—or to conceive of this idea of terrorists being kept off the list.

Here is how it plays out in real time. Elton Simpson is the name of the individual who opened fire on a Texas community center that was hosting an event displaying cartoons of the prophet Muhammad. I think we all agree that was an act of terrorism that was perhaps as a result of the radicalization of this individual. He was reportedly on the U.S. no-fly list. One of the Boston marathon bombers, Tamerlan Tsarnaev, was reportedly placed on two terrorist watch lists in 2011. He committed that act with an explosive device, but he also killed a police officer with a handgun. Orlando is the latest example of crimes being committed by those who were in and around this database.

The Senator from Nebraska asked the question earlier: How do we make sure that people aren't on there by mistake? Both parties will only support legislation that gives a practical means for individuals to grieve the fact that they are prohibited from buying a gun when indeed they should not be. I think at some level, we should accept that in virtually every Federal database that exists of people who are ineligible to buy a gun or people who are eligible to receive Medicare reimbursement, there are occasionally mistakes. But that does not stop us from trying to engage in collective action as a community to better protect our Nation.

Let's get that list right. Let's give people the ability to get off it if they

are on it wrongly. But let's accept that what we know is that in 90 percent of the cases over that 10-year period where people tried to buy a gun and were on the terrorist watch list, they were able to buy it.

Let's be honest. This is only one element of what needs to be a broader strategy to combat either the potential radicalization leading to violence of American citizens or this broader question of combating gun violence at-large that Senator DURBIN brought up. But it is an important glaring hole that needs to be corrected.

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

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

I want to follow a question that was asked by our colleague from New Jersey. I have heard him speak so eloquently about the people in his city of Newark, and, in fact, children dying in his arms as victims of gun violence. Those kinds of acts of violence are unpredictable.

The FBI was investigating the killer in the Orlando tragedy and knew of his potential dangerousness, but there are countless individuals who commit these acts of murder. Thirty thousand deaths every year occur as a result of gun violence. Many of them are unpredictable and perhaps unpreventable under current law, but they could be prevented with stronger laws.

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

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

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

It is not any of those things. It is about a combination of efforts. So we have to admit that this fight against ISIS and against Al Qaeda in the areas in which they have large amounts of control is an ongoing fight. That is not going to be concluded tomorrow or

next week or the month after. We think we are making dramatic progress, but it is going to take us a while.

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

That is where law enforcement comes in, Senator BLUMENTHAL, and you are exactly right. Let's make it a priority to defeat ISIS. But let's admit that for the time being, they are going to try to launch lone-wolf attacks here. What we know is they generally don't go through the trouble of trying to coordinate these attacks ahead of time. So it makes it much more difficult to stop. They are trying to find someone who is on the fringes of society, who may be mentally ill or prone to radicalization and weaponize them. Sometimes it makes it difficult for law enforcement to find that needle in a haystack.

What we know is that in this case, they had found that needle in a haystack. They had found him twice. Perhaps his inclusion permanently on one of these lists wouldn't have done much good because it wouldn't have prevented him from getting a firearm. There wasn't as much due diligence done as should have been.

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

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

Mr. BOOKER. Again, I appreciate this point that I want to keep coming back to, which is that we are—and both Republicans and Democrats talk about—in a war with a determination to defeat our enemy. Yet our enemy has spoken very clearly about exploiting the loopholes that exist in a way for those who are seeking to do terror to buy weapons. In other words, as to someone who is suspected already by the FBI, suspected by the American Government to have designs on the kind of terroristic act that could take many Americans, as we saw this past weekend, we already know who that person is, and our enemy has basically advertised the fact that it doesn't matter. If they were already suspected by the FBI and had been interviewed by

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

We just passed a Defense authorization bill that will allocate billions and billions of dollars for our national defense. I don't mean to be over the top about this issue, but if our past enemies and past wars have specifically showed us what our vulnerabilities are and that they are going to continue to exploit these vulnerabilities and literally have ISIS-inspired individuals who have been interviewed by the FBI carry out these horrific actions by using a loophole, as we saw this past weekend, doesn't it make common sense to close that loophole when we are at war with folks who are inspiring individuals to take so much human life?

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

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

This has been a long trend line, as both of my friends know. It used to be that almost everybody who bought a gun went into their local gun store to purchase that weapon, and over the course of time, for a variety of reasons, the means by which you bought a firearm has diversified significantly. We now have lots of sales occurring online, as we do with almost every other commercial good, and there is this buildout of gun shows, which are places where both licensed and nonlicensed dealers go to sell their guns in a very organized and controlled fashion. We have story upon story of individuals who have gone to buy guns in those gun

stores in mass quantities, knowing that they would not have to go through a background check and then selling them on the black market. So someone who knows they are prohibited from buying a gun decides not to buy a gun in a gun store; instead, they go buy a number of weapons at a gun show, which is unregulated. Those individuals who are not licensed gun dealers are able to sell their weapons without background checks at a gun show, and they can get as many as they want. That is not a secret. I mean, you don't have to scratch the surface of America's gun law or debate this subject very hard to find out that there are easy ways to get guns without getting a background check. You can also go online. You can very easily buy a weapon on ARMSLIST without going through a background check.

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

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

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

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

Mr. BLUMENTHAL. Mr. President, I thank Senator MURPHY. I wish to draw out a point he was making by posing another question. There is no one-size-fits-all fix to the problem of hatred and terrorist attacks in this country that involve gun violence. The kind of attack that we saw in Orlando may have

been motivated by an insidious bigotry that involves deep-seated hatred or pernicious extremist ideology inspired by ISIS or some enemy abroad or mental illness. The facts are developing. We will know more, as the Senator from Connecticut knows. The point is that the laws we now have enable our enemies to weaponize the people in this country who may be prone to use assault weapons that are designed to kill as many people as possible and as quickly as possible. This idea of weaponizing our enemies or home-grown terrorists or people who can be inspired by the twisted insidious ideology that ISIS spawns should really bring us to recognize that there is not only a security threat abroad but one at home as well.

I ask my colleague, the Senator from Connecticut, whether people who are too dangerous to be permitted to board a plane should be in some way stopped from buying one of these guns that can be used—whatever their motive—to do the kind of destruction that we saw with such unspeakable horror in Orlando, Virginia Tech, Aurora, Columbine, and our own town of Newtown? We have met with these families in our State and in towns and cities across the country. We have heard their cries beseeching us to do something. Is there more that we can do?

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

Second, this is more deeply personal, and I know both of my colleagues on the floor today share this point of view. Almost every one of us has had a conversation with a family member who has lost a son or daughter to gun violence. Too many of us have had that collective conversation with families who have lost a loved one or have spoken to someone who lost a family member or their loved one in a mass atrocity. As for me personally, I need to be able to tell them something. They need to be able to hear something that helps in their healing.

The fact is, every day there are 80 sets of families who begin a process of grief surrounding the taking of a life through a firearm, and for many of them, their process of healing is encumbered by the fact that their leaders are not doing anything to stop it. If we could simply be compassionate as a body—forget the broader systemic impact of passing laws that will reduce the levels of violence in this country—that would enable us to help in the healing process of the families in Sandy Hook and Orlando. I know that after my colleagues met with the families in Sandy Hook, they came to the floor to plead for change.

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

I think the Senator's question is right: What are the other things we can do? We can go down the list. The Senator from Connecticut suggested that we make sure that individuals who have a restraining order against them by a spouse or partner aren't able to buy a weapon, and other suggestions have been to ban military-style assault weapons and provide more resources to law enforcement. There are a variety of other things we can do. Here is an easy place to start. Here is an easy place to start, where we know there is no real disagreement among the American public; 80 to 90 percent approval. We know there are Republicans and Democrats at least who can start negotiating this afternoon and this evening. Here is an easy place to start.

I don't know, maybe it is a muscle. Maybe it is a muscle. Maybe once you start to exercise that muscle, once you start to get in the habit of coming together to try to find ways to address gun violence, it makes it easier to take the next step. And also, maybe people see that the sky doesn't fall. Maybe people will see that if we do expand background checks, that hundreds won't lose their right to go practice their sport, that people who want to shoot for sport don't all of a sudden lose access to that pastime. So maybe we will also see, as we have seen in Connecticut, that the sky doesn't fall when we pass these commonsense laws, that people still enjoy a fulsome right to own a firearm so long as they can prove that they are not a criminal, that they are not on the terrorist watch list, and that they haven't been adjudicated as mentally ill.

I yield to the Senator for an additional question.

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

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

Unfortunately, as he and I have said all too often and as we have had to say to those families from Connecticut and around the country who have come to us at the vigils and the townhalls and the public meetings and in our offices, there is no one single solution, and Congress has been complicit by its inaction on any solution to this problem. So we are not going to completely prevent all 30,000 deaths or every act of potential terror and hatred, like Orlando, but we can make a start, can't we?

Mr. MURPHY. Mr. President, through the Chair, that is exactly right. Let's make a start.

I guess what is so offensive to the people Senator BLUMENTHAL and I represent, especially in Connecticut, is that we have done absolutely nothing; that in the face of mass slaughter after mass slaughter, this body has taken absolutely no action. I know times are tough here. I know we are often at each other's throats. But that in and of itself is unacceptable.

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

As Senator BLUMENTHAL said earlier, this level of death would be absolutely unacceptable if it came by way of disease or if it came by way of infection. No one would contemplate standing pat and doing nothing if a mosquito-borne illness were killing 80 people a day in this country or wiped out 50 in one evening. No one would accept Congress doing nothing and just moving on to the next piece of legislation after the next wave of people dies. That is just not something people would accept. But for some reason in this country, we have come to accept that gun violence is inevitable and that there is nothing we can do or should do about it.

I am going to make this argument with greater specificity later this afternoon, but it is important for us to look at the data on gun deaths in America versus gun deaths in every

other industrialized nation. It doesn't happen in other places like it happens here. And it is not because America has more people who are mentally ill. It is not because America spends less money on law enforcement. It is not because America has a less well-funded system of mental health, although we have a terrible system of mental health that we should fix. The reason we have epidemic levels of gun violence is not that we are different from other countries in all of these other ways; it has to be explained in part because we have allowed so many people who shouldn't have guns to have them. There is a reason we are different, and thus we shouldn't accept it.

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

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

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

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

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

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

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

Mr. MURPHY. I yield for an additional question.

Mr. NELSON. And the Senator no doubt but unfortunately agrees, along with the rest of us about what happened in Orlando, that these are not weapons for hunting; these are weapons for killing. And this particular weapon has a collapsible stock. Would the Senator be surprised? This is how he got it in. You take out the magazine. You collapse the stock. He probably had a blousy outer garment. It is near the 2 o'clock closing time. People are leaving, security is lessening, and he walks in with this. How did he get it in? He didn't have to have a long rifle; he had

a collapsible stock. What would the Senator think about that?

Mr. MURPHY. Well, it is not surprising to me, would be my answer.

I think, as the Senator knows, the marketing techniques of the companies that sell these guns are very disturbing. They often are marketing these guns in a way that would suggest that the intended use by the manufacturer is, in fact, to kill as many people as possible. They advertise the fact that you can conceal them easily, so they don't shy away from the fact that the collapsible elements make them easily concealable. The manufacturers are not suggesting that they should be used for mass slaughter, but they certainly are selling them in a way that speaks to an audience who is contemplating what they were contemplating.

I yield to the Senator for an additional question.

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

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

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

Mr. MURPHY. First of all, let me say that it doesn't surprise me because we know the level of carnage that entered that emergency room. But I think it should pain everyone to look at that pair of shoes, look at the blood splattered on them, think of the amount of blood that was lost by those who died and lived, and to think that we are not going to do anything about it.

I yield for an additional question. I know the Senator from New York is waiting as well.

Mr. NELSON. Mr. President, since the Senator would like to know what Doctor Joshua Corsa, the medical doctor who owns these shoes, said, he wrote in one of the Orlando publications:

These are my work shoes from Saturday night. They are brand new, not even a week old. I came to work this morning and saw these in the corner of the call room, next to the pile of dirty scrubs. I had forgotten about them until now. On these shoes, soaked between its fibers, is the blood of 54 innocent human beings. I don't know which were straight, which were gay, which were black, or which were Hispanic. What I do know is that they came to us in wave upon wave of suffering, screaming, and death. And somehow, in that chaos, doctors, nurses, technicians, police, paramedics, and others, performed super human feats of compassion and care. This blood, which poured out of those patients and soaked through my scrubs and shoes, will stain me forever. In these

Rorschach patterns of red I will forever see their faces and the faces of those that gave everything they had in those dark hours.

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

Dr. Joshua Corsa, Orlando Regional Medical Center.

I thank the Senator for yielding.

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

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

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

The Senator from Connecticut said it has been nearly 4 years since Sandy Hook and this body has done nothing. He is right. This body is shameful. This body is shameful in its obeisance to the hard right of the gun lobby in not even doing the most reasonable things that almost all Americans support, that don't affect the rights of legitimate gun owners, and that would simply make our country safer.

I say to the Senator from Connecticut, we are in a new world. We are in a world where lone wolves can get a hold of guns and do huge damage, as we saw and as our friend from Florida eloquently talked about in his own State. We have to change and adapt to that world. Maybe in the old days people would say: Well, terrorism is not going to happen here. It has. It has, and we need to make sure we do everything we can to prevent terrorists from getting guns.

My colleagues have talked about two pieces of legislation; No. 1, making sure that if someone is a person the authorities suspect might commit terrorism and may be planning a terrorist attack and they also know that a gun which that person purchased can be used in that attack, they would stop them from getting a gun, and, No. 2, legislation on universal background checks because we need both.

My question to my colleague is along these lines. If we closed the terror loophole, we still could have a terrorist go to a gun show or go online and buy a

gun. If we just deal with making sure there are universal background checks, we haven't prevented terrorists from getting guns at a gun show, online, or at a gun shop, as we saw.

As the author of the Brady law, there was no online then, so we didn't ban online purchases. The NRA, to get the vote—it only passed by one vote on the House floor—said let gun shows get in. In those days, gun shows were what they used to be, not a massive place where people go buy guns but people who needed to sell the one gun they had. What has evolved is that the people who want to get around the law use gun shows methodically and regularly to avoid the background check. I would simply ask my colleague this. Isn't it true that these two pieces of legislation go hand in hand? Isn't it true that if we did one—either one but not the other—that terrorists or suspected terrorists could still get their hands on guns? And isn't it true that both pieces of legislation have the overwhelming support of a huge number of Americans?

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

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

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

Further, the Senator is right that this is the only place where this issue is controversial. This is the only place in which there is a 50-50 argument over this question. You find any other forum in any other part of the country and it is 90-10 on this issue, which is why my friend from West Virginia has led on this because he knows that in all of our States, this is something that

brings Republicans and Democrats and gun owners and nongun owners together. Maybe other things don't, but this issue does.

I yield to the Senator from New York for a question.

Mr. SCHUMER. I have one other question, if I might, Mr. President, for the Senator from Connecticut, and then we want to hear what the Senator from West Virginia has to say. He has been a courageous leader on this issue.

There is some talk on both sides of a compromise. I know I have talked with the Senator from Connecticut and all of my colleagues here, that on our side of the aisle we are willing to compromise. It doesn't have to be one way to do it, but I would just ask the Senator: Isn't it true that we don't want to compromise so we can say we did something and not really close both of these loopholes?

Mr. MURPHY. That is right.

Mr. SCHUMER. That the compromise that is built around what the Senator from Texas has proposed—which says that you have to go to court to prove that the person might be a terrorist, and after 3 days they can get a gun, and that no court proceeding would take that long—would be a meaningless compromise, a pyrrhic victory, and something the vast majority of us on this side of the aisle would not accept?

Mr. MURPHY. I think that is a very important point, and I thank the Senator for making it. Let's be honest. The American people support the proposal that is in the underlying Feinstein legislation. The American people support the underlying legislation that is incumbent in Manchin-Toomey.

So, yes, we want to be able to find common ground, but that common ground can't result in loopholes that are big enough to drive a truck through, allowing terrorists or those on the terrorist watch list to get guns.

This idea that you can give law enforcement 72 hours to go to court to stop somebody from obtaining a gun is ridiculous. There are not enough resources in our system of law enforcement and our judicial system to track every single terrorist who is buying guns and bring every single one of those sales to court. Secondly, the legislation I have seen would only give 72 hours to do that, which would leave thousands of these sales to go through without prohibition. No, we can find common ground here, but let's remember, the American public by big numbers already supports the proposals that have been put before this body and have failed previously.

Mr. SCHUMER. I thank my colleague and agree with him completely and look forward to the questions from the Senator from West Virginia.

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

Mr. MANCHIN. Let me first thank all our colleagues and Senators for being here today speaking about this most important issue for the citizens in each one of our respective States.

My question to the Senator from Connecticut is on gun culture. I don't think there is another State—if there is, I don't know—that has more of a gun culture than West Virginia. We take the Second Amendment rights extremely seriously, and I want to make sure we are on the same page because some people come from States that don't have much of a gun culture or weren't exposed to guns as a young person growing up.

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

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

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

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

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

People are going to say that Connecticut and West Virginia are very

different States, and they are. There are a lot of differences between the citizens of Connecticut and West Virginia, but I have found that gun owners aren't that different in the sense that they are serious about their guns. They are serious about being a collector. They are serious about having the right to protect themselves. They are serious about the right to be able to hunt. But they also recognize that it is a responsibility, and you can lose that responsibility if you commit crimes.

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

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

Mr. MANCHIN. My question is a followup on that.

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

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

Did you have anybody coming to you in your State and saying: Senator MURPHY, please don't vote for that because I don't want you to take my rights away.

Mr. MURPHY. No one in Connecticut thought this was taking their rights away, and as the Senator from West Virginia knows, we have a strict background check system in Connecticut already, so in Connecticut we had already subjected these sales to the

background check system. My impression is that our hunters, sports shooters, and collectors have never felt that they were on the precipice of losing their right to enjoy their sport or their pastime, or to be able to build on their collection.

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

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

I yield for a question.

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

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

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

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

Did the Senator have any feedback on that to him?

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

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

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

Mr. MANCHIN. Sure.

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

I yield to Senator MANCHIN for another question.

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

There is the one on terrorists, if you are on a terrorist watch list. I have heard my colleagues on both sides here and my colleagues on the other side of the aisle say: Well, there is no due process. Basically, we are taking people's rights away, which is the foundation and the cornerstone of this great democracy of ours.

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

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

So they said: You mean you cannot even stop that from happening?

Then they said: Well, due process.

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

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

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

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

Mr. MURPHY. Through the Chair to my friend, it is important to remember

that there is consensus in this body that those individuals shouldn't fly. There is nobody who has come to the floor of the Senate and has proposed a law that we should take all of these individuals who are on these watch lists and give them back the ability to fly; right? Nobody would propose that on the floor of the Senate because they would get tarred and feathered by their constituents if you came in and said: Everybody who has been investigated by the FBI who is on the terrorist watch list, we think that you are depriving them of their right, and so let them fly. No, no one would propose that.

So if it is not controversial that individuals who have had intersections with law enforcement over terrorism are not permitted to fly, why is it so controversial that they should be stopped from buying a firearm, at least until they grieve the process and make it clear that they had no reason to be feared?

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

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

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

Mr. MANCHIN. Do they think we have broached the amendments and the Bill of Rights, that we have taken people's rights away?

Mr. MURPHY. Nobody believes that, no.

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

That is what they are saying. We are not taking any people's rights. But we have to have a process where if that person, basically, over a period of time has shown that they haven't really engaged and haven't been involved, then they can come back. I think we have all said: That makes sense to us; we can do that.

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

I can't go back home this weekend and explain to the people in West Virginia why we haven't moved forward on this. There could be another Orlando in, God forbid, one of our States.

Mr. MURPHY. I thank the gentleman for joining us on the floor today. I think that is really what this is

about—not being able in our heart of hearts to go back to our States, especially those that have been touched by these crimes, and tell them that we wasted another week, that we sat here and we ignored the problem for yet another week.

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

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

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

Mr. BLUMENTHAL. Thank you, Senator MURPHY.

I want just to pursue some of the questions, the excellent inquiries that have been posed by our colleague from West Virginia and just to say that some folks in America who may be listening or watching or may hear afterward about this debate may say to themselves: Somebody who has been put on that watch list erroneously, someone who is precluded from boarding a plane or traveling in the United States—regardless of whether they can buy a gun or not—aren't they entitled to the due process right to correct that list?

The answer, in my view, is very simply yes, as a matter of constitutional right and due process, as a matter of equal protection, as a matter of the right to travel freely in the United States of America. If someone is on that list erroneously, he or she deserves the right to have that record corrected. I am going to pose that question to my colleague from Connecticut now.

But I have a second question, which is also probably on the minds of a number of our Connecticut constituents who are watching or listening or may hear about it afterwards: Don't we have some of the strongest gun protection laws in the United States of America, and isn't that enough? Why are we worried about this terrorist watch list? Why are we worried about background checks for the Nation as a whole when Connecticut has helped to lead the Nation; when Illinois, as a matter of fact, has strong gun laws, perhaps in theory; when California or other States pass their own laws? Why are we here on the floor of the Senate seeking action and saying enough is enough? Why are we so outraged and passionate about achieving gun violence protection barring people on a terrorist watch list from buying guns, making sure that we have universal background checks, a ban on straw trafficking, and illegal importation across State borders?

I think the answer is these measures are necessary because even the strong-

est State laws are basically ineffective—at least to protect many people—as long as stolen guns, lost guns, can be transported across State boundaries. Guns have no respect for State boundaries. In Connecticut we are vulnerable because of the weaker laws in other States. So this national protection is vitally important.

Is that not the case, I ask Senator MURPHY?

Mr. MURPHY. I thank Senator BLUMENTHAL.

I think that is critically important here. I would answer it in two ways.

The first is to underscore your point. Our Nation's set of State-based firearms regulations are only as strong as the weakest link. We can have the strongest laws in Connecticut, but guns, terrorists, and would-be criminals don't observe State boundaries. If you are intent on committing a heinous crime, you probably also have the means to figure out how to get around one State's tough gun laws.

Senator DURBIN was here earlier talking about the fact that a large number of the weapons that are used in Chicago to commit murders—60-some odd shootings over Memorial Day weekend alone—come from outside the State of Illinois. Illinois has some pretty tough gun laws, but Indiana doesn't. So you can get to Indiana from Chicago in a heartbeat, and you could pick up a firearm online or at a gun show, or you can go to a pretty miserably regulated gun dealer and bring what effectively are illegal weapons back to Chicago. Yes, we are talking about a Federal law because this cannot be a State-based solution.

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

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

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

I yield to the Senator for another question.

I know Senator CARDIN is on the floor as well.

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

Again, somebody unfamiliar with this topic might be wondering. Convicted felons under law are barred from buying firearms. So someone who has been to prison, paid the price, done probation, been out of our prisons for years and years, and done nothing to repeat that criminal episode—whatever it was—is still barred from buying a gun. Yet someone who is deemed dan-

gerous enough to be on a watch list or a no-fly list—the consolidated list that the Senator from Connecticut referred to earlier—is free to walk into any gun store or any gun show and, in 7 minutes—a reporter of the Philadelphia Inquirer, I believe, was able to do it in 7 minutes—simply present the money and walk out with an AR-15 automatic weapon, a firearm designed to kill as many people as quickly as possible, designed for combat and largely manufactured and used around the world to kill people—not predominantly for hunting or recreation. It is designed to kill people.

Isn't there an irony to this kind of an inconsistency? Irony is probably a euphemism. Or isn't that an outrage that the terrorist watch list people can buy an AR-15—no questions asked—in 7 minutes or less or slightly more? And a convicted felon, having committed a serious crime, having paid his dues to society, having paid a fine, having served time in prison, done and out—and we talk a lot now about a second-chance society, about their being able to live normal lives and work and so forth—is barred, even though that person may be far less dangerous, far less a threat to innocent people in Orlando or at Virginia Tech or in Newtown, CT, or to the 30,000 people every year who either are killed or kill themselves because of this easy availability of guns to people who are dangerous.

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

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

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

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

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

actions and take law enforcement action against those individuals.

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

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

I would like to get the connection here on the gun issues, but I think it is important to point out that we have worked very hard to support the LGBT community, to make it clear that the rights of all people in this country are going to be protected. We celebrated the Supreme Court decision that recognized marriage. We celebrated some actions within our military to open up full participation by the LGBT community, and we were particularly pleased with the recent confirmation of Eric Fanning that we saw take place in our military. We have seen some progress in America.

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

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

I applaud my colleagues for being here on the floor to talk about the relationship here—this is what I want to ask Senator MURPHY about—why, in the week following Orlando, he is here on the floor talking about gun safety.

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

My colleague talked at great length about terrorists and those on the terrorist watch list and that loophole that exists. We can talk about what hap-

pened in my colleague's State with a high-volume ammunition clip that certainly added to the numbers of victims before law enforcement could deal with the perpetrator.

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

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

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

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

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

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

But the Senator is right—we have to link these efforts together. We have to understand how complicated the moti-

vations were for the shooter, but we also have to understand we are not powerless in confronting it.

I yield again to the Senator for a question.

Mr. CARDIN. Mr. President, one additional question, if I might ask at this time.

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

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

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

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

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

I thank the Senator.

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

(Mr. CRUZ assumed the Chair.)

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

We have learned a lot about this problem, but we still don't know all of the answers. The answers we do know we should be voting on this week. We should be putting those protections on the books.

There is some commonsense knowledge we each have—that the FBI should have the authority to block gun sales to potential terrorists. How hard is that? No gun sales to potential terrorists in the United States.

The NRA says no. The NRA said no last year. The NRA said no the year before. The NRA controls the agenda of the Senate. They control this body. They are the ones who decide whether guns can be sold to terrorists in the United States of America—the NRA.

The American people say that NRA should stand for “not relevant anymore” in American politics, but it is not so. The NRA controls whether we are going to be able to vote on banning terrorists from being able to purchase guns.

So a terrorist can be on a no-fly list and can't get on a plane. We don't want a terrorist in the passenger cabin of a plane in the United States, so they are banned from getting on that plane. But they can just walk across the street into a gun shop and buy an assault weapon that they can then use to kill people whom they hate in the United States. Does that really make any sense? Of course not. Why don't we have the vote? Because the NRA does not want a vote on the floor of the U.S. Senate. They don't want a debate on this issue.

So we are going to continue to stand up and fight for this vote, for this issue to be considered on the floor for as long as it takes because if the FBI believes there is a reasonable chance that someone is going to use a gun in a terrorist attack on our people, it should have the ability to block the sale of a gun to that person. That is only common sense. That is what the police chiefs want. It is what the FBI wants. Why are we being denied a vote on the floor of the Senate on that issue?

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

Back in 1994, we were having a debate over the ban of assault weapons in our country, but it came to my attention that China was actually selling 1 million semiautomatic assault weapons per year for \$80 apiece inside the United States—1 million guns a year—and we were negotiating a treaty with China at the same time. So I organized about 130 members of the House on a letter to President Clinton saying no support for any deal with China until

China agrees that they will not be selling assault weapons for \$80 apiece in our country. That was 22 years ago—1 million assault weapons a year being sold by China. That would be 22 million additional assault weapons in our country coming in from China. That is banned. However, the domestic ban here expired a couple years ago.

Now, here we have another case of a terrorist saying that he was inspired by ISIS—inspired by this so-called caliphate outside of our borders to buy a weapon to kill Americans. Like China, are we just going to allow the NRA to say: No, it is all part of free commerce; no, we don't have any rights to limit the sale of these weapons. Or are we going to say there has to be commerce with a conscience; that not everything can be sold to anyone in our country; that some people and some things are too dangerous to be allowed to be purchased within our country.

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

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

The question is, How easy are we going to make it for them to be able to gain access to the instrumentality of their devastating acts against our society? Are we just going to allow them to walk into any gun store once they have been so radicalized that they are about to act on these dangerous activities? Well, Senate Republicans oppose that commonsense legislation.

Senate Republicans aren't allowing us to have a vote or a debate on this issue out on the Senate floor. One day after the tragic terrorist attack in San Bernardino last December, Senate Republicans voted against Senator FEINSTEIN's legislation to close the terrorists' gap in terms of their ability to be able to buy these assault weapons. Six months later, Omar Mateen, a terrorist investigated by the FBI, targeted the LGBTQ community and murdered 49 innocent people at the Pulse nightclub in Orlando. Yet Republicans continue to willingly follow the NRA and oppose this bill from becoming law in our country. The NRA has repeatedly opposed and worked to block that legislation, and apparently they think it is OK for someone like Omar Mateen to be able to buy an assault weapon with impunity in our country.

Mark Twain once remarked that common sense is very uncommon. He was surely talking about the Senate

Republican caucus when it comes to having a terrorist be prohibited from buying an assault weapon in the United States of America. This mass shooting in Orlando has exposed the Senate Republicans and their common suffering from a commonsense deficit disorder. Today I call on them to stop their opposition. I call on them to have the courage to stand up for what is right for the American people and for the people of Orlando because I truly believe that a vote on that bill—if you hold hands with the NRA, the Americans will hold you accountable. I hope our Republican colleagues understand that and fear that because Americans are tired of living in fear that their community will be the next Orlando.

I ask another question: Wouldn't it be easier to develop effective solutions to gun violence in America if our Nation's top researchers could actually do research on gun violence? We are facing an epidemic of gun violence. More than 33,000 people are dying in our country each year from gun violence. It is a public health emergency, and we must treat it that way. So shouldn't we ask ourselves: Why is it happening and what can we do to stop it? When disease and illness bring widespread death, doctors, scientists, and public health researchers study the causes so that they can find solutions, and the Federal Government invests in those efforts. For diabetes, which kills almost 76,000 people in the United States each year, the Centers for Disease Control and Prevention receive \$170 million. For planning and preparedness against the flu, which leads to 57,000 deaths each year, the CDC's budget is more than \$187 million. For asthma, 3,600 people, the CDC receives \$29 million. For gun violence, which kills more than 33,000 Americans a year, the CDC's budget is zero dollars—yes, zero dollars. That is because, beginning more than 20 years ago, an appropriations rider has prevented the Centers for Disease Control and Prevention from advocating or promoting gun control. Many interpreted this provision as a ban, and it has chilled any research into the causes of gun violence and how to prevent it. But in 2013, President Obama directed the CDC to conduct critical public health research, and the principal congressional author of the rider, former Republican Congressman Jay Dickey of Arkansas, has now disavowed it, recognizing it was a mistake and calling for Federal gun violence prevention to move forward.

Just yesterday, the American Medical Association—the Nation's largest association of physicians—voted for the first time in support of ending the so-called ban on CDC gun violence research. As AMA president Steven Stack said yesterday: With about 30,000 people dying each year at the barrel of a gun, an epidemiological analysis of gun violence is in fact necessary. So that is the question which I ask of Senator MURPHY, that is the question which I ask of Senator DURBIN, and

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

I ask Senator MURPHY the question, but he knows the answer. The answer is that the NRA does not want a single nickel to be spent on that issue, and the NRA controls the agenda on the Senate floor with a vice-like grip, and it will not let it go. But we have reached a defining moment. The American people have seen in this one incident how tightly the NRA controls the agenda of the Republican Party in our country. We should already have voted on this ban. We should already have moved on to other gun control issues—but, no. Whether it be the terror watch list or it even be research at the CDC on gun violence, there is no action. We can study how to prevent children from operating pill bottles, from suffering from head injuries on bicycles, how to use a cigarette lighter so they don't hurt themselves, but shouldn't we study how to stop kids from firing guns that can hurt them?

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

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

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

It is time for us to just stop here. It is time for us to start to do the right

thing so we can make it harder for these acts to take place. I don't think we should stop this discussion until that happens. That is why I thank Senator MURPHY for taking this time—Senator BOOKER, Senator BLUMENTHAL, and everyone who has participated. I am going to be with you every step of the way until we get the votes the American people expect from their elected Senators.

I thank the Senator for yielding for a question.

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

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

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

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

Avielle Richman was one of the little boys and girls who were killed at Sandy Hook. Avielle was a beautiful young girl. As has been the case with

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

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

I yield for a question from the Senator from Illinois.

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

Mr. MURPHY. I will.

Mr. DURBIN. I would like to thank the Senator from Connecticut, Mr. MURPHY.

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

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

As I understood your earlier statement, you came to the floor because there was no indication from the Republican leadership that we will even

have a debate on the issue of guns, terrorists, and keeping America safe.

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

I want to make sure there is clarity as to what we are trying to seek with this group gathering in terms of the two proposals, the two amendments we are seeking. I ask the Senator to clarify. One relates to whether someone who is suspected of being a terrorist can buy a weapon, such as an assault weapon, which literally killed 49 people in that nightclub in Orlando and could have killed many more—more than 50 were injured. So if we suspect that a person is a terrorist and a threat to the United States, can we slow them down or stop them from purchasing a military-style weapon?

I think the Senator from Connecticut was very prescient in noting that we think of terrorists and bombs, terrorists and airplanes, not with automatic weapons and semiautomatic weapons. These terrorists have the capacity to kill dozens of people, if not more.

So the first question is, What can we do to stop those suspected of terrorism from buying assault weapons and threatening us? The second question is, If we cannot stop them through the ordinary process of going to a gun store, how are we going to stop them if they decide to buy a gun on the Internet or to buy a gun at a gun show where there is no background check?

I understand the Senator from Connecticut has suggested we need to close the loopholes so that the roughly 40 percent of firearms sold without a background check in the United States is reduced dramatically and so that we know who is buying a gun and we can guns out of the hands of those who misuse them.

So if the Senator would state with clarity what our goal and objective is in this now 3½-hour debate. I credit him with leading it, but I ask him to state with clarity—a question from me—what is our purpose, what is our goal and the reason we have taken the floor?

Mr. MURPHY. I thank the Senator. I am reclaiming my time. I thank the Senator for asking that question because I think it is important for us to be clear about why we are here. We are here not to hold the floor for holding the floor's sake but because we have had enough of condolences and thoughts and prayers without action from this body.

We think we have identified two commonsense measures that are supported by the vast majority of the American public: making sure that people who are suspected of being terrorists cannot

purchase weapons and making sure that the background check system applies to all of the commercial venues in which guns are sold.

We think it is time for us to have a debate on those two measures on the floor of the Senate and to be able to get a vote—something this body used to do a lot of—on those two measures. We have selected measures that are not controversial to the American public. They are supported by 80 to 90 percent of Americans.

So we are holding the floor and we are standing on the floor today in anticipation of Republican and Democratic leadership coming to us and saying: We are ready to talk about how we can make this country safer by keeping guns away from suspected terrorists. If we can get an agreement to have a vote on expanding background checks and including people on the terrorist watch list on the list of those who are prohibited from having guns, then this debate we are having can stop and we can move forward to a vote.

I yield for a question.

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

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

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

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

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

Mr. MURPHY. I yield for a question.

Mr. DURBIN. The CJS bill, incidentally, is a bill that includes the Department of Justice appropriations. We are raising this issue on a bill which has real relevance to the question of our national security and law enforcement in keeping America safe.

I would ask the Senator from Connecticut—we think of the tragedy that occurred in your State with those 20 beautiful children who were killed in their classroom at Sandy Hook. We think of what happened in San Bernardino and what has happened across America and now most recently in Orlando. But the point I tried to make earlier was that those are mass murders—more than four people killed in each instance—but for many of us, the urban violence that every day, every weekend is claiming even more lives should also be our concern.

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

Our intention is to focus clearly on mass murder but even more so on gun violence in America to protect innocent people who are losing their lives to those who would abuse the use of firearms and those who would turn to these assault weapons, which have no purpose for the legitimate hunter or sportsman. I have said that if you need an AK-47 or AR-15 to hunt a deer, you ought to stick to fishing because that is not the weapon of choice of real sportsmen in my State or those whom I know.

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

Mr. MURPHY. I thank Senator DURBIN for the question. Illinois and Connecticut have amongst the toughest background check laws in the Nation, but our laws are no good if the State next door to us has amongst the weakest laws in the Nation. Our Nation's system of State-based background check laws is only as strong as the weakest link. If we don't have a national commitment to ensure that individuals who are criminals or who are potential terrorists don't buy guns, then it really doesn't matter what each State does. That is why this background check proposal, which is a bipartisan proposal and which is supported by 90 percent of Americans and 85 percent of gun owners, is such a win-win, because it speaks to the very real fear that Americans have of continued terror attacks but also addresses this catastrophe of regular, everyday urban gun violence.

By the time we are done today, Senator DURBIN, probably 80 people—some where in that neighborhood—will be killed by guns, many of them in cities throughout this country. This is a means to both get at the question of terrorist violence and at the question of urban gun violence.

I thank the Senator for joining us on the floor.

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

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

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

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

I yield to the Senator for another question.

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

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

Mr. MURPHY. Mr. President, I thank the Senator for the question. We have given law enforcement new tools to find people who are contemplating political violence against American citizens; yet there is this gap in which law enforcement has information about an individual's potential or real ties to terrorist groups, and we are not able to prevent them from buying a weapon. They are prevented from flying, but

they are not prevented from buying a weapon. It is an absolute necessity to give them those new tools and also to expand the reach of our background system so we can make sure protection exists that no matter where that individual goes to buy a gun—whether they walk into a gun store or a gun show—they will be prevented from buying a weapon. There is a large loophole that exists today.

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

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

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

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

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

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

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

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

Does the Senator agree with me?

Mr. MURPHY. Mr. President, I do agree with the Senator. We are both members of New England States. We are both members of States where people enjoy hunting. I run into very few

hunters who believe they need an AR-15-style weapon in order to enjoy their pastime.

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

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

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

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

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

Mr. MURPHY. Mr. President, I thank Senator LEAHY for being such an amazing champion and the author of many of the underlying protections that we are talking about expanding and making more effective today. He is an absolute giant on the issue of protecting Americans from gun violence.

We don't have to dig deep to understand why this body has an approval rating that rivals venereal disease. They think we spend all of our time fighting, and they see big problems in this Nation, and this Congress is doing nothing to even attempt to solve it. This is a paramount example.

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

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

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

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

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

I am of the view that it is time to get something done. We have been doing a

lot of talking. We have two alternatives to this issue about what to do with people we have very good reason to believe are terrorists and what to do when they attempt to buy a gun.

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

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

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

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

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

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

Mr. MURPHY. Mr. President, reclaiming the floor, I thank the Senator for his comments. We are here for the explicit purpose of trying to bring this body together in a way that can advance both of these issues—stopping terrorists from being able to buy guns and them making sure that the law covers as many forms as possible to make sure that that prohibition is effective.

The frustration for us is that we have had 6 months since we last debated that provision. If there were ways to come together, then we have had 6 months to find that common ground. I take the Senator's offer very sincerely, but my hope is that by taking the floor today and not moving on the CJS bill until we resolve these issues, we will provide the impetus for our sides to come together and find that common ground.

I thank the Senator for his participation and his question.

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

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

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

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

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

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

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

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

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

By the way, as the Senator knows, that 1 out of 10 isn't denied a gun be-

cause he is on the terrorist watch list, that 1 out of 10 is denied a gun because he is on another list, because that individual has committed a crime that has caused him to be prohibited from buying a weapon.

I yield to the Senator for a question. (Mr. TOOMEY assumed the Chair.)

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

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

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

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

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

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

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

The state of the economy, perhaps, we can impact. World problems seem intractable a lot of the time.

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

I wish to ask my colleague from Connecticut—the two of us have spoken to so many people across the country, some of them survivors of gun violence, families who have lost loved ones to gun violence, and others who are simply citizens who watch this carnage, not only in Sandy Hook and Orlando but on the streets of Hartford, moms and dads who have lost children and brothers and sisters. Isn't this issue of gun violence and terrorist attacks one of the signature issues of our time in showing the American people our government can work? We have talked about the message it sends to our allies. I asked a question about that point. We have talked about the message it sends to law enforcement, such as the FBI, but to the American people the failure to act not only makes the Senate complicit in a moral sense in those lives lost but undermines the credibility and trust of the American people in their government to protect them, to achieve the most basic assignment they give us, to make America safe and secure—safe and secure from the bad men like Adam Lanza, who killed 20 innocent children and sixth-grade educators, or the homegrown terrorist inspired and supported by ISIS or sent here by some foreign terrorist organization, or the twisted haters who are bigoted against LGBT or some other group. This signature issue is about keeping America safe and giving our law enforcement authorities and our protectors the powers they need to do their job.

So I ask my colleague from Connecticut—we have joined today in this effort—is there a message to the American people here, that we are sending the message that enough is enough but also enough killing is enough, enough inaction is enough, we have seen enough, the time for action is now?

Mr. MURPHY. I thank the Senator. I think the question is simply: Why are you here—you asked for this job—if you didn't want to confront the big questions and the big problems?

Nobody denies that this is an epidemic of criminal proportions. Nobody denies that this is happening only in the United States and nowhere else in

the industrialized world. Nobody denies that crippling, never-ending grief that comes with a loved one being lost. Yet we do nothing. We just persist this week as if it is business as usual. Why did you sign up for this job if you are not prepared to use it to try to solve big problems?

I appreciate the hope of my friend from Pennsylvania that we can find common ground. We have had a long time to find common ground. We have had 4 years since those kids were slaughtered in Sandy Hook to find common ground, but we haven't, which is why we are here today—to demand that we are not going to go along with business as usual any longer until we come together on at least two of the proposals that 90 percent of the American public supports.

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

Mrs. MURRAY. Mr. President, if the Senator will yield for a question, first of all, I thank the Senator for bringing attention to this critical issue and for everything that he is doing to fight for more than just thoughts and prayers but actually for action. Few Senators have a better firsthand understanding of this issue and the impact it has on our families and our communities and the urgent need to address it.

As we mourn for the victims and families who were impacted by the horrific violence and terror against LGBT and Latino Americans in Orlando on Sunday, we are once again reminded that no one is safe from the horrific epidemic of gun violence in our country—not even in our schools, which should be safe havens for our students.

I know the Senator knows this all too well. My home State of Washington is no stranger to this as well. In 2014, a man walked into an academic hall at Seattle Pacific University in Seattle, shooting three students and taking the life of a freshman. Later that very same year, a 15-year-old boy shot five other students, killing four, at Marysville Pilchuck High School in Marysville, with his dad's gun. Those shootings were devastating to parents, siblings, friends, and teachers—to our entire community. Those are just two examples in my home State.

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

It sickens me actually that in America today parents have to wonder if their children will be safe when they send them off to school or when they go to a movie theater or a mall or even

on a street in their own neighborhood. Every time there is a new mass shooting, I get the same question from the people I represent in Washington State: What is Congress going to do to stop this?

It is frustrating to me that every time I come back with the same answer, "We have been blocked from doing anything," in response to my constituents and the people across the country. People are asking and begging for us to do something—anything—to stop this scourge of gun violence that has once again been splashed across the front pages of our newspapers and on our TV screens.

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

Mr. MURPHY. I thank the Senator for that question in particular. I think back to where I was—and I think we all can remember with specificity where we were when we first heard about Sandy Hook, when we first heard that there were 20 dead children lying on the floor of their first-grade classrooms. I was with my little kids. I was with my then-1-year-old and 4-year-old on a train platform in Bridgeport, CT, getting ready to go down to New York to see the Christmas tree displays. They were so excited about that to go down. I remember having to tell them I had to go to work, and I left them and my wife on that train platform as we told them the trip was off.

I am here today, as I think all of us are, because this is personal to us. My oldest, who was 4 years old then, is this week in his final week of first grade—first grade—the same year as those kids who were killed in Sandy Hook. And so, I think in deeply personal terms about what Sandy Hook means to the kids who survived in addition to the families who lost loved ones. There is no recovery for that community. It is still a community in crisis. There are waves and ripples of trauma that never end. I think about the reality of what it is to be a kid in school today, being increasingly in an environment that seems more like a prison than it does a place of learning, going through metal detectors, performing active shooter drills, and having to live in a perpetual state of fear that somebody is going to walk into your school with a gun or there is going to be a gunfight that breaks out between students. That is no way to learn and that is no way to live.

So I think almost all of us on this floor, Republicans and Democrats, are either parents or grandparents, and we know what a horrific reality it must be to live with that fear as a child, and how little solace we give parents when we do nothing. At least, as a parent, if Congress were acting to try to make the next mass shooting less likely, you

could maybe hold your head a little higher and your back a little straighter when you are telling your kids it is going to be all right, but there are a lot of parents who are so angry with us because they don't think we are keeping their kids safe.

Senator MURRAY, I thank you for framing it in the eyes of kids because we think about it in terms of stopping someone from committing a crime or about how a background check system works, but when we stop these shootings, it is really about protecting those kids.

I yield to the Senator for a question.

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

Mr. MURPHY. I thank the Senator from Washington.

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

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

Mr. PETERS. I would like to thank my colleague from Connecticut for yielding the floor for a question.

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

While my heart goes out to all the families and friends of the victims, today I would like to honor two Michigan men who lost their lives that night. Tevin Crosby and Christopher Andrew Leinonen, who went by the name of Drew.

Tevin was only 25. He was born in North Carolina, and he came to call Michigan home after finishing school and starting his own marketing busi-

ness in Saginaw. Total Entrepreneurs Concepts is the name of the company. Founded just last year, his business already employs about 20 people and handles marketing for Fortune 500 companies. Tevin had recently visited family in North Carolina to watch several nieces and nephews graduate before traveling to Florida to see friends and colleagues.

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

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

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

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

I urge my colleagues and Americans across the country to resist painting this tragedy in simple, reductive terms. This attack was a hate crime. This attack was an act of terrorism. Yes, this attack speaks to the disturbing ease with which dangerous firearms can be acquired in our Nation. The problems that led to this tragedy are complex, but complexity is not an argument for inaction.

We need to start somewhere. Thoughts and prayers can be meaningful and are certainly powerful, but we need to do more than just offer our thoughts and prayers. Now is the time for action. As Senators, we have no higher duty than keeping the American people safe. This includes taking the fight to ISIS overseas with our allies and vigilant law enforcement here at home. My colleague from Connecticut has been discussing two simple critical changes we can make to help prevent gun violence in our Nation, including the acts of terror like we have seen in Orlando. We need to keep guns away from those who shouldn't have them. This includes individuals who have

been convicted of domestic violence offenses, people with court orders related to stalking, and convicted felons. These groups are already barred under Federal law from purchasing or otherwise possessing firearms, and this is enforced through background checks.

It is also painfully clear that we need to keep guns out of the hands of terrorists. This is why we need to close the terror gap and prevent individuals on terrorist watch lists from purchasing firearms. Unfortunately, however, closing the terror gap and enforcing gun safety laws cannot be effective without universal background checks. It doesn't matter if we ban selling guns to people on the terror watch list if large percentages of purchasers avoid background checks by buying a gun at a gun show or over the Internet.

A story from our neighboring State, Wisconsin, haunts me as an example of violence that could have been stopped. Recently, a Wisconsin man subject to a restraining order from his estranged wife—a man who was barred under current law from purchasing a gun—was able to take advantage of the private seller loophole and purchase a weapon without a background check. He then confronted his wife at the spa where she worked. He killed her and two others, injured four more people, before turning the gun on himself.

Just like our current law bans gun sales to those convicted of domestic violence or with restraining orders in place against them, closing the terror gap will only be fully effective if we have universal background checks.

My question to the Senator from Connecticut is, Will closing the terror gap alone prevent the sale of weapons to potential terrorists in the United States or will we need universal background checks to ensure that these individuals are not able to exploit the loopholes in the current law?

Mr. MURPHY. I thank the Senator from Michigan for asking the question that is the crux of this debate. It is our responsibility to do everything within our power to protect Americans from terrorist attacks. The reality is, terrorist attacks can come in many different forms, but recently it has been coming through one form; that is, firearms, and often very lethal, military-style firearms. So it is our duty to do everything possible to protect Americans from that new trend in terrorist attacks. The Senator is right. The answer to the question is, simply putting suspected terrorists on the list of those prohibited from buying weapons is not enough because 40 percent of gun sales today are not happening in places where background checks are conducted. We have to do both.

It is not a secret that someone can go online to arms lists and easily get a weapon in minutes without having to go through a background check. It is full of holes like Swiss cheese. There is limited utility in passing an inclusion for people on the terrorist watch list for those prohibited from buying weapons unless we do the secondary bill we

are asking for. As Senator DURBIN and I have talked about a number of times this afternoon, expanding background checks also has a double benefit of addressing this secondary epidemic of urban gun violence, which is often perpetrated by individuals who have illegal weapons. Law enforcement, police chiefs, and guys on the frontlines in our cities will state that if we force every gun sale through a background check or virtually every commercial sale through a background check, we will have fewer firearms on our street, and there will be less carnage on the streets of Chicago, New Orleans, and Baltimore.

The answer to the question is, yes, we have to do more to protect Americans from terrorist attacks, but we also have to address this ongoing slaughter that often doesn't rise to the level of getting on national news but is a reality in our cities.

I yield to the Senator from Michigan for a question, if he has a question.

Mr. PETERS. I don't, but I think that sums it up. I hope this body will come together to take up this important legislation, this amendment. If these two measures are separated into two potential votes, as we hear may happen, I hope we all understand that we can't vote for one and not the other and think we are really dealing with this issue. If we only block someone on a terrorist list but do not require universal background checks, it is basically a vote that may sound good but is simply not going to be effective in dealing with this horrible situation and dealing with the incident I mentioned from Wisconsin. These stories happen every day. It may not capture the national media like the horrible, tragic event we saw in Orlando, but the devastation to the families is every bit as real every single day. It is the obligation of this body to step up. I appreciate that answer. I appreciate my colleague from Connecticut for standing up on this issue, and I look forward to working closely with you to address this.

Mr. MURPHY. The Senator from Pennsylvania is on the floor with an incredibly important and tragically on-point piece of legislation.

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

Mr. CASEY. I thank the Senator from Connecticut who has taken the floor to take a stand for those who lost their lives in Orlando and so many other places. I know he has lived through that horror, representing folks in Connecticut, who went through the horror in 2012.

I have a question about why we have to take action. I want to set forth a predicate first. The numbers here are just startling when you consider in the context of just the last couple of days—49 dead and so many others—so many others are grievously, and I hope not permanently, injured and all the devastation that means.

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

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

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

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

We can also take action on mental health reforms. That, too, has been bipartisan, but that hasn't happened. That is another way to take action.

What I am trying to do is to focus on the other aspect or at least the additional aspect of this tragedy in Orlando, which is, as the President said, I said, and a lot of people said, this was an act of terrorism, but it was also an act of hate. Unless we begin to do something about the problem of hate in America, which infuses the horrific actions killers take, unless we take ac-

tion against that in some fashion, we are not going to solve this problem.

One of the things we could do—again, we have a long list of things to do to deal with gun violence, to reduce that number of 33,000 Americans dying every year because the Congress of the United States refuses to take any action at all. But this is what my bill would do, and it is very simple. It would say: If you have been convicted of a misdemeanor hate crime, in order to meet the requirements of this law, there is a two-part test. It would have to be a misdemeanor hate crime that fit this two-part test.

First, it would have to be either an act of violence that was part of a conviction or an attempt to use violence or an action directed at either the attempt, the use, or the actual use of force or violence.

Second, in addition to that, the crime and the conviction would have to be a hate crime motivated by hate or bias against eight groups of Americans who are in what we call the law-protected class.

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

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

The list gets longer. Obviously we are at a point now where we might be able

to vote on finally taking action on the terrorist watch list. Why is it that if you are too dangerous to be on an airplane, you are not too dangerous to have a weapon or to have a high-powered weapon, a military-style weapon, with unlimited ammunition to shoot at anyone you want?

There are a lot of things we can do, and that is why I pose the question to the Senator from Connecticut about what we can do and what we should do.

I wanted to make a point as well before I pose the exact question. We know that in Orlando three of the victims were from Philadelphia, my home State. They were in that nightclub in Orlando when the gunman opened fire.

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

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

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

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

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

I ask my colleague from Connecticut a two-part question. Why is it that when these things happen, these horrific events, we have some people—and this is part of the debate—when we say we need to take action or ask “Will you join us in taking action?” their an-

swer is “We just have to enforce existing laws, and that is as far as we can go. We can't do anything more than that. We just have to enforce existing laws.” So I would ask that part of the question. The second part is, if we believe the answer to that question is “No, we can do more,” what is it we should be doing?

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

Guess what. People came together in this country, from one end of the country to the other, and we solved that problem. It hasn't happened. Now, we have had other terrorist attacks. We know that. We know we will continue to fight terrorism. But we solved part of the problem because we came together. We even opened up a new Federal Government agency, for goodness' sake, the Department of Homeland Security, which has made our country safer.

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

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

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

It is imperative that we act right now, and it is within our power to

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

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

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

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

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

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

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

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

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

The 1-year anniversary of the shooting in Charleston, SC, is coming up soon. I am quite sure it is the same way for people in South Carolina. The trauma, the process of mourning, rebuilding, and then trying to find a way somehow, some way to move forward

from the enveloping grief is a horrendous experience and a common experience now that so many of our communities share. The reality is the trauma doesn't just vanish into the vapor. The news cameras are eventually going to leave Orlando, just like they left Roseburg. The bullet holes in the nightclub will get patched up. The families and the friends of the victims will try to live their lives the best they can, but it is going to be such a difficult, difficult task for the LGBTQ community in Orlando. But the trauma—the trauma—isn't vanishing.

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

Those who have argued that the only possible response to the shooting in Orlando can come in a war zone thousands of miles away are looking for excuses not to do something—not to do something meaningful here at home. There are steps that can be taken now to curb this violence. It won't stop every crime—a number of the ideas have been discussed before—but the victims of the shootings are owed a response.

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

Next, close the loopholes. Close the loopholes in the background check. It is way past time to do that and to stop allowing the purchase of a gun online or at a gun show without a background check. Certainly, the background checks themselves have to be substantially improved. There are holes that ought to be plugged, including those that keep guns in the hands of somebody who has been a convicted domestic abuser. I am not talking about being charged or something that is speculative. We are talking about a convicted domestic abuser.

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

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

our communities and our families be safe.

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

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

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

Mr. MURPHY. I thank Senator WYDEN for his question. It is a really important one because the number is certainly shocking for how high it is and how low it is at the same time. Let us take 2015. In 2015, there were 244 individuals who were on the terrorist watch list who attempted to buy weapons, and 223 of those were successful in buying the weapon. So in 90 percent of the occasions in which someone on the terrorist watch list attempted to buy a weapon, they walked out of that store with the weapon.

Now, it gives you, A, a sense of the scope of this. There are only 224 people over the course of the whole year who were on the terrorist watch list and who attempted to buy a weapon. But what we know from this weekend is it only takes one with malevolent intentions to create a path of death and destruction that is almost impossible to calculate. It is just impossible for the American public to understand how that number persists—how we allow for 90 percent of the people on that watch list to walk into a store and to successfully buy a weapon.

That is the number from 2015—223 out of 244 were successful.

I yield to the Senator for a question.

Mr. WYDEN. I thank my colleague, and I will just wrap up by way of say-

ing that it seems to me that what has been learned here is that while the investigation goes on, there may have been a terrorist attack, there may have been a hate-inspired attack. My question is this: Aren't the steps I have outlined here today commonsense, practical steps, whether it is a hate-inspired attack? We have seen the human toll that discrimination takes against those who are targeted on the basis of hate. We have seen what it means to families who have been struck by terror. But aren't the steps that have been outlined here by you and colleagues on the floor—Senator CASEY, with his very valuable proposal—commonsense legislative efforts that make sense whether this has been primarily a terror attack or a hate-inspired attack?

Mr. MURPHY. I thank the Senator for his question. Of course they are commonsense measures, and, importantly, they are measures that are supported by the broad cross-section of the American public. What my colleague is proposing is only controversial here in the Senate. It is controversial nowhere else in this country.

Mr. WYDEN. I see colleagues waiting, and I thank the Senator.

Mr. MURPHY. I yield to the Senator from Massachusetts for a question, through the Chair, without losing my right to the floor.

Ms. WARREN. I thank my colleague.

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

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

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

This is especially true in Massachusetts. Three years ago, the people of Boston came face-to-face with terror at

the finish line of the Boston Marathon. The cowardly attack and its aftermath took lives, injured people, and forever changed a beloved tradition. This week, two people with Massachusetts roots were killed in Orlando and at least two more were wounded.

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

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

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

Thirty-seven-year-old Geoffrey Rodriguez, raised in Leominster, remains in critical condition now. Rodriguez was shot three times. As of Tuesday, he had undergone three surgeries. His family is optimistic he will pull through, and all of us from Massachusetts and all across the Nation are rooting for him.

Now, there are still things we don’t know about the shooter. We don’t know about his planning, his motives—things we may never know. But here is what we do know. We know the shooter called 911 and pledged allegiance to ISIS, declaring his intention to be known in history as a terrorist. We know he carried an assault-style weapon that was designed for soldiers to carry in war. We also know that hundreds of people in Orlando went to the Pulse nightclub to continue their celebration of Pride and that the shooter targeted them to die.

I woke up on Sunday morning still in the glow of the Boston Pride Parade. That ended fast. But I thought about the history of Pride. In the 1960s, the mere act of publicly associating with the LGBT community was considered radical. That was true even in places where the community came together to seek strength and protection, like New York’s Greenwich Village. Greenwich Village’s Stonewall Inn was one of the popular gay bars in New York, and it was regularly raided by police officers who arrested patrons for any number of bureaucratic violations, obviously designed to harass, embarrass, and abuse people whose only crime was to want a place to be together. One night, in late June of 1969, the bar’s patrons fought back. The rioting continued intermittently for five nights, and it wasn’t pretty. It reflected the demands of the

group for equality, for the same chances that other Americans have to be themselves. A few months after that, LGBT activists began planning for the first Pride march. It was set for the following June to commemorate the Stonewall uprising. The idea was to use that anniversary as an opportunity for the community to remind us all that they, too, are citizens, they, too, get to have some fun, and they, too, are entitled to the same dignity and respect as every other American. Over the years, the tradition expanded across this great Nation, just as tolerance and acceptance expanded across this great Nation. Pride both helped us move forward and showed us how far we have moved together.

When terrible things like the Orlando shooting happen, we face important choices, as a country, as individuals, and as a community. When terrible things happen, we have to choose how we respond, and all of us will decide whether we are going to come together or splinter apart. We have become a country that is defined by fear and hate—fear of each other and hatred for anyone who is different from ourselves. In the America of fear and hate, we will alienate and isolate entire communities, creating even more fear and hate, and threatening further violence. We will fracture as a people, splintering off into separate groups, each fearing others and each seeking to serve only themselves. Or we can make the choice to come together. We can choose that no community—no community of immigrants, no community of Muslims, no community of young men—is isolated in this country. We can do this knowing that when we embrace each other and build one people out of many, we become a stronger country—stronger because the bonds of community prevent alienation, stronger because the bonds of community make it harder to turn us against each other and break us apart, stronger because the bonds of community mean people can get help before it is too late.

We cannot ignore the fact that this massacre targeted an LGBT club, and we should learn from that and from the message of Pride. In Orlando, an act of terrorism was also an act of hate visited upon people who came together in friendship and celebration. But the patriots at Stonewall showed us the way. They gave birth to a movement that changed our Nation. They beat back hate. They showed us that change is possible—that change for the better is possible. They showed everyone that love can triumph over fear and hate, that we can all come together. But, boy, they showed us that you have to work for it.

This is not an abstract idea. When it comes to our response to the tragedy in Orlando, we are already beginning to see the splintering of America. One side shouts: It was a gun that killed all those people. The other side shouts: It wasn’t a gun; it was a terrorist that killed all those people. Through all of

the shouting, we miss what should be obvious: It was a terrorist with a gun who killed all those people—a terrorist with hate in his heart and a gun in his hand who killed all those people. It is time for us to acknowledge all of these truths and to come together to address them.

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

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

The FBI should have the authority to block gun sales to anyone they believe is a terrorist. If someone cannot get on an airplane because the FBI is concerned that they might be plotting to do harm against Americans, then they shouldn’t be able to walk into a store and buy a Rambo-style assault weapon. We believe we can close the background checks loophole. Anyone who cannot buy a gun because of a felony conviction or mental illness should not be able to go to a gun show or go online and buy that same gun. We can act to make the next shooting less likely. We can act to reduce the likelihood that a disturbed individual, a criminal, or a terrorist is again able to kill dozens with a gun. If we fail to act, the next time someone uses a gun to kill one of us—a gun that we could have kept out of the hands of a terrorist—then Members of this Congress will have blood on our hands.

But the truth is this is not just about Congress. It is about all of us. We all have choices. We have choices about how we are going to treat our neighbors and our fellow citizens; choices about what we do when someone is targeted at a coffee shop because of their background or their looks or their race; choices about how we react when a friend or a coworker, a son or a daughter, tells us the truth about who they love; and choices about how we treat our neighbors and fellow citizens who don’t look or talk or pray like we do. It is a scary world out there. We all know that. Terrorism mutates into

new and more dangerous forms. Terrorists have easy access to assault weapons that put us all at risk. And hate—plain, old-fashioned, naked, ugly hate—still lurks in dark corners. It is a scary world. But America is strongest when we work together, and all of us will decide whether we come together or splinter apart.

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

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

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

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

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

I thank the Senator from Massachusetts.

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

(Mr. GARDNER assumed the Chair.)

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

Not even 3 years later, a nightmare came to Roseburg, OR. Roseburg is a

quiet little town in southern Oregon. It is the town where I spent part of my childhood. It is a town where I went to first grade. It is a town where I learned to swim in the Umpqua River. As I said last October, if this can happen in Roseburg, it can happen anywhere. But happen in Roseburg it did. It was October 1, 2015. It was a beautiful autumn morning in the small town. There on the college campus we heard the sound of gunfire. A disturbed individual charged into a classroom at Umpqua Community College with six guns, and within the space of just a couple of minutes, he took nine lives, including his own. One of the lives he took was a cousin of mine, Rebecka Ann Carnes. Eighteen years old, she had just graduated from South Umpqua High School the previous June. She was an avid hunter. She was a lover of four-wheeling. In the picture she posted online for graduation, she was holding her graduation cap, which said on it: "And so the adventure begins." She was ready for the adventure of adulthood. She was ready for the adventure of going off to college. She was ready to explore the world. She was excited. She was a beautiful spirit. But her adventure ended so shortly after graduating from high school, before she could really get started on the journey of the balance of life.

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

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

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

I come from a gun State. I come from the beautiful State of Oregon, the best

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

It was in the year 2000 that Measure 5 was put on the ballot as a citizen initiative—and it passed overwhelmingly in the State of Oregon—to expand background checks to gun shows. The citizens did that in an initiative at the ballot. It is a State where our legislature took action just last year in Senate bill 941, the Oregon Firearms Safety Act, to close the Craigslist loophole.

Why does this make so much sense? If you keep a terrorist from buying a gun at a gun shop, shouldn't you also keep that terrorist from buying a gun at a gun show? Shouldn't you also keep that terrorist from buying a gun out of the classifieds or the online classifieds, the Craigslist classifieds? Yes, of course. Each piece of this makes sense to keep guns out of the hands of felons or those who are deeply mentally disturbed.

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

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

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

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

Mr. MURPHY. I thank the Senator.

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

Mr. BLUMENTHAL. I want to thank all of our colleagues who have come today and thank Senator MURPHY, my friend and teammate in this cause and in so many other causes, and just bring us back to the issue of why we are here today. Senator MURPHY, Senator BOOKER of New Jersey, and I have come to the floor to make three essential points. I am going to ask my colleague

from Connecticut whether I have hit these points—the reasons that have brought us here today, along with so many eloquent colleagues, I might add. I am deeply grateful to them. We are here debating an appropriations bill for Commerce, Justice, and Science. But we are here on a much larger issue.

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

There are three simple points, are there not? There will be no business as usual until there is action. Enough is enough. We are here to say the time for business as usual on a routine appropriations bill, CJS appropriations—that time is done. We are here to make a historic point and seek to change the dynamic and seize this moment of national tragedy and demand action. That is what the American people want, and that is the second point.

There is a national consensus that it is not only our opportunity but our obligation to protect the American people, to make our Nation safer, to assure that whether it is twisted ideology, pernicious bigotry and hatred, mental illness, or any other cause, we can and we will take steps to stop it.

Third, closing the terrorist loophole must be accompanied by universal background checks. For someone to be too dangerous to board a plane and still be able to buy a gun makes no sense. But beyond the intellectual, nonsensical quality of it, there are real, practical safety implications. Somebody who is too dangerous to board a plane, to travel by air, should be deemed too dangerous to buy a gun and as dangerous as a convicted felon already precluded by law from buying a gun. But that terrorist now, even if he were barred from buying a gun, could easily go to a gun show and buy a gun because there is no check whatsoever at those gun shows, not on the NICS system, let alone on the terrorist watch list. The two measures—closing the gun show loophole or the background check gap and closing the terrorist gap or loophole—go hand in hand. They are a start. They are not a panacea. They are not a complete solution.

We are going to be talking throughout the evening about other measures that can be taken. Those three points are essential: No business as usual—enough is enough; a national consensus in favor of commonsense, sensible

measures to make our Nation safer from gun violence and from acts of terror and hate, inspired and supported by forces of evil abroad and at home; and, finally, combining these two measures, closing the terrorist gap loophole and also making sure there are background checks on all gun sales in the country.

Are those not our essential points, I ask Senator MURPHY?

Mr. MURPHY. I thank the Senator for distilling the reasons for our presence on the floor down to those points.

We see this as possible. We see it as possible to get a consensus between the Democrats and Republicans to bring these two measures—closing the terrorist gap and expanding background checks—before the Senate floor this afternoon or tonight. We think that is possible, and we intend to hold the floor until we make significant progress on that front.

I yield to the Senator for a question.

Mr. BLUMENTHAL. Those points really should be bipartisan. They should attract support from both sides of the aisle. There is nothing Republican or Democratic about any of these points, is there?

Mr. MURPHY. There is not, Senator BLUMENTHAL, through the Chair. That is the reason we posited these two proposals as a means forward on this bill. We know they are noncontroversial in the American public. They enjoy broad bipartisan support.

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

Mr. MENENDEZ. I thank my colleague for yielding for a question. I thank him and my colleague from New Jersey, Senator BOOKER, and also Senator BLUMENTHAL for galvanizing the sentiment that has existed for some time among many of us that enough is enough. It is outrageous that it took another mass shooting to bring us to this moment in the U.S. Senate.

On Sunday morning, I woke up, as did the Nation, heartbroken by the news that 49 human beings were killed in another senseless act of violence—49 people who were at a dance club, celebrating Pride Week. By the way, most of them overwhelmingly were Latino. Forty-nine Americans were celebrating in an environment that they felt was safe, and in an instant their lives were shattered, and families were broken.

I believe this was an attack on all of us, and we need more than another moment of silence. Although we take a moment of silence to remember those lives that were lost, we need more than another moment of silence. We need more.

I am tired of saying that our hearts and prayers go out to the families of those who lost a loved one or who were injured. We need more than a vigil and a bouquet. We need action. We need commonsense gun safety laws. We need to stand together with one voice. I hope that we can prick the conscience of the Senate to finally act.

I deeply appreciate my colleague from New Jersey, Senator BOOKER, who

has passionately described the ongoing threat of gun violence in our communities. We are galvanizing this moment because we had such a horrific act, but, in many ways, those horrific acts take place every day in the streets and neighborhoods of our communities across the country. While they may not add to so many lives lost at a single event, they add up to many lives lost, and they seem to go largely unreported. We have become desensitized to that reality. And he has seen the havoc that is wreaked by the Nation's lax gun laws when he was the mayor of Newark, and I have seen it in the streets of our communities in New Jersey.

The threat of those who are prone to violence, those looking to vent their anger or their prejudices, those who would act on their own worst instincts toward others, for whatever reason, have easy access to weapons of war. It isn't limited to Orlando. It isn't limited to Aurora. It isn't limited to Newtown. It isn't limited to any State or any city. People travel. Guns are trafficked. The violence and the carnage they create in the wrong hands know no borders. We need to act and say: No more, no more.

It is inexcusable in the midst of America's nonstop gun violence epidemic to not come together, hold commonsense center, and pass gun safety measures that we know are supported by a vast majority of the American people.

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

What does it say when our Nation's laws are so wildly misguided that a potential terrorist doesn't even have to go to a gun store? They can simply open up their computer and click with a mouse on a Web site, or they can go to a gun show and buy a deadly weapon or two or three or four deadly weapons—military-style and designed for war—without even a cursory background check. That is unbelievable. It defies logic, and it is time to do something about it.

I don't believe these are controversial proposals. A majority of Americans agree with universal background checks. If you have nothing to hide, you can still have access to a weapon if you can pass those background checks. Even a majority of NRA members agree with universal background checks. It makes sense. It is a position upon which we should all be able to agree. It is a position that holds the center and can be a starting point for a larger discussion. The fact that we haven't done this yet is, in my mind, a national disgrace. Frankly, it needed to have happened already. It should have happened after Aurora when a madman ruined movie theaters for the

rest of us. It should have happened after Virginia Tech when gun violence invaded our colleges. It should have happened after Sandy Hook when gun violence came to our elementary schools. I am reminded of that old Chinese proverb that says: "The best time to plant a tree was 20 years ago. The second best time is now." Let's at least have the will and resolve to do what is right now.

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

The prime example is the bump fire stock, which increases the gun rate of fire up to 800 rounds per minute. That is more than 13 per second. Maybe the NRA will claim these are cosmetic. It insults intelligence—if it is not completely absurd—to claim that modification that allows a gun to fire 800 rounds per minute is merely cosmetic, but apparently to the NRA, 800 rounds a minute is normal and covered by the Founders' language in the Second Amendment, when no one could even imagine at the time the Second Amendment was being written that there could be an instrument that could fire 800 rounds a minute.

We have seen how our Nation's laws have hurt our families and communities again and again. Every day, there are shootings that don't make front pages of the newspapers, but they ruin lives, tear families apart, and test the very fabric of our society. The Orlando shooting was 1 of 43 shootings on Sunday that resulted in 18 deaths, including 5 children.

We can honor the Constitution, and we can honor the intent of our Founders, but I don't think I am alone in believing that we can enact commonsense, realistic gun safety laws that respect the Constitution and also protect the lives of Americans.

I have heard my colleagues say many times that the government's No. 1 responsibility is the safety and security of its citizens. Well, you have abdicated that part in this regard.

In the case of Orlando, those in the LGBT community have always had to live with the threat of violence hanging. And 90 percent of the victims were Hispanic. This is a horrible reminder that bigotry and hate are not dead and that the forces of evil have no compul-

sion about using our Nation's lax gun laws against us.

Again, we need to come together and say: No more. We need to hold the commonsense center and pass realistic gun safety measures that can respect the Second Amendment and that can fully protect Americans from a Second Amendment that has no limits, no common sense, and no realistic restrictions.

Mr. President, I ask my colleague from connect, through the Chair, as he has helped us galvanize in this moment, isn't it possible to preserve those constitutional rights as were originally envisioned by the Framers and protect our fellow Americans, which many of our colleagues have said is the No. 1 responsibility of the government?

Mr. MURPHY. Mr. President, I thank the Senator for his passionate words and advocacy on this issue. I refer the Senator to a conversation Senator MANCHIN and I had earlier today when we talked about the gun culture in West Virginia and how Senator MANCHIN hasn't run into anyone who was passionate about gun ownership who believes that people on the terrorist watch list should be able to buy guns and believes that terrorists should be able to buy guns. The Senator from West Virginia argued passionately for the notion that my friend has proffered that there is no choice to be made between upholding the Second Amendment and protecting our citizens from attack.

Justice Scalia himself said in a very controversial decision that not everyone agrees with that the Second Amendment is not absolute; that the Second Amendment, even in the minds of those who hold that it has a private right of gun ownership inherent in it, believe that all the things we are talking about—denying terrorists from getting guns, keeping dangerous assault weapons off the streets, recognizing that there is no place in civilized society for 100-round drums of with ammunition—all of those restrictions are wholly in keeping with the Second Amendment.

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

Mrs. SHAHEEN. Mr. President, I thank my colleague from Connecticut.

I am here, like everyone else on the floor, in the wake of horrific mass shootings, from Sandy to Orlando. Americans have come together united as a family to grieve for the dead and comfort those left behind. But we haven't come together to do anything to stop the next shooting, prevent the next series of funerals, and prevent future devastation. That is why I want to thank Senators MURPHY and BLUMENTHAL, the Senators from Connecticut, and Senator BOOKER from New Jersey, for leading us here today to demand action.

Let's be clear. Tears are not enough and expressions of outrage are not enough. After Columbine, Virginia

Tech, Aurora, Newtown, Charleston, San Bernardino, and so many shootings that have happened with numbing regulatory, moments of silence and expressions of sympathy are just not enough. This Senate, this Congress, needs to pass commonsense gun safety legislation—legislation supported by 9 out of 10 Americans.

It is inconceivable that Congress would fail to act in the wake of the Orlando tragedy. To do nothing would be an affront to all of those Americans who have lost loved ones to senseless gun violence.

The distinguished Senators from Connecticut and the distinguished Senator from New Jersey have been outspoken advocates of commonsense gun safety legislation. Senators MURPHY and BLUMENTHAL have wept with the families of the 20 schoolchildren massacred at Sandy Hook Elementary. In the subsequent 3½ years, working with the Sandy Hook families, they have advocated for legislation to address the menace of widely available automatic assault weapons—weapons that have only one purpose, and that purpose is to kill large numbers of people.

We are here today to demand action on commonsense measures to address gun violence. The first would be to deny guns to people on the FBI's no-fly list. Those people who are on the no-fly list because of suspected ties to extremist organizations or ideologies should not be allowed to fly and they should not be allowed to buy a gun. It doesn't get more common sense than that. If a person is considered too dangerous to board an airplane, then that person is too dangerous to purchase a military-style assault weapon. Second, ensure universal background checks for gun buyers so we can keep dangerous weapons out of the hands of dangerous people. At least 9 out of 10 Americans support these measures. It is a no-brainer.

Enough is enough. It is time for us to say enough is enough. We get a second chance to vote on this legislation, and this time we must come together on a bipartisan basis to pass commonsense gun safety legislation to end the violence.

As we contemplate this legislation, let's remember the photographs. We have all seen them on television and in the newspapers. These are photographs of so many wonderful young people—this time from Orlando—who were killed by gun violence. The Orlando shooting was both a crime of terror and a crime of hate, and now it is time for us to honor those who died, honor our friends in the LGBT community who are hurting, honor our friends in the Latino community, and honor all of those Americans whom we lost to senseless gun violence.

To my friend from Connecticut, I ask, isn't the best way to honor all of those people we lost to gun violence to act now to prevent future tragedies?

Mr. MURPHY. Mr. President, I thank the Senator for her question. I think

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

This is our choice, I say to Senator SHAHEEN.

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

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

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

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

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

It happened again in San Bernardino. Colleagues were in an office and celebrating at the end of the year. They were slaughtered by two people so evil and hateful and who were allowed to have easy access to an assault weapon, a weapon of war.

The list goes on and on.

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

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

Like all of my colleagues here, I was devastated when I heard about the attack this past weekend in Orlando, and my heart goes out to everyone who was affected by this awful, hateful crime—

the family and friends of 49 victims, the entire LGBT community, the entire Latino community. These were 49 happy people dancing together, laughing, celebrating who they are, in the middle of Pride Month, in a club that has always been a safe haven for them. But, once again, an evil and hateful person, a citizen of this country who was angry, hateful, and radicalized, was allowed by this Congress to have easy access to a deadly weapon of war.

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

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

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

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

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

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

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

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

Let's stop allowing would-be murderers to legally buy weapons of war like the AR-15 without scrutiny. Let's lift our irrational hold on the CDC and allow them to actually study the issue of gun deaths the way we are allowed to study any other cause of death in this country. The American people support this as well. Let's stop the people who have been deemed too dangerous to fly an airplane from being allowed to buy guns. Let's stop tying the hands of law enforcement and preventing

them from sharing crime data. Let's stop preventing ATF from requiring gun stores to conduct inventory and report any guns that have been lost or stolen, and let's stop blocking the ATF from preventing the dumping of non-sporting weapons into the American market from abroad. Let's finally crack down on gun trafficking and straw purchasing. These are all measures the American people strongly support.

My State of New York suffers deeply from gun violence. Our biggest problem is the amount of illegal weapons that flow into our State every single day from other States. The amount of guns—90 percent—used in crimes come from out of State, and 85 percent of them are illegal. These are weapons literally sold out of the back of a truck from someone in another State to a gang member. And how many innocent lives do we have to lose because a stray bullet hits them while they are out with friends? It is unconscionable that this Congress stands and does nothing.

I thank my friend from Connecticut for yielding the floor, and I will ask him this final question: What do you propose we should do to protect Americans from this type of senseless violence? What should we do now as Senators and as Members of this body?

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

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

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

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

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

I am 14 years old from St. Louis, 63011, and I've been really looking a lot into the Orlando shootings and just really gun control

in general, and I was kind of thinking, and I thought, like, I'll be a freshman this year, and I want to go to high school, and I want to drive a car, and I want to go to prom, and I want to graduate high school, and I want to go to college, and I want to graduate college, and I want to get a job, and I want to get married, and I want to have kids.

But since Missouri voted that those on terrorist watch list can purchase guns, I'm scared that I won't be able to do those things.

And I know that I'm young and I don't really know what plays into your job at all, and I don't know all the arguments and all the factors, but at this point I'm just really scared and people are dying and I think something needs to change.

And so, whatever that may take, please just take my feelings into consideration and I would really, really, appreciate it. So, thank you so much. Bye.

A little 14-year-old girl from St. Louis.

Now, she is a little confused about who has decided that people on the terrorist watch list can buy guns. It is, in fact, the U.S. Senate that made the decision in December on a vote that has been recounted over and over again, basically a party-line vote that we were not going to take the commonsense step of saying that if the most trusted law enforcement professionals in the world—the most professional and highly trained—have put an individual on the terrorist watch list, that we should not let them buy guns in this country. Pretty common sense, and a 14-year-old knows it, and she is scared.

One of the pieces of legislation that Senator MURPHY is asking for bipartisan support for is the one that closes the gun show loophole and the online loophole when it comes to background checks. What are we afraid of? What are we afraid of with a background check? Why should we have massive categories of gun purchases in this country without a background check? Why do we require a background check for a small business that is selling guns but we don't for somebody who wants to operate online? And we know for a fact that there has been terrorist messaging sent to people in this country: You can weaponize yourself at gun shows with some pretty heavy artillery.

We are, in fact, pointed out in the rest of the world as the place where it is easiest, with no questions asked, to obtain weapons that can kill and slaughter dozens and dozens of people in mere seconds.

Why is this so hard? Where is the invisible hand that is stopping this? I don't want to be cynical about it. Is it the NRA? Is it the NRA that is single-handedly stopping this? Is everyone so afraid of the NRA? Why are they so afraid of the NRA? Do they not have faith in their constituents, that their constituents are right about this, because there is no question the majority of constituents in this country want background checks, and the majority of constituents in this country want us to not sell guns to people on the terrorist watch list.

Before I ask a question of Senator MURPHY, I wish to cover one more subject that is really bugging me as a former prosecutor; that is, the argument that has been presented: Well, we don't want to put—we want to make sure we don't somehow let the terrorists know that we are investigating them, so if we put them on a list and they can't get a gun and they go to buy a gun, then all of a sudden this terrorist is going to know we are on to them.

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

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

It amazes me the kind of trust that I hear mouthed about law enforcement on the other side of the aisle. Yet they are not willing to trust the FBI with the serious decision as to whether an individual belongs on a terrorist watch list, and they are not willing to trust the FBI as to whether they do what they need to do to continue to pursue an investigation and arrest as it relates to this list.

I think this is a gut-check moment for this country. If you look at the graph of where we lie with how many mass shootings we have compared to all the other developed nations in the world, some of which have lax gun laws like we do—maybe not quite to the extent that we do—we are way, way an outlier. That is not what we want to be an outlier on in the United States of America—mass shootings. I think the American people are rising up and are saying enough is enough.

I ask the Senator from Connecticut if he agrees that the legislation that would restrict the ability of an identified terrorist to buy guns in this country contains the discretion necessary for the FBI to continue to protect America and continue to pursue investigations and continue to pursue arrests and intelligence because of the discretion we have given the FBI in that piece of legislation?

Mr. MURPHY. I thank the Senator for the question, and the answer is yes,

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

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

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

Mr. WARNER. Mr. President, I appreciate my colleague, the Senator from Connecticut, yielding for a question.

I am proud to join so many Members of the Senate. I want to echo the comments of the Senator from Missouri, her comments about getting the same kind of calls, notes, and questions.

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

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

The Senator from Connecticut has made some comments about the number of deaths that take place in our country each year from gun violence—30,000 a year. I think about, just as the Senator from Connecticut acknowledged in the aftermath of Newtown how I rethought some of my positions on some of these issues. We all have to take a fresh look at the challenges our country faces in providing a reasonable

framework of gun legislation that protects the rights as well of law-abiding gun owners.

One of the things that troubles me is I think virtually every Member of this body has probably stated or tweeted out their thoughts and prayers for the victims in Orlando. What I think I am hearing from the media, from those victims, and from Virginians across the board, is they want to see more than thoughts and prayers; they actually want to see us act.

There are a whole host of different proposals we could look at to try to deal with gun violence. I believe the Senator from Connecticut has picked two that are frankly the most reasonable, with the most common ground that we should take on.

Like the Senator from Connecticut, I know the scourge of having a mass murder take place in your State. Until this terrible tragedy in Orlando, the deadliest mass shooting was at Virginia Tech in the Commonwealth of Virginia, where 32 lives were taken. I know how that community grieves, how Newtown grieves, how Aurora grieves, how Charleston grieves, and now how Orlando is grieving. Quite honestly, day in and day out, how many other communities are affected by this scourge of gun violence?

As a member of the Senate Intelligence Committee, I know the challenges we face every day in dealing with the threat of violent terrorists determined to do our Nation harm. But if we are going to talk about taking on terrorism—which we need to have a united effort on—shouldn't we take this reasonable step of abiding by the judgment of law enforcement and saying: If you end up on a terrorist watch list, you should not be able to purchase a firearm.

We have seen in recent days statistics that show that more than 90 percent of known or suspected terrorists who attempted to buy weapons since 2004 have passed a background check and then have been able to purchase a firearm. To me, that is an internal contradiction that, by taking action this week, we can turn around. If you are too dangerous to get on an airplane, aren't you too dangerous to be allowed to purchase a firearm?

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

There are a host of other proposals that I know the Senator from Connecticut has put on his agenda, but what I want to do is thank the Senator from Connecticut for putting forward

two of the most basic proposals, two of the proposals that have bipartisan broad appeal.

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

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

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

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

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

I yield to the Senator from Minnesota for her question.

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

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

Ms. KLOBUCHAR. I thank the Senator from Connecticut for his work, along with the Senator from New Jersey, Mr. BOOKER, Senator BLUMENTHAL, and many others, in bringing people together today to call for commonsense action to make our communities safer. I know Senator MANCHIN was here earlier. He has been such a leader on the bipartisan bill with Senator TOOMEY about criminal background checks.

I extend my heartfelt condolences to all the families of those who were massacred in Orlando and also those who lie injured—some very seriously, some critically injured—in hospital beds in Orlando today. My prayers are with the victims and their families.

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

I remember them coming to my office the day the background check bill went down. They came to my office, and a number of us were telling them that it was going to go down, that we didn't have enough votes to pass this commonsense measure for background checks. What I was struck by was that they knew that particular measure wouldn't save their babies, but they were there because they had come to the conclusion that this was the best way to save other children, to save other people from dying. And as they told me their stories—one of them told me the story of how their young son, who was autistic, who went to school that day had looked up at the refrigerator and pointed to the picture of his health aide. It was someone who was with him all the time. He could barely speak, but he pointed up at that picture in the morning. So as she sat in that firehouse with the other parents waiting and waiting to see if her child would come back, it became very clear that some children were never coming back, and hers was one of them. When they found that little boy, he was in the arms of that health aide whom he loved so much, and they were both shot and they were both killed.

As she told me that story, I thought, these parents are so courageous that they are coming today to try to advocate for something that they knew—they had come to grips with the fact that they wanted more, but they knew the background check measure was the best they could do to save lives at that moment. They knew the background check measure would especially help in cases of domestic violence and suicide because they knew the statistics that in those States that had passed such measures, they had seen improvements in the numbers for those kinds of deaths, so they were advocating for it. That was why they were there. Yet this body didn't have the courage those parents had to be there that day, to pass that measure.

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

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

We had three convictions in U.S. Federal court in just the last week. We know about this in our State and how close it hits to home. We love our Muslim communities in our State. They are part of the fabric of life. We have a big Somali community in the country. But we also know that we need to keep our communities safe. By working with our communities, we have been able to bring these kinds of prosecutions. When it is that close, you know you don't want people who are on the terror watch list to get guns.

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

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

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

The third piece of legislation that I think is possible to pass, as I look at what has bipartisan support and what could make the biggest difference, is a bipartisan bill with Senator KIRK. There is a House bill, as well, and that bill focuses on victims of stalking, victims of domestic violence.

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

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

There is a simple bill that would first make sure that dating partners—the same rule that applies to those who are married would apply to dating partners. Even the Republican witnesses at our hearing with Senator LEAHY and Senator GRASSLEY embraced this portion of the bill. If people are dating partners as opposed to married, it should make no difference in terms of

how you look at their ability to go in and buy a gun if they have committed an act of domestic violence.

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

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

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

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

I would suggest the same thing is true for protecting victims of domestic violence. This has nothing to do with being a Republican or a Democratic gun owner or a non-gun owner. When you tell people that somebody who has a restraining order lodged against them shouldn't get a gun, everybody nods their head.

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

I thank the Senator.

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

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

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

Ms. MIKULSKI. First, joining you as a social worker, my question is, Is the Senator from Minnesota, with her vast experience as an attorney general as well as her advocacy here in the Senate—

The PRESIDING OFFICER (Mr. LEE). The question must be directed to the Senator from Connecticut.

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

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

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

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

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

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

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

I think this body should stay in session until we do a number of things, from confirming a Supreme Court Justice, to taking care of the

mineworkers' pension, to this legislation.

How do I go back to Cleveland and say: Well, we tried it again. We didn't do it. It is not that big a deal. If people can't fly on an airplane, they still ought to be able to get a gun.

How do we possibly look people in the eye and answer that question?

Mr. MURPHY. I thank the Senator for a question that is unanswerable.

The answer is we cannot.

As you know, there is a very real, palpable fear out there today. There is no way to look at what happened in San Bernardino, to look at what happened in Orlando, and not be scared. Yes, it is an attack that is designed to elicit a fear that is disproportional to the actual threat; that is what terrorism is. But people's fear is elevated when they don't see us taking action.

Earlier today I think Senator CASEY made this point. He said: Can you imagine doing nothing after September 11? Can you imagine if our response after that tragedy was to just do nothing, to just move on to the next piece of legislation as if it didn't occur? That was 3,000 people whose lives were taken. There are 30,000 people a year who are killed by guns. If you add up those who have been killed in mass shootings, the numbers approach that of September 11.

So this is a moment in which I think it is impossible for us to go back home and once again say that we haven't done anything. I guess that is the reason we are here. I know it is uncomfortable to stop the CJS process, to force and ask staff to stay beyond regular hours.

For many of us—and I think Senator BROWN is amongst this group—we just couldn't pretend this was business as usual again. We couldn't go through another one of these shootings—this one the worst in history of this country—and just go back to our regular business. That is why we are here today, to suggest that this time it has to be different.

I yield for a question.

Mr. BROWN. Through the Chair, if my friend from Connecticut will yield again, I was in a meeting yesterday with a group of Democratic Senators. I heard two of the youngest and most impressive Members of our caucus, Senator BOOKER and Senator MURPHY, talk about the number of gun deaths in this country.

My wife and I live in the city of Cleveland. We live in the ZIP Code in Cleveland that in 2007 had more foreclosures than any ZIP Code in the United States of America. We live in a nice neighborhood of about 250 homes. Most of the rest of the neighborhood has suffered—some in our neighborhood and many outside that neighborhood—foreclosure after foreclosure and urban blight. Many nights we heard gunshots, and then we heard police sirens.

I know Senator BOOKER said—and I think my friend from Connecticut heard him talk about what he sees in

Newark and what we see. Just 3 weeks ago, we had a terrible, terrible number of deaths in southern, very rural Appalachia, southern Ohio, where apparently one family member killed a whole bunch of others with a gun.

I got a letter today or yesterday from a man in Toledo:

I am a gay man living in Toledo, OH, and I have never been to a gay pride event. This year was going to be my year, and I am scared.

Just as you talked about, the fear—I don't live in fear, but when I hear a gunshot and I hear sirens in my neighborhood—or not that far away from my direct neighborhood—I have grandchildren, and I have not heard those gunshots and police sirens when my daughters or grandchildren have been there, but you think about that.

The question is, Why is it harder to obtain a driver's license than it is to buy a gun? Why do we not have the political courage to pass reasonable laws?

I have been in public office a long time, and I have seen so many of my colleagues, mostly Republicans, just cower when the NRA calls or cower when they think about the whole idea of passing gun laws.

Yesterday a reporter told me that Republican Senators will not talk to her right now about any issue because they are afraid they might ask about the NRA and the campaign dollars they have gotten from the NRA.

What is it? Fundamentally, why is it harder to obtain a driver's license than it is to buy a gun?

Mr. MURPHY. I thank the Senator for the question. I just want to acknowledge we have had a number of House Members come to the floor of the Senate today to support our effort.

Congressman RICHMOND, a good friend of mine and of Senator BOOKER, who has just witnessed the ongoing slaughter in New Orleans—unabated because of inaction from this Congress—has joined us. I have seen a number of other Members from the House join us as well. I thank them and I thank in particular my friend Representative RICHMOND for being here.

I think that is a great question, Senator BROWN, especially in the context of the history of the NRA's advocacy in this body.

It used to be that the NRA actually supported expanding background checks. In the wake of the Columbine tragedy, it was the NRA that was arguing to close the loopholes in our background check system. So as a means of answering why we can't get agreements, you have to ask yourself and answer the question as to what has happened to the gun lobby.

The gun lobby used to come here. It originated, of course, as just a gun safety organization. It morphed into much more of an advocacy organization. But even as late as the Columbine massacre, they were still arguing for changes in our laws to better protect individuals.

Today they are an absolutist organization. Today they broker no com-

promise. Unfortunately, there is a large percentage of this body, enough to block commonsense legislation, that follows their lead. But there has been a transformation in the advocacy of that organization.

Many of us are still hopeful that gun owners who are members of the NRA support what we are talking about today, right? The polls tell you that NRA members support background checks to cover more sales and stop people on the no-fly list from getting guns. We hope they might prevail upon their association to be more constructive.

I yield for another question.

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

I'm devastated by the events this weekend in Orlando. Frankly, I have had to personally be retrIGGERED with every mass shooting that's occurred in the past three years.

My tragedy occurred 3 years ago this July. The love of my life, best friend and man I was going to marry was murdered. . . . He was shot to death by a prior felon—with a gun.

It can happen to anyone, anywhere, at any time, for any reason.

Change is needed now. We can't keep waiting. . . . Please do something. Anything. Saving one person from feeling the hell I've felt these past three years is worth it. My heart hurts for the loved ones affected by this weekend, because I know this pain.

I guess this is just a question, and maybe there is no answer. But why, when so many in our country have felt this pain—certainly, the pain is felt more among poorer people and people of color because they have been the victims far too often and, in the great majority of cases, are totally innocent, and far too many of them are children, whether it is Sandy Hook or a random shooting in Cleveland or Newark or Hartford or Detroit or New Haven. What do I tell this woman from Cincinnati or from Columbus who says to me: Can't you do something? Why should more people have the pain she has felt?

Mr. MURPHY. I thank Senator BROWN. I think the answer is we have to look at ourselves sometimes, and ask: Have we fought as hard as we possibly could to galvanize the American public around these changes?

The reality is—and I said this earlier on the floor—that the small handful of individuals in this country who oppose these changes are calling our offices sometimes with more frequency than the large majority of Americans who support these changes, and they take cues from us.

So that is why we are here. We were about to come back to the Senate and just proceed with business as usual. As if Orlando didn't happen, we were just going to start debating amendments to the Commerce-Justice-Science act. Those on the floor today—certainly, in particular myself, Senator BOOKER, and

Senator BLUMENTHAL—said: Enough. Enough. We have to give a signal to the American public that we care—that we care so deeply about the consequences of inaction that we are, at the very least, going to stop this process from moving forward until we can't stand any longer.

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

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

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

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

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

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

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

I want to lift up, before asking my question, two young people from Michigan who were part of the horror 4 days ago. A 25-year-old who had been living in Saginaw, MI, was killed in the Orlando terrorist hate-crime attack. By

all accounts he was a wonderful young man. He owned his own business, loved his family, and recently attended his niece's graduation. His friends said:

Nobody can say a bad word about him. He always had a smile on his face. He always loved to laugh.

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

We in Michigan have a long tradition of enjoying hunting, fishing, and outdoor activities. I grew up in northern Michigan. My family is very involved in hunting and legal and safe gun ownership. But that is not what this debate is about. My family—my brothers, my son, my nieces and nephews—and others look at me and say: What is going on here? This is not about whether we can enjoy hunting or legal gun ownership. My family is saying to me: Wait a minute; let me get this straight. There is a terror watch list where you can't fly, but you can buy a gun. What is that? They go into a gun shop, and they get a background check. But you can go to a gun show or on the Internet and not?

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

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

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

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

In order to make it effective, you also have to make sure you are cap-

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

I yield for a question.

Ms. STABENOW. I thank my colleague. I wonder if I might just ask something, in addition to that. I understand our distinguished leader on appropriations, Senator MIKULSKI, and Senator NELSON as well, have an amendment that would give law enforcement the resources necessary to combat terrorism. We certainly came from a very important briefing today, and we are discussing how terrorism certainly is an all-hands-on-deck operation. But without adequate resources, other things may not receive the resources they need as well, in terms of law enforcement.

I wonder if the Senator might just talk about the importance of resources for law enforcement as well, and how it is our job, in the context of this appropriations bill, to make sure we are prioritizing the fighting of terrorism as well as gun violence.

Mr. MURPHY. I thank Senator STABENOW for the question.

We are asking the FBI to do more and more to protect us from an increasingly complex array of threats, and we are not giving them enough resources to do the job. The alternative that has been proposed to Senator FEINSTEIN's legislation is laughable, in that it would require the FBI and law enforcement to go to court every single time they want to stop someone on the no-fly list from getting a weapon. It wouldn't be automatic. Instead, they would have 3 days to scurry into a court, file a motion to deny the weapon, and have a hearing.

First of all, there is no way all of that could happen in 3 days, but it certainly can't happen with the resources we provide them. So they do not have the resources they need right now in order to protect us from these myriad of threats that are posed from this desire of ISIS and others to inspire lone-wolf attacks. But the alternative to the proposal we have proposed just is unworkable on its face, especially given the resources the FBI has.

I yield for a question.

Ms. STABENOW. If I might just again clarify with the distinguished Senator, so we are all clear. Right now, an individual can be stopped from getting on an airplane—

Mr. MURPHY. Right.

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

That is basically what is happening now and that Republican colleagues

are saying should continue. Not that they want the violence to continue but they are not willing to act to stop people from getting a gun who are on the terrorist no-fly list.

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

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

Ms. STABENOW. I think the American people are scratching their heads at this moment. Hopefully, enough colleagues on the other side of the aisle will join us to close this incredible loophole.

Mr. MURPHY. I thank the Senator.

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

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

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

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

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

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

I believe assault weapons belong in combat, not in our communities. We need a ban on these military-styled assault weapons. We need to eliminate

the trafficking of guns into our communities across our Nation. We need to ban high-capacity magazine clips that turn guns into weapons of war. There is no reason for an ordinary American to have this in our neighborhoods, on our streets, or near our schools. We need background checks on all gun sales, including private sales and purchases made online and at gun shows. We need to crack down on straw purchasing. We need to ban gun sales on sites on the Internet like Facebook and Instagram. Right now, anyone can do a search for an AK-47 or AR-15 or even guns for sale on Instagram and find guns for sale. Could you be under 18? Yes. Could you get a gun without a background check? Yes. We should not allow Instagram to be used as "Instagun," enabling the sale and purchase of deadly weapons in possible violation of State and Federal law.

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

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

That is what is happening here. There is another Achilles heel, and that Achilles heel is the fact that the

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

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

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

I thank the Senator from Connecticut, the Senator from New Jersey, the colleague of the Senator from Connecticut, Senator BLUMENTHAL, and for

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

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

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

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

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

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

Many of our colleagues have come from a briefing by three of the top officials in this country who deal with homeland security and law enforcement. One of the questions that was asked deals with the ability of someone who is on a terrorist watch list to be denied the opportunity to fly on an airplane and then whether that same person on a terrorist watch list can be denied the opportunity to buy, for example, an assault weapon. The answer is, I think, shockingly disappointing. A person who is on a terrorist watch list can and will be denied the opportunity to fly on an airplane. That makes sense. But what doesn't make sense is that same person who is denied the ability to fly on an airplane because he or she is on a terrorist watch list can then go into a gun show or a gun store and buy a weapon, including an assault weapon. That just makes no sense to me. That makes no sense to me.

I would add maybe two other quick points, if I may, and then I will stop and yield to others, including the Senator from Wisconsin who was kind enough to allow me to say a few words. The number of people who want to

leave this country and go to link up with ISIS and be a fighter, that number has dropped and continues to drop dramatically, down to one per month now. In the United States, it is down to one per month. The reason that number continues to drop, and drop dramatically, is because ISIS is on the run. ISIS early on was thought of as a winning team. No more. They are being regarded, I think appropriately, as a losing team.

I asked the question of the Secretary of Homeland Security: Is it true that since 9/11 every American who has died in this country at the hands of a jihadist terrorist—have they died at the hands of someone from another country who has somehow slipped in secretly or covertly? The answer is, every person who has died in this country since 9/11—an American citizen—has been killed by someone who is a U.S. citizen or someone who is a legal resident here.

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

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

Mr. MURPHY. I thank the Senator from Delaware who, earlier on the floor, talked about this notion that ISIS is on retreat inside the Middle East, and they have only a handful of motivations remaining for people to join their movement. No longer is the inevitable geographic expansion of the caliphate available to them as a reason for recruitment, but the belief or the argument that the East is at war with the West certainly is still available to them, especially if we react in the wrong way to the threat that is presented to us. Frankly, we have not gotten into a discussion thus far on this floor about what one of the Presidential candidates is proposing, but part of the reason we are demanding a vote on these measures is because this is the right way to respond. There is a latent fear in the American public that is understandable. There is a wrong way to respond to that that will, frankly, make us less safe. There is a right way to respond, and I think the American public gets that because of the 90-percent approval ratings of the things we are proposing.

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

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

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

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

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

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

I can't tell you how many times I have penned the words "You are in my thoughts and prayers" and spoken the words "You are in my heart, in my thoughts, and in my prayers." I can't tell you how many times I have joined—either in my former service in the House of Representatives or here in the Senate—in a moment of silence. Silence is not enough. Thoughts and prayers are important, but they are not enough. We have to act.

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

I have the honor of serving on the Senate Appropriations Committee and being a member of the subcommittee. This is the moment, this is the bill, and this is our opportunity. I am not saying that had this been in law a year ago, a month ago, a week ago, that this wouldn't have happened, but our silence is unacceptable, and we must act.

We are better than this as a country. I can't tell you how many times I have woken up or heard midway of another mass killing—a crowd around the television set, hungry for news, wanting to know about who perished, who is in the hospital, and when is it enough. When are we going to act?

In the political world, we also, regrettably, fall into our—I don't know what to call it—comfort zone. Let's only talk about this as a terrorist incident, or let's only talk about this as a hate crime, or let's only talk about this in terms of gun violence. This is all of the above. We have to come together. We have to be united. We have to be strong in order to respond.

I also have to speak as a member of the LGBTQ community. This last Friday, I had the honor of going to the opening ceremonies at the Pridefest in Milwaukee, WI. They were celebrating their 30th year of Pridefest. In preparing for what I was going to say at that opening ceremony, I reflected on how different things were 30 years ago, in 1986. That was actually the year I was first elected to local office. I didn't have a lot of colleagues who were in the LGBT community in America, let alone the world, at that point in time. Boy, we have changed. We have seen such progress. After celebrating the opening of Pridefest in Milwaukee, I woke up on Sunday morning, as we all did, to this horrific tragedy in Orlando.

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

Back to the legislating we do on the Senate floor, I will be supporting a number of amendments on this appropriations bill—the one that I came to ask Senator MURPHY about but additionally an amendment that would add resources to the Department of Justice to help prevent and investigate and enforce our Nation's hate crimes laws. I hope those also will earn votes. I will be supporting the amendment of a colleague, Senator CASEY from Pennsylvania, relating to including misdemeanor hate crimes in the list of offenses that should prohibit individuals from being able to acquire or possess weapons of war.

Back to our focus right now, our focus right now is on getting a vote on closing the terror gap, getting a vote on making sure that background checks occur with regard to every purchase so that you can't be rejected from purchasing a weapon and then run to the Internet and purchase a weapon that way or run to a gun show and purchase a weapon that way outside of the background check system.

One of the things that are so important is when the Senator from Connecticut came to the floor and showed the faces and read the names and told the stories of the victims of gun violence, massacres in Connecticut and in locations all over the United States. I have been so moved as I have had the opportunity to see the media begin to share with us information about the

names and the lives of the 49 victims of this hateful attack.

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

Luis Daniel Conde was 39 years old, and Juan P. Rivera Velazquez was 37 years old. Luis, originally from San Lorenzo, Puerto Rico, was with his loving partner, Juan P. Rivera Velazquez, at Pulse. Both men were killed in the shooting. Luis was known by his loved ones as a fun-loving person with a great sense of humor. Juan, also originally from Puerto Rico, was the owner of the D'Magazine Salon and Spa in Kissimmee, FL.

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

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

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

Jean Carlos Mendez Perez was 35, and Luis Daniel Wilson-Leon was 37. Jean and Luis were loving partners. Both men were killed in the shooting. The families of both men took to Facebook to share their love and sadness.

Edward Sotomayor, Jr., was 34 years old. Edward handled brand management for ALandCHUCK.travel, an agency that plans vacations for the LGBTQ community. On hearing the news of Edward's death, his boss, Al Ferguson, spent time with Edward's family at the hospital. He died while urging his partner to exit the club doors to get to safety.

Leroy Valentin Fernandez. Leroy was 25 years old. He was a leasing agent at an Orlando apartment complex and a vibrant performer who loved Beyonce, Adele, and Jennifer Lopez. His friend described her grief as "it just feels very quiet now."

Rodolfo Ayala was 33 years old. Rodolfo was a biologics assistant at the OneBlood donation center, a donation center that has been working to supply blood to the survivors of the shooting. His friend described him as compassionate and said he loved his career.

Brenda Leigh Marquez McCool was 49 years old. Brenda was a two-time cancer survivor and real estate agent. She was the mother of 11 and was at Pulse

with one of her sons for a night of dancing.

Angel Luis Candelario-Padro was 28 years old. He moved to Orlando from Chicago and started a job as an ophthalmic technician only 4 days before the shooting. He was from Guanica, Puerto Rico, and described himself online as "adventurous, easy going and responsible."

Antonio Davon Brown was a captain in the U.S. Army Reserve. He had previously been a member of the Army Officers Training Corps at Florida A&M University. He was 29 years old.

Stanley Alamodovar III, age 23. Originally from Massachusetts, Stanley worked as a pharmacy technician in Claremont, FL. Friends have been taking to social media to comment on his "bubbly" and "down to earth" personality.

Amanda Alvear was 25 years old. Amanda was a beloved sister and godmother. Before the shooting, Amanda posted videos to Snapchat, showing herself and a friend, Mercedes Marisol Flores, dancing and enjoying themselves at Pulse. Mercedes was another victim of the shooting.

Darryl Roman Burt II, age 29. Darryl was a financial aid officer at Keiser University and a passionate volunteer. The president of the Jacksonville Jaycees, which Darryl was a member of, described him as "always interested in a positive impact on the people's lives in the community."

Juan Chavez-Martinez was 25 years old. Juan, a Davenport resident, was known by his colleagues as a kind and loving person. Facebook lists his hometown as Huichapan, Mexico.

Cory James Connell was 21 years old and well loved. His teachers described him as "their all-time favorite" student. His brother took to Facebook to share his grief: "The world lost an amazing soul today. God just got the best of angels."

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

Deonka Deidra Drayton, age 32. Deonka, known as Dee Dee, was working at Pulse when the massacre occurred, according to a family member. "Senseless," her aunt wrote on Facebook. "Rest in peace Dee Dee. You know this Auntie will miss you."

Mercedes Marisol Flores was 26 years old. Mercedes was at Pulse with her friend, Amanda Alvear, when the shooting occurred. She was a student at Valencia Community College and worked at the local Target.

Peter O. Gonzalez-Cruz was 22 years old. Peter worked at UPS and spent his high school years in New Jersey. On Facebook, his mother thanked everyone for reaching out and expressed "deep and immense pain" at the loss of her son.

Miguel Angel Honorato was 30 years old. He was a resident of Apopka, FL.

Miguel worked for FajitaMex Mexican catering. On Facebook his brother wrote: "I can't face the fact that my blood brother is gone. May your soul rest in peace Brother. I love you so much."

Javier Jorge-Reyes was 40 years old. Javier, of Orlando, worked as a supervisor at Gucci. He was originally from Guayama, Puerto Rico, and studied at the Universidad del Sagrado Corazon. Said one Facebook friend: "Your energy and love of life and of all things beautiful was infectious. . . . You were one of a kind."

Jason Benjamin Josaphat was 19 years old. He was an ambitious young man with many passions—computers, athletics, and photography. Jason's uncle described him as "very excited about his journey."

Eddie Jamoldroy Justice was 30 years old. He was an accountant and loved to make other people smile. He was able to text his mother right before he died on Sunday night. He said that he loved her and to call the police.

Alejandro Barrios Martinez, age 21. A Cuban news source identified Alejandro and spoke with his family and friends who described him as "always very positive." He was able to contact his family at Pulse before he died.

Gilberto Ramon Silva Menendez, age 25. Gilberto studied health care management at Ana G. Mendez University and worked as a sales associate at Speedway. He was originally from Manati, Puerto Rico.

K.J. Morris was 37 years old. K.J. was a bouncer at Pulse, known for her excellent dancing and amazing smile that could light up a room. She previously lived in Massachusetts.

Luis Omar Ocasio-Capo, age 20. Omar loved to dance and dreamed of becoming a performer. He grew up in Nashville, TN, and worked at a local Target and Starbucks.

Eric Ivan Ortiz-Rivera, age 36. Originally from Puerto Rico, Eric worked at Party City and Sunglass Hut. He had been married for about a year. On Sunday morning, his husband frantically called friends and family when he couldn't connect with Eric.

Joel Rayon Paniagua was 32 years old. He loved dancing and is remembered as humble and cheerful. He was also a religious man and attended church in Winter Garden.

Enrique L. Rios, Jr., age 25. Enrique was from Brooklyn, NY, and was vacationing in Orlando at the time of the attack. He had been working as a coordinator at True Care Home Health Care and studied social work at St. Francis College. His mother said her family has been "torn apart."

Xavier Emmanuel Serrano Rossado was 35 years old. He was the father of a young son and worked as an entertainer at Splash Bar in Panama City Beach, FL. He was a mentor to many of his coworkers who described him as "quick with a smile."

Shane Evan Tomlinson, age 33. Shane was a gifted singer who performed as

the front man for the band Frequency. He had a vibrant and charismatic stage presence. He was at Pulse following a performance at a local club.

Martin Benitez Torres was 33 years old and from San Juan, Puerto Rico, where he studied at Ana G. Mendez University System. He was in Orlando visiting his family.

Franky Jimmy De Jesus Velazquez, age 50. Franky was a visual merchandiser at Forever 21 and studied at InterAmerican University in Puerto Rico. His family took to Facebook to share their love of Franky saying: "What happened in Orlando affects all of us because it is an act of hate against the freedom to be who you are."

Luis S. Vielma was 22 years old. He was a student at Seminole State College and worked as an operator for Universal Studios' Harry Potter and the Forbidden Journey ride.

Jerald Arthur Wright. Jerald was 31 and was employed at Walt Disney World and was well loved by both of his families—his biological one and his Disney family. He was at Pulse to celebrate a friend's birthday.

Tevin Eugene Crosby. Tevin was a Michigan native and 25 years old. He was the ambitious owner of Total Entrepreneurs Concepts. He was visiting Orlando after traveling to watch his nieces and nephews graduate.

Jonathan Antonio Camuy Vega. Jonathan was 24 and worked for a Spanish TV network as a producer of a popular children's talent competition. He was a member of the National Association of Hispanic Journalists in Puerto Rico before he moved to Florida.

Jean Carlos Nieves Rodriguez was 27 and was a manager at a local McDonald's. He was known for being incredibly dependable. His closest friends describe him as "just a caring, loving guy—just like a big teddy bear."

Yilmery Rodriguez Sullivan, age 24. Yilmery was a wife, a sister, and a mother of two sons, Jariel and Sergio. Her sister described her as the most loving and caring person you could ever meet, saying her smile lit up the room and her laughter brought a smile to your heart.

Frankie Hernandez Escalante, 27. Frankie was a loving big brother who taught his little sisters how to walk in heels and do their hair and makeup. Frankie had a tattoo on his upper right arm reading "love has no gender." Frankie moved to Orlando from Louisiana.

Enrique L. Rios, Jr., age 25, who I spoke of before. Enrique, from Brooklyn, NY, was vacationing in Orlando at the time of the attack. He had been working as a coordinator at True Care Home Health Care and studied social work at St. Francis College. His mother describes that their family has been "torn apart."

There are three more names that I will read and tell you just a little bit about who lost their lives in that massacre early Sunday morning in Orlando.

Paul Terrell Henry was 41. Paul was planning to return to college. He was a Chicago native and loved dancing and playing pool. He had two children, including a daughter who had just graduated from high school.

Christopher Joseph Sanfeliz, 24. Christopher worked at a local bank and was known for having a positive outlook on life. He was very close to his family and told family members earlier in the weekend that he planned to go to Pulse with friends.

Geraldo A. Ortiz-Jimenez, age 25. Geraldo, known as "Drake Ortiz" to his closest friends, was originally from Santo Domingo in the Dominican Republic. He studied law at the Universidad del Este en Carolina.

Now, through the Chair, I would like to ask Senator MURPHY a question about the 45 victims of this tragedy. As someone who has come to this floor and read the names, shared the images, and told the stories of so many in our country who have lost their lives to gun violence, does the Senator from Connecticut agree that the time to act is now, and that our thoughts and prayers for their deaths are important, but not enough?

(Mr. SASSE assumed the Chair.)

Mr. MURPHY. Mr. President, I thank the Senator for the time she has taken to talk about each of these beautiful individuals—these young men and women who went to a dance club to celebrate their lives and their friends and Pride Month and who will never, ever walk the face of this Earth again, and their friends and families will never get to celebrate these individuals' lives. It is a reminder, as you talk about who these people are individually, as much as we talk about statistics—the 30,000 who have died—that this is about lives.

You could tell the story, for each one of them, of 20 other people whose lives will never be the same because of this tragedy. You could put nearly two of those charts up every single day, and that is what is so scary. We are fixated on this tragedy because it is unique and horrific, but we could put up that chart every day, and it is important to tell their stories—to tell who they were—because hopefully that is part of the imperative for us to act.

Senator UDALL has been patient and on the floor, and I know there are others who are waiting to speak. So let me yield for a question to Senator UDALL, who has been a great friend on this issue, without losing my right to the floor.

Mr. UDALL. Mr. President, I really appreciate the leadership of Senator MURPHY and his effort to see that the Senate addresses commonsense gun legislation. It is probably around the hour when people are getting home, and they are wondering why we are here, why the Senator is choosing to hold the floor in this extended debate.

People should know that our Nation has seen a string of gun tragedies. The Senator's home State of Connecticut

saw the horrific Sandy Hook shooting of young children. In San Bernardino we saw an ISIL-inspired terrorist attack. This terrorist slaughtered his former coworkers—innocent people. In Orlando, a disturbed man, perhaps inspired by ISIL, murdered 49 people in cold blood. This was an assault on the LGBT community—a hate crime. In the last week, in my home State of New Mexico, we have seen some terrible gun tragedies. A man is now accused of murdering his wife and four children in Roswell, NM.

There are so many tragedies, and they all have different reasons. But one thing that almost all of us agree on is that we must do more to keep dangerous weapons out of the hands of people who mean harm to others or to themselves. You should have to pass a background check to buy a gun. If you are a risk to others because of a history of making threats or because you may be affiliated with a known terrorist organization, law enforcement should be able to step in and prevent you from buying weapons.

The first thing I wanted to ask the Senator from Connecticut, for people who are just tuning in right now, is this: What are the two amendments that you are seeking to vote on today, and how would they help stem this tied of horrific violence that we are seeing across the country, and as you have continually pointed out happens every day?

Mr. MURPHY. Mr. President, I thank the Senator for the question. It is simple. We are asking for the two sides of the aisle here to come together and bring us votes on a bill that would prevent individuals who are on the terrorist watch list—the no-fly list—from being able to purchase firearms and then, second, to expand out those purchases that are covered by background checks to places where gun sales are migrating, which is largely gun shows and Internet sales. These are both measures that are supported broadly by the American people.

To the Senator from New Mexico, we are asking for more than just votes on these measures. We think there is common ground on these issues. We can't think of any excuse why we can't come together and figure out a way to get these passed.

We have taken votes in the past, and votes are important and would be important if we took them, but what would be more important is to bridge our differences. There are plenty of people who aren't on the floor today who can make that happen so that we can pass legislation rather than just debate and vote on it.

I yield to the Senator for an additional question.

Mr. UDALL. Mr. President, I ask the Senator this, through the Chair. My offices in New Mexico today received many calls asking why Democrats are on the floor debating the Second Amendment. I would like to ask the Senator from Connecticut if this is an accurate assessment of today's debate.

It is my understanding—and I believe most of my colleagues would agree—that the Supreme Court has settled this issue. Congress can't take away that right. President Obama can't take away that right.

What we are doing here today is taking steps to ensure that dangerous people are not able to buy a gun. Is that the Senator's understanding?

Mr. MURPHY. Mr. President, I thank the Senator for this clarification. I, in fact, don't think there is anything about this debate that we are having that, as they would describe it, is a debate about the Second Amendment. There is no dispute that the Second Amendment now, in the wake of the Heller decision, guarantees the right of an individual to own a firearm. That is the law of the land. But that same decision very explicitly makes it clear that it is within the right of Congress to put parameters around that right to make sure, for instance, that criminals or would-be criminals don't get access to firearms.

So this certainly is not a debate about the Second Amendment. The Second Amendment is clear. Right now, as interpreted by the Supreme Court, it guarantees an individual's right to a firearm, with reasonable conditions placed upon it by Congress. So we are simply debating the extension of a widely accepted condition on the Second Amendment, which is the inability of criminals, and as we are debating today, individuals on the terrorist watch list.

I yield to the Senator for a question.

Mr. UDALL. I would ask an additional question here. Last week, several of us announced a “we the people” government reform package, and I plan to introduce that bill tomorrow. The bill includes several pieces. It has Senator WHITEHOUSE's DISCLOSE Act, which would require mandatory disclosure of all special interest campaign donations. It also includes my good friend Senator BENNET's legislation to strengthen lobbying laws.

I bring this up because I think it highlights the reason for Congress's inaction on gun violence. We have been here before after the tragedy in Connecticut at Sandy Hook. We stood here and debated many of the same issues, including expanding background checks, closing the gun show loophole, limiting the capacity of magazines—things that should have been passed but weren't.

I wish to ask my friend from Connecticut: Do you think our inability to pass commonsense gun safety legislation is in any way connected to the flood of money in our campaigns from special interests?

Mr. MURPHY. I thank the Senator for the question.

I think the flood of special interest money into politics is the answer for why lots of things don't happen here, and, frankly, it is also the answer for why a lot of things do happen here. So I think you are spot-on, through the

Chair to Senator UDALL, that part and parcel of this conversation is a conversation about reforming the way in which influence is exerted in this place.

Something is wrong when 90 percent of the American public says that they want expanded background checks, and something is wrong when 75 percent of the American public says they want people on the no-fly list to be prohibited from buying guns, and we don't act on it. I can't give specific diagnoses as to why that is, but it certainly speaks to the need for the reforms the Senator is talking about.

I yield to the Senator for an additional question without losing my right to the floor.

Mr. UDALL. I ask one additional question through the Chair.

Many New Mexicans live in very rural areas near the border with Mexico. Carrying a gun is not unusual in those areas. It is a different way of life than in Connecticut or anywhere on the east coast. For example, the entire State of Connecticut is about 5,500 square miles, with a population of 3.5 million. Hidalgo County, NM, one of our 33 counties in southwestern New Mexico, is almost 3,500 square miles and has a population of fewer than 5,000. Many of the ranches there are tens of thousands of acres. They are in the remote boot heel area of the State, a region that is divided by mountain ranges and that borders Mexico on two sides. So I understand why many New Mexicans feel safer carrying a firearm. They might be miles from the closest help. It might take law enforcement a significant time to reach them. So I certainly don't want to do anything to infringe on their right to protect themselves with a firearm.

But I would ask my friend from Connecticut who has worked on this issue so long and understands this so well, would any of the proposals we are asking to get a vote on take away their rights to purchase or own a firearm?

Mr. MURPHY. I thank the Senator for the question. I will forgive the disparagement of Connecticut's small size, but the answer is no. The only limitation would be that if any of those individuals were not permitted to fly because they were on the terrorist watch list, they would not be able to purchase a gun. In 2015 there were only 200-some-odd individuals who were on the no-fly list who attempted to buy a gun. Other than that limitation—and I imagine there are very few or no ranchers who are on that list.

Mr. UDALL. I appreciate that answer, and I yield the floor.

Mr. MURPHY. I thank the Senator very much.

I yield to my good friend, the Senator from Colorado, for a question without losing my right to the floor.

Mr. BENNET. Mr. President, I thank the Senator from Connecticut, and I would say to the Senator from Connecticut, those attempting to disparage the size of Connecticut—being from

Colorado, I certainly won't do that, but I would ask you to share the biggest concern you have heard about requiring universal background checks on gun sales.

Mr. MURPHY. I thank the Senator for that question. I talked to Senator MANCHIN about this earlier today. Much of the concern that I hear from individuals is that it is somehow a slippery slope that eventually leads to the government confiscating weapons. That is a mythology that has been created out of whole cloth by individuals who have something to gain from selling the story of perpetual fear of the government.

Of course there is no evidence in the history of the national criminal background check system that is the case. So I think the root of people's opposition is in a fear about a hidden agenda of the government, which we know is simply not the truth. All the criminal background check systems do is protect the public by keeping guns out of the hands of violent criminals.

I yield for the question.

Mr. BENNET. I appreciate the answer to that question.

I will share some of the experiences of Colorado, and I will ask the Senator from Connecticut a question.

I want to say first to the people of Orlando and the people of Florida how sorry I am for the tragedy that has befallen them. On Sunday morning, I got up and opened the paper on my device and saw at that time that 20 people had been killed, and then it quickly grew to 50. I can only remember the shock when we had the shootings in the Aurora movie theater, and I know the Senator from Connecticut had the tremendous shock of the killings of the elementary school children in Newtown, CT. I thought, as I always do when this happens, that my brother or sister could have been in there, my mother or father could have been in there, or my son or actually one of my daughters could have been in there, and I thought of the feeling somebody must have when they know they are never going to see their loved one again.

I was fortunate, obviously, not to be in that circumstance, but on Sunday morning, my wife Susan and I were taking my 11-year-old daughter—my youngest daughter—to camp, and the only thing I was trying to do before I got her there was to make sure she didn't see the news, make sure she didn't hear about what happened, make sure she didn't leave her parents feeling the anxiety they felt after Newtown happened, the horror they felt after Aurora happened, the knowledge that they are growing up in a country unlike the country we grew up in, where children have a reasonable fear that something like this could happen to them.

Our experience in Colorado—as the Senator knows, on July 20, 2012, a gunman walked into a crowded theater in Aurora—people were there just to watch a show—and killed 12 innocent

people, just like the innocent people who were killed on Sunday morning or the children killed in Newtown. There were 58 wounded from the gunfire. We lost 12 lives, people who were full of life and aspirations, loved by family and friends. I have read their names on this floor. I have talked about who they were on this floor.

But unlike Washington, in Colorado, our legislators rose to the occasion and made some tough decisions, which is why I am asking this line of questions to the Senator from Connecticut. They got together and they actually strengthened our background check system. Colorado's Legislature closed the gun show loophole and the Internet loophole and required a background check for every gun sale.

What has happened? Let me give an example. In 2015 the stronger background check system blocked 7,000—I want to be precise about this—7,714 people from buying guns. That may sound like a lot, but 350,000 people applied for guns in Colorado in 2015. That is just over 2 percent of the people who applied for guns. Ninety-eight percent of the people who applied got their guns.

By the way, I have a report from the Colorado Bureau of Investigation, which on a monthly basis publishes all this data so everybody in Colorado can see what is going on. It has, among other things, the average wait time, the average time it takes on the Internet to get this check done in Colorado. It takes 9 minutes to get the background check.

More important than the percentage—that, of course, is a low percentage—is who is in the percentage. We have murderers who have been denied guns. We have rapists who have been denied guns. We have domestic abusers in that 2 percent who have been denied guns. We have kidnappers who have been denied guns. Is there anybody who is going to come to the floor of the Senate and say that Colorado is worse off because we have kept guns out of the hands of murderers and kidnappers and rapists?

This isn't mythical; this is the actual fact of what is going on in a western State that has background checks. Nobody can come here and argue that we are not safer because these people who shouldn't have had a gun don't have a gun, this 2 percent.

But in stark contrast—this is why I came to the floor tonight—this is in stark contrast to what the Colorado Legislature did after the Aurora shooting. This Congress did nothing after Newtown, after Aurora, after Orlando—nothing. Time and again we return to this floor after a mass shooting and yet are unable to do the simple things, such as close the gun show loophole once and for all. That is not about taking guns from people who already have guns; that is about keeping guns out of the hands of people who shouldn't have guns. If your State is like my State, that is going to be somewhere in the

neighborhood of 2 percent of the people who can't get a gun or apply for a gun permit.

The least we can do is close the terrorism loophole that allows terrorists on the watch list or people who are on the watch list to buy a weapon. That makes no sense at all. I think the American people clearly agree with that. The American people clearly support background checks. Ninety percent of the American people believe we should strengthen background checks.

I thank my colleagues who are here today. It is a particular privilege to be here with my two colleagues from New Mexico, and I thank the Senator from Connecticut for his leadership.

Mr. MURPHY. I thank the Senator from Colorado for his passion on this issue and for the personal decisions we wrestle with, especially those of us with children.

I now yield for a question.

Mr. BENNET. Mr. President, I would just like to add one thing, if I could.

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

Mr. BENNET. You know, it is Pride Month, and we have our Pride parade this Sunday in Denver. For the last 10 years, that is how we have celebrated Father's Day. Father's Day coincides with Denver's Pride parade, and my wife and children and I all go. This Sunday my phone rang. My oldest daughter was on a civil rights tour in the South with her choir, and we started talking about this, and she reminded me that we missed last year's Pride parade because we were at the Shorter AME Church in Denver worshipping with that congregation in the wake of the shootings in Charleston. She was the one who had to remind me of that, but when she did, it was another reminder of how searing these experiences are for the next generation of Americans.

I thank my colleagues.

Mr. MURPHY. I thank my colleague. He is right. Charleston was almost a year ago to the day. But it is hard to keep track of when these year anniversaries occur because we are now having 1-year and 2-year and 3-year and 4-year anniversaries and major, epidemic mass shootings almost every month, and we are coming up on 4 years for Sandy Hook this December.

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

Ms. HIRONO. I thank the Senator from Connecticut for yielding his time on the floor for a question, and I want to join all the people of Hawaii in expressing our deep sadness and condolences to the families and friends of all those who lost their lives and who were injured in this tragedy in Orlando. Our entire country shares in your grief.

Like everyone who has spoken today, I am saddened and outraged by what occurred in Orlando this past weekend. One of the victims, Kimberly "K.J." Morris, moved to Orlando from Hawaii

just 2 months ago to take care of her mother and grandmother in Florida. K.J.'s grandmother Emma Johnson said:

Knowing her, she would be trying to help everybody get out instead of running for her life. That is the type of person she is.

The lives K.J. and others led were cut tragically short. Meanwhile, Congress has been unable and unwilling to act to keep guns out of the hands of people who shouldn't have them.

I commend my colleague from Connecticut for his leadership on this important issue. He has been on the floor of the Senate week after week, month after month, calling on us to enact sensible gun legislation to keep our communities safe and to save lives.

I shared a transition office with Senator MURPHY in the days following the Newtown attack, and I saw his dedication and passion on this issue firsthand.

In his first speech on the Senate floor, the Senator from Connecticut said:

I never imagined that my maiden speech would be about guns or gun violence. Just like I could never imagine I would be standing here in the wake of 20 little kids having died in Sandy Hook or six adults who protected them. But sometimes issues find you.

We all share his heartbreak that, of all issues, this is the one that found him. But I am proud to stand with him and with all my colleagues and with all the children, families, and communities affected by the gun violence epidemic in our country.

I agree with my colleague wholeheartedly when he says that it is no longer the time for thoughts, for prayers, for reflection; it is time for action.

In Hawaii, we have one of the lowest firearm death rates in the entire country. This is not an accident. Our elected leaders in the Hawaiian community have recognized that our laws should balance the interests of responsible gun owners with the interests of public safety.

Of course, we need to do more—so much more—on the Federal level. I supported the Manchin-Toomey bill to close the gaping loopholes in our background check system before guns can be purchased, and I strongly support Senator FEINSTEIN's bill to prevent people on the terror watch list from purchasing a gun.

Now is the time for action on these measures today, on this bill before us. Otherwise, the carnage in our country will continue. This year alone, 6,093 people have been killed by guns in our country. This includes 125 people who were killed by guns in the 3½ days since Orlando. So 125 more people have died since Orlando.

If we stood here and provided 6,093 victims a minute of silence, we would be standing here for 4 days, 5 hours, and 33 minutes. Moments of silence are not enough.

I wish to ask my colleague from Connecticut a question. What kind of message are we sending to communities

around the country if we once again do nothing to make our country safer?

(Mr. ROUNDS assumed the Chair.)

Mr. MURPHY. I thank the Senator for the question.

I think it is a very dangerous message. I think it is the complete inability of this body to deal with important questions of the day. There is no doubt that we have disagreements. There is no doubt that there is a different approach on this side of the aisle than there is on the other side of the aisle. We have proffered the two policy proposals that are the easiest to find common ground on, but there is a host of other things that we would like on that we know will be much more difficult to get consensus on from the other side.

What is so damaging about not doing anything and, frankly, what is so offensive about not even scheduling a debate is that we are admitting that this place doesn't have the capacity and the ability to deal with the big questions that are on people's minds. People are scared right now. They are scared, having watched what happened in Orlando and what happened in San Bernardino. You heard the letter or the voice mail that Senator MCCASKILL transcribed for us by a 14-year-old who didn't know whether she was going to be able to live out her dreams because she thought that gun violence was going to sweep over her community.

It is so damaging to this country to leave people exposed to this potential terror, but it is also damaging to the reputation of this body, which is about as low as you can already get if we don't act.

I yield for any other questions.

Ms. HIRONO. I thank the Senator for his response. What could be more fundamental a job for government than to keep our people and our communities safe.

Mr. MURPHY. I thank the Senator, and I thank her for the questions.

I am thankful that my friend from New Mexico, Senator HEINRICH, has joined us.

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

Mr. HEINRICH. I have several questions I wish to ask Senator MURPHY through the Chair today, but I want to start by thanking my friend, CHRIS MURPHY.

I am very proud to call him a colleague. I am proud of seeing him take this stand. I am proud that is forcing us to have this conversation. We all get sent here by our constituents to make tough decisions, to find the truth, and to find a path forward. I am very proud of him for not letting this go quietly with just another moment of silence and no action.

Since Sunday, I think most of us have been walking around feeling literally sick to our stomachs, with a sickness that is not going away.

I know our whole country is just so weary of seeing shooting after shooting and not seeing action and change and something meaningful from all of us.

I was very proud to see my constituents fill Morningside Park in Albuquerque, Pioneer Woman's Park in Las Cruces, the Plaza in Santa Fe, St. Andrew's Episcopal Church in Roswell, and Orchard Park in Farmington—all to remember the victims in Orlando and to say to their families that we are not going to forget them and to say to that entire community that when the LGBT community is attacked, really all of us are attacked.

I came to the floor because I can't believe that we are going to let this happen again and not change something. That goes to what I want to ask the Senator from Connecticut about.

I am here because I know that we can take tangible steps to make our country safer again, steps that are not a burden to gun owners—to gun owners like me. Senator MURPHY and I have talked about this at length. We are friends, our families are friends, and our kids are friends.

This is not about creating a burden for law-abiding gun owners, it is not about a threat to the Second Amendment. What has become clear is that there are simply critical junctures where we have to be able to identify those who would do us harm. Whether it is a young person drastically losing their way or a potential terrorist who is intent on doing harm to others, there are times when we have to be able to step in.

It is no secret that I have always believed that law-abiding citizens should be able to own firearms for sport, for self-defense. A lot of New Mexicans do just that and do it with incredible responsibility, but I simply cannot stand by and let this pass with just another moment of silence.

It is personal. As the parent of a 13-year-old, as the parent of a 9-year-old, and watching what happened at Sandy Hook in Senator MURPHY's home State—without believing there must be something more that we can do—I find it so frustrating that kids today in elementary school, in middle school, have to do things that we never had to do when we were growing up—practice sheltering in place and what happens in an active shooter situation. Our kids simply shouldn't have to do that. We owe it to the American people to take real action, to reduce the violence in our communities. I truly believe that keeping guns out of the hands of people who are, frankly, legally prohibited from having them is just such common sense.

The fact that we are arguing about this is a little bit unfathomable, but that is all we are talking about with background checks. That is what background checks do. That is what closing the terror gap would do.

I can't tell you how many times I have been through the background check process. Through the Chair, I ask Senator MURPHY, if I have to pass a background check to buy a deer rifle, why shouldn't firearms sales made on the Internet or at a gun show require

such a simple procedure that makes sure that law-abiding people have access to firearms and makes sure that people who aren't law-abiding, who have been convicted of a felony, who potentially could be on the terrorist watch list do not. We are going to talk a little bit about closing that gap. Shouldn't we make sure that all of our firearms sales cut a clear and decisive line between the law-abiding and those who have lost their rights through the actions they have taken?

Mr. MURPHY. I thank the Senator for his question. I really appreciate his outlining at the beginning of his question that not only is the Senator from New Mexico a gun owner but that he is a proud gun owner. He is an active hunter and somebody who cares very deeply about Second Amendment rights.

His question is spot-on. Why would you have a system that requires Senator MARTIN HEINRICH to go get a background check when he buys a gun at a gun store but not require an individual to get a background check when they buy a gun at a gun show? The reality is that when this law was passed, the intention was for the background check to cover almost all commercial sales in the country, but it was passed at a time when almost all commercial sales were being done in gun stores. What has happened since that law was passed is that gun sales have migrated—for reasons that you can understand—away from bricks-and-mortar stores and onto Internet sales and to these gun shows. I guess really all we are asking for the text of the law is to basically re-up on the original law's intent.

The Manchin-Toomey bill, for instance, still doesn't contemplate the sale of a gun from a father to a son or from a neighbor to a neighbor to be subject to a background check, but if you were advertising your gun on the Internet or if you are going to an organized market and gun sale, then you should go through that background check.

I saw you nodding when Senator BENNET mentioned that the average background check takes under 10 minutes. Some people say: Oh, we can't have background checks; it is so onerous.

No, everybody who has gone through a background check can tell you that you are by and large in and out of there in a very short amount of time. Frankly, as to the people who aren't in and out of there in a short amount of time, sometimes that is for a reason, and that is important to remember.

I yield for additional questions.

Mr. HEINRICH. Well, I want to get to a second question, but I want to say that is absolutely accurate. I can tell you I don't think it has ever taken me more than 15 minutes to go through that process.

As a law-abiding gun owner, as somebody who has taught my kids how to be responsible with firearms, I don't want criminals to be in possession of firearms. I don't want someone who has been convicted of domestic violence to be in possession of firearms.

This is about separating the law-abiding from terrorists and criminals. What could be more common sense?

If you look at Federal law, it literally identifies 10 categories of individuals who today are prohibited from shipping or transporting or receiving firearms or even ammunition, because we have made the judgment through our judicial system and through our laws that they present a threat to public safety.

This list includes convicted felons, as it should. It includes fugitives. It includes drug addicts and people who are committed to mental health institutions. It includes undocumented immigrants. It includes anyone who has received a dishonorable discharge from the military, someone who has renounced their U.S. citizenship, or someone with a restraining order for domestic violence or misdemeanor convictions for domestic violence. Finally, it includes anyone who is under a felony indictment.

To me, the second amendment that Senator MURPHY was speaking of—the second amendment not to the Constitution but the second amendment to this bill—speaks to whether it shouldn't be true that someone who is suspected of terrorism should not be considered as unfit to own and use a firearm legally as someone who has been dishonorably discharged or has renounced their U.S. citizenship. We are talking about people who have gotten on the no-fly list, for example, for some very real reasons.

Through the Chair, I ask Senator MURPHY: If the FBI or intelligence community believes that someone is such an imminent threat that they are so dangerous that we cannot allow them to board a commercial airliner, shouldn't they also be prohibited from buying a gun or shouldn't we at least let the Attorney General flag that sale and do something about it?

Mr. MURPHY. I thank the Senator for the question. The amendment that has been filed by Senator FEINSTEIN is pretty plain in its wording. It says that the Attorney General can deny the transfer of a firearm based on the totality of circumstances, that the transferee represents a direct threat to public safety based on a reasonable suspicion that the transferee is engaged or has been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism or has provided material support or resources thereof.

There is not a single Member coming to this floor and suggesting that people who are on the no-fly list today should be taken off of it because their right to fly has been abridged or that there are names on the list that shouldn't be. That would be ludicrous. No one is going to suggest that we should allow people who meet that criteria to be allowed to fly in this country. So why on Earth would we allow them to purchase a gun?

I would hope that our colleagues would take a close look at this lan-

guage that Senator FEINSTEIN has filed. It is different from her initial amendment. It is very clear and straightforward. If you are deemed to be a potential threat to the United States because of connections to terrorists, you probably shouldn't be buying dangerous assault weapons.

I yield for a question.

Mr. HEINRICH. And is it not true, I ask Senator MURPHY through the Chair, that there are due process protections in this amendment so that if someone were to find themselves on a list, there is a right to redress so that we ensure not only that terrorists can't simply walk into a gun store or go online and buy firearms but also so that there is due process?

Mr. MURPHY. I thank the Senator for that question because that is kind of the red herring that gets thrown into this mix. Yes, we all agree we don't think people who are on the no-fly list should get guns, but it is about the mistakes that are made.

No, in Senator FEINSTEIN's amendment—I know she will speak to it over the course of the debate—there is a process for individuals to remedy any erroneous denial of a firearm. So there is going to be an explicit process set up with which to do that.

I think Senator MCCASKILL said this earlier; she remarked that the bipartisan reference is showered upon law enforcement. It is wonderful that we support our members of law enforcement, but then why don't we trust them to make decisions when they have information that would make them very worried about a specific individual buying a firearm? Why don't we trust them to make that decision if we all agree that we trust them to make other decisions to keep us safe?

I yield for additional questions.

Mr. HEINRICH. I was looking at updated data from the Government Accountability Office that sort of leads to my next question, and it shows that known or suspected terrorists pass a background check to purchase a firearm or to purchase explosives 91 percent of the time. The terrorists themselves have actually identified this weakness. They know it exists. I sit on the Intelligence Committee, and we look at what they communicate to each other so that we can learn how to make our country safer.

There was an Al Qaeda video in 2011 that literally instructed potential terrorists to take advantage of our incomplete background check system.

There have been a number of terrorist attacks in recent years where giving the Attorney General the authority to prohibit a suspected terrorist from purchasing a firearm could have at least thrown up meaningful barriers. I think most notable was the horrendous Fort Hood shooting in 2009, where MAJ Nidal Hasan was able to pass a background check and buy a handgun, even though he was under an active FBI investigation for links to terrorism. He went on to shoot and kill 13 people. He wounded 30 others.

So if we are saying that whole categories of other people present such a public safety threat that they shouldn't have access to firearms, I just can't believe we shouldn't at least give the Attorney General the ability to put terrorists on the same do-not-buy list. Why wouldn't we do that, Senator MURPHY?

Mr. MURPHY. I say to Senator HEINRICH, it is hard to understand why we wouldn't do that, especially when, as you noted, people on that list go in and buy a gun and they are almost universally successful in walking away with that weapon. It doesn't happen very often; let's be realistic about what the numbers are. I think I read them earlier and from 2004 to 2014 there were 2,233 instances where suspected terrorists attempted to purchase a gun. And as my colleague mentioned, in 91 percent of those instances they were successful. So we are only talking about 200 or so instances a year.

Now, of course, those are the only ones we know about because those are the ones that actually went through a background check. We don't actually know about all those people on the no-fly list who tried to buy a weapon successfully online or at a gun show. We know about these that rated about 200 a year.

The reality is that terrorists today who are trying to perpetrate attacks on American citizens have lately not been using a bomb or an explosive device to carry out that attack. They have been using weapons—in the latest attack, an assault weapon. So we should just wake up to the weapon of choice of terrorist attackers and adopt this commonsense measure.

I yield for a question.

Mr. HEINRICH. I have one last question for my colleague from Connecticut, and this one is probably the hardest one. It is simply why? Why is this so hard?

I stand here as a gun owner. I have looked at each of these amendments through the lens of what it means to be a law-abiding gun owner in this country, with both rights and responsibilities. That is why we have hunter safety before we ever go out into the field as a 12-year-old or a 13-year-old.

I just don't see anything in these two amendments that is an unreasonable burden to someone like me. So why is it so hard to even have this conversation on the floor of the Senate? Why is it so hard to get a vote? And more importantly, why is it so hard to change these policies and these laws to try to make our country just a little bit safer?

Mr. MURPHY. I guess, I say to Senator HEINRICH, if I had the 100-percent correct answer to that question, we probably wouldn't be here because we would probably have figured out how to solve it.

It is such a unique issue in the American public sphere today, where 90 percent of the American public wants something to happen and this body will

not do it. It is only controversial in the U.S. Congress. It is not controversial in people's living rooms. It is, frankly, not controversial in gun clubs. When you sit in a gun club and talk about whether a person who has been suspected of being a terrorist should be able to buy a gun, there is a consensus there too.

We have talked about the cornucopia of reasons this doesn't happen, and it is part a story of the influence of the gun lobby; it is part a misinterpretation of the nature of the Second Amendment; it is part a belief that more guns make people safer, which the data does not show; it is part an answer in how voters prioritize the things they care about—that the 10 percent that doesn't agree is calling in to Members' offices at a level the 90 percent aren't; and, lastly, in part, it is an indictment of us. It is an indictment of those of us who have just let business as usual run on this floor, mass shooting after mass shooting.

The reason we have chosen to do something exceptional—which is to hold up work on the CJS appropriations bill until we get an agreement to move forward on these two issues—is that we have something to answer for here as well. Maybe we haven't fought as hard as we should in order to get this done. And this may not get us there. We still need votes from Republicans. We can call for a vote, but we ultimately need them to vote yes on that. But at least we are showing the American public that we care as deeply as we should about ending this slaughter.

I would be happy to yield for a question.

Mr. HEINRICH. I just want to thank Senator MURPHY for everything he has done on this issue and for not taking no for an answer.

Mr. MURPHY. I thank the Senator.

I am so glad to have my neighbor, Senator WHITEHOUSE, joining us on the floor, and I yield to him for a question without losing my right to the floor.

Mr. WHITEHOUSE. I am delighted to be here. And before I ask my question, I just want to thank my colleague for what he is doing. I guess my first question would be, How are you doing? You have been on the floor for quite a while now, and I really appreciate it, but how do you feel?

Mr. MURPHY. I say to Senator WHITEHOUSE, when I was in my early 20s, I actually ruptured two discs in my back, and so I spent a lot of time reworking my back in my later 20s to make sure that wouldn't happen again. That rigorous back work to repair my broken discs is paying off, I would say.

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

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

Mr. BOOKER. The Senator is not asserting he is still in his 20s, is he?

Mr. MURPHY. I am no longer in my 20s, but I am saying that early preventive work has paid off in the long run.

Mr. BOOKER. I thank the Senator. I just wanted to clarify that.

Mr. MURPHY. I yield back to the Senator from Rhode Island for a question.

Mr. WHITEHOUSE. We have some obligations that we ought to meet and that the American people would support us in meeting, and my question is, Do those obligations include not only strengthening our gun laws to make sure that certain individuals who should not purchase firearms are legally prevented from purchasing firearms—for instance, people convicted of violent hate crimes?

I think Americans agree that is not a class of people whose defense of their right to purchase firearms we should be rushing to defend. Those who are suspected terrorists on the no-fly list, on the terrorist watch list—that seems to be a very reasonable group of people to take out of the list of folks who are allowed to purchase firearms.

But if we just do those two things and we don't beef up the background checks, so that even if we do create a law that protects people who have committed violent hate crimes from being able to buy a firearm and even if we do pass a law that prevents people from the terrorist watch list or the no-fly list from being able to buy a firearm—even if those laws are in place, is it not true that if all they have to do is go online to buy a gun, if all they have to do is go to a gun show to buy a gun, then we have failed in our responsibility to protect the American people?

Mr. MURPHY. The Senator is correct. Today, the estimates are that 40 percent of all gun sales happen outside of brick-and-mortar stores. And the secret is out that if you can't get a gun because of your criminal record—or in this case because of your inclusion on the no-fly list—then just circle back and find another way. All it takes is a quick Internet search. All it takes is to plug in armslist.com, and you can get a weapon delivered to you in short order.

If we don't close that loophole—that Internet and gun show loophole—then simply denying terrorists guns at gun stores is a half measure.

I yield for a question.

Mr. WHITEHOUSE. That problem applies to a convicted felon who can right now get around the conviction and go and buy a gun through either of those loopholes—online or from a gun show. It applies to a domestic violence abuser who is ordinarily prohibited but can easily get around it by going to a gun show or buying a gun online. It applies to someone who has been determined by a court to be dangerously mentally ill.

So right now we have a system, as I understand it, where if you have been determined by a court to be dangerously mentally ill, if you go to a gun shop and go through the regular procedure, then your purchase of the gun will be interrupted. But all you have to do is go to a gun show or go online, and you get around the restriction. Isn't that the state of play right

now, even for convicted felons, domestic violence abusers, and people who have been adjudicated to be seriously mentally ill?

Mr. MURPHY. That is the state of play, I say to Senator WHITEHOUSE.

We had Senator DURBIN on the floor earlier today, telling the horrific tales of Chicago, for which the strong background check laws in Illinois make almost no difference on the streets of Chicago because the weak background check laws of Indiana allow for individuals to go there and buy guns online or at gun shows and then ferry them back onto the streets of Chicago.

So without that Federal law that creates a uniform standard that you need to go through a background check for whatever commercial means you attempt to buy a gun, then there are criminals every single day who are getting their hands on weapons, separate and aside, as the Senator said, from this question of terrorist access.

Mr. WHITEHOUSE. Will the Senator yield for another question?

Mr. MURPHY. I will yield for a question.

Mr. WHITEHOUSE. I have some statistics here that I find a little surprising, and I would love to ask my colleague for his explanation of them.

The statistics that I have are that 76 percent of gun owners and 71 percent of National Rifle Association members support prohibiting people on the terror watch lists from purchasing guns. Yet despite the fact that 76 percent of gun owners support putting people on the terror watch list—on the list that doesn't allow them to buy firearms—and despite the fact that 71 percent of NRA members support putting terror watch list folks onto the ban list for buying firearms, nevertheless the NRA has repeatedly opposed and attempted to block legislation that attempts to close the terrorist watch list gap.

Does the Senator have an explanation or a thought about why it is that when three-quarters of gun owners and nearly three-quarters of NRA members take one position, the organization is taking a completely different position from what their members support and from what gun owners support across America?

Mr. MURPHY. The Senator has asked the \$64,000 question, in a way, and I can hazard a guess. My guess would be this: that the nature of gun ownership has changed over the years. It used to be that over 50 percent of Americans owned guns. Most only owned one gun, but the majority of Americans owned guns some 30 years ago. Today that number is rapidly decreasing. Now 30-some odd percent of Americans own guns. It means the nature of the industry is changing. It means the industry now has to sell a smaller number of individuals a larger number of weapons. So part of the marketing technique by the industry—and the industry is essentially equated to the NRA. It is the industry that funds the NRA in substantial part. Part of the marketing

necessity of the industry is to create this belief in the government any day approaching your house to confiscate your weapons. So every initiative to just try to enact commonsense gun laws is distorted by the industry as just another attempt to get closer to the day in which black helicopters swoop down on your house and steal away all of your weapons. Of course, that is not what we are going at here. It has nothing to do with our agenda. We simply want people on the terrorist watch list to not be able to buy guns and for criminals to not be able to buy guns. But because the industry needs this perpetual fear of government in order to sell more weapons, I think there has been a desire of the NRA to not listen to its membership and instead listen to its industry members and feed this sense of dread about the secret intentions of the Federal Government.

Mr. WHITEHOUSE. If the Senator will yield for another question, it is my understanding that this position the NRA takes against any and every, even very reasonable, gun safety measure—and very likely, I suspect, for the reasons the Senator has identified as a marketing ploy on behalf of the big industry that pays them to do this. But it is my understanding that applies to a variety of other issues as well. The issue I want to ask about is the issue of high-capacity magazines.

Now, I am a gun owner myself. I belong to a gun club in Rhode Island. In order to get access to the range, I had to have a safety briefing by the gun club saying what I could and could not do on the range, saying what the range rules are. One of the range rules that was imparted to me in the safety briefing is that they don't allow high-capacity magazines on the range. They don't allow them for safety reasons.

I doubt this is the only one. If you have gun clubs around the country that will not allow high-capacity magazines on the range for safety reasons at the range itself, and yet here is the NRA wildly opposing any effort to limit any high-capacity magazine restriction of any kind, does that follow as part of that same argument? Is the industry as determined not only to sell more and more guns to a smaller number of people by creating fear that some imaginary black helicopter is going to come and take their guns away but also restricting the limits on high-capacity magazines?

Mr. MURPHY. The margins involved for the industry in these very powerful weapons and these large-capacity magazines are big. So when you are attempting to put together a portfolio in which you are going to make a substantial profit in return for your investors, you have to double down on things like 100-round drums and AR-15-style weapons. Now, I don't know every hunter in my State, but I have yet to talk to one who feels like they need a 30-round clip in order to go into the woods and hunt. It is not something

hunters need. And the design of all of these weapons and the high-capacity magazines we are referring to were originally for one purpose and one purpose only—to kill as many human beings as quickly as possible. They are military in nature and design and thus the reason many gun clubs around the country deny access to this kind of ammunition. It certainly stands to reason that the rationale for continuing to sell this is monetary in nature.

Mr. WHITEHOUSE. If the Senator will yield for a question, does the Senator recall that years ago there was an effort to prevent armor-piercing ammunition from being sold? Because our police officers who wear body protection for protection against armed assailants were very concerned that selling people armor-piercing ammunition would make them more effective at killing police officers. Whereas, it would make no difference in hunting deer or elk or anything else. They customarily, as I understand it, don't wear armor, but police officers do. Police officers have to go into dangerous situations with armed individuals. Therefore, there was considerable pressure to protect our law enforcement officers to try to put limits on the amount of armor-piercing ammunition that people could buy.

My recollection—if the Senator would confirm it, that would be my question—is that at the time, the NRA opposed any limit on armor-piercing ammunition and opposed the law enforcement forces, the local police chiefs and police officers who come to these crisis situations and their desire to be safe and their desire to be able to tell their families: It is going to be OK, honey. I have protective armor. It is going to help make me safe, and there is an armor-piercing ammunition that people are allowed to shoot at me; that they took all that away, and this was an argument that they made and they succeeded, and right now armor-piercing ammunition is available as a result of NRA lobbying.

Mr. MURPHY. That is certainly the way I remember the events as well. I remember one of the many chilling conversations I had in the 24 hours after the shooting in Newtown. One was with a police officer who remarked that it was a good thing Adam Lanza killed himself and didn't engage in a shoot-out with police because they were not confident they would be able to survive a shoot-out with an individual who had that much ammunition and that kind of high-powered capacity in a firearm.

Separate and aside from the question of armor-piercing bullets, law enforcement has stood with us in our calls to restrict the sale of assault-style weapons and high-capacity ammunition because even that, without the armor-piercing bullets, puts them at risk.

Mr. WHITEHOUSE. Will the Senator yield for one more question? I see my senior Senator JACK REED on the floor. I am sure he wants to engage in a question-and-answer with Senator MURPHY.

Before that, may I ask one additional question?

Mr. MURPHY. I yield to the Senator for a question.

Mr. WHITEHOUSE. The other question I want to ask is that in response to our effort to put people who are on the terrorist watch list into a category where they are not able to go and buy firearms in order to commit the acts of terror for which they are on the watch list, our friends on the other side of the aisle have suddenly come up with a new piece of legislation they say is designed to address this problem.

My question is, Do we know if this piece of legislation has ever been seen before? Do we know if it has been brought up in committee and given any kind of a review? Have they built a track record of interest and concern about this issue and built a legislative record to support their bill or does this appear to be something they whipped out of their pocket at the last minute to try to fend off the sensible provisions we have long fought for to keep people on the terror watch list from being able to go out and buy high-powered firearms?

Mr. MURPHY. It will shock and surprise you to know, I say to Senator WHITEHOUSE, that it appears to be the latter. We had one of our colleagues come down to the floor and suggest there is a way out of this; that we could come together and work on a compromise. I think all of us—Senator BOOKER, Senator BLUMENTHAL, and I—were happy to take them up on that effort.

I have noted that we have had 6 months since the failure of the last measure to prevent terrorists or suspected terrorists from buying weapons to work on this. No one in the Republican caucus has approached us about trying to find common ground. It wasn't until we took the floor this morning and shut down the process on this appropriations bill that we started to see movement on the Republican side about coming up with an alternative. Now, they did pose an alternative back in December, but it was a miserable alternative that would require law enforcement to go to court in order to stop someone on the list from getting a weapon and capped them at 72 hours to complete that whole process. It was ridiculous and ludicrous. They are probably going to present another alternative. It is important to note that none of that happened until we took the floor, and we have had 6 months since the last vote, and, frankly, 3 days since the shooting in which we could have been trying to work that out.

Mr. WHITEHOUSE. To the point the Senator just made—if he will yield for one final question. When the government would have to go into court within 72 hours in order to try to interrupt the sale, presumably that would give the person on the terrorist watch list all sorts of notice about the government's investigative activities and an

opportunity in court to do further inquiry into the government's investigative activities and in fact allow somebody who is on the terrorist watch list to have a window into the government investigation that he or she might be the subject of; is that not the way that would play out? It doesn't seem to make much sense to me.

Mr. MURPHY. It doesn't seem to make much sense. For the question, we can only imagine what that court process looks like. Who knows what rules apply, who knows what the rights to discovery are.

Mr. WHITEHOUSE. There is no model for it.

Mr. MURPHY. There is no model for it. We have hamstrung the FBI and the Attorney General by asking them to do more and more with the same amount of resources. To ask them to go through dozens and dozens of court processes—remember, there were 240 people on these lists who tried to get guns last year. So we are talking about a lot of court processes they would have to undertake. It is just totally unrealistic, totally unprecedented. It makes no sense at all.

I thank the Senator from Rhode Island.

I am glad to be joined by Senator REED. I yield for a question without losing my right to the floor.

Mr. REED. First, let me commend the Senator for this extraordinary and principled discussion that the Senator has led, along with Senators BLUMENTHAL and BOOKER.

I do have a question, and it stems from some of the comments I have received from the Chief of Police in the State of Rhode Island, Colonel Steven O'Donnell, a skilled professional. What Colonel O'Donnell said—and it goes to one of the issues that Senator WHITEHOUSE discussed, the access to high-capacity magazines for these assault weapons. Colonel O'Donnell said:

I've yet to hear a viable argument for high capacity magazines, what the purpose is. I have friends that are hunters. They use high capacity weapons, but not magazines. They use several rounds to hunt, but they don't need 15, 30, and 45 round clips to hunt an animal.

Is that some of the responses you are getting from some of your law enforcement professionals who deal every day with firearms?

Mr. MURPHY. That is the same response we get. I just reflect on one of my earlier responses to Senator WHITEHOUSE, that I have also heard fear in the wake of Sandy Hook from law enforcement about their ability to combat an individual who has staked out in a school or a workplace who doesn't engage in a suicide mission but then tries to confront and take on police, that you have 30-round magazines, 100-round drums. That is very difficult to match from law enforcement's perspective.

I yield for additional questions.

Mr. REED. The Senator continually references military-style assault weapons. Frankly, I had the privilege of

commanding paratroopers, and we were armed with M-16s, which is an AR-15 military variance. It was clear to us—and this was 30 years ago—these are military weapons. These are weapons that were designed to mass fire, rapid fire, even in semiautomatic mode. These were not designed for hunting. In fact, back in those days, we replaced the M-14—which didn't have the same capabilities, much more accurate—because what they were looking for was just a sheer volume of fire that can inflict the most casualties possible, particularly in confined spaces, because of woods, because of jungle, because of war, because you are in a building.

I think your points about military assault weapons are exactly the right points, and you, like me, have heard this not only from law enforcement professionals but also from military personnel about the nature of this weapon.

Mr. MURPHY. I think it is tragically instructive, I say to Senator REED, to think about what happened inside that school in Sandy Hook. There were 20 kids hit, and 20 kids died. These are powerful weapons with the capacity not only to discharge an enormous amount of ammunition in a short period of time, but the force of it is unprecedented in the firearms world, and there is a reason why not a single child survived. These are powerful killing machines that, as you said, were not designed for hunting. They were designed to kill as many people as possible, and that is why you see this epic rate of slaughter when they are used inside schools, inside nightclubs, inside churches.

Mr. REED. The Senator also commented, and I want to reconfirm it, that one of the characteristics of these weapons is that even in semiautomatic mode, there is a high rate of fire, and the velocity of the rounds are such that they inflict extreme damage. So even if it is in a semiautomatic mode, you have the ability to deliver devastating fire, and coupled with a large magazine, you can keep this fire up.

The other point is that changing the magazine on one of these weapons is a matter of seconds. It is not a laborious task where you have to individually load rounds into the weapon. That, too, I think increases the lethality.

Again, if the Senator would comment and concur, the adoption by the military had a logical military purpose—to increase the lethality of the weapons that we are giving to the soldiers, marines, sailors, and airmen of the United States. That is not, I don't think, what you and I would like to see in our civilian population—weapons for which the primary purpose is increased lethality. It is not accuracy, necessarily, not for a skill in terms of marksmanship, but simply increased lethality. Is that the sense that you have?

Mr. MURPHY. It is, I say to Senator REED. If you think about what we are doing today, the individuals who are contemplating lone-wolf attacks are

not building IEDs in their basements any longer. They are going to the store and buying assault weapons. We essentially are selling weapons to the enemy. We are selling weapons to the enemy—powerful military style weapons. We are advertising them, and individuals who are contemplating these lone-wolf attacks are buying them.

In fact, I have read quotes earlier today on the floor from terrorist operatives where they are calling on Americans to purchase these weapons and turn them on civilians because it is so easy to get access to them. This is a very deliberative tactic on behalf of these very dangerous international terrorist organizations, and that is one of the reasons why we think we have to wake up to the new reality of the threat of lone-wolf attacks and change our laws.

Mr. REED. Will the Senator yield again for a question?

Mr. MURPHY. I will.

Mr. REED. Essentially, what our adversaries are doing is exploiting loopholes in our law, and they are doing it very deliberately, very consciously. To date, we are standing by and letting them do that. They know where the weak points are. The weak points are not only that you can get these assault weapons, but another point is that a significant number of weapons were sold without a background check because they can be done through the Internet, through gun show sales, et cetera. We have taken this issue on before, and we failed to address those issues too.

Mr. MURPHY. Had we had in place a ban on individuals who were on the terrorist watch list to buy a weapon, it only would apply to brick-and-mortar stores. Even if Omar Mateen was on one of those lists and even if we passed a law saying that prohibited him from buying a weapon, he would have gone into that store, be told that he couldn't buy a weapon, and then he could have walked right back to his house and gone online and bought one there or waited for the next weekend's gun show, of which there are many in Florida, and bought one there.

We don't know how it would have played out, but without an expansion of background checks to people on the no-fly list being prohibited to buy guns, it is a half measure. I reiterate, these are the two things we are asking for—to have consensus on these two issues because they are the right thing to do, as we are discussing, but they also have the support of the American public.

Mr. REED. I have one final question for the Senator. It would seem to me that this would essentially deny our fiercest adversaries, the Islamist jihadists who are using the Internet to radicalize people—not only to radicalize them but, without directly controlling their conduct, suggesting to them the way they can get assault weapons legally in the United States and can arm themselves. If we take

these steps, as you would suggest, we can deny our fiercest adversaries the arms they seek to inflict harm on our families, our friends and our neighbors.

Mr. MURPHY. It stands to reason that in the wake of this latest attack, we should wake up to the new tactics of our enemy. This is the new tactic of our enemy—to go buy these weapons and to use them against civilians. The genius of what we are proposing is that it keeps weapons out of the hands of would-be terrorists without affecting the Second Amendment rights of anyone else.

We are talking about such a small number of sales. Over the course of the year, we are talking about 200 some-odd sales. Think about that, 200-some-odd sales that would be affected, that would force someone to be denied a purchase of a weapon because they were on the terrorist watch list. It stands to reason that we should accept the new tactics of these groups and amend our laws.

Here is the Senator from New Jersey. We have had such a long run of colleagues coming to the floor that we haven't gotten to hear from the Senators from New Jersey and Connecticut. I yield to the Senator from New Jersey for a question without yielding control of the floor.

Mr. BOOKER. I appreciate the Senator yielding for a question. I have a number of questions for Senator MURPHY.

I think you bring up a good point. We have now been at this for about 8½ hours, and we have seen colleague after colleague. We have worked now through the majority of the Democrats in this caucus who have stood up and asked Senator MURPHY question after question.

I want to start, before I even give a question, by giving my respect and gratitude to Senator MURPHY. In Isaiah, it talks about those who wait on the Lord, running and not getting weary, walking and not being faint. I see the consistency of his efforts, which is not just manifest during this filibuster. He has been on his feet now for 8½ hours, and it is not just today. Senator MURPHY, in his maiden speech here in the Senate, stood right there—I know this because at that time I was still mayor of the city of Newark—and gave, still to this day for me of all the Senate speeches I have heard, probably one of the most eloquent, moving, factual, compelling speeches on gun violence that I have heard.

I am grateful today because just yesterday, in a caucus meeting that I think my colleagues who are here will agree got very heated, very emotional, in which he spoke with passion, as did other colleagues, he and I began talking about making sure that this was not business as usual and that we didn't go through the same routines in this body every single time there was a mass shooting. There are mass shootings with greater and greater routine.

You have heard it from my colleagues. It is an insufficient response

that our elected leaders should simply pray and share condolences. To paraphrase one of my heroes whose picture stands on my wall, Frederick Douglass said: I prayed for years for my freedom, but I was still a slave. It wasn't until I prayed with my hands and prayed with my feet that I found my salvation. Faith without works is dead. Prayer is not enough.

I stand here first and foremost to express my gratitude to Senator MURPHY. We talked during the day, we talked into the night, and we chose to be here. I am grateful for his senior Senator, who has been here for the entire duration. These two partners from Connecticut went through the unimaginable when they shared the grief of a community where child after child—20 children—were gunned down and murdered. These two men have been dedicated and determined—not yielding, not giving up, not surrendering to cynicism about government or this body but continuing to fight and to fight so that we would do something about this problem.

This is the first question I have for Senator MURPHY. There is this idea that is deep within the history of our Nation, that when there is injustice—and there is no greater injustice than the savage murder of our fellow citizens, the murder of innocents. I have seen you time and again—and today is a model of courage as well as a model of endurance—take on a Senate that was prepared to move on, a Senate that was prepared to go on with business after the greatest, largest mass killing in this Nation's history. We were going to go on with business as usual. In my conversations into the night last night with Senator MURPHY, I saw his determination not to let the business as usual go on in this Senate.

I have a number of questions for you. But the first one, Senator MURPHY, is that there are a lot of people who are surrendering to cynicism about government, a lot of people who are showing frustration. But yet, you are still going on with this in a way that reflects those people who didn't give up on the idea of civil rights in the 1940s and the 1950s and kept pushing legislation—pushing legislation before the 1965 Voting Rights Act, before the 1964 Civil Rights Act, before the consciousness of the country caught up. But this must be frustrating to you. I have been here for 2½ years. You have been here longer. We came here tonight—today—for a reason. I say today because we are approaching the ninth hour. We are about a half-hour away from the ninth hour. Can you frame one more time why you are expending your energy doing this now, here, in the Senate, especially because I know that perhaps there are people talking about: Well, they don't have a shot; they don't have a chance. There are cynics, there are critics, and there are pundits probably saying they may not get a vote. The majority of Americans, the majority of

gun owners, the majority of NRA members might agree with Senator MURPHY, but the NRA has too much of a hold on the Senate. Why are you here right now doing this on this day?

Mr. MURPHY. I thank the Senator. I want to thank Senator BOOKER and Senator BLUMENTHAL for being here from the very beginning. This has been miraculous in its own regard, not just being able to spend this time with the two of you but to have had the majority of our caucus come to this floor and express their support for our determination to move forward this debate and, at the very least, to get votes, but really to try to bring consensus around this issue.

I don't think I am breaking confidences to share that both Senator BOOKER and I spoke at our meeting yesterday of Democrats in which Senator BOOKER shared an immensely powerful series of stories about his experience as mayor of a grief-torn city, his direct personal intersection with friends, with neighbors who had lost their lives. I know how deeply and personally this has affected him.

I tell you why I am doing this as maybe a means of telling you why Senator BLUMENTHAL and I are both doing this, and I tell you through the prism of a story from the awful, awful series of days following the shooting in Sandy Hook.

Senator BLUMENTHAL and I went to the first of what were umpteen wakes and funerals. We were standing in line at the first wake about to talk to the first set of parents who had lost, in this case, their young daughter. I remember being so uncertain about what we were supposed to say to these parents—not just what you are supposed to say to provide some measure of condolence, but we were their elected representatives. We had some additional obligation to show them that we were ready act, but was it too soon to make that offer? Was it not the right moment to suggest that there was a public policy response to the slaughter of their children? It was Senator BLUMENTHAL who very gently and appropriately said to the mother and father as we walked by the closed casket: Whenever you are ready, we will be there to fight. The father said: We are ready now. This was probably not 48 hours after the death of their 6- or 7-year-old daughter.

We have been thinking about this necessity, this imperative of action, since that moment. It gets harder and harder to look into the eyes of those parents and surviving children and explain to them why this body has not acted. It gets harder and harder to defend the complete silence from this institution in the face of murder after murder.

Franklin Delano Roosevelt wasn't confident that everything he proposed was going to solve the economic crisis of the 1930s and 1940s, but he was damned if he wasn't going to try something. He and his aides talked unabashedly and unapologetically about trial and error. If we try one thing and it

doesn't work, we will try something else. Why don't we do that? Why don't we try one thing, and if it doesn't stem the violence, try something else? But doing nothing is an abomination and makes it impossible for those of us who have lived through these tragedies to look these families in the eye.

I remember that it took 10 years from the attempted assassination of President Reagan and the maiming of his press secretary, James Brady, for the Brady handgun bill to be signed into law. It took a decade of political action, and it probably took many nights like this when legislators or advocates stood out at a rally or maybe stood on the floor of the Senate or House and argued until they had no more energy left, knowing they weren't going to get the victory the next day.

As I said to my friends in the movement back in Connecticut and throughout the country—I know the Senator has said versions of this as well—every great change movement is defined by the moments of failure, not the moments of success. Every great change movement in this country is defined by the fact that there were times in which you could have given up, but you didn't; you persisted. The changes that never happen are the ones where the movement, once they hit that brick wall, said "It is too hard" and went home. That is the reason we are here, and I think I am speaking in some way, shape, or form for the three of us. We want to get votes on these measures, and we will stand here until we get those votes. But even if we don't, it is important to continue to engage in the fight.

Mr. BOOKER. That is the first part of the framing that is very important—this determination that we will not do business as usual and that this fight will not stop. We will take this fight to the Senate floor, we will take this fight to legislators, and we will take this fight to neighborhoods and communities. It is not a physical fight. It is a fight, in my opinion, of love. It is a fight that says we can be a country that affirms people's right to own weapons. We heard from one of our closest friends in the Senate, Mr. HEINRICH, who is an ardent gun owner. He is a hunter. As a vegan, I have seen some pictures of what he has shot and killed, and he takes great pride and joy in that. What we are talking about—and this gets me to the next area of questioning—is that it is not about hunters, it is not about people who want guns for self-defense, and it is not about people who want guns because they love the sport. Senator BENNET took me out skeet shooting when I was in Colorado. It is not about the folks who want guns for that. This is about something very narrow, and that is the question that I have, which is the second part of this framing. I have heard some people talk about this in partisan terms. The truth is that this may be a partisan issue in Washington-speak, but when I go back to New Jersey—I go to communities

like the ones I grew up in, where a majority of the community is Republican, and communities like the one I live in, where the majority is Democrat—I hear the same thing from members of both parties. They say that there is a lack of understanding in this country. How can we be at a point where our country is at war with terrorists, with our enemy in places such as Iraq and Syria literally trying to egg on and radicalize young people, saying "Go to America"? Al Qaeda and others are instructing them that this is the country to go to and buy guns because it is so easy to get access to guns, thanks to these massive loopholes. That is the point that brings us here.

Senator MURPHY and I probably share beliefs about gun safety that are not shared by the majority of gun owners, and there are things I heard brought up tonight, frankly, that, hey, I might like. People have talked about magazines and research on this issue. I heard a lot of subjects brought up, but what brought Senator MURPHY and Senator BLUMENTHAL to the floor for almost 9 hours now, with me standing here this entire time, is to say: Hey, we as Americans can agree that someone who is a suspected terrorist and under investigation and might be on a no-fly list—that person should not be able to buy not just a weapon or handgun but an assault rifle. When you look at this issue, it is not controversial with Americans. This is not controversial with Republicans. This is not controversial with NRA members because the overwhelming majority of them agree that we should not be a country where a person can't get on a plane in Newark, NJ, but they can drive to a private seller or a gun show or go on the Internet and buy a gun.

The second of three questions I have is that this not a radical thing the Senators from Connecticut are asking for. Senator MURPHY is not calling for something controversial. This is something that, at this point, is common sense and is agreed upon by over 70 percent of gun owners. I am not sure if there is an elected official in the Senate that has a 70-plus percent approval rating. Rarely do you see people agree that greatly.

Could the Senator please explain why he is taking a stand on this issue right now and what it is that he thinks we should be able to achieve on this common ground for the common good?

Mr. MURPHY. Mr. President, I appreciate the Senator talking about what a limited ask we are making here. Let's talk about the scope of the limitation on gun ownership. We are asking that those people who are on a terrorist watch list and on a no-fly list be added to those who are those prohibited from buying guns. We have data that tells us how many of those individuals are buying guns every year because they can match one list to the other, even though they don't intersect in a way that prohibits the purchase. What we know is that there are only about 200

sales at gun stores every year from people who are on those lists. So we are talking about a minuscule limitation on the right, which is to take a small handful of individuals who have been placed on a terrorist no-fly list, and saying that they shouldn't be able to get a weapon and building into it a process to grieve that limitation so if there is a mistake that is made, you can have your right restored. We are talking about a few hundred sales a year. You could say: Oh, it is a few hundred sales, so why does that matter? Well, if you get it wrong once, it is a mass slaughter. It is a small number of sales, a minuscule limitation, with potentially enormous reward when it comes to public safety.

Mr. BOOKER. Mr. President, I said one more question, but I have two more questions. This is sort of a progression. My friend is here today because of a commitment Senator MURPHY made in his maiden speech in the U.S. Senate—a consistent sense of belief that my friend will never give up until we have commonsense gun safety in America. After the grievous act that we saw in Florida, where 49 innocent people were slaughtered, Senator MURPHY, Senator BLUMENTHAL, countless Senators, and I—at least half of our caucus has come down here and said the same thing: Enough is enough. We can't let business as usual happen.

No. 2, and the reason my friend stood up and has been holding the floor for 9½ hours, has been in order to say: Hey, the terrorist loophole should be closed. There is one more element to this progression—an indefatigable Senator with a noncontroversial element in terms of the terrorist loophole, but now there is this other piece, which is just common sense, and I want to take that one step and ask that my friend go a little deeper with it. That last step is this: If you just have the terrorist loophole closed but don't have universal background checks—in other words, if you close the terrorist loophole so that anybody who goes to a Federal firearm licensed dealer or goes to a NICS check, that stops that terrorist, but if you still have these Internet and private sales, that terrorist, who probably will not even go to that Federal arms licensee, will go to the back doors that are still wide open for people to get guns. So what the Senator from Connecticut is saying is that he is not giving up. No. 2, 70-plus percent of NRA members agree with me on what I am asking for. This last step, where the majority of gun owners in America agree, why is it important to also make sure that if we want to stop terrorists from doing what they did in Orlando—if we do nothing, it may happen again, God forbid. Why is this universal background check element the second thing my friend is standing up for today, along with his colleagues?

Mr. MURPHY. Mr. President, when I go to bed at night, I lock the front and the back doors. It doesn't do much good to lock only the back door and

leave the front door open or vice versa. That is what we are proposing. If we believe in a commitment to stop individuals who are associated with terrorists from buying guns, then you have to lock both doors. You have to stop them from buying guns when they walk into a brick-and-mortar store, but then you have to acknowledge that it is frankly easier for individuals to just type in one of the main online arms sellers and buy a weapon that way because it is faster, it can get delivered right to your door, and you don't have to go through a background check.

If you really want to make a commitment to preventing terrorists from getting guns, then you have to do both. You have to put them on the list and then you have to reconcile the fact that 40 percent of sales today are happening outside of that pathway. By the way, the added benefit of that is that you are shutting down the pathway that criminals have been using for a decade in order to get these weapons, and you will have a dramatic effect on the slaughter that is happening in our cities, as well, by limiting the flow of illegal arms into the cities.

Mr. BOOKER. So the last question—and I know the senior Senator from Connecticut would like to ask a question. But this is where I have to say it becomes deeply personal to me, because what you are talking about there is your persistent, unyielding fight for commonsense gun legislation from the second you walked into the U.S. Senate, to the noncontroversial idea that terrorists in America—people who are suspected terrorists—should not be allowed to buy assault weapons, period. And your comment that that affects a very small universe of people, that in order to make that ironclad—again, nothing is going to stop everybody, but this is doing something that will constrict access to terrorists—you have to do a universal background check, so you close the back door, as you said.

Now, this is what gets personal to me even more so because it is more than all this. When you do that, you are not affecting sports people; you are not affecting Second Amendment right believers who believe that I need to have my right to bear arms; you are not affecting folks who are worried about self-defense and want to have a gun to defend themselves; who you are affecting when you do that is just terrorists, but you actually have a collateral benefit when you tighten up the system that you then stop criminals of all categories from getting guns.

We live in a nation where women are victims of violence at astonishing rates. You close down that system for terrorists, you are going to make it much harder for someone who seeks to engage in domestic violence with a firearm—you are going to shut down their access. You are going to shut down criminals from getting guns.

This is really what I experienced as a U.S. mayor. I looked at all of my

shootings and murders as too many in Newark when I was mayor. I could only find one case—one case—where a law-abiding citizen used a gun in violence. The problem we saw overwhelmingly in our city was that criminals who should have been stopped were using these loopholes to buy lots of weapons and engage in criminal activity. So much of the carnage in our communities is happening when criminals can easily get access to guns.

You and I have had this conversation privately so many times. I have sat with you in Connecticut cities. We have seen the impact and the pain and the agony of murder after murder after murder after murder in our cities. And this commonsense terrorist loophole closure—would the Senator please explain how that will also constrict the ability for all criminals committing murders at rates not seen anywhere on the planet Earth, because someone who has restrictions on them for buying guns for domestic violence, stalking, threatening a woman, can go get a gun; somebody who is an ex-con for a violent crime can go get a gun. Why is this also important because of the collateral benefits that would come about from this commonsense constricting and closing of the terrorist loophole?

(Mr. GARDNER assumed the Chair.)

Mr. MURPHY. I say to Senator BOOKER, there is nobody better than you in making people understand the human consequences of inaction and the potential for human benefit of action, so I am not going to try to compete. Let me give the statistics. Let me tell my colleagues what happens in States that impose rigorous systems of background checks.

There are 64 percent fewer guns trafficked out of State, there are 48 percent fewer firearm suicides, there are 48 percent fewer police killed by handguns, there are 46 percent fewer women who are shot to death by intimate partners, and there are 17 percent fewer aggravated assaults with guns. Those numbers could be even better if there was a national commitment to the same concept because, as Senator DURBIN has told us, as tough as Illinois' laws are, all it takes is for a criminal to go across the border into Indiana and buy guns at a gun show or buy them online or get them from an unregulated dealer and bring them back into Chicago. And what every police chief will tell you is that the fewer illegal guns on the street, the fewer crimes there are. The harder you make it for an individual at a moment of passion or a moment of frustration or whatever that moment may be to get a gun, the less likely you are to have a homicide.

Senator BLUMENTHAL and I went to a meeting of activists on this issue in Hartford, CT, a few weeks after the Newtown shooting, and they were furious. They were furious that the world had woken up to gun violence because of Newtown after it had been a reality to them for so long.

That is the genius of what we are proposing. Without taking away any

Second Amendment rights, Senator BOOKER, we are able with this proposal to both extend protections to Americans who might be the victim of a terror attack but also individuals who right now are living with the everyday slaughter that happens in our cities.

I am happy to yield to my friend from Connecticut for a question without relinquishing the floor.

Mr. BLUMENTHAL. Senator MURPHY's very eloquent reference to a family we met just a day or so after the loss of their child brings back a memory that always evokes an almost indescribable emotion from me. My heart goes to my throat whenever I think of that couple saying to me: We are ready now, ready to help, ready to take action. And that has been the story of the Newtown and Sandy Hook families who lived through that loss. They came here and told their stories to our colleagues, nearly achieved—or helped us achieve—a victory. We came within four or five votes of that outcome. And from the Gallery of the Chamber, when we failed came the cry “shame,” and it was indeed shameful that the Senate failed to move forward.

My colleague from New Jersey, Senator BOOKER, has described the real-world impact in such graphic and powerful terms that I hesitate to follow him, but I want to make two points and ask my colleague from Connecticut whether he agrees with them. The first is that those families from Connecticut in a sense represented the community as a whole—the Newtown community, the Connecticut community—through organizations like Sandy Hook Promise and the Newtown Action Alliance and others around the country—Everytown, Americans for Responsible Solutions. They are doing what proponents of sensible, common-sense measures have done for much longer, which is to organize and to galvanize and educate and raise awareness. And that, in the end, will be the way we win. I pay tribute to them tonight. I thank them and the families for their courage and strength again.

I want to bring this issue home to Connecticut, where my friend and colleague Senator MURPHY and I live and where we went through the searing experience of the Newtown tragedy. I had been involved for two decades in gun violence prevention, helping to advocate and then to defend in court our ban on assault weapons—one of the first State laws in the country. But that experience transformed many of us in our State, and it impacted people of all ages to be more vigorous advocates and more articulate advocates.

I want to read a letter from a young man who lives in Danbury, CT.

I am a constituent of yours and I became a victim of gun violence when my 7-year-old cousin, Daniel Barden, was murdered at Sandy Hook Elementary School in 2012. I am no longer “saddened” by recent mass shootings; I am instead angry and frustrated by the inaction of this Nation's leaders to implement obvious and basic safeguards to gun ownership such as universal background

checks, CDC research into gun violence, limiting magazine capacity, restriction of gun ownership to domestic abusers and people on terrorist watch lists, to name a few. One of the most infuriating aspects of the continued mass shootings in this country is that they are so eminently preventable. We can't do much about earthquakes or hurricanes, but it is pretty simple to just NOT SELL military grade weapons to civilians or just NOT SELL AR-15s to domestic abusers who have been investigated by the FBI for terrorist connections and threats.

I am furious and feel powerless. I beg you to stand up for me, my family, everyone who has ever lost family or friends to senseless gun violence, and for our society as a whole, which we are currently failing to protect. Enough is enough.

That is from a young person who lives in Danbury, CT. It summarizes the feeling of powerlessness and helplessness and fury that Americans all across the country feel.

Just to give one example, I understand that in the last 96 hours, 500,000 people have signed a petition in favor of banning assault weapons—half a million people in just 96 hours, a petition circulated by MoveOn.org.

Assault weapons are designed for one purpose: to kill as many people as possible as quickly as possible. They are combat hardened and tested and used. They are military-style assault weapons—AR-15s. As some of our colleagues have said, most hunters would not use them to shoot deer or other animals. Yet they are sold freely.

Our request is a much more limited one than even assault weapons, as much as they need to be banned in terms of new sales. We are simply saying don't sell those weapons to somebody who is on the terrorist watch list, somebody who is under investigation for potentially being supported and funded and maybe educated and trained by one of our adversaries, our enemies abroad, like ISIS. And don't sell those kinds of weapons or any others to anyone without a background check because they may fit that category or the other prohibited categories that are already in the law. It is simply a means of enforcing the law.

These proposals are really relatively modest, and so are the others that this young person has advocated that we adopt—“obvious and basic safeguards,” to quote him or her, “to gun ownership such as universal background checks, CDC research into gun violence, limiting magazine capacity, restricting gun ownership to domestic abusers and people on terrorist watch lists, to name a few.” All of them should be adopted. We are asking for two. We are asking for votes. We are asking for action. And we are saying: No more business as usual.

Connecticut also had a connection to Orlando—a 37-year-old young woman named Kimberly Morris, educated in Torrington, CT, at the Torrington High School and then at Post University in Waterbury, CT. Kimberly Morris was known as a “scrappy player,” according to Charlie McSpirtt, the Torrington High School's former ath-

letic director. He can still remember Morris because she “played the game to her fullest.” She was “a tenacious” small forward on the basketball team as well at Post University in Waterbury. Her teammate Narvell Benning, who played for the men's team, said: “She didn't let nobody push her around.” She was 37 years old. She is among the older victims who were killed in Orlando.

What is so striking about the biographies of these men and women is how young they are and how much life they had ahead. They were not as young as the 6-year-olds gunned down in Sandy Hook, those 20 beautiful children, but Kimberly, like those children, had her whole life ahead.

So my question to my colleague is whether Connecticut still feels the impact, and whether Connecticut wants us to act at a national level as well, as the Nation?

Mr. MURPHY. I thank the Senator for the question. Connecticut is still dealing with this tragedy to this day. Newtown is a community that has not recovered. Connecticut wants us to act not just because they don't understand the inaction of this place but they have seen the benefits of stronger gun laws. Connecticut responded in a bipartisan way. Republicans and Democrats came together and passed legislation to ban major assault weapons and extended background checks to more sales, and we have seen an immediate diminution in the number of gun crimes in our State. We have seen an immediate impact on the safety of residents. So people in Connecticut want us to act because they acted like grown-ups in Connecticut.

The minority leader of the State senate, who wanted to run for Governor, put his political future in peril by sitting down at the table and negotiating a compromise. He stands by it today because that compromise saved lives. So the people of Connecticut want us to act, Senator BLUMENTHAL, and that is the reason we are here today.

Senator BLUMENTHAL, if I could, I would just note for a moment, before I hand it over to Senator CASEY, that when one of our colleagues had a moment to hold the floor for an extended period of time, he read a story to his kids who were at home. I actually didn't know this was going to occur, but my oldest little boy just showed up in the gallery, and, A, you are supposed to be in bed, and, B, I am sorry that I missed pizza night, and, C, I hope that you will understand some day why we are doing this, why we have been standing here for 8 hours trying to fight to make our country a safer and better place, and why, sometimes, even if you don't get everything that you want, trying hard, trying and trying and trying to do the right thing is ultimately just as important as getting the outcome in the end. So go to bed.

But this is, for those of us who are parents, deeply personal. This is about protecting not just every kid in this country but our kids personally.

I yield to Senator CASEY for a question without losing control of the floor.

Mr. CASEY. I want to thank Senator MURPHY.

Mr. MURPHY. My wife is up there, by the way, too. He didn't come alone, by the way.

Mr. CASEY. For anyone within the sound of my voice related to Senator MURPHY, my question is a basic one, but I think it is fundamental to his efforts. I will address Senator MURPHY and say that your efforts and the efforts of those you have worked with, not only today but on other days—Senator BLUMENTHAL, who is with you today, has been working so hard on these issues, and Senator BOOKER. The three of you have been—if there is a way to express inspiration beyond just using that terminology, I would like to hear it, because it has been so—an inspiration.

My basic question is this, and I will ask you to hold your answer for just a couple of minutes. My question is this: How do you stay focused? How do you stay inspired to continue this fight, which for you hasn't been just hours long or days long or weeks, but it has literally been for years? I will ask forbearance for just a couple of minutes to give you a sense of part of the motivation that I have.

I am holding here—it will be difficult to see from far away, but this is a one-page tear sheet from the Wall Street Journal dated Monday, December 17, 2012. It says at the top: "Connecticut School Shooting." The headline below that, in larger letters, says: "Shattered Lives." I, obviously, won't read it all, but this has been on my desk since that week. We can see it is a bit yellowed, and every story here has an element of inspiration that is almost unimaginable. I mention that because I am from Pennsylvania. I don't represent the State of Connecticut, but this tragedy in Connecticut, at Newtown's Sandy Hook Elementary School, stays with all of us for different reasons—maybe because some of us are parents, maybe because we were struck by the gravity of the enormity and brutality of that crime on what so many of us have called that awful day. But, I will tell you, I don't think I have been as affected by a news event other than 9/11 in my life, and certainly not one that ever affected in the way that it had a connection to what I would do and how I would vote. So this tragedy in Newtown in 2012 directly affected the way I would vote. It changed my thinking in so many different ways. I won't walk through all of that tonight. But as much as these stories of these children inspired me then and continue to inspire me, I don't want to add another set of stories to my desk or keep adding to the chronicle of suffering and the chronicle of murder and destruction that gun violence will leave with us.

Today the Washington Post—and I will just open this up for illustrative purposes—had one page and then an-

other page, and they needed two pages of it, obviously, because of the number of victims. I didn't count, but if that is not 49, it is close to 49. Each of them has a story as well. So just as the children whose stories were summarized in the Wall Street Journal in 2012, today's Washington Post—and I am sure many other papers—have these stories.

We don't have time to go through every story, but I was inspired by the lives of those children, what they meant to their families and what their life meant to their community, and how in their very young lives they had already begun to achieve significant things in their life, either by making their sisters or brothers happy or by comforting their sisters and brothers and family and friends. I am sure the same will be said of those who lost their lives in Orlando.

Let me give you two examples in the interest of time. This is on page A-11 in the Washington Post today. It is one of the many vignettes. I mentioned Akyra Monet Murray, 18 years old, who happened to be from Philadelphia. I talked about her earlier today. She was third in her class and on her way to a basketball scholarship, and she happened to be in Orlando, FL. She was killed. She was a remarkable young woman. I wish I knew her, but she had just graduated from West Catholic in Philadelphia.

Here is someone as well who died in Orlando. Brenda Lee Marquez McCool, 49 years old, is one of the oldest on these 2 pages. Many of them listed, as many people here know, were 25 and 21 and 18 and 24 and 22, and on and on. But here are the first two lines of this vignette about Brenda Lee Marquez McCool. A two-time cancer survivor, McCool was first diagnosed with cancer about 8 years ago. This is what her ex-husband Robert Presley said: "The doctor gave her a year to live. She lived eight, until this nonsense."

She lived 8 years after a diagnosis of cancer. So her life and her fight to overcome cancer should be a reminder for us that this is a long fight. She lost her life ultimately, but she beat cancer for a long time, even though she lost her life this weekend.

I will give you one more. There are so many more, but we just don't have time tonight to go through all. Shane Evan Tomlinson was 33. He was working that night, playing in a band, and he left there to go to the club, to be able to relax a little bit after working. He was a member of an all-male gospel choir at the House of Blues in Orlando. Again, he was 33 years old.

So I don't want to keep adding to this chronicle. None of us want to. We all want to figure out a way to make progress on this issue, to finally say to ourselves that as Americans we can come together and take even incremental steps. But, I think, for this week that would be significant. As all three Senators—Senator MURPHY, Senator BLUMENTHAL, and Senator BOOKER—have reminded us, what we are

asking for here is a model of reasonableness. We are asking for a simple solution to a very discreet but horrific problem. If you are too dangerous to get on an airplane, if we have made that determination, why would you be allowed to have a firearm? Why would a terrorist or potential terrorist be allowed to have a firearm? Let's solve that one problem.

Then, of course, there is the problem that we have tried to solve in 2013—background checks, which, at last count, was about a 90-10 issue in the United States of America. This is a reasonable and sensible set of requests, just two in number. I can go on with others, but I won't.

Let me just conclude with Sandy Hook for a moment. We all know the horror of what happened there and the impact it had on all of our lives, but Senator BOOKER reminded us yesterday that in so many communities and in so many inner cities in America they have large numbers of gun deaths every single week, and in some communities every single day. I won't mention a list of cities or communities, to not be exhaustive, but I think people know them. We have to figure out a way to stay focused on those communities even as we focus on the horror and gravity and dimensions of what happened in Orlando or Newtown or Sandy Hook or so many other places.

Let's think about this just for a moment, before I, at long last, ask my question or ask for the answer to Senator MURPHY. How about school shootings since Sandy Hook? What do we find there? Since Sandy Hook, a gun has been fired on school grounds nearly once a week for a total of 188 school shootings, including several in my home State of Pennsylvania, according to data compiled by Every Town For Gun Safety. This has happened weekly since Newtown. It is not as if we have these events and we focus on them and then the problem recedes as we recede in our action or lack of action, in our focus, in our determination, in our sense of urgency. The problem does not go away. The problem is not going away. If anything, it is growing in dimension.

Just look at the data on how this problem has grown since the 1960s and 1970s. It just didn't happen in those days. It didn't even happen much in the 1980s, but if you look at 1990 forward, you see incident after incident. In 2000 and forward, it goes on and on. So if anything, it is accelerating at a pace that no one—no one in this body—should be content about.

So that means that every week—every single week—there is some schoolchild or school student. This goes all the way, obviously, to colleges and universities. So every single week some group of Americans who happen to be children or young adults are in a school setting of one kind or another, and they are either the direct victim or the victim who lives through that horror and has the imprint of that horror

for the rest of their lives. That is the reality.

So to anyone who thinks this is just a random occurrence, go to a school in a lot of places and talk to people in schools and go to our cities. I think we could all learn a lot.

I want to just mention a few more statistics because we were talking about children. Numbers don't ever paint the right picture, but they are instructive on a night like tonight.

I live in a State which has a proud tradition of support for the Second Amendment—and I mean really strong, like maybe no other State in the country, maybe one or two others but not many—a strong tradition of hunting and sport. Hunting is almost a part of not just the culture of our State but part of family life. Fathers and sons go out and hunt, and I am sure fathers and daughters or mothers and daughters. It is part of growing up in some communities. They go out and hunt, they participate in a tradition, they work to do it safely, they do a lot of training, and they pass on from one generation to another not just the experience but the rules and the way to do things.

We have as strong a tradition as any of the country. By some estimates, there are about a million gun owners. I don't know where that puts us in the rankings, but it is no lower than second or third or fourth in the country.

We have a lot of people in our State that not only value the Second Amendment, but the benefits of that amendment for their lives are significant because they get to own a gun to hunt and in some cases obviously to protect themselves or their families.

This is what the numbers tell us about just gun violence in a State like Pennsylvania as it relates to children only. According to the Pennsylvania Trauma Systems Foundation, every year about 400 children—meaning individuals under the age of 20. That is the cutoff. They don't say under 18. This is under 20, so children, and I guess you could say young adults. Four hundred are treated for firearm injuries in the Commonwealth of Pennsylvania. This number does not count the children who die at the scene, like most firearm suicide victims, so it doesn't even count some young people.

In 2013, there were 1,378 firearm-related injuries in Pennsylvania. Almost half of these were persons under the age of 25 years old. In that same year of 2013, the same year as Newtown, 1,670 children under 18 died by gunshot and an additional 9,718 were injured. So in just 1 year in one State, 1,670 children died by gunshot, 9,718 were injured.

That is the reality. When we consider the gravity of this problem in our cities, in communities of all kinds, and most tragically in Orlando, FL, we know it is a problem of great significance, dimension, and complexity. We know this is not easy to solve, but we know our country has faced huge challenges in the past. We are the country

that won World War II. Without our participation, the Allies could never have won. That is who America was. That was a pretty tough problem, trying to defeat the Axis powers and trying to take on these powerful military machines, but we figured out a way to do that as a nation. We all came together.

We all came together after 9/11. It is a complicated problem involving rights, having to stand in line and say: I am going to participate in this process to make our airlines safe so we don't have airplanes flying into buildings.

That was a big problem, but we did not surrender to the terrorists after 9/11. We came together and figured out a solution to a problem. We haven't solved the terrorism problem. We have certainly solved the problem of preventing terrorists from taking an airplane and flying it into a building, not only to kill thousands of people but to create untold kinds of fear.

Where does that leave us with the children of Sandy Hook? Well, I will take another day to read some of the stories, but let me just leave you with one thought. I want to ask Senator MURPHY a question after I read this.

One of the children killed that day—and every child's story is worthy of mention, but in the interest of time I will highlight, and it will be a highlight of one, Caroline Previdi. Caroline was 6 when she lost her life at Sandy Hook Elementary School.

Among other things they wrote:

Caroline loved to draw and dance. Her smile brought happiness to everyone she touched.

That is what her obituary read at the age of 6.

She will be remembered for accompanying a nervous kindergartner on the schoolbus. Caroline, a first grader, sat with Karen Dryer's son Logan on the bus each day. This is what Mrs. Dryer said about Caroline: She sat with her son Logan so that he wasn't scared. That is what a grateful mother said about little Caroline and about what she did before she died.

What does that mean for tonight? If little Caroline, at the age of 6, could comfort someone younger than she was on the bus every day, knowing he was afraid, knowing he was scared or worried about what was happening in his life, a kindergartner on a bus—if Caroline could do that and show not just a measure of courage but really a measure of responsibility—she took responsibility in her young life to help solve the one problem that one of her classmates or "almost" classmate, that one of her friends was having—I think we should take inspiration from Caroline's sense of responsibility. She thought apparently it was her duty to help someone younger than she was and to give them comfort, to give a measure of security. In her young life, in that little world that she was, she figured out a way to be responsible.

I hope that people across this Chamber will do more than just kind of cas-

ually review these amendments, casually think about this issue, and just stay in your lane, which the lane is, for a number of people here, the usual response is no laws will change this. I am glad we didn't say that after 9/11, by the way. It is a good thing we didn't do that as a nation—no laws will change us, no policy will change us. I hope in light of what Caroline has taught us that we will all be responsible, serious, and sober about what we do here, and we will examine our conscience, to use an old expression.

Is there something you can do with your vote this week, next week, next month, or next year that will help solve a part of this problem? Because this is a big problem which has not gone away, and every one of our lives is going to be affected by it in some way or another going forward. Many of us have seen too much of this in our States and in our communities.

Finally, Senator MURPHY, I will ask you this question. I will not guess at the answer. In light of those stories—and you know the stories, you know the families personally, I do not—how do you stay focused on a goal, the goal that you are pursuing and we are talking about tonight, and how do you stay inspired in the midst of and in the absence of significant progress?

Mr. MURPHY. Thank you, Senator CASEY, for that question. I thank you for how you have conducted yourself since the shooting in Sandy Hook. I was remarking to Senator WARNER on the same topic, but it was really you and Senator WARNER who, in the days following the shooting, came out and said we need to engage, we need to change something, and we are willing to change our minds or our level of advocacy. You were one of the most persuasive voices on behalf of the families of Sandy Hook in the days and weeks following, and you have been so generous to meet with them, as have many of my colleagues when they come here.

In answer to your question, I go back to those families. Probably the worst day that I have had legislatively while I have been here was the day in which that background check bill failed. Remember, it didn't really fail. It got the majority of this Senate to vote for it, but it failed because of a Republican-led filibuster.

I thank Representative SWALWELL and Representative GABBARD for joining us on the floor today. I really appreciate our friends from the House being here.

I remember standing with them after that bill failed. They whispered to me some version of a very simple idea. They said: We aren't advocates for 4 months. We are advocates for 40 years, right? A tragedy like Sandy Hook, like Orlando or like Aurora, it fundamentally reorders the lives of those who are affected. The reason I think this Congress has been focused on this question perpetually since Sandy Hook is because those families continue to come here, continue to show up at our doors, and continue to press.

The simple answer to your question is as long as those families aren't going to give up, then we are not going to give up. There is no more articulate spokesman in the Senate for children than you, Senator CASEY.

I have a feeling that so long as children's lives are at risk because we are choosing to allow for dangerous criminals and potential terrorists to get weapons, that you are not going to stop either. I appreciate you being a big part of our effort on the floor today.

With that, I yield the floor for a question, without relinquishing control of it, to Senator KING.

Mr. KING. I say to the Senator, I have a series of questions and some comments.

First, I come from a predominantly rural State with a very high number of gun owners, a very low rate of gun crime.

What you are talking about here today, adding the terrorist watch list as one of the elements of the background check and covering the non-covered parts of gun sales, online gun shows, will that have any practical effect on the gun owners in Maine?

Mr. MURPHY. It will not have any practical effect on the law-abiding gun owners in Maine, and that is whom you and I are talking to. The only effect it would have is upon criminals or felons who are attempting to circumvent our laws and get weapons by avoiding background checks. The only effect it would have is if there were individuals in Maine who were the subject of terrorist investigations. They would be prevented from buying weapons, but of course even those individuals—if they thought they were on the list for the wrong reasons—would have a process to grieve that. But for law-abiding citizens in Maine or Connecticut or Pennsylvania or New Jersey, this law has no impact on them.

Mr. KING. It will have no practical effect. They will still be able to buy guns in either place. They would have to go through the instant background check and the law as if they were a felon or something like that. Then they would be prevented. But other than that, this isn't going to have any practical effect on the practical law-abiding gun owners in Maine?

Mr. MURPHY. It will have no effect on law-abiding gun owners in Maine or anywhere else. This has nothing to do with those individuals.

Mr. KING. I want to take a slightly different view than I have heard today on the issue of terrorism.

I am on the Intelligence Committee. Every Tuesday afternoon and Thursday afternoon that we are in session we meet upstairs in a closed room. Ever since I have been here in January of 2013, the subject in one way or another has been terrorism, has been the threats that this country is facing around the world.

What has happened in the last 4 years is a subtle change in the nature of that threat. When we first came, we were

talking about Al Qaeda. We were talking about plots. We were talking about people coming here using airplanes, otherwise penetrating this country from abroad.

What has happened is that the terrorist threat has become homegrown. In fact, there is even a term for it of homegrown extremists or local terrorists.

ISIS is here. Every place there is a computer with an Internet connection, ISIS is there, and people like the shooter in Orlando may never go to the Middle East. I think he actually had traveled, but many of the people involved in this threat to our Nation never leave the United States.

So here is what we are doing, and here is why your amendment makes so much sense. We are spending millions of dollars—in fact, billions over the past 15 years—to counteract this terrorist threat, and it suddenly occurred to me, as I was thinking through it, we are spending millions of dollars to bomb ISIS's weapons supplies in Syria and Iraq, and they can buy their weapons here. How much sense does that make? It is just crazy that we are spending millions of dollars to interdict their weapons supply and yet the people who are here, who are under their thrall, who are thinking about terrorist acts and whom they are inspiring to these acts, can walk out and get a gun without any hesitation as long as they do not violate one of the terms of the current law.

The other piece of this that I think is important is that the current law that has the list of prohibitions—mental illness, felony, domestic violence, and there are nine—was passed in 1993. The world is enormously and fundamentally different than it was in 1993. In 1993 we had barely heard of Al Qaeda. There was no ISIS. There was very little threat or acknowledgment or understanding of domestic terrorism whatsoever. But now we are in terrorism 2.0. What happened in Orlando is exactly what we have been hearing about in the Intelligence Committee, what has been predicted by all our intelligence officials, and what many of us have been talking about. It is the nightmare scenario of an American who is radicalized online, who goes out and gets a gun and kills 50 people. That is the hardest threat to stop because there is no plot, there is no email trail, and there are very few phone calls. There is nothing. It is hard for our intelligence community to track someone like that. But if we have some knowledge of them, if they are in our database—to me, it just makes common sense that should be added to the list of disqualifications for buying guns.

This is no threat to anybody who is not on such a list. And I understand—and the Senator can please comment—the legislation we are talking about has a constitutional escape hatch for people who are wrongly on the list or whose names are mixed up, and they

will have an opportunity to protest that list and to have their names expunged if they can make the case that there was something wrong with their being on the list; is that correct?

Mr. MURPHY. It is correct. It is correct, and that is an important facet of the amendment Senator FEINSTEIN has submitted.

But it is also important, as we remarked earlier—perhaps when you were on the floor, Senator KING—to understand the scope of this. We are talking about a very small number of sales that actually would be affected. In 2015, thanks to a report Senator FEINSTEIN released, we know that in that year there were only about 215 sales at gun stores to individuals who were on the terrorist watch list. So it is a very small number of sales we are talking about in the first place.

Mr. KING. But if someone says: Well, if that is such a small number, why are we bothering? Because it only takes one to kill a number of people.

Mr. MURPHY. Correct.

Mr. KING. And that is really the essence of what the Senator is talking about.

As I understand it, there are two parts of what we are talking about today. By the way, the Senator is not talking about an assault weapons ban or magazine control or any of those things; we are really talking about two things. The first is the terrorist watch list. If you are on the list, you can't buy a gun. No fly, no buy. The second is to fill the loophole in the background check system because, as I understand the Senator's argument, if we say "If you are on the watch list, you can't buy a gun," but there is this gaping 40 percent loophole where you could get a gun without any check whatsoever, then it doesn't matter. Anybody—a felon or anybody—could get a gun under that circumstance. Is that the logical progression?

Mr. MURPHY. That is exactly right. And I think my colleague very smartly referred back to the initiation of the background check system, where no one was contemplating a terrorist watch list or a no-fly list existing. It is the same thing with Internet sales, it is the same thing with armslist.com, and it is the same thing with gun shows. Back when we passed the background checks law, the vast majority of gun sales were done in bricks-and-mortar stores. What has happened is that sales have migrated into other forms, especially online.

So in all of these respects, as the Senator is accurately pointing out, all we are really seeking to do is to have the law and the initial intent of it catch up with the trajectory of time.

Mr. KING. And I find it hard to believe that if we were debating that law in 1993 under the current circumstances, that some cognizance wouldn't have been taken of the risk of domestic terrorists.

Mr. MURPHY. I don't think there would have been any question that category would have been included. That

is probably why 80 percent of Americans support the adoption of this amendment or some version of it.

Mr. KING. By the way, I would mention that since the Senator has been on the floor today, 10 people have been murdered with guns. It is about one an hour. Since the Orlando shooting, 100 people—twice as many as in Orlando—have been murdered with guns.

So we are talking about Orlando, but we are also talking about people all over the country, mostly innocent people, sometimes people who are victims of domestic violence. We are not talking about taking guns away from people; we are just talking about keeping people who shouldn't have them from getting guns. And I have never met a gun owner who doesn't agree that is just a commonsense restriction. Does my colleague view this in any way as a violation of the Second Amendment?

Mr. MURPHY. Senator UDALL was on the floor earlier, and he said somebody called his office earlier today asking why we were debating the Second Amendment today, and of course the answer to that is we are not debating the Second Amendment. There is actually nothing about this debate relevant to the Second Amendment because the Second Amendment is clear. As the Supreme Court has stated, an individual has a right to own a firearm. But, as that same Court very clearly stated in an opinion by Justice Scalia himself, that right is not absolute. The Congress has the ability to say there are some weapons that should be out of bounds and that there are some individuals who are so dangerous they shouldn't own weapons. So even the most conservative jurists on the Supreme Court have held very plainly that the Second Amendment allows for the Congress or State legislatures to decide there are certain individuals—felons, people who have been convicted of violent crimes, or individuals we suspect of terrorist activities—who shouldn't buy a weapon.

Of course, as we remarked earlier, if you go into any gun club in Maine or Connecticut, that is what people in those forums believe as well. They believe law-abiding citizens should be able to get any weapons they want, by and large, but they do not believe criminals should be able to buy weapons. That is a view held by gun owners and non-gun owners alike because everyone accepts that that is in keeping with the Second Amendment.

Mr. KING. Don't you think one of the problems with this debate as it has evolved over the past few years is that it has become a kind of either/or?

Mr. MURPHY. Right.

Mr. KING. If you are for the Second Amendment, there are no limitations whatsoever, and if you talk about limitations, you are against the Second Amendment. Do you accept that characterization?

Mr. MURPHY. I think you are exactly right. I think this has become an either/or debate in so many different perspectives.

I am so glad we are bringing together this question of how we respond to terrorism and how we protect Americans from the consequences of loose gun laws because there is also this juxtaposition in which these terrorist attacks are either about the fight against ISIS or they are about our loose gun laws, and they are about both. And this shooting in Orlando is about a whole host of other subjects as well.

So I think we have tried to stay true to the complexity of this question on the floor during this time. We are not suggesting that what we are proposing is going to solve the problem, but we do have to get out of this paradigm in which if you are a supporter of the Second Amendment, you can't support any restrictions on individuals, whether or not they are on a terrorist watch list, to obtain guns.

Mr. KING. Well, this solution being proposed, even if it only prevents 1 person, that could mean 50 lives or 100 lives. I think that is important.

By the way, it is a dirty trick, Senator, to quote Justice Scalia on this subject. He did make it clear in the Heller decision, as you point out, that the Second Amendment, as the First Amendment or any of the amendments, is not absolute. People say the First Amendment says Congress shall make no law respecting speech, but you can't yell "fire" in a crowded theater. That is established law. And Justice Scalia, in the Heller decision, said the same thing about the Second Amendment. It is not absolute. There are limitations that can be placed upon it, particularly in the transfer of firearms, and I think that is what we are talking about here.

So I commend the Senator, and I believe what we are talking about—and let me go back to the Intelligence Committee for a minute. It took me 2 or 3 months—maybe I am a slow learner—but as I was sitting in the Intelligence Committee, I finally had two really visceral insights. One was that we are the only people watching the intelligence community; that we have this large apparatus, and we have these small committees in the House and the Senate, and we are the only people watching. That is not relevant to this debate, but that was an important realization imposed upon me, and what I thought was an extraordinary responsibility to pay close attention to what these agencies are doing.

The second insight was that the fundamental role of the Intelligence Committee and, I would argue, the fundamental role of this body is to constantly monitor and calibrate the tension that exists between two fundamental provisions of the Constitution—in this case, three. The first is in the preamble—the fundamental reason this government was formed in the first place—to insure domestic tranquility and provide for the common defense. That is the essence of any government, the fundamental, sacred responsibility.

Then we have the First Amendment, the Second Amendment, and the

Fourth and Fifth Amendments that have issues of privacy and issues of gun ownership, and we have to constantly balance and calibrate those provisions based upon technology and reality, circumstances, and facts.

We have a new set of facts. We are facing a threat today in the United States that is different from what we have ever faced before, where we have people who are being motivated from abroad mostly but are in our society, in our country—this fellow in Orlando was an American citizen, was born here—and we have to take cognizance of that. We have to take account of that reality. If we don't, we are failing, it seems to me, our fundamental responsibility under the preamble of the Constitution to provide for the common defense. That is what the American people expect us to do—to keep them safe—and this is simply one piece of the armor we can provide to keep the people of America safe.

I would conclude with a question to the Senator. Is there any hope of getting this accomplished? Where are we? Why is this so hard? This seems to be a commonsense response. I read a quote from the NRA today that said: We believe that terrorists should not have guns. So is there room for discussion, for compromise? Does my colleague feel there is an opportunity here to get to a place where we can respond to this new threat that is facing us without in any way compromising the values of the Second Amendment?

Mr. MURPHY. I thank the Senator for guiding us toward that compromise because it has to be there. On this issue, we are speaking the same language. Frankly, on background checks, we tend to speak the same language. We both say—Republicans and Democrats—that we don't want criminals to get guns. We both say we don't want terrorists to get guns. Yet we have been unable to meet in the middle.

My understanding is that the majority has a concern about the ability of individuals who shouldn't be on these lists to get off the list. So do we. We have no less interest in due process than they do. So we want to bring these issues to a vote on the floor. Our preference is to bring a compromise measure that can pass and get the support of both sides.

I know we have had Senator TOOMEY and some others come to the floor today and suggest there is some work to be done to get a compromise. My hope is we can get there. If we can't, then let's at least take the vote and let the American people see where we stand.

Mr. KING. But my understanding is the amendment as proposed does provide a specific process whereby a person who believes they are wrongfully on the list, wrongfully denied the opportunity to purchase a firearm, has the opportunity to contest that, to have it litigated, and have it resolved in a reasonably prompt manner.

Mr. MURPHY. I think that has been the difficulty in finding a compromise.

The existing text gives the ability already for anyone who believes they are on the list wrongly to get off that list. That is why I said that we are just as concerned with that, and the underlying amendment that we have proposed and Senator FEINSTEIN has proposed does exactly that. It gives an escape hatch for anyone wrongly on that list.

Mr. KING. One of the odd things about this debate is that if this had been 15 years ago, I don't think we would even be having this debate. Background checks were generally uncontroversial. If we had would have had the terrorist threat, I couldn't believe—we have domestic violence on there. How about terrorism violence? That should be a part of this as well. That is all you are really proposing. Is that correct?

(Mr. SCOTT assumed the Chair.)

Mr. MURPHY. That is correct. It is only controversial here; it is not controversial out in the American public. By and large, they want this done. So we have created a controversy that doesn't really exist in the living rooms and social halls of this country.

Mr. KING. I thank the Senator. I thank him for his answers and thank him for his leadership on this issue.

Mr. MURPHY. I thank the Senator. I think it is really important that we have the diversity of our caucus represented as part of this discussion today. Senator KING and Senator DONNELLY are both strong supporters of the Second Amendment. I am glad to yield the floor for a question, without losing my right to the floor, to Senator DONNELLY.

Mr. DONNELLY. Will the Senator from Connecticut yield for a question?

Mr. MURPHY. I will.

Mr. DONNELLY. Like all my colleagues on both sides of the aisle, I was sick when I learned of the tragic shooting in Orlando. Since Sunday, like so many people, my thoughts have been with the families and with the friends of the victims, with the LGBT community, with the people of Orlando, and with all Americans who are mourning the loss of loved ones at the hands of senseless gun violence. My thoughts are also with the parents across our Nation. We have to explain to our kids, how can something like this happen in our country?

We were elected in this Chamber to do a job—to discuss issues, to debate them, and to vote on legislation that makes our communities and our country safer. I came to the floor tonight to participate in this discussion because we have a job to do and we have action to take. I thank Senator MURPHY for leading this.

I am a supporter of the Second Amendment. I am also someone who believes it is reasonable for all of us to consider smart and responsible ways to reduce gun violence. Those things are not in opposition to each other. Since I have come to the Senate, we have talked about mass shootings in Or-

lando, in San Bernardino, in Charleston, and in Newtown, CT, the Senator's home State. The truth is, there is gun violence across this country every single day. No State is immune, including my home State of Indiana. Every victim of gun violence is someone's mom or someone's dad or someone's sister or someone's brother or someone's son or someone's daughter or someone's husband or someone's wife, and those lives are destroyed.

There are bipartisan proposals we can consider today that can make a difference. They will not solve every problem, but we can save lives. We can start by considering the bipartisan proposal by Senators JOE MANCHIN and PAT TOOMEY that strengthens our background check system to help prevent criminals and individuals with serious mental illnesses from getting guns. This legislation requires background checks for all commercial gun sales, whether they are at a store or whether they are at a gun show or whether they are online.

We should also debate and pass bipartisan legislation that denies firearms sales to known or suspected terrorists. This is simple American common sense. This is what the American people expect of us. This is what we were elected to do. If a person is on a terrorist watch list, they shouldn't be able to buy a gun. It is that simple and that uncomplicated. It is time to do our job—to do our job as Members of Congress to confront the serious problem of gun violence in our country, to debate our options, to work to find solutions to help keep all Americans safe, and to protect our individual rights. As Members of this body we have differences, but we shouldn't have differences on this.

We have also demonstrated that we can find common ground at critical times. I am confident that every Member of this body agrees we should keep weapons out of the hands of criminals, terrorists, and people with mental illnesses. This should not be controversial. I urge all my colleagues to come together on behalf of the American people who have blessed us with this opportunity to serve here and to stand up for them and to vote on these proposals. It is the very least we can do for those families, for the people we represent, and for the serious obligation and responsibility they have given us to do these things. They expect us to do our job. It is time for us to step up to the plate.

With all that in mind, I have a question for my good friend, the Senator from Connecticut. The question is this: Don't we owe it to the victims of Orlando, the victims from Newtown in your home State, the victims of Charleston, and the victims of gun violence in all our States to have a vote on these proposals, which are bipartisan in every single way?

Mr. MURPHY. I think that last phrase is the most important. They are bipartisan in every single way. We have

had bipartisan support for these proposals on the floor of the Senate. But, frankly, more importantly, in Indiana and Connecticut there is bipartisan support. Whether talking to progressive Democrats or rock-ribbed Republicans, they all are of the consensus position that if you can't fly because we have deemed you to be a terrorist threat, then you probably shouldn't be able to buy an assault weapon, and that if you are a criminal, it shouldn't really matter whether you walk into a gun show or a gun store, you shouldn't be able to buy a weapon.

So I think the Senator put it perfectly, which is that in every way these are bipartisan proposals. At the very least, it is incumbent upon us to show the American people where the Senate stands on these issues. Let's show the people of Indiana and Connecticut and Illinois where Senators stand on these two simple questions that have bipartisan grassroots support in this country.

Mr. DONNELLY. I have one more question. Does the Senator think we are underestimating in this body—that Senators are underestimating the common sense of the American people; that they know terrorists shouldn't be allowed to have these weapons; that they know it is a danger to our kids, to our families; that we would do great credit to the American people to have faith in them, to believe in them; that they are ready to take these steps; that they are ready to see their Senators take these steps and to stand with us? We all love our children. We all love our families. We all want to make sure that when they go out to be with their friends, they come home safe that night. For all of our families—whether Republican or Democrat—most important, we are not red or blue. We are red, we are white, and we are blue. We are all Americans. We are one team. We are in this together.

Doesn't it seem to make sense that we ought to be able to reflect the will of the American people? I think the American people are ready for this. Don't you?

Mr. MURPHY. It is a political issue here; it is not a political issue anywhere else. The Senator talked about, I think, a very apt description of our underestimation of the common sense of the American people. I also think we underestimate our ability to fundamentally address the fear that exists today about the next terrorist attack. I think if we were able to come together and pass these two simple measures, it would be a show of faith for the American people that we get it—that we understand how anxious they are, how fearful they are, how angry they are, and there is a salve to the wound that could come if we were able to come together and act. It is not just that it would make a practical difference in stopping potential terrorists from getting guns, but it would have a psychological impact on people.

So I think the Senator is right that we underestimate the common sense of

the American public. But I think we also underestimate our ability to do something meaningful, to address what is a very legitimate anxiety in the public, having watched San Bernardino or Orlando.

I thank the Senator.

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

Mr. DURBIN. I wish to direct a question to the Senator from Connecticut.

First, I would like to acknowledge that the Senator from Connecticut took the floor about 10 hours ago and has stood here with his colleagues, the Senator from New Jersey, Mr. BOOKER, and many others who have joined him during the course of the day. Senator BLUMENTHAL of Connecticut was also here.

I would like to ask a few questions and then ask the Senator to react to a news story that just came out. I think it is important for us from time to time to remind those who are just starting to follow this debate why we are here and particularly why the Senator has been on the floor for 10 hours straight. This is unusual in the Senate. It is technically known as a filibuster, when one Member takes the floor and doesn't yield the floor. It is done for a variety of reasons. It has been done throughout the history of this Chamber. But I hope we can make it clear from the outset why we are doing it today, why the Senator is leading it, why we are joining him today, and why this is an important message that we are trying to send across America from one coast to the other, including the islands of Hawaii.

We are dealing with this because what happened in Orlando has really focused America on gun violence and the terrible tragedy that occurred there, with 49 deaths and over 50 who are seriously injured as a result of this gunman who turned his guns loose on these poor people who gathered at this nightclub.

I would like to ask the Senator from Connecticut, at the risk of repeating himself—which is part of what we do here, making sure that those who are following the debate—if he would tell us the two issues that he believes bring us together in this common effort late this evening on the floor of the Senate.

Mr. MURPHY. I thank the Senator for continuing to focus us on why we are here. Frankly, we are not here just to talk; we are here to bring some resolution to this debate and to move on to consideration of the CJS appropriations bill.

We are asking for two votes on what could be consensus measures with respect to protecting Americans.

One, we want to make sure that if you are on the terrorist watch list, if you are on the no-fly list, then you cannot buy a gun. You are prohibited by law from buying a gun. There is no controversy about that in the American public. It would make a tremendous difference.

Second, in order to make that provision truly effective, we need to make sure that no matter where you buy a gun—whether you buy it at a bricks-and-mortar store, online, or a gun show—you are subject to background checks. One of those provisions without the other doesn't protect us. Both of them together protect Americans from terrorist attacks, protect the flow of illegal guns into communities like Chicago without having any effect on individual Second Amendment rights. If you are a law-abiding citizen in this country, the two measures that we are proffering for a vote on the Senate floor will have zero impact on you.

If we can get agreement to move forward in a consensus way on those two measures, my hope is that we could come together and find language that both sides could agree with. At the very least, we should have a vote on these measures so we could see where people stand. Then we would gladly relinquish the floor.

Mr. DURBIN. I ask the Senator from Connecticut, without asking him to yield the floor, if he will yield for a question.

Mr. MURPHY. I will.

Mr. DURBIN. Our colleague from California, Senator FEINSTEIN, has filed an amendment. I believe she is making slight changes to it, but the amendment addresses the first issue. It enables the Attorney General of the United States to deny a request to transfer a firearm to a known or suspected terrorist. The Senator from Connecticut said repeatedly, and I would like to repeat it myself, this is something the vast majority of Americans say: You mean a terrorist can buy a gun in America and you can't stop him? So, overwhelmingly, Democratic, Republican, Independent, gun owners, non-gun owners believe this is common sense. The Senator from California in this amendment says:

Hereafter the Attorney General may deny the transfer of a firearm if the Attorney General determines, based on the totality of circumstances, that the transferee—

Purchaser of the firearm—represents a threat to public safety based on a reasonable suspicion that the transferee is engaged, or has been engaged, in conduct constituting, in preparation for, in aid of, or related to terrorism, or providing material support or resources therefor.

So in the first sentence of about a six- or seven-sentence amendment, the Senator from California, in a few words, says exactly what the Senator from Connecticut has said. We want to give to the Attorney General the power to stop a suspected terrorist from buying a firearm in this country.

Today we had a briefing, and I know the Senator couldn't attend because he was here on the floor with this important responsibility. The briefing came from the leader of the Federal Bureau of Investigation, Jim Comey, and Jeh Johnson, the head of the Department of Homeland Security. They talked about what happened in Orlando. Some

of the things they told us cannot be repeated outside of that closed-door briefing and some of it will come out as the investigation unfolds, but here is something they told us that can be shared.

This man who went into the Pulse nightclub at 2 o'clock in the morning in Orlando had two firearms with him. Before that tragic evening ended, he had shot hundreds of rounds into that crowded nightclub—this one man, hundreds of rounds. What I asked him was to please put this in perspective for me. Since 9/11, we have focused on what happened that terrible day when 3,000 innocent Americans died because terrorists took over airplanes and crashed them into the World Trade Center and the Pentagon and might have crashed them into this building had the brave passengers and crew not stopped them over Pennsylvania.

What we do every single day is to spend hundreds of millions of dollars for safety on airplanes and airports because we don't want to run the risk that a passenger will get on board a plane and endanger the lives of passengers, up to 200 passengers or more, with a bomb or some other means. We go to elaborate lengths. Think about it. How many times have you taken off your shoes, opened your bags, put things on the conveyor belt? We have done that now for 15 years so we don't have to relive the tragedy of 9/11.

Think about this for a second. If that same terrorist decides not to use an airplane but to use a semiautomatic weapon, the kind of weapon used by this man in Orlando, that person can endanger the lives of hundreds of people and killed 49 in that tragic situation.

So my question to the Senator from Connecticut is this. As we are focusing on the use of these military-style weapons, are we not reflecting the new reality of the terrorist threat to America—not just airplanes and the other means they have used but now what appears to be a more common weapon of choice, commonly purchased at gun stores by even suspected terrorists. Is that not what you were focusing on and we are focusing on as the first thing that needs to be changed in the law?

Mr. MURPHY. Senator DURBIN, let me read to you the transcript of a video from one of Al Qaeda's most important operatives, an American by the name of Adam Gadahn. He is deceased now, but here is what he said in a video that he sent to potential converts in the United States:

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

This is an Al Qaeda operative, an Al Qaeda recruiter, specifically instructing their potential followers in the United States to go to gun shows to

buy assault weapons in order to carry out lone-wolf attacks. This isn't theoretical. We aren't making this up on the floor of the Senate. This is a clear, strategic decision on behalf of these groups. They are losing territory inside Iraq and Syria. They are more dependent on lone-wolf attacks than ever, and they have figured out that the quickest pathway to massive death and destruction is not to hijack an airplane, is not to construct an explosive device but to buy an assault weapon.

Mr. DURBIN. Will the Senator yield for a further question without yielding the floor?

Mr. MURPHY. I will.

Mr. DURBIN. Despite the worst mass shooting in the history of the United States of America that occurred in Orlando, FL, despite the national reaction and international reaction to this tragedy, there was nothing scheduled this week in the U.S. Senate on the issue of firearms and terrorism, nothing—not until the Senator from Connecticut took the floor 10 hours 20 minutes ago and said: I am not going to sit down until there is an agreement that we are going to debate this issue on the floor of the U.S. Senate. It was not even on the schedule of things for us to discuss this week until this Senator from Connecticut and his friends and colleagues decided to make an issue of it.

I ask the Senator if he is aware of the fact that the American Medical Association put out a press release in Chicago. I think it is historic and I would like to read a story about it if my colleagues will bear with me for a minute. This is from the American Medical Association.

The worst mass shooting in modern U.S. history has prompted the American Medical Association to call gun violence a 'public health crisis' and urge that Congress fund research into the problem.

The AMA, which lobbies on behalf of doctors, said on Tuesday it will press Congress to overturn 20-year-old legislation that blocks the Centers for Disease Control and Prevention from conducting research on gun violence.

A 29-year-old gunman slaughtered 49 people at a gay nightclub in Orlando, FL, before dawn on Sunday.

The AMA adopted the policy at its annual meeting in Chicago. It called U.S. gun violence a crisis that requires a comprehensive response and solution. "With approximately 30,000 men, women and children dying each year at the barrel of a gun in elementary schools, movie theaters, workplaces, houses of worship and on live television, the United States faces a public health crisis of gun violence," Dr. Steven Stack, AMA president, said in a statement.

"Even as America faces a crisis unrivaled in any other developed country, the Congress prohibits the CDC from conducting the very research that would help us understand the problems associated with gun violence and determine how to reduce the high rate of firearm-related deaths and injuries."

Congress placed restrictions on CDC funding of gun research into the federal budget in 1996 at the urging of gun rights supporters who claimed the agency was biased toward gun control.

AMA has several long-standing gun safety policies including support of legislation that

calls for a waiting period before the purchase of any form of firearm in the United States. It also supports background checks for all handgun buyers. (Reporting by Susan Kelly in Chicago; Editing by Caroline Humer and Matthew Lewis)

Mr. BROWN. Will the Senator yield?

Mr. DURBIN. I would like to complete the question to the Senator, and then I will be happy to yield.

The point that we are getting to is this is the beginning of an important national debate brought on by the tragedy in Orlando. It is a debate which would not have occurred this week had the Senator from Connecticut and his colleagues not taken the floor with this filibuster on the Senate floor. I thank the Senator for his leadership on this. I ask the Senator if we can reach a point where we have a statement by the Republican leadership of the Senate that they will give us the votes on these two key issues that we raised over and over again; is that the purpose and intent of your filibuster?

Mr. MURPHY. I thank the Senator for his question. That is exactly why we are here. Let me reiterate the supposition, the premise of his question.

Senator BOOKER, Senator BLUMENTHAL, and I—and I know you share this view as well—just couldn't come back here and debate amendments on the CJS bill that had nothing to do with this epidemic of gun violence witnessed most recently by the worst mass shooting in the history of this country. I simply couldn't come back here and pretend that there is nothing we can do about it because of course we can come together and find a path forward. Yes, we are on the floor demanding a vote because it would be unconscionable to leave this week without having a specific debate on these measures and without trying to find a path forward.

I will say to my friend that my greatest hope is that we can find common ground on these measures, but in absence of common ground, in absence of a willingness on behalf of the majority party to actually sit down and negotiate this, then let's have the vote. Then let's have the vote and see where Members of this body stand, up or down. Let's see what Members choose to do a week after the worst mass shooting in the history of this country, when they are proffered with the question: Do you want terrorists to be able to own guns in this country? Do you want individuals who have known connections to terrorist organizations to be able to buy military assault-style weapons?

Let's put that question on the floor of the Senate and see what everyone's answer is.

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

Mr. BROWN. I will ask my question through the Chair.

First of all, I so appreciate, as Senator DURBIN said, the Senator being

here this evening. I so appreciate the work that Senator MURPHY has done. I appreciate so much the work he has done and the work Senator BOOKER and Senator BLUMENTHAL have done.

I welcome others of my colleagues to the floor. I heard the Senator from Maine, Mr. KING, say something. We know what happened with this terrible shooting in Orlando with 49 innocent people killed. We know what happened in Sandy Hook. We heard Senator KAINE talking earlier today about what happened at Virginia Tech. We heard what happened in Denver when they shot the Planned Parenthood clinic. We know what happened in San Bernardino. We know what happened in southern Ohio, in a rural Appalachian area of my State where there were a number of people who were killed, and it didn't get quite as much attention. We know what happened to Tamir Rice in my city of Cleveland, a 12-year-old boy who was gunned down.

What Senator KING said was so interesting because we see these awful massacres of 5, 10, 20, or as many now as 49 people murdered in cold blood, but what he said was, on average, every hour a person is murdered in this country. Two or three people die from gun violence. Since the Orlando massacre, about 100 people have been killed by gunfire—twice as many as were killed in Orlando.

We had an intelligence briefing from the FBI, as Senator DURBIN said, about this mass killing. We all get together and talk about these mass killings, but we don't talk about the day-by-day gun violence. I think the American people know of the mass killings. They always write our offices and tell us to do something, and then interest tends to diminish as it becomes news that is 1, 2, 3, 4 days old. But what Senator KING said was so important that this just happens every day. As Senator BOOKER says, it is often a poor kid who is murdered.

I was on the floor earlier tonight, and I mentioned how my wife and I live in ZIP Code 44105 in Cleveland. In the first half of the year in 2007, that ZIP Code had more foreclosures than any ZIP Code in the United States of America. It is a ZIP Code where there is a lot of poverty. There is a lot of violence.

The other night when I was in Washington, my wife heard gunshots and then heard a police siren. That has happened far too many times when I am home. If my grandchildren are there, you are alarmed. The gunshots are usually maybe a quarter mile away, half a mile away, but we know that each time it might be somebody who is badly injured or worse.

We see what is happening. We see maybe the Members of the Senate who have been at the beck and call of the gun lobby, maybe they are listening now. My question is, How do we make sure we remind them and remind the American people because I don't think the American people think about what Senator KING said. There is roughly

one murder an hour on average in this country, 24 hours day, 7 days a week. There are two or three people who are victims of gunfire hour after hour, day after day. All we really read about, all we really react to are these terrible mass shootings but not the day-by-day violence. How do we bring that to people's attention so people in this body go home and do their job?

This Senate is not doing its job in confirming a Supreme Court nominee. It is not doing its job for the mine workers whom Senator DONNELLY, Senator DURBIN, and I have in our States or the pensioners with the Teamsters Central States Pension Fund. They are not doing their job there either.

But on this one, until this Senate actually does the right thing, Senator MURPHY, how do we keep attention on this issue when people's memories fade and we go back to work and do nothing? That is why you are standing on this floor hour after hour. You can understand, anybody who is watching—and I know we are not speaking to the country here, but this is a Senator from Connecticut who has not sat all day, has not been able to eat, just stands here and leads this debate and leads this filibuster, pleading to this Senate. Most of our colleagues are out for dinner or home by now, but Senator MURPHY is here pleading for our colleagues to stand up and do the right thing. I give my friend so much credit for that.

How do we sustain this until we get our colleagues here to finally do their job?

Mr. MURPHY. Mr. President, I give credit to Senators BOOKER and BLUMENTHAL, who have also been here. I think Senator BOOKER has been physically standing for the exact same amount of time that I have been standing as well. Hopefully, we are answering that question right now.

Let me just give the evidence of what is happening in social media today. This filibuster has been the No. 1 trending topic on Twitter all day long. So there is nothing that is being discussed more on the most popular social media application in the country than our effort to bring light to this epidemic of tragedy that exists in our cities every day.

The Senator from Ohio probably doesn't know this, but last year there was a mass shooting, on average, more than once a day. If you categorize a mass shooting as four or more people being shot at any one time, there were mass shootings in Cleveland, Baltimore, New Orleans, Bridgeport, and Chicago on a regular basis.

I hope this effort is not just in the service of trying to bring a vote and a debate to the floor on these two measures but on opening of this country's eyes to the epidemic of gun violence that exists.

Second, I think we need to do more of what Senator BALDWIN did tonight. We need to come to the floor and go out in our communities and tell the stories of

who these victims are. We need to tell the story of who these young 17- and 18-year-olds are who died in your cities and my cities. We need to tell the stories of their moms and dads who were left behind. We need to personalize this in a way that is not real right now for most Americans.

I have been asked a number of times tonight: Why haven't we been able to move this debate? I think some of it is on us for not being as relentless as we can on the floor of the Senate and out in our districts on commanding attention to this issue of the routineness of gun violence in our cities.

Frankly, it warms my heart to look around the room today and see 8 or 9 or 10 Senators still sitting on the floor at 10 p.m. at night. Maybe this is a means for us to recommit ourselves to bringing the message of the reality of everyday gun violence in our cities to every single corner of this country.

I thank the Senator from Ohio and will yield for any further questions.

Mr. SCHUMER. Mr. President, will my colleague from Connecticut yield for a question?

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

Mr. SCHUMER. Mr. President, I just came from the Sandy Hook Promise Dinner, a dinner put together by the parents in his State. These are family members who have lost loved ones in that horrible tragedy of Sandy Hook. They were so inspired by the actions of their two Senators, who are also chairs of this organization, the Senator from New Jersey, and so many others who have taken to the floor tonight. When I mentioned what was going on here, they rose up in a standing ovation. They inspire us, and I know they have inspired our good friends from Connecticut. They are amazing people.

When something like this happens and a loved one is taken from you, as so many loved ones were lost in Orlando—as the good Senator from Wisconsin so eloquently documented earlier this evening—the natural inclination is to curse the darkness, to ask “why me,” to be angry, to turn inward and say: I don't want to live life anymore. For those who can light candles to try and prevent this from happening to others even though their losses will never, never, never be extinguished—the holes in their hearts will never be gone—is an amazing thing.

Before I ask my question, I wanted to convey to my good friend how his activities and the activities of his colleague from Connecticut and the Senator from New Jersey and so many others here today have inspired this group just as they have inspired us. I think the Senator is correct. If we can have a virtuous cycle of being inspired by others and then trying, through our small efforts, to inspire others, we will win this fight. I have every confidence that we will.

Dr. King said: The arc of history is long, but it bends in the direction of

justice. That is something that we are all mindful of. It will bend in the direction of justice, and my colleague from Connecticut has helped to bend it a little bit more, and for that, we are so, so, so thankful.

I wish to ask my colleague a question about what we have heard from some on the other side, which is about the Second Amendment and the kind of proposals that we have seen by the Senator from Texas and the Senator from Pennsylvania, as they seek a compromise and talk about the Second Amendment. To them, it almost seems that the Second Amendment is absolute.

I, for one, believe in the Second Amendment. I believed there was a right to bear arms even before the Heller decision. I believe that it is not fair to read the other amendments of the Constitution in such an expansive way and then say that the Second Amendment means just militia. Some of my colleagues on this side of the aisle will agree, and some will disagree.

The question to my colleague is very simple. Even if he has a strong belief in the Second Amendment, no amendment is absolute. The First Amendment is so dear to us, but you can't falsely scream “fire” in a crowded theater. That is a limitation on our First Amendment rights. We have laws against child pornography, as we should, and that is a limitation on our First Amendment rights. We have libel laws. If you say something that is false that hurts or damages someone, you can be sued. That is a limitation on First Amendment rights.

Isn't it true that just as we have limitations on First Amendment rights, there are reasonable limits on Second Amendment rights? It would seem to me that one of the most logical limitations is to say that someone who is totally dangerous or might be totally dangerous and can wreak the kind of tragedy that we saw in Orlando, Newtown, Aurora, and in other places across the country, such as San Bernardino, should not have an absolute right to a firearm. Another point here—before I get to my question—is that I find it ironic that so many of my colleagues who are so meticulous on the Second Amendment in terms of civil liberties and due process don't really seem to care about it on all the other amendments. That is the sort of inverse. We don't hear rousing speeches from some of the Senators who have gotten up in the past few days to say something like: Let's make sure we don't make a single mistake when it comes to the criminal justice system. We have a number of Senators from New Jersey and Illinois here tonight who have worked hard on criminal justice relief, but we don't hear from the other side about the need for making sure due process is followed when it comes to the criminal, except for the Second Amendment.

Let's try to be consistent here. Let's believe in all the amendments, but let's

realize that every amendment has a limitation. That a balancing test has always been the watch word of the Supreme Court from the founding of the Republic.

I ask my colleague to explore this contradiction about the idea from some that the Second Amendment alone is the only one that should be absolute. Would my colleague talk a little about that? We have talked about this together in the past. Would my colleague talk about the need for reasonable limitations on every amendment, including the Second Amendment, as we are attempting to do here with two pieces of legislation we seek a vote on—a simple vote?

Mr. MURPHY. Mr. President, I thank the Senator for his question. I will just remind him and others that this concept of the Second Amendment that my friend has offered is embedded in the Heller decision. The Heller decision itself—and Senator KING chided me for referring to the majority opinion in that decision by Justice Scalia earlier—says very specifically that though the majority holds that there is an individual right to own a gun, that right is absolutely not absolute. He actually gives specific examples in the majority decision of ways in which you can condition that right in order to affect the public safety, like for instance, restricting the types of weapons that are bought or restricting guns and firearms from individuals who are deemed dangerous. This isn't theoretical. This is the law and the interpretation of the Second Amendment as determined by this Court.

On this question of inconsistency, let's just keep it packed into the question of the terrorist watch list. I have not heard one of my Republican colleagues come down to the floor and defend the right of those on that list to get into any airplane they want and travel anywhere in the world. There is no one who has done that, nor will they, and that is because of this inconsistency—this inconsistency in which the absolute protection of Second Amendment rights is treated in a fundamentally different way than the protection of other rights.

It is no less dangerous for an individual to pick up a dangerous assault weapon that can kill hundreds of people at a time than it might be in order to get on a crowded airplane. You could conceivably kill the same number of people with an assault weapon as you can with an airplane. Yet, those two rights—the right to travel and the right to own a gun—are treated differently.

Mr. SCHUMER. Mr. President, I thank my colleague.

Mr. MURPHY. Mr. President, I thank my colleague from New York, and through the Chair, I yield for a question from the Senator from Minnesota without losing my right to the floor.

Ms. KLOBUCHAR. I ask if the Senator from Connecticut will yield for a question without losing his right to the floor.

Mr. MURPHY. I will.

Ms. KLOBUCHAR. I thank the Senator from Connecticut. One of our fellow Senators noted that maybe not many people are watching. I have been around talking to people tonight, and I can tell you that a lot of people are watching this. The country is watching this because people have been waiting for action.

Many of us here have been involved in law enforcement. For me, it is about a series of pictures. It is the picture of those victims in Orlando, and with every picture, there is a story. Everyone killed in that massacre was someone's brother, someone's son, someone's loved one.

I think of the little girl with the blue dress with stars, walking down a sidewalk to a church. Her dad had been murdered by a madman, someone who was mentally ill, someone who was a perpetrator of domestic violence. Her dad was a police officer in Lake City, MN. It is a beautiful little town on a beautiful lake. He was just doing his job one day when he was called to a home. He went to the front door and had on a bulletproof desk, but the guy shot him in the head.

There we all were at the funeral, at the same church where only a week ago the children had been in a Nativity play and their dad was sitting in the front proudly watching. A week later, that same family was walking down the center aisle of the church. The little girl was in a blue dress covered with stars.

I think about those Sandy Hook parents—the ones Senator MURPHY knows so well—who were in my office, as well as in many other Senators' offices, the morning of the vote on the background check bill. I told this story earlier this afternoon. There was a mom sitting there. They were all so sober and so glum because they actually thought there was a chance that the people in this Chamber would respond after they lost their little children in another senseless act of violence.

The mom in the office looked at me and said: You know my story? She said my son was severely autistic and could hardly speak. Every morning he would point up at a picture on the refrigerator. It was a picture of his help aide, the woman who was with him every day. The next thing she knows, she gets a call, goes to the school and sits in that fire hall with those parents. Some kids come in, and all the parents who are left know that they are the ones whose babies are never coming back. As she sat in that fire hall, she kept thinking about, of course, her son, but she also thought about the woman who was with him and sacrificed her life for him. She was found with her arms around him in that school. Both were shot dead. Those are the images that I think about—the little girl in the blue dress at the funeral, her daddy, a police officer, shot dead at the door; that mom in my office, her son and her son's faithful aide shot dead in

that school. Then you think of all these young people killed in this massacre right in our midst in Orlando, FL.

(Mr. PERDUE assumed the Chair.)

We all know that one solution won't fit all. We all know that in some cases it is about an assault weapon and in some cases it is about background checks. In some cases it is about getting someone off a terror watch list who shouldn't have a gun. Every solution may be different, but when we start doing the right thing, we start saving lives.

Tyesha Edwards was a little girl who was shot at her dining room table while doing her homework. Her mom said: You get your homework done, you can go to the mall. A gang bullet right through the house. Melissa Schmidt, a Minneapolis police officer—young, excited to do her job—was shot in a bathroom by someone who was mentally unstable. These are the images I think about. And Senator BOOKER has pointed out so many times that this isn't just about the massacres, it is also about the individual cases that happen every single day, the domestic violence cases that happen every single day.

So while it is so important to focus today on this bizarre situation where you can have thousands of people on a terror watch list who can still get access to firearms, there are other things we can do as well. We can put sensible background checks in place. Think about Senator MANCHIN and Senator TOOMEY coming together at a time—two A-rated NRA legislators who were able to come together and put that background check together. And think about those parents from Sandy Hook who knew that bill would not have saved their babies but looked at the thing that could most likely get done in this body, what is the thing that could pass that would save the most lives, because they know that background checks, when done right and thoroughly, have saved lives. They mostly help in cases of suicide and in cases of domestic violence. They had the courage to come to this Chamber, to come to our offices time and time again to advocate for something that they knew wouldn't save their babies' lives, but they did it because they knew it was the right thing and they had the courage to do it—the courage that many people did not have in this Senate Chamber.

Domestic violence, background checks help. Do we know what else helps with domestic violence? Going after stalkers. Right now you can be convicted of stalking and still get a gun in this country. That is why we have a bipartisan bill in the House and in the Senate that would stop that.

We also bizarrely don't include dating partners, even though in many parts of the law, they are included. You don't have to be married to someone if you have a domestic violence conviction and you are dating partners. A Republican witness at a Judiciary hearing

agreed that that part of the law could change, but we cannot get that simple thing changed in the law because people are not willing to take just the slightest risk to vote for it, even when their own constituents favor it. As Senator MURPHY has pointed out over and over again, we have a situation where the majority of gun owners support these changes. We have a situation where the vast majority of people want to see these changes.

I thank the Senator from Connecticut and ask him just one question focused again on the terror watch list. I know Senator FEINSTEIN released updated information from the Government Accountability Office just yesterday which showed that roughly 91 percent of known or suspected terrorists who attempted to purchase a firearm were able to clear a background check in 2015. I think people would be pretty shocked if they knew that statistic, and obviously one of the reasons we are talking all day today is that people understand how bizarre this situation is, that we can't even close that loophole.

I ask Senator MURPHY, what does that mean to you when you hear a statistic like that, that you have 91 percent of known or suspected terrorists who can purchase a firearm but are still able to clear a background check?

Mr. MURPHY. It shows, I say to Senator KLOBUCHAR, that we are intentionally putting our constituents in danger, that we have data which tells us that when people on the terrorist watch list are walking into gun stores, they are getting approved at a 90-percent rate. By the way, the 10 percent who aren't getting approved because they are on the terrorist watch list—it is because they are on some other list. But that is a chilling statistic. If you play it out over the course of 10 years, it is the same percentage. Over the course of 10 years, 90 percent of individuals who walked into gun stores who were on the terrorist watch list have been handed a gun that they could walk out with. It is a small number on a year-to-year basis—200 people—but it only takes one of those individuals in order to commit a mass atrocity.

I thank the Senator for coming back to the floor here tonight and making this very clear case because what we are asking for is eminently reasonable. We are asking, Senator KLOBUCHAR, as you know, for debates and votes on two commonsense, bipartisan amendments to the underlying bill: first, legislation that would make sure that if you are on the terrorist watch list, if you are on the no-fly list, that you cannot get a weapon, that you are prohibited from buying a weapon, just like a criminal; and second, that background checks be extended to gun shows and to Internet sales so we make sure we have a net wide enough to capture these terrorists wherever they are trying to obtain weapons. That will, as Senator DURBIN has said over and over again for the last 10 hours, have an ancillary effect on the gun violence that is plaguing his

city, my city, and your city, Senator KLOBUCHAR, because many of the weapons that flow into Chicago and Hartford and Minneapolis come through sales that happen outside of gun shows and that aren't subject to background checks.

So it is thrilling to me, frankly, to have a floor that is full of Senators at 10 o'clock at night. It is thrilling to me, as I stated earlier, that we have been—our collective effort has been the No. 1 trending topic on Twitter over the course of the entire day. It is thrilling to me that, as I just heard, our phone lines in our office are still ringing off the hook right now as we speak with people all around the country who are demanding that we continue to stand on this floor as long as we can, as long as I can, until we get these votes.

I thank the Senator for bringing this issue back to the floor.

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

Ms. CANTWELL. I want to thank the Senator from Connecticut for his tremendous leadership out here tonight and all through the day. I think for Senators, if you have never led a filibuster, up until that point, you probably don't know for sure that you are ready for this task, but a moment occurs in which you know you must act, steel is inserted into your spine, and you come out here and you give it your all.

Before asking a question, I want to thank the Senator from Connecticut and his colleague, the Senator from New Jersey, for showing such steel in making sure America hears our response to the events that have happened not just this past weekend but for so many weekends and so many days and so many incidents. I say to our colleagues that we deserve to have a vote on these two issues.

I know my colleague is impressed that there are other colleagues out here, but we so admire your courage, in the face of such tragedy in your State, to not forget the effort that needs to happen in the United States of America, to let the American people know that policies they would like to see debated and discussed are getting bottled up. That is what tonight is all about. It is all about saying don't bottle up these issues and, yes, if you want to test the fortitude of a human being to see how long they can stand on their feet, we will find out the answer to that.

But the real question is: "Are you going to let us vote on important public safety issues that the American public wants us to do something about?" That is what is so ironic about the fact that we can't have these votes. The American people want us to have these votes and are fully supportive.

I thank my colleague who was just here who was a prosecutor herself, so she knows what this is all about. She

knows on a day-to-day basis what it is about.

So this issue of voting on whether an individual on the terrorist watch list can purchase firearms—we say to people: If you are on the terrorist watch list, we are not going to let you on an airplane, and you cannot get a gun if you are on that list.

According to a 2015 poll, 77 percent of the American voters supported banning sales of guns to people on the terrorist watch list. So we know that the majority of Americans support us in this effort. Yet we cannot get the support to make that happen here on the Senate floor.

I also want to bring up public safety because I am reading a statistic here that Washington is one of just 14 States where more people die by gunfire than by motor vehicle accidents. We also have a statistic that 61 percent of perpetrators who killed police officers with guns in Washington between 1980 and 2013 were prohibited from possessing guns but were still able to get them.

This issue, for us, is something that we spend a lot of time here debating. There are other colleagues who have led the battle on trying to have background checks and closing the loopholes that exist in current law. I thank them for that, I thank them for their battles and efforts.

I wanted to ask the Senator from Connecticut if he is aware—and I am sure he will be somewhat aware—that this issue being neglected by the U.S. Senate is being taken up by citizens of the United States through every measure and vehicle available to them?

In the face of growing violence in our State, Washingtonians demanded change, and in 2014 voters in our State overwhelmingly passed a ballot initiative to require background checks for all firearm sales, including online sales, sales at gun shows, and sales between private citizens. That is what we passed by initiative in the State of Washington.

Is the Senator from Connecticut aware that States are taking up this effort?

Mr. MURPHY. I am aware, and I wish that weren't the case. I wish that citizens through referendum didn't have to take up this cause on a State-by-State basis because of utter inaction from this body.

I will cite statistics in a moment, maybe, Senator CANTWELL, but when States act, it makes a difference. When States act, it results in an appreciable decline in gun homicide rates, but it is much better and much more effective if the Federal Government acts.

Ms. CANTWELL. I so appreciate the Senator, and I wanted to ask him because his comments are right in line with the comments that I think are so important for people to understand.

This past March, we got the first hard numbers from the impact of this law that we passed in Washington State. In addition to the nearly 4,000

felons who were caught illegally trying to buy a firearm in Washington through a licensed dealer—another 50 felons were prevented from buying guns from private sellers because of the provisions of the new law. According to data from the FBI, nearly 8,000 private sale background checks have occurred that otherwise would not have without changes in the law.

So the fact that we now have this law in place in our State and are now seeing the results that we are actually stopping felons from getting firearms says to me that these are results that the rest of my colleagues and their States should look at. But we should do U.S. citizens a favor by, as you said, not continuing to have this be done State by State, but do it at the Federal level.

I ask my colleague from Connecticut how aware he is of this movement and how important it is that the American public continue to demand that we deal with this issue.

Mr. MURPHY. Let me just respond by giving some statistics about what happened in States with strong background check laws that they require for every gun purchase. We know what the numbers are. This is unequivocal; this isn't guesswork or conjecture. We know what they are with universal background check laws and States without them.

In States that have universal background check laws, 64 percent fewer guns are trafficked out of State. There are 48 percent fewer firearms suicides, 48 percent fewer police officers are killed, and 46 percent fewer women are shot to death by intimate partners. That is in States that have universal background checks, and those numbers would be even better and even stronger if we had that law applied nationally because what we know is that those intimate partners who are buying a gun in the midst of their fury, those criminals who are trying to traffic in illegal arms—all they have to do sometimes is cross a simple State line in order to find those weapons of destruction and bring them back into a State that has universal background check laws. So there is no doubt that stronger background check laws lead to fewer gun deaths. That is what the data shows. Washington is proving that, Connecticut is proving that, and it is absurd that the U.S. Congress with 90 percent of the American public supporting this proposition doesn't assure this protection for everyone who lives under the umbrella of security of this Congress.

Ms. CANTWELL. I would just say to the Senator from Connecticut—and I thank him for his leadership—that we need to come together and consider ways in which to stop gun violence. We need to improve the mental health system, and I know people have talked about that this evening as well. But I want the Senator from Connecticut to know that in the State of Washington we are looking at an additional ballot

initiative to prevent gun tragedies involving mental illness. So I think people are going to continue to explore all the ways in which we can make sure that our citizens can become safe, and if it takes that initiative process, I think people are going to see the results. But let's have a vote. Let's at least know where your representative, where your Senator is on these policies that are important.

If you are on a terrorist watch list and you can't get on a plane, you shouldn't be able to get a gun. Let's have a good law like this good law that has been enacted in the State of Washington and background checks that produce results like catching felons and stopping them from having access to guns.

I thank the Senator from Connecticut for answering those questions and, again, for his leadership tonight on the Senate floor.

Mr. MURPHY. I thank the Senator from Washington, and I thank her for the work she did to allow the citizens of Washington to pass that referendum. That was a bright spot, and it was a reminder that when you take this question out of the political morass that is Washington, DC, and you give it to voters, you give it to citizens, they choose the protections that we are asking for votes on here.

I would note that Senator KING is still on the floor. There are referendums planned in Maine; there are referendums planned in Nevada. This campaign of citizen-based activism, demanding change in gun laws to reflect the overwhelming majority will of the public, is happening. It is inevitable. It is not stopping; it is marching forward. We would do well to listen to that tempest and adopt these measures.

I will at this point yield for a question, without losing my right to the floor, to the Senator from Virginia.

Mr. KAINE. Mr. President, thank you for the opportunity to appear tonight, and I share my praise for my colleague, the Senator from Connecticut. We came to the Senate together. His leadership on this issue is something I admire, but more than leadership on the issue, I admire his heart and his compassion. He has suffered because his citizens have suffered. And if you suffer and you don't try to change things—if you don't try to do things differently—then you are not fully alive. I honor that in the Senator, that he is willing to be vulnerable and in his suffering is trying to find help for others.

I have a little scar tissue on this issue. I would love to describe the Virginia experience and my own personal experience on this and then ask a series of questions of my colleague from Connecticut.

I was elected to office—to the Richmond City Council—for the first time in May of 1994. At the time I was elected, Richmond had the second highest homicide rate per capita in the United States. I was sworn in on July 1, 1994.

On October 14, 1994—I will never forget that day—in my city council dis-

trict, in a public housing community, Gilpin Court, which is the largest between Washington and Atlanta, a 35-year-old guy walked into an apartment and gunned down a family of six, from a 35-year old woman, to her younger sister, to tiny little babies and children. I got a call as a city council member. I raced to the scene, and it was chaos. That has begun a 22-year experience of being too intimate with this problem. That funeral of the family in the Arthur Ashe Center in Richmond with 3,000 people and six little white coffins at the front of the room is something that I will never, ever forget.

A number of years later I was Governor of Virginia. I had just taken a trade mission to Japan and had landed, had checked into the hotel, and had fallen asleep. Someone knocked on my door. It was April 16, 2007, and my security detail said: You have to call home. Something horrible has happened in Virginia, and it is still underway.

I called to find that a shooting was still taking place at Virginia Tech University in Blacksburg that eventually killed 32 people and injured dozens of others. At that point—at that point, it was the worst shooting incident in the history of the United States, but no longer. That was the worst day of my life, and it will always be the worst day of my life—comforting the families of the victims, talking to the first responders who went into a classroom where bodies littered the floor and who heard in the pockets of deceased students and professors cell phones ringing as parents who had seen it on the news were calling their kids, just knowing they were at Virginia Tech to ask them if they were all right—calls that would never be answered. This traumatized some of the most hardened first responders whom I know. I knew priests and ministers in that community who had seen a lot and were traumatized in the days to follow.

The Senator from Connecticut has a reasonable proposal on the floor with respect to background record checks. The deranged young man who had committed that crime and then killed himself was not supposed to get a weapon. He was federally prohibited from getting a weapon because he had been adjudicated to be mentally ill and dangerous, but the weaknesses of a background check system—gaps in the background check system—had created the ability for him to buy this weapon and create this unspeakable carnage.

We learned everything we could learn from that tragedy; we fixed what we could fix. To my everlasting regret, I could fix part of the background record check system, but I went to the legislature and said: Let's have universal background checks so this will not happen again. Even in the aftermath of the worst shooting tragedy in the United States, I couldn't get my legislature to do the simple thing that the voters, that gun owners, and that NRA members said they should do.

Then, a year ago—it was in August of 2015—in the same community, the Blacksburg-Roanoke community in Virginia, a young woman I know who was the TV reporter at WDBJ television, Alison Parker, who covered Senator WARNER and me—we know her parents—was shooting a live piece in the morning about the anniversary of a local chamber of commerce, and a mentally ill former employee of the station came up, live on television, and videoing himself, killed Alison and Adam Ward, her cameraman, and ultimately took his own life later that day.

We have scar tissue in my town. We have scar tissue in my Commonwealth. We have scar tissue in this country. We have scar tissue personally. And after every one of these instances, we resolved to be better, and we resolved to do more. Why do we need to be passive? Why do we need to do nothing? We resolved to do better and do more. Yet here in this body, we can't.

We were together here, my colleague from Connecticut and I. I talked about the worst day of my life at Blacksburg, but the worst day in the Senate was standing here on the floor in April of 2013 and having a debate about this very piece of legislation about background record checks, and we were surrounded in the gallery by the victims and the families from Newtown, and they were watching us. There is a line in the Letter to the Hebrews that talks about being surrounded by a great cloud of witnesses, and we were surrounded by a great cloud of witnesses. With them were Virginia Tech families, and they were together, and they were watching us, and they were praying, I know, for us to do the right thing. Yet, even with the family members who had suffered from the State of Senator MURPHY and Senator BLUMENTHAL, even with those family members hoping we would do the right thing, we couldn't get there.

As surely as night follows day, there have been other tragedies. And now—something I hoped would never happen—a shooting tragedy has eclipsed even the horrific tragedy in Blacksburg in 2007.

So the question that has to be asked is, What will it take and when will we act?

So I would ask the Senator a series of questions because I am not just grappling with this as a legislator; I am grappling with this as a person, as a parent, as a friend, as somebody who has scar tissue.

I have an organization, the National Rifle Association, that is headquartered in my State and that says we can't do anything because of the Second Amendment.

Let me ask a couple of questions of my colleague. The Senator would agree with me, would he not, that the Second Amendment is in the Constitution, so of course it is important. It is important, as the First Amendment is important, wouldn't the Senator agree with me on that?

Mr. MURPHY. It is in there for a reason.

Mr. KAINÉ. It is in there for a reason. And it has been in there since 1787, and Virginians were the drafters. So it is in there for a reason, and it is important, just like the First Amendment.

Let me ask the Senator about the First Amendment. The First Amendment says there is a right to free speech and a right to freedom of the press. Does that mean that constitutionally I can go out and slander and libel anyone, and there is no consequence for that? Is that what the First Amendment means?

Mr. MURPHY. The First Amendment is as important as the Second Amendment, but it comes with conditions and responsibilities. One of them is that you can't slander your fellow citizens. You can't yell "fire" in a crowded theater. There have been important limitations since the beginning of the Republic built around the First Amendment which, frankly, are as sacred as any of the individual rights that are encompassed in the Bill of Rights.

Mr. KAINÉ. There is another part of the First Amendment that says you have a right to assemble.

My understanding—and the Senator is a lawyer, so he can tell me if I am wrong about the right to assemble. You have a right to assemble, but a government can condition that. It can say you have to get a permit or you can assemble here, not there. It cannot discriminate among points of view, but the common constitutional provision is that there can be reasonable restrictions on the time, place, and manner of assembly under the First Amendment, and that is completely constitutional. Is that the Senator's understanding of the clause?

Mr. MURPHY. Another qualified right of the Bill of Rights.

Mr. KAINÉ. I can do the same thing on the Third Amendment, and I can do the same thing on the Fourth Amendment, and I can do the same thing on the Sixth Amendment and the Seventh Amendment, the right to trial by jury in civil matters. And each of these rights are important just as the Second Amendment is important, and in each of these rights we commonly accept—actually, we demand, not just accept—that consistent with constitutional rights there be reasonable limits so that we can live together in peaceable harmony as citizens.

Would the Senator agree with me that there is nothing about those reasonable restrictions in the First or the Second or the Third or the Fourth or the Sixth or the Seventh Amendments that is at all inconsistent with the constitutional framework that we take an oath to uphold when we come into this body?

Mr. MURPHY. I haven't memorized portions of the Constitution as well as Senator KING has, but he very eloquently stated for us the preamble of the Constitution, which commits us first and foremost to preserve domestic

tranquility and to protect the common defense. So at the very beginning of the Constitution is this obligation to take the issue of public safety as a sacred duty upon inheriting the mantle of preserving and defending the Constitution.

So, as he has stated, all of those rights in the Bill of Rights come with conditions and responsibilities demanded by the American people, and when we talk about the Second Amendment, it is educated by that very important preamble which commands all of us to do whatever is necessary to protect the safety of our citizens.

Mr. KAINÉ. Am I not right that the Second Amendment even has the phrase "well regulated" in it and even acknowledges the notion that this particular right is one where regulation is contemplated?

Mr. MURPHY. Whereas the First Amendment doesn't place the condition into the text—they are read into it—the Second Amendment has conditions in the literal text.

Mr. KAINÉ. So the organization in Virginia that makes this argument about the Second Amendment—I think we can clearly demonstrate it is specious.

The Second Amendment is critically important. We all take an oath to uphold it, and we do uphold it, but there is nothing inconsistent with the Second Amendment in terms of the provisions you are talking about on the floor.

Let me ask you this. Here is an argument they make, and I hear them make this all the time: What these guys who are advocating these propositions want to do is they want to take away all of your guns.

You were in the House a while before I got here. To your recollection, has there ever been, in your time here, a proposal that has been put in place in Congress to take away the guns of American citizens?

Mr. MURPHY. It is a wonderful subtext to all of the rhetoric that comes from the gun lobby and the NRA that there is this secret agenda to essentially get the camel's nose under the tent through an expansion of background checks or a restriction on individuals who are on the terrorist watch list as far as buying guns, because the ultimate goal is to eventually parachute into people's homes and take away all of their weapons—gun confiscation.

Of course, that is a mythology that has been created by the gun lobby in order to sell more weapons and in order to make people scared of their government so they have to arm themselves. There is no logic to it.

As you state in reference to your question, there has never been a proposal before the U.S. Congress to engage in any of the widespread confiscation efforts that have been imagined out of thin air by these advocacy organizations.

Mr. KAINÉ. I thought that was the case. I am a gun owner, I am a supporter of the Second Amendment, and I

have been unaware of this body or any State legislature putting in a proposal to take away folks' guns, as advocates would suggest.

Let me ask the Senator this one. Here is a position this organization used to advocate all the time: We don't want to have things that restrict law-abiding citizens; we just want to keep guns out of the hands of the bad guys.

For a very long time, that was the NRA's position—don't restrict law-abiding citizens; keep guns out of the hands of bad guys. As far as you know, is there any way to enforce the existing laws and keep the guns out of the hands of the bad guys pursuant to the Federal laws that have been in place for a very long time and that prohibit nine categories of people from owning weapons? Is there any way to do that job and keep the guns out of the hands of the bad guys without a comprehensive background record check so that somebody who is selling can determine whether somebody who is buying is a bad guy?

Mr. MURPHY. When we passed the background checks law initially, I say to Senator KAINE, it was pretty good at keeping guns out of the hands of bad guys because at that time the vast majority of gun sales occurred in brick-and-mortar gun stores. But what has happened, as you know, is that sales of guns have transferred from brick-and-mortar stores to online sales and to sales in gun shows. Because the law has not caught up, there are quite literally thousands of criminals and convicts and felons who are now walking into gun stores are just typing in armslist.com online and buying guns with no background check because the law has not kept up.

So if you are truly sincere about stopping the bad guys from getting the guns, then by definition you have to expand the number of sales that are subject to background checks to those that are happening in 40 percent of the sales, which occur now online and in gun shows—never mind the fact that the baddest of the guys are probably the ones who have had known connections and communications with terrorist groups and who are not on that list today of those who are prohibited from buying guns.

Mr. KAINE. May I ask the Senator this since we have started to talk about this question. Has anybody come up to you and said: Hey, people on the terrorist watch list—we just shouldn't be worried about them. Why would we worry about people on the terrorist watch list?

Have they tried to argue that those are good guys?

Mr. MURPHY. Quite the opposite. They would rise to the highest level of concern for most of our constituents.

Mr. KAINE. Here is where I am puzzled. For an organization that says that they are about the Second Amendment, they advocate a position that has no support in the Second Amendment. An organization that shakes

their fists and says we are trying to take their guns away—that has no basis because there are no such provisions that are on the floor and that have been introduced. An organization that says they want to keep guns out of the hands of bad guys—the only way to do that is to have a background record check. So doesn't it seem like the organization's principles are really—well, let's start with this: It seems to me they are at odds with the point of view of not only most Americans but also most gun owners. Most gun owners support the commonsense provisions that you are describing on the Senate floor.

Mr. MURPHY. I assume you have gun clubs in Virginia, just as we have them in Connecticut.

Mr. KAINE. Absolutely.

Mr. MURPHY. If you walk into a gun club in Connecticut, there is going to be pretty solid consensus that criminals shouldn't buy guns. And those law-abiding gun owners who sit in those gun clubs on Saturdays and Sundays have absolutely no problem with sales online or sales at gun shows being subject to background checks because they have gone through background check. They know that on average a background check takes less than 10 minutes. They know that it is nothing more than a 9-minute, on average, inconvenience for someone who is buying a gun, and they support it further. Frankly, those guys in the gun clubs are amongst the loudest in their concern that terrorists have the ability today to buy dangerous weapons and commit mass murder like we saw in Orlando.

So this consensus that exists out there in the American public is not a consensus amongst progressive Democrats; it is a consensus amongst gun owners, non-gun owners, Democrats, Republicans, moms, dads, conservatives, liberals, Georgia, Connecticut, California. There isn't a cross-section of the American public that doesn't support keeping bad guys from getting guns and thus the two reforms we are asking for here today—a law that prohibits people on the terrorist watch list from getting guns and a law that expands background checks to all of the forms in which guns are sold today.

Mr. KAINE. I would go one further. Not only is it consistent with what the American public wants in virtually any ZIP Code in this country, I think the notion of keeping guns out of the hands of bad guys, which for a long time has been the stated principle of the National Rifle Association—I think that is in accord with the opinions of the members of the National Rifle Association. As I have seen polling by NRA members, the members of the organization overwhelmingly support background record checks because they want to keep guns out of the hands of bad guys.

Mr. MURPHY. Senator KAINE, they support it. NRA members support it at the exact same rate that non-gun own-

ers and non-NRA members support it. In fact, NRA members, frankly, have been historically those who have been most supportive of provisions that would prevent guns from getting into the hands of criminals because by and large NRA members are law-abiding gun owners. Historically, they have had some of the greatest concern about this, which is why it is so hard to understand this disconnect between where their members are, where gun owners are, and where the advocacy organization is.

Mr. KAINE. That is talking about outside this building. How about the disconnect between what our citizens, gun owners, and NRA members want and expect us to do and the complete lack of action and, frankly, counter-productive action.

Let's talk about that. Congress has given gun manufacturers a unique form of liability protection that virtually nobody else in this country gets. We have put a number of restrictions in place to stop research into causes of gun violence, to stop the ability to trace weapons in gun violence. These are not only not doing the right thing but doing the wrong thing in the sense of the thing that seems completely contrary to the wishes of the constituents who send us here to represent them.

Mr. MURPHY. When you present these issues to the American public, they scratch their heads, or they scratch their heads because they assume already that individuals on the terrorist watch list cannot buy guns. They think it is absurd that we passed a law that subjects toy guns to a greater standard of negligence than real guns. I mean, that is what that law effectively did. That law said that if you sell a toy gun, then you are going to be subject to a higher standard of negligence if that gun misperforms than a gun company is going to be held to if its gun—its real gun—misfires. When you explain that to somebody in your State, whether you are in a red State or a blue State, they scratch their heads. It doesn't make sense to them.

Mr. KAINE. Finally, Senator, if I could do this, I know as part of standing on this floor, you are not standing here over words in draft legislation, you are standing here because of people. I sat with you, and we talked about people in your community who had been affected. I would love to tell you the story about just one Virginian, if I could, and then I would love to have you comment on the story I am going to tell you. I could tell a lot of stories about a lot of different people, but one just epitomizes to me so plainly this challenge, and it is a story of a man named Liviu Lebrescu.

Liviu Lebrescu was one of the people who were killed at Virginia Tech. He was a professor of aerospace engineering. He was an amazing professor. On April 16, 2007, when Seung-Hui Cho came into Norris Hall and started shooting people, he stood in front of

the door and told his engineering students to try to get out of the window so that they would be safe. He blocked the door, and Seung-Hui Cho was shooting bullets through the door. He kept saying: Hurry, hurry, hurry. Until the last breath he took, he told students to hurry. Everyone in his class got out the window except one other student, Minal Panchal, who stayed behind and encouraged others to go ahead of them.

Professor Lebrescu was one of the 32 killed that day. Here is the amazing thing about Liviu Lebrescu that I just find myself continuing to contemplate. Liviu Lebrescu was 76 years old. He was born in the 1930s as a Jew in Romania. When Hitler and the Nazis started to sweep across Europe, he and his family were put into labor camps and concentration camps. But this amazing survivor, who was a young boy and a teenager, survived the Holocaust. Most of his family was killed. He survived the Holocaust, and he was a teenager with a lot of his family gone. A lot of people who had been through that experience in Romania decided to leave, they were so shattered, but he said: This is my home. My family is gone. This is my home. I am going to stay in Romania.

Then the Soviet Union took over Romania, and they asked that he renounce his Judaism, and he wouldn't do it. Then they asked that he pledge allegiance to the Communist Party, and he wouldn't do it.

He had gotten a Ph.D., and he was a well-recognized engineer, but suddenly, first, he couldn't travel to go to academic conferences, and then second, he was going to lose his job.

This Holocaust survivor had to live under Soviet communism and be persecuted, but he wouldn't give up his faith, and he wouldn't give up his moral integrity. He kept trying for a better life.

Finally, in 1977, when he was past 40, he was allowed to immigrate to Israel, and he moved to Israel. That had been his dream. And he was a teacher in Israel.

In 1985, he got a 1-year teaching fellowship at Virginia Tech in Blacksburg to teach engineering. He came in 1985 for a 1-year fellowship, and he kept renewing it year after year after year because he found in Virginia, he found in America, he found in Blacksburg a community that he loved and a community that he cared about.

So somebody who survived a holocaust of the Nazis and who survived the Soviet oppression of his native land couldn't survive the holocaust of gun violence in this country.

There is one more thing about Liviu Lebrescu. It is about the day he was killed because it was a very different day for him than it was for his students. It was a Monday. It was April 16, 2007. That day was a special day in the Jewish faith for somebody who was Jewish. It was Yom HaShoah from sundown on April 15, 2007, until sundown on April 16. It is the day to remember

the Holocaust. For Jews worldwide and people who care about Judaism worldwide, it is a day to remember the Holocaust.

When you remember the Holocaust, well, it is one thing to reflect upon it, but it is another thing to reflect upon it as a Holocaust survivor. What you reflect upon is the perpetrators and the gravity of the tragedy that they perpetrated. You reflect upon the victims who lost their lives, and you reflect upon the survivors. You reflect upon the heroes, and you also reflect upon the bystanders.

So while the students who went into that class on the morning of April 16 weren't thinking about Yom HaShoah, Liviu Lebrescu was.

I have to believe that when that shooting started on that day where he was thinking about what he had been through, then he was faced with an existential—am I going to be perpetrator? Am I going to be a victim? Am I going to be a bystander? Am I going to be a hero? He chose to be a hero, and he lost his life. He chose to be a hero, and he lost his life.

Would I do that? Would I stand in front of a door, block it, take bullets, and tell my students to get out the window? Would I do that? I cannot honestly stand here and say that I would. I can't say that I would have the courage of Liviu Lebrescu. He was a hero. I can't say I would be a hero.

But in this body, we don't have to be heroes; we just have to not be bystanders. We have been bystanders in this body. We have been bystanders in this Nation as this carnage of gun violence has gone from one tragedy to the next. To cast a vote, that is not heroic. To stand up and say, "We can be safer tomorrow. We can protect people's lives," that is not heroic. That is just saying I will not be a bystander. And that is all we have to do—stop being bystanders.

Mr. President, I would just ask my colleague from Connecticut if he has any close on that, and I appreciate the chance to engage in this dialogue with him.

Mr. MURPHY. I thank the Senator from Virginia. That is as compelling a case as can be made.

Before I yield the floor for a question from Senator BLUMENTHAL, who has been here with me and Senator BOOKER for every one of the now 12 hours we have been standing here, I want to put that challenge to stop being a bystander to the body in very personal terms. This, for Senator BLUMENTHAL and me, is rooted in our history as well.

I was not more than 30 days from my election to the Senate—a celebratory moment in my life—when I was sitting on a train platform, waiting to go to New York City with my then-4-year-old and 1-year-old to see the Christmas lights, when I got the call about the shooting at Sandy Hook, and Senator BLUMENTHAL and I were there hours

later. And there are certainly days when I wish I wasn't there and I didn't witness the things I saw and connect with the tragedy that was evidenced that day. But our challenge from those families is to stop being bystanders, and there are similar stories of heroism that maybe I will get the chance to tell later tonight from inside those classrooms, but a letter I keep with me is from a mother whose child survived Sandy Hook.

So let me just read an excerpt from it before yielding the floor to Senator BLUMENTHAL, to make this challenge real from a mom who thinks about this every day. She said:

In addition to the tragic loss of her playmates, friends and teachers, my first grader suffers from PTSD. She was in the first room by the entrance to the school. Her teacher was able to gather the children into a tiny bathroom inside the classroom. There she stood with 14 of her classmates and her teacher, all of them crying.

You see, she heard what was happening on the other side of the wall. She heard everything. She was sure she was going to die that day. She didn't want to die for Christmas.

Imagine what that must have been like. She struggles nightly with nightmares, difficulty falling asleep, and being afraid to go anywhere in her own home. At school, she becomes withdrawn—crying daily, covering her ears when it gets too loud, and waiting for this to happen again. She is six, and we are furious.

I want to read the rest of this to challenge us to stop being bystanders.

[We are] furious that 26 families must suffer with grief so deep and so wide that it is unimaginable. Furious that the innocence and safety of my children's lives has been taken. Furious that someone had access to the type of weapon used in this massacre. Furious that gun makers make ammunition with such high rounds, and our government does nothing to stop them. Furious that the ban on assault weapons was carelessly left to expire. Furious that lawmakers let the gun lobbyists have so much control. Furious that somehow someone's right to own a gun is more important than my child's right to life. Furious that lawmakers are too scared to take a stand.

This mother of a child who survived one of those Sandy Hook classrooms finishes by saying:

I ask you to think about your choices. Look at the pictures of the 26 innocent lives taken so needlessly and wastefully, using a weapon that never should have been in the hands of civilians. Really think. Changing the laws may inconvenience some gun owners, but it may also save a life—perhaps a life that is dear to me or you.

Are you willing to risk it? You have a responsibility and an obligation to act now and to change the laws. I hope and I pray that you do not fail.

This was written by the mother of a girl who survived the massacre at Sandy Hook.

I yield to my colleague from Connecticut—who has been here with me and Senator BOOKER since the beginning, 12 hours ago—for a question, without losing my right to the floor.

Mr. BLUMENTHAL. Thank you. And I will ask a question of my colleague and friend from Connecticut, but first I want to thank all my colleagues who

have been here over these 12 hours off and on, speaking so powerfully, as our friend from Virginia just did about his experience.

Every one of us has this kind of experience that brings us here and binds us together in this cause because we have seen the flesh and blood and emotional impacts. And I want to read a letter also from a Newtown survivor—another. I read one earlier. This is from someone who lived through Newtown and wrote me after Orlando, and she said:

As a Newtown teacher who was in lockdown at the Middle School on 12/14, this work is particularly important to me. That could just have easily been my classroom, and I find it abhorrent that we have chosen as a nation to be complacent in the face of mass shootings. It is incumbent upon us, our elected officials to enact meaningful change in order to save lives.

I urge and implore citizens around the country, people who are watching this proceeding, who are listening to the powerful words of my colleagues—most especially Senator MURPHY—to let us know that you hear us, and equally important to let the other side of the aisle know, which right now is vacant—completely empty. This side is full, the other side is empty. Let them hear how you feel, the same way this teacher who lives in Trumbull, CT, let me know how she feels.

There is a lot of talk these days in our politics about the need for change—on the Presidential campaign, in the Senate campaigns, at every level of our elected process. Politicians are telling people they will change things in Washington. Well, we can give people change in our laws, in our enforcement practices, in our culture. It all has to change for lives to be saved. It isn't only new laws, there has to be more resources for the enforcement of that law.

The background check is actually an enforcement tool. Expanding that check gives law enforcement the ability to stop people already prohibited by law from buying guns. The terrorist watch list and the Attorney General's discretion based on evidence to stop people engaged or preparing for terrorism to be barred from buying guns is an enforcement tool. It protects people. So people should demand changes not just in the abstract and in general terms but in the way we deal with guns.

This day has been enormously meaningful because of the reaction it has provoked across the country in our offices, the phones that have rung, the tweets that have emanated, and the messages we have received in every form, but it must be followed by action. In this Chamber we hear words. This place is filled with words. It is what we do in this place—we talk. But actions speak louder than words. Now is the time for action. Enough is enough.

Give us the votes. Give us the votes on these amendments. Let us vote. That is the reason we are here. Let us

act to fulfill the expectations and the wishes of the American people who are begging for us to take meaningful action. We need to do our job. That is our job—to act and to protect the American people.

I would ask my colleague from Connecticut whether he believes we can reach a resolution here that will permit us to act, whether reasonable minds can come together, whether we can forge consensus involving the other side of the aisle, whether we can bridge the partisan gaps and come together in a meaningful way—as we have done on veterans issues, on immigration reform, and on other issues, where we may not have crossed the finish line in the House of Representatives but, in the past, we have succeeded in bridging our differences. Is that possible?

I want to hear from the American people that they think it is not only possible but necessary, and it is our job.

Mr. MURPHY. I thank the Senator for that question, and I guess we both agree that of course it has to be possible. There just aren't many moments in which the American public is so resolute in their belief that we should do something and this place is so resolute in its belief it should stay on the outside of consensus. There just aren't many issues where the American public has decided at a 90-percent rate that we should act and we refuse to do so.

So my belief is, democracy doesn't allow for this condition to persist for very long, but I will be honest with my colleague. The burden is not so much on us. The burden is on our Republican friends to come to the table with proposals that mirror those that are supported by the American public.

Today, the proposals we are asking for votes on enjoy the support of 90 percent of Americans—increasing the range of background checks and making sure terrorists don't get weapons. So given the fact the American public supports our position, frankly, it would be irresponsible of us to agree to something that is an abandonment of those fundamental beliefs on behalf of Americans.

Our frustration is that we have had lots of time to work out a compromise. It was 6 months ago when we last had a vote on the issue of terrorist access to weapons, and we still have not had any effort, any outreach from the Republican side of the aisle, to try and find common ground. So the answer is, of course, yes, we can find that common ground, but there has to be another party to work with.

I would commend my Republican friends to take a look at the language Senator FEINSTEIN filed today. It is not her original bill that was 18 pages long. The bill she filed today is a simple bill of about 2 to 3 pages, which simply gives to the Attorney General the ability to put a system in place whereby individuals who have demonstrable connections to terrorist organizations cannot buy weapons and a clear exit

ramp for individuals who are on that list wrongly to be able to purchase firearms.

So I think that amendment has addressed the concerns Republicans have raised, and I hope, if we can get an agreement to bring that amendment to a vote, they will see it as that consensus product and allow us to adopt it.

I thank Senator DONNELLY again for joining us, and I yield to the Senator from Indiana for a question without losing my right to the floor.

Mr. DONNELLY. I have a question for the Senator from Connecticut, and it is, Is this vote as simple as it appears?

We are all moms and dads—all of us in the Senate and the Gallery—many of us, all of us, and these 49 beloved people in Orlando all had moms and dads who today are absolutely crushed. The unthinkable has occurred, the same as at Virginia Tech, in my colleague's State, the same as at Charleston, the same as the little children from Newtown, CT, in the home State of my two colleagues here. As I said, every one of these is a precious child.

Is there any mom or dad anywhere on this floor or in our Senate who, when you look at this, wouldn't say: We can avoid this, these tragedies, by saying someone on the terrorist threat list shouldn't be able to buy a gun or that we expand background checks to online sales or gun shows so they are just the same as if you buy them at the local store in town? These two bipartisan proposals are what we are talking about.

My question is, Are these as simple as they appear? And why on earth not only would any mom or dad be against them but anyone on the Senate floor?

Mr. MURPHY. I think this is a wonderfully simple question which a lot of people are probably asking: What is the problem? Is there a catch? Why isn't there consensus? The simple answer is that there is no catch, and there is no secret agenda. There is no alternative story line. This is about saying that if you are on the terrorist watch list, you shouldn't buy a gun, period, stop. And if you want to buy a gun in a commercial sale, you should prove that you are not a criminal first, period, stop. Those are the only two things that we are asking for a debate and a vote on—no secret agenda, no hidden prefaces. That is it.

I thank Senator DONNELLY, and I yield to my great friend who has been with us for a majority of the evening here on the floor. He has not yet posed a question. I yield to my friend from Hawaii for a question without losing my right to the floor.

Mr. SCHATZ. I thank the Senator from Connecticut and the senior Senator from Connecticut for their leadership. Before I ask my question, I want to read something I received just about a half hour ago from a constituent:

Dear Senator Schatz, I am following the filibuster online and though I know you don't need more convincing about what we

need to do, I thought to reach out to you anyway. Like many Americans I felt so paralyzed since Sunday's shooting in Orlando. On Sunday afternoon I brought my 4-year-old to the [University of Hawaii] campus for a film screening and I found myself, for the very first time, strategizing about where to sit and what I would do if there was an active shooter and how I could best cover my son's body if we couldn't escape. I am not an anxious person by nature but I refuse to accept that powerlessness to gun violence must be our accepted "new normal." I work diligently at my job and as a mom to care for my own kids and the community of students I work with and am intentional in trying to create opportunities for their growth and learning. So it seems completely insane that in 2016 we have nothing more inspiring to offer a nation of families other than hoping that loved ones are not "in the wrong place at the wrong time." That is totally unacceptable to me and I am willing to help with any community or national efforts to bring about necessary change. . . . I have personally sent postcards . . . to every Senator who voted against background checks. Please let your supporters in Hawaii know what we need to do. I will show up. #notonemore

Your constituent, Vanessa Ito.

I really want to thank Senator MURPHY for his leadership in this. This is really moral leadership. I was in the Presiding Officer's chair. Both Senator MURPHY and I were new to the Senate under very, very different circumstances, in a lot of ways both tragic circumstances. But I was in the chair and CHRIS MURPHY gave his maiden speech. He was my friend. We had sort of just met and become fast friends. The first speech he gave was on this topic, and I understood his personal passion. But what he is doing now is bigger than that. He has displayed physical courage, emotional courage, and political courage that I think we couldn't imagine even at the beginning of the week. And even though all of us are committed to this issue, he shocked our conscience in that caucus room and laid down a marker for all of us to do better and to do more.

I just want to say one thing before I go into a sort of preamble to my question, and that is this: My instinct about this is that our political opponents absolutely rely upon our being despondent. I think they absolutely rely upon the idea that we will give up by the end of the week—that we get our memo that this week is the National Defense Authorization Act, next week is the Commerce-Justice-Science appropriations measure, and every week it is a different topic. Donald Trump will say something and distract the national media, and everybody will move on.

But here is why I am so hopeful about what has happened today. It is not just that we have a bunch of Members of the Senate on the floor pretty late at night. It is very difficult to get any of us together for anything other than lunch—for anything—and yet here we are. Senator MURPHY did some recruiting through staff and everything else, but this was organic. We saw what was happening, and we wanted to offer

our moral support—and not, frankly, to him as a friend and a colleague but to everybody across the country who deserves people who are going to fight on this issue.

The other really exciting thing that is happening is outside of the Senate, and that is more important. The gallery doesn't usually get more and more crowded through the day. People visit, people do their Capitol tour, and they come and check out the gallery—and we are yammering at each other or we are voting and we are shuffling around—and then they leave. But what is happening in the gallery physically is that people are actually coming to see that something meaningful has happened. Senator MURPHY's phone lines are ringing off the hook. CHRIS MURPHY himself is the No. 1 trending topic on Facebook. And it is not about CHRIS MURPHY. It is about the sense that maybe we can actually do something here. Maybe we can actually do something here.

So for all of the people who are watching this online or observing it on Twitter or hearing about it for the first time, I want people to understand that this is the continuation of a movement, but this is an inflection point. This is a point at which we are not going to accept that if 90 percent of the public is demanding that we take action, the Senate and the House won't. That is unacceptable to me.

Since I got to the Senate alone, there have been nearly 1,000 mass shootings. That is not 1,000 people killed. That is 1,000 mass shootings. Over 40,000 Americans have been killed by guns, and there are zero changes to our gun laws. The shooting in Orlando was the worst mass shooting event that our Nation has ever seen in one night—49 people killed and 53 shot and injured. Those numbers are shocking, but here is what I think is even more shocking—and Senator BOOKER mentioned this both in public and in private: Since then, more than that many people have been killed as a result of gun violence. This happens all of the time.

Now, the Orlando situation was uniquely shocking because of the public dimension, because of the homophobia, because of the awful, graphic, shocking violence in one place at one time for one purpose—to strike terror in people's hearts and to strike terror in the hearts of people who are gay. So that was uniquely shocking. But in terms of the number of people killed, this was actually pretty similar to any other day in the United States.

So my first question for Senator MURPHY is—you haven't taken a break, you haven't had a meal, you haven't been able to interact with your son or your wife except in the gallery and at your podium. I guess my question for you is this: Do you feel momentum now? Do you feel momentum now?

Mr. MURPHY. I thank the Senator for that question, and I appreciate your talking about how this happened organically. We didn't decide to do this

until this morning. We certainly had been talking about the need to show that we were sick and tired of the normal trajectory of thoughts and prayers being sent out and then a dissipation into nothingness, as is the trend line after these tragedies. We knew we had to do something different. But what is wonderful about this is that much of this is organic. This is now a dozen colleagues who are on the floor at close to midnight this evening, and the gallery is increasing in numbers at this very time. I think the last I saw, 100,000 people were talking about this right now on Twitter. It has been the top trending topic all day long. Thousands of calls are coming in to our office. I hope this is a moment in which we all get to remind ourselves that this change will not happen without vigilance—that it is not just going to be this moment. It is going to have to be repeated moments in which we engage the consciousness of this Nation.

So I do feel momentum here. We are hopeful we will be able to proceed to at least votes on these measures so we can show the American public where everybody is. If we don't win those votes, we will live to fight another day. But these are galvanizing moments, and it is heartwarming to know that there are so many colleagues who have stepped up to the plate to take part.

Mr. SCHATZ. I thank the Senator from Connecticut. I would like to ask a question specifically about the terrorist gun loophole. It seems obviously straightforward to everyone that we would want to prevent terrorists from getting guns, and yet we can't get the other side of the aisle to even show up, let alone to vote to close this loophole. As we know, last year 53 Senate Republicans voted against closing the terrorist gun loophole that allows known or suspected terrorists to get guns. They had several excuses. But I kind of want to go through the main complaint, and that is that there was not enough due process for these individuals. That is just plain false. There are several layers of due process, starting with the procedures that are available to anyone who does not pass a background check when trying to buy a gun. Anyone denied a firearm transfer has the right to find out the reason for the denial, submit correcting information to the Attorney General, and even bring a civil action against the government.

The bill that Senator FEINSTEIN has introduced—of which I think every Member of the Democratic conference is a cosponsor—provides additional due process. A person denied a firearm transfer because he or she was determined to be a known or suspected terrorist can challenge the determination in court. According to the FBI:

A range of quality control measures are used to ensure that the Terrorist Screening Database contains accurate and timely information. This includes regular reviews, periodic audits, and post-encounter reviews conducted by the Terrorist Screening Center

and the agencies that nominated the record to ensure the information continues to satisfy the applicable criteria for inclusion.

Just yesterday, the majority leader stated the obvious—that nobody wants terrorists to have firearms. But what is really being proposed? The bill being proposed by Senator CORNYN—a very skilled and good legislator—is just not viable. The Republicans who would vote for this bill over Senator FEINSTEIN's proposed legislation would keep the loophole wide open, because this bill is unworkable. It will require law enforcement officials to prove to a court that a gun buyer has already committed an act of terrorism instead of stopping likely terrorists ahead of time. Or the government would have to prove to a court that there is probable cause that a gun buyer will commit an act of terrorism.

So in order to stop somebody from buying a gun, you have to show that this person is going to commit an act of terrorism. Now, I am not the lawyer—and I am looking around and seeing a number of lawyers on the floor. But my instinct is if you have probable cause that someone is about to commit an act of terrorism, you don't allow a database to be pinged and say: I'm sorry, sir; we can't give you your gun today. You would arrest that person. You would detain that person.

So my question for Senator MURPHY is first about this proposal from Senator CORNYN, and whether you think it would be workable. And then, if you wouldn't mind fleshing out—even if we are able to solve this so-called terror gap issue, if you would talk about straw purchases and the gun show loophole and how we have to be complete in our strategy—that even if we solve this problem legislatively, there are gaping holes in our security when it comes to this issue. I would like you to talk us through how all of these issues work together. Because one thing I know about Senator MURPHY is that he is deadly serious about actually solving this problem. You don't want to run on this problem. You don't want to tweet on this problem. You want to actually fix it because you feel it in your gut.

(Mrs. CAPITO assumed the Chair.)

Mr. MURPHY. I thank the Senator for bringing up this bogeyman issue that continues to come up about due process. Let's first be clear that there is a double standard here. There is not a single Member of the Republican majority who decries the lack of due process when it comes to individuals who are denied the right to fly because of their inclusion on this list. Nobody stands up and says that there isn't the ability to grieve the fact that you are on the list of those individuals who are prohibited to fly. Yet there is some special consideration that is supposed to be given to an individual who is deemed to have an association with a terrorist group who wants to buy an assault weapon. It would seem almost the opposite. Maybe that individual should be given extra consideration.

Of course, this idea that has been proffered in the Cornyn amendment that we voted on in December is laughable. It is not a serious attempt to solve this problem in that it would provide for a court determination and a court process before anybody on that list would be denied a firearm. That individual would have to walk into a gun store. The gun store would say, no, you have been flagged by the Department of Justice, and we are going to call them to see if they would like to take you to court over the next 72 hours in a process that no one knows what it would look like. There would be potential discovery, the ability to rebut the claim that you were a terrorist. It would be a laughingstock, a mockery of the judicial process.

I think those who have supported the amendment probably know that. They are voting for it so they can claim that they supported something other than the piece of legislation that the majority of Americans support, which is the simple addition to the list of those who are prohibited from buying weapons of individuals who are on the terrorist no-fly list.

I will state very quickly as to your second question, yes, of course, if you are serious about solving this problem, you can't just put those individuals on the no-fly list, on the list of those who are prohibited from buying weapons. You actually have to also close that loophole that allows for thousands upon thousands of gun sales to occur at gun shows and online because a terrorist or a would-be terrorist may get denied at the bricks-and-mortar gun store, but then they can later that day go online or that weekend go to a gun show at the convention center and buy a weapon. So you have to do both, which is why we are asking for both of these votes.

Mr. SCHATZ. I thank the Senator from Connecticut. I believe firmly—and I really appreciated the conversations between him and Senator KAINE about the Second Amendment. I am a Second Amendment Democrat. A lot of us are. I believe firmly that as Senator SCHUMER said, you can't pick the amendments you like and pick the amendments you don't like. I believe that we can protect the Second Amendment while protecting communities from gun violence.

As stated by the late Justice Scalia, "Like most rights, the Second Amendment right is not unlimited. It is not a right to keep and carry any weapon whatsoever in any manner whatsoever and for whatever purpose."

To Senator MURPHY, I would like to ask him, how does he view the Second Amendment fitting into this conversation? Speaking of bogeyman, I think that there is this sense that if you are for reasonable restrictions on purchasing a gun, that you are against guns. It seems to me, at least in the State of Hawaii, that people who are the most concerned with gun safety, the people who impart gun safety to

their children, the people who do this right are gun owners, are hunters, are people who even have a gun for protection.

So the question I have for the Senator is, What is the right balance, both under the law and from the perspective of keeping our people safe?

Mr. MURPHY. This may sound strange, but you look to Justice Scalia for that balance. He writes in the majority opinion in *Heller*, a decision that a lot of our friends disagree with, that the Second Amendment right is not an unlimited right, just like all of the other amendments that Senator KAINE and I spoke about.

In an interaction that I had with Senator UDALL earlier in the day, we were remarking that neither of us believe that this really was a debate about the Second Amendment. This has nothing do with the Second Amendment because the Second Amendment very clearly, as interpreted by the Supreme Court very recently, is a right that comes with conditions. There are certain weapons that civilians shouldn't be able to own, and there are certain individuals who shouldn't be able to own any weapons at all if they have lost that right through, for instance, the commission of a felony. We just shouldn't accept this juxtaposition that gets made between those who say that you either support the Second Amendment or you want to stop criminals from getting guns at gun shows. These two goals are not mutually exclusive.

Every single one of us can be a supporter of the Second Amendment and recognize, as the Supreme Court has very clearly, that there are limitations on that right; for instance, your ability to lose that right if you committed a crime or if you have had known association with terrorist organizations.

Mr. SCHATZ. Thank you. I believe the Senator from Wisconsin has a question for the Senator.

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

Ms. BALDWIN. Thank you. Through the Chair, I would like to ask the Senator from Connecticut a question, actually about a number of things—about the need for us to stand united as a country in the fight against hatred and terrorism and easy access to what are really weapons of war. It is about 6 hours ago that I came to the floor to participate in this very important discussion.

Mr. MURPHY. That was 6 hours ago?

Ms. BALDWIN. Yes.

Mr. MURPHY. Wow.

Ms. BALDWIN. One of the things I did was read through the names and tell a little bit about each of the 49 victims of the shooting in Orlando. I am not going to do that again, but I do want to display their beautiful faces because I do think telling these stories is such an important part of creating the resolve we need as a nation, as a nation united to take action. Not to repeat too much of what I said earlier

this evening, but our thoughts and prayers are no longer enough.

It gets me thinking about what will it take, how many mornings do we have to wake up to news of a shooting in an elementary school or college campus, a theater where people are gathering for a chance to escape and enjoy a movie, or as we learned last Sunday morning, a nightclub during June, which is Gay Pride Month, where people were celebrating the accomplishments of a movement and enjoying themselves and recognizing that we still live in a world with discrimination but feeling safe among friends, colleagues.

It was an act of hate. It was an act inspired by terrorists and terrorism, and it couldn't have happened without such easy access to a weapon of war. We offer our thoughts and prayers, but our thoughts and prayers simply are not enough. Again, it makes me think of what will it take? I am ashamed it has taken us this long.

Earlier I read some names. Now I am going to share a list of catastrophic events. Each one brought terror to a community, brought grief and sadness to families, and they have been reduced to ways of referring to them much in the way that we decided to call the terrorist attacks on September 11, 2001, 9/11.

If you just look back a decade, and this is not a database of all of them, but it is a database of many of the mass killings in our country: the Amish school shooting in Lancaster County, PA, in 2006, killed 6, wounded 5; the Trolley Square shooting in Salt Lake City, UT, in 2007, killed 6, injured 4. You heard Senator KAINE talking moments ago about the Virginia Tech massacre in Blacksburg, VA, in 2007, 33 dead, 23 wounded; the Crandon shooting in Crandon, WI, in 2007, 6 dead, 1 wounded; the Westroads Mall shooting in Omaha, NE, in 2007, 9 dead, 4 wounded; the Kirkwood City Council shooting in Kirkwood, MO, in 2008, 6 dead, 2 wounded; the Northern Illinois University shooting in DeKalb, IL, in 2008, 6 dead, 21 wounded; the Atlantis Plastics shooting in Henderson, KY, in 2008, 6 dead, 1 wounded; the Carthage nursing home shooting in Carthage, NC, 8 dead, 3 wounded; the Binghamton shooting in Binghamton, NY, in 2009, 14 dead, 4 wounded; the Fort Hood massacre, Fort Hood, TX, in 2009, 13 dead, 30 wounded; the Coffee shop police killings in Parkland, WA, in 2009, 4 dead, 1 wounded; the Hartford beer distributors shooting in Manchester, CT, in 2010, 9 dead, 2 wounded; the Tucson shooting in Tucson, AZ, 6 dead, 13 wounded, including my dear former colleague in the House of Representatives, Gabby Giffords; the IHOP shooting in Carson City, NV, in 2011, 5 dead, 7 wounded; the Seal Beach shooting in Seal Beach, CA, in 2011, 8 dead, 1 wounded; the Su Jung Health Sauna shooting in Norcross, GA, in 2012, 5 dead, 0 wounded; the Oikos University killings in Oakland, CA, in 2012, 7 dead, 3 wounded; the Seattle Cafe

shooting in Seattle, WA, in 2012, 6 dead, 1 wounded; the Aurora theater shooting in Aurora, CO, in 2012, 12 dead, 58 wounded; the Sikh temple shooting in Oak Creek, WI, in 2012, 7 dead, 3 wounded; the Accent Signage Systems shooting in Minneapolis, MN, in 2012, 7 dead, 1 wounded; the Newtown school shooting in Newtown, CT, in 2012, 28 dead, 2 wounded; the Mohawk Valley shootings in Herkimer County, NY, in 2013, 5 dead, 2 wounded; the Pinewood Village Apartments Shooting, Federal Way, Washington, in 2013, 5 dead, 0 wounded; the Santa Monica rampage in Santa Monica, CA, in 2013, 6 dead, 3 wounded; the Hialeah apartment shooting in Hialeah, FL, in 2013, 7 dead, 0 wounded; the Washington Navy Yard shooting in Washington, DC, in 2013, 12 dead, 8 wounded; the Alturas tribal shooting in Alturas, CA, in 2014, 4 dead, 2 wounded; the second Fort Hood shooting—I can't believe I have to say that—in Fort Hood, TX, 3 dead, 12 wounded; the Isla Vista mass murder in Santa Barbara, CA, in 2014, 6 dead, 13 wounded; the Marysville-Pilchuck High School shooting in Marysville, WA, in 2014, 5 dead, 1 wounded; the Trestle Trail bridge shooting in Menasha, WI, in 2015, 3 dead, 1 wounded; the Charleston church shooting, Charleston, SC, in 2015, 9 dead, 1 wounded; the Chattanooga military recruitment center shooting in Chattanooga, TN, in 2015, 5 dead, 2 wounded; the Umpqua Community College shooting in Roseburg, OR, in 2015, 9 dead, 9 wounded; the Colorado Springs shooting rampage in Colorado Springs, CO, in 2015, 3 dead, 0 wounded; the Planned Parenthood clinic in Colorado Springs, CO, in 2015, 3 dead, 9 wounded; the San Bernardino mass shooting in San Bernardino, CA, in 2015, 14 dead, 21 wounded; the Kalamazoo shooting spree in Kalamazoo, MI, in 2016, 6 dead, 2 wounded; the Excel Industries mass shooting in Hesston, KS, in 2016, 3 dead, 14 wounded; the Orlando nightclub massacre in Orlando, FL, this past Sunday, 49 dead, 53 wounded.

What will it take? How many times do we have to wake up to these tragedies?

I have the honor of representing the State of Wisconsin, and as you heard me read through that list, you heard that my home State, which I love, is not immune to these acts of violence. I just want to talk about some of the mass shootings in Wisconsin in recent years.

In November of 2004, during hunting season in Sawyer County, six hunters were killed and two were wounded.

In March of 2005, a gunman burst into the Church of Living God congregation during church services and fired 22 rounds, killing 7, including the pastor and his family.

In June 2007, five people were killed by a gunman, including twin infants, their mother, and two other victims in Delavan, WI.

In October of 2007, six young adults were killed during a party in Crandon, WI.

In August of 2012, a gunman killed six and wounded four, including an Oak Creek police lieutenant, when he opened fire at the Sikh Temple of Wisconsin during Sunday morning services. He had a semiautomatic pistol, and as I mentioned, murdered worshippers before he was killed by the police. He also injured four others, including one of the responding police officers, whom he shot 15 times.

The victims of the Sikh Temple shooting were Satwant Singh Kaleka, age 65, and founder of that Sikh Temple; Paramjit Kaur, 41 years old; Prakash Singh was 39 years old; Sita Singh was 41 years old, Ranjit Singh, age 49; Suveq Singh, age 84.

Just a couple months after the Sikh Temple shooting in Oak Creek, WI, a gunman killed three and wounded four when he opened fire inside a salon and spa in Brookfield, WI. The shooter was the estranged husband of an employee and entered the Azana Spa in Brookfield armed with a .40-caliber handgun and murdered three people, including his wife, and injured four others, including a pregnant woman.

The victims of the Azana Spa shooting were Zina Haughton, age 42, the shooter's estranged wife. According to witnesses, she heroically tried to stop her husband from harming others before being killed. Cary Robuck, age 32, and Maelyn Lind, age 38, were also victims.

In June of 2015 in Wisconsin a gunman killed three, including two men and an 11-year-old girl, on the Trestle Trail bridge in Menasha, WI.

We also had some success in thwarting what could have been horrendous mass killings in our State.

In late January 2016, a plan for a mass shooting at a Masonic temple in Milwaukee was thwarted by the intensive work of the FBI, and the plotter was arrested and criminally charged. I think it is important to note that while I have talked about these mass shootings, these mass casualty events, we lose so many Americans on a daily basis to violence in our communities, and it is an epidemic. Since those shootings in Orlando on Sunday morning, throughout the country we have seen at least that many deaths due to gun violence.

In Milwaukee, the local newspaper has taken to creating a homicide tracker. They are literally counting the homicides because they are so rampant. So far this year, their homicide tracker notes 51 homicides. This is just in one city in Wisconsin. Eighty-two percent of those homicides were caused by people using guns rather than other means.

I just want to tell you one more name and one more story. In May last month, a little girl in Milwaukee named Zelayia Jenkins approached a patrol officer and asked if they could keep her safe. The next week, 1 day before Zelayia's tenth birthday, she was shot by a stray bullet while watching television inside her house. She died 11 days later.

Whether these murders were perpetrated in violent communities, whether they are the acts of terror and terrorists, whether they are hate crimes, the fact remains that we have to tackle this. When will be the time? The time is now.

It is amazing for me to see so many of my colleagues on the floor of the Senate as the hour nears midnight in Washington, DC. We have a bill before us in the Senate that is the appropriate opportunity to take up this measure offered by my colleague from Connecticut and another colleague, Senator FEINSTEIN from California. It is the Commerce-Justice-Science appropriations bill. We can't let another moment pass without a vote, without doing everything within our power to make the world a little safer, to do more than hold these victims and their families in our thoughts and prayers. Thoughts and prayers are no longer enough.

Earlier today my colleague from Connecticut talked about the power of this moment and how people are taking to social media and urging their elected officials to listen and act. I want the people's voice to be heard. I want it to be so deafening that our colleagues who suggest that the American public for some reason isn't behind this—we know the opposite to be true. We know how much support there is for universal background checks and for doing something as common sense as making sure that people who are on the terror watch list are not eligible to purchase guns, something as simple as allowing the FBI to deny a firearm sale to somebody who is not able to fly on a commercial plane because they are being investigated for terror. In addition to tweeting, I ask Senator MURPHY, what would he urge people to do right now to help us act?

Mr. MURPHY. Madam President, I thank the Senator for this question, which is at the center of this moment. This can't just be about the 30-some odd Senators who have taken to the floor over the last 12 hours. And by the way, we have now been on the floor for over 12 hours.

This has to be about something bigger. This has to be about a national movement that commands this place to act. It has happened before, and it has to happen here. It means voters have to elevate this issue on their priority list. It means more people have to start asking questions about why their Members of Congress, why their Senators, are voting in a way that is contrary to the vast majority of their constituents. It means everyone in this country deciding not to accept what exists today as the status quo.

And let's remind everyone, as Senator DURBIN has over and over again, that what exists today is not just a regularity of mass shootings; that prior to 2008, it happened at the pace of one per every 2 months—these are the big shootings—that now happen once every single month. It is also the regu-

larity of gun violence that happens in our cities, such that kids in Hartford, CT, explained to me a year ago that police sirens and ambulance sirens are their lullaby at night because it is just a regular facet of their existence. The American people can't accept that either.

Let me just say before I turn the floor over to Senator MERKLEY how proud I am of all of our colleagues, not just for joining in but for the way in which we have conducted this debate over the last 12 hours. We are angry at a lot of people, but I am really proud that this debate has been on the level and that we have tried to remain as dispassionate as we can about the path forward.

Let me add one statistic to the mix. I just heard that my office has received 10,000 phone calls today. I actually have no idea how my office could handle 10,000 phone calls, so I asked to double and triple check that number. We only have two phones up front. But we have apparently received 10,000 phone calls today encouraging all of us to continue on this mission.

I appreciate the work that is being done by the staff on the floor. They are staying and laboring extra hours. We know that is not in their job description. This is the professional staff who man the desks and also the political staff within both caucuses and the personal staff. There are a lot of people who didn't know they were going to be staying this late tonight, including those who are reporting our words, and I thank them as well.

I want to acknowledge that there is progress being made as we speak on trying to find a path forward. So I want to thank those on both sides of the aisle who are working to try to find a way forward to take these votes.

We are hopeful at this hour. We still have more to say, and at this point I will yield for a question to Senator MERKLEY without relinquishing my right to the floor.

(Mr. ROUNDS assumed the Chair.)

Mr. MERKLEY. Thank you. I appreciate the opportunity to ask a question of my colleague from Connecticut.

Earlier I came to the floor and I was reflecting on the connection between Connecticut and Oregon in terms of the shooting in Sandy Hook and the shooting we had last year at Umpqua Community College, the 10 individuals who were killed at Umpqua Community College. But as I was pondering during the day, my head was going further back in time to 1998 when I was running for my first race for State legislature. Our primary was held May 19 of that year, and I was immersed in this primary. I was running a race against two former State representatives and the head of the water district, and I was the individual who had never run for office and never held office, and I assumed I would lose. But on May 19 when the results came in, I had won the primary.

Two days later, on May 21, a young man who had been expelled from his

school—his name was Kip Kinkel—Thurston High School in Springfield, OR, took the guns from his house. He murdered his parents. He proceeded to go to Thurston High School. He had with him a 9mm Glock. He had a .22-caliber semiautomatic rifle, he had a .22-caliber Mark II pistol, and he had 1,127 rounds of ammunition. His goal was to shoot as many students, to kill as many students as he could. He shot a lot of students. Two died and twenty-five were wounded. As he exhausted the ammunition in his semiautomatic rifle, he had to reload the magazine, and as he did that, he was tackled by one student who was already wounded, six others piled on, and the carnage ended. But he had only begun to tap into the 1,127 rounds of ammunition he was carrying. Thank goodness that individual, that student, Jacob Ryker, succeeded in stopping him when he was reloading that rifle.

The year went on. November was the general election. I was elected to the Oregon House. The Oregon House came into session in January of 1999, and we said: It is time to fix the background check system we have in our State. It is time to close the gun show loophole.

What makes no sense is to have this background check system when you go to a gun store and then no background check system when you go to a gun show. And we knew that many people who had felony backgrounds were seeking to acquire guns. We knew that many people who were deeply mentally disturbed were seeking weapons. They were being turned away at the gun store, and they were going to the gun show or they were going to the classifieds. So we tried to pass that bill to close that background loophole, the gun show loophole, and we failed. We could not muster the majority, just as this body has not been able to muster the majority to address the complete illogic of this situation.

Then the citizens of Oregon took this into their own hands. They petitioned for an initiative. They put it on the ballot, and the citizens of Oregon voted overwhelmingly—by a huge margin—they voted overwhelmingly to close the gun show loophole. But it would be many years later—not until 2015—that the legislature would take the additional step of closing the classified ads loophole, or the Craig's List loophole, as it is often called.

So in Oregon, if you go to a gun store or a gun show or to a Craig's List listing, you have to go through a background check. But someone who is turned away in Oregon can go to any of a number of States across our country, bypass that background check, buy those guns, and come back to our home State.

It makes no sense to have a national system without national effectiveness. And I so much appreciate my colleagues being here tonight to talk about this, to talk about the fact that those who are on a terrorist list should be on a list to deny guns, and that

those who are denied guns—to have it effectively, you have to have a background check system.

My State is a State that loves guns. We are a State with incredible wilderness. People love to hunt. They love to target practice. They love to just shoot guns. And they love the Second Amendment and nature. But they voted for the background check system because they knew it didn't make sense to have guns in the hands of felons or deeply disturbed individuals because of the carnage that comes from that.

There is another story I wanted to share that is related to 1998. This story fast-forwards from the primary election in May to the general election in October, November. So it was as we were approaching that first Tuesday in November, the general election, which would be held November 3. The day was October 6, so roughly a month away—a month before—a young man named Matthew Wayne Shepard was offered a ride home by two other young men, Eric McKinney and Russell Henderson. They didn't give him a ride home. They took him out to a very rural area near Laramie, WY. They tied him to a fence because he was gay. They robbed him, they pistol-whipped him, they tortured him, and they left him there to die. It was 18 hours later that a bicyclist riding past saw this young man still tied to a fence. The bicyclist thought that Matthew Wayne Shepard was a scarecrow but went to investigate, realized it was a young man, and proceeded to get help. Matthew was extremely damaged. His skull was fractured, his brain stem absolutely inflamed. He never regained consciousness. He died six days later.

It was a hate crime that rocked the Nation. It was a hate crime that shocked the conscience. These crimes were happening with some regularity—these hate crimes against our LGBT community—but this one caught the attention of the Nation, and a bill was crafted, the Matthew Shepard Hate Crimes Prevention Act. That bill was championed by my predecessor in office, Gordon Smith, but it didn't get passed until I came to the Senate in 2009—not because I came but because it took that long to build the support on the foundation that others had laid in the years before. So we passed that hate crimes act, but the hate crimes act doesn't stop the discrimination against the LGBT community. It doesn't stop the promotion of hate.

I am going to be submitting a resolution, and I thought I would read it tonight. It is a resolution that Senator MARK KIRK has agreed to cosponsor, that Senator BALDWIN has agreed to cosponsor, that Senator CORY BOOKER has agreed to cosponsor, and I hope many others will join us in this. It says the following:

(1) Equal treatment and protection under the law is one of the most cherished constitutional principles of the United States of America.

(2) Laws in many parts of the country still fail to explicitly prohibit discrimination

against lesbian, gay, bisexual, and transgender . . . individuals.

The failure to actively oppose and prohibit discrimination leaves our LGBT individuals vulnerable based on who they are or whom they love; vulnerable to being evicted from their homes; vulnerable to being denied credit or other financial services; vulnerable to being refused basic services in public places, such as restaurants or shops, or terminated from employment or otherwise discriminated against in employment.

(4) To allow discrimination to persist is incompatible with the founding principles of this country.

(5) Failure to ensure that all people of the United States are treated equally allows a culture of hate against some people in the United States to fester.

(6) This hate culture includes continuing physical assaults and murders committed against LGBT individuals, and particularly against transgender individuals, in the United States.

(7) The events that transpired on June 12, 2016, in Orlando, Florida, were a horrifying and tragic act of hate and terror that took the lives of 49 innocent individuals and injured 53 more. The victims were targeted because of who they were, who they loved, or who they associated with.

(b) It is the sense of Congress that—

(1) it is time to end discrimination against LGBT individuals and stand against the culture of hatred and prejudice that such discrimination allows;

(2) it is incumbent on policymakers to ensure that LGBT individuals benefit from the full protection of the civil rights laws of the Nation; and

(3) Congress commits to take every action necessary to make certain that all people in the United States are treated and protected equally under the law.

That is the philosophy embedded in our Constitution—equal treatment and equal opportunity. It is the spirit of anti-discrimination that is our higher self that we should treat each individual with respect, each individual with dignity. It is the principle of opportunity for all that cannot take place when discrimination interferes. It is the spirit that we have carried along a long journey—a journey in which we have reached out to embrace individuals who were excluded.

Our original practices in this Nation operated under the vision of full opportunity for all, but it was a flawed vision. It was a vision that didn't include Native Americans. It was a vision that at that time didn't include individuals who were minorities. It was a vision that at that time didn't include women. But over time we have reached out and started to make that incredible picture portrayed in our founding documents and in the hearts of our Founders a reality. We have done so in step by step along an arc. It was Martin Luther King who said that “the moral arc of the universe is long but it bends towards justice.” But that bending takes place because ordinary mortals say they are determined to make it happen. They apply themselves to that effort, whether in their everyday life with the individuals they encoun-

ter and work with and live with and worship with and recreate with or in the lives of legislators who work within their institutions to say: We are changing hearts, but let's change our laws as well.

We have the 1964 Civil Rights Act as a foundation, a milestone, an anchor, a foundation of laws against discrimination, but when you read the 1964 act, you don't see any protections for our LGBT community. Now many of us have put forward a law called the Equality Act that would remedy that, that would use the foundation of the 1964 Civil Rights Act to extend full equality for the LGBT community.

It is unbelievable that today in America you can get married to someone you love in the morning and announce it in the afternoon and be fired from your job—legally fired from your job or evicted from your apartment before nightfall because your marriage demonstrates that you are gay or lesbian or transgender or bisexual. Some States have remedied that, but we haven't done it as a nation. And when you have a legal structure that embraces discrimination, that fosters a culture of discrimination among some. Let's end that. Let's end that structure of law. Let's pass the Equality Act.

I am sure it will be sometime before they call up the act in hearing in committee. That shouldn't be the case on something so profound, so important. It should have had a hearing right after it was introduced, and we will keep pushing for that hearing. We hope it can get to the floor, but in the meantime, let's stand behind a sense-of-the-Senate that it is way past time for us to address this issue of discrimination that fosters this culture of hatred. We saw that culture in full demonstration the night of October 6, 1998, when Matthew Shepard was tied to a fence, brutally assaulted, tortured, and left to die. We saw that culture of hatred in Orlando, FL, with the deaths of so many beautiful young people on that tragic night.

So we have before us two challenges. Let's address simple measures that can make a difference—that terrorists shouldn't have access to guns and that we should have a background check system that actually works, so gun shows and classified ads are treated the same as a purchase at a gun shop.

Let's decrease the size of the magazines. When Kip Kinkel took 1,127 rounds of ammunition and 3 guns to his school to kill as many of his schoolmates as he could, he was stopped because he ran out of ammunition and had to reload, and those 2 seconds gave a fellow student, Jacob Ryker, an opportunity to tackle him. He probably saved dozens of lives that day.

We have the challenge before us of these simple improvements in our background check system, in our terrorist list, and in our gun magazines, but we also need to end the discrimination that is embedded in the law that treats millions of Americans as second-

class citizens and can foster among some, unfortunately, and contribute to a culture of hatred against those individuals. So let's do both.

Tonight I am so honored to be here with my colleagues sharing in this joint effort to say enough is enough. Let's not hide from these issues. Let's have a vote on these issues. Let's be accountable to our constituents on these issues. That will not happen if my colleague from Connecticut cannot get a vote on the proposal he is putting forward.

I wish this room right now had every desk filled. The beautiful speeches my colleagues have been giving, the reflections, the insight, the wisdom, the earnestness, the grief. But the room is not full. We need our colleagues in the majority to join us in this conversation that affects the lives of so many people in America.

What happened in Orlando, FL, not only killed 49 individuals, but it shattered their families, it shattered the community, and it shattered and reverberated throughout this Nation. And this—perhaps not to the same degree, but this type of violence goes on and on and on.

I believe my colleague from Connecticut has said that a major event of this nature, of multiple deaths, occurs every month. If you look at the events of person-on-person violence, if you look at what happens in our cities across this country, our rural areas across this country, every day there are acts of violence. Every day there are acts of hate crimes against our LGBT community. So let's do both of these.

We ask and we hope that citizens across the country will weigh in with those Senators who may not be here tonight and may not have been here this afternoon and may not have been here when this conversation started over 12 hours ago; that they might hear at least a reverberation, that the thoughts issued here reverberate back through the country and come back in those phone calls and in those letters to our colleagues' offices; that they might be aware and they might read the stories so many citizens could tell of an incident that might have been averted if we had a better system of laws on background checks and if we got rid of the discrimination embedded in our laws in this country.

So I ask my colleague from Connecticut, is it your hope, is it your aspiration that this body will indeed embrace and have a full dialogue—not just one side of the aisle but on both sides of the aisle—and that will lead to votes on these very significant proposals so that we can act to make America a better place?

Mr. MURPHY. I thank the Senator from Oregon for his passion on both of these topics and for laying out the challenge for us, which is to move forward on these consensus proposals to close the terrorist loophole, to expand the number of sales that are subject to

background checks, and to make sure everybody who buys a gun through a commercial sale has to prove they are not a criminal, but linking together what I would call doubling down on inclusiveness that has to happen in the wake of Orlando.

An incident like this has a tendency to pull a community apart. Yet what we know is that the way to prevent this kind of tragedy from happening again is for to us recommit ourselves to inclusiveness and to tolerance and to fighting discrimination.

I can't say anything more than the Senator said with respect to that commitment as it applies to LGBT Americans. I do hope we are able to move the Equality Act through this body. I think we are in a long and frustratingly slow transition to a place that we all know we are going to get to, which is the full right to individuals no matter their sexual orientation.

I also know that coming off this tragedy, there is going to be a tendency to marginalize another community, and that is the Muslim community in this country. As we talk about our efforts to build an inclusive society, we have to remember that the way in which we make our Nation safe is by building these inclusive communities where Muslim Americans feel a part of the whole, not feel excluded, because it builds and plays straight into the recruiting rhetoric of these terrorist groups if we are divided, if we push people out to the extremes.

So I think this is a very important message for us all to hear, that fighting terrorism, whether it be hate-based crimes or politically based crimes inspired by terrorist groups—we combat it best, yes, when we tailor our gun laws to make sure that those who are thinking about these crimes, these horrific murderers, don't get guns, but also when we build these inclusive communities, which acts as a pretty strong prophylactic to terror.

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

Mr. CASEY. I thank the Senator from Connecticut. The question I pose will center on not just why we are here, what the two measures are we are hoping to get a vote on, but why we seek to have support for those—first, to have support to get a vote in and of itself, and then to get support from our colleagues.

I want to take us back to two scenes, one I referred to earlier today but one that I had just remembered tonight that is a painful memory for a lot of people in Pennsylvania.

I did want to say this first as well. I had mentioned earlier a Pennsylvanian who had lost her life in Orlando in the terrible incident of this weekend. What I did not mention was a second Pennsylvanian, and I should have. The second person from Pennsylvania who was killed in that murderous rampage at the nightclub was a graduate of McCaskey High School in Lancaster, PA.

Ortiz-Jimenez, 25, known to his friends as "Drake," was a native of Santo Domingo in the Dominican Republic, according to his Facebook page. It also says he studied law in Puerto Rico. It goes on from there to talk about his life, but I did want to pay tribute to him as well. He was one of the 49 killed in addition to Akyra Murray, who I mentioned before. She was only 18 years old and lost her life as well.

The two scenes I wanted to bring us back to include, of course, Charleston, SC. We are remembering that day of horror as well. We had an incident this weekend in a nightclub. In Charleston it was in a place of worship, and in Sandy Hook it was in a school, a school classroom. All of these settings were where people, I think, should have some reasonable expectation of some measure of safety, but even now that is at risk because of the horror of gun violence.

Today, I mentioned earlier as well: Let's remember the national number. By one estimate, 33,000 lives are lost each year through gun violence. That is why when you add up all the well-known incidents, it doesn't add up to anywhere near 33,000 because as the Senator from New Jersey, Mr. BOOKER, reminded us, there are a lot of places in between where the numbers go not just into the thousands but literally the tens of thousands, because of what happens on our streets day after day.

But here is the reason I raise Charleston.

We know that took place at the Emanuel AME Church, often called "Mother Emanuel," in Charleston. Nine people were shot in their place of worship by a young man with hate in his heart. That was a hate crime murder—certainly an act of domestic terrorism. It had no connection to anything international, nothing about ISIS or international connections.

The second incident I will mention has that same characteristic, hate and murder domestically, nothing having to do with some inspiration from a terrorist organization.

But here is the remarkable feature of what happened after Charleston, what some of the family members did. They were so courageous, just like so many others of these families who have lived through this. After the massacre, the relatives of those killed attended a bond hearing where the accused shooter appeared. They didn't attack him, they didn't yell at him, they didn't scream at him, they didn't convey their justifiable anger, even outrage, which we all would consider a justifiable feeling of vengeance, of score settling. However you want to call it, they didn't do that. Instead, what did they do? They forgave him.

Nadine Collier, the daughter of Ethel, who had been killed in the church that day, said to the killer:

You took something very precious from me. I will never talk to her again. I will never, ever hold her again. But I forgive you. And have mercy on your soul.

So said Nadine Collier, a remarkable testament to forgiveness, to mercy, which is almost superhuman.

I am not sure I could have done that. I am not sure many people could have.

She wasn't the only one. Other relatives took their turn one after another expressing pain but always showing grace and praying for mercy.

None of us or very few of us—and I count myself among those who could not—could do that in that circumstance. That was Charleston, SC.

Let me take it back in time. I was so moved that Senator BALDWIN mentioned, when she was doing that chronology, that she started in 2006, 10 years ago. I mentioned Lancaster County before, Lancaster, PA. The first incident she mentioned was so-called Nickel Mines, a small community in Lancaster, this Amish community. It is this great community of faith of industriousness people and a community that is bonded together by their work ethic, by their faith, and by their families.

Even that tranquil community—that community which has enjoyed for generations a kind of tranquility that many other communities would not—was subjected to violence.

Ten years ago, this coming October, a man entered a one-room Amish schoolhouse in Nickel Mines, PA, with a cache of weapons, including a 9mm pistol, two shotguns, a stun gun, two knives, two cans of gunpowder, and 600 rounds of ammunition, into this small community of the Amish community.

He executed five girls and wounded six others before taking his own life. It is hard to comprehend the horror of that scene, just like so many others we talked about.

Yet on the very same day, as the shooter committed this heinous act, a grieving grandfather told young relatives: "We must not think evil of this man." "We must not think evil of this man."

I mentioned both of those scenes, scenes of the kind of bloodshed, tragedy, and horror that we cannot even imagine. I certainly cannot. But in both instances you had very close relatives in the immediate aftermath of the killings expressing mercy and forgiveness. Nadine Collier saying:

But I forgive you. And have mercy on your soul.

And the Amish grandfather said: "We must not think evil of this man."

We are not asking anyone in this Chamber to do anything like that. We are not asking anyone here to forgive someone who just murdered one of their family members. We are not asking someone in this Chamber to do something which is, in a sense, superhuman. We are just asking people to support two votes.

In this place, when you are a U.S. Senator you are judged on a number of scales, but you are mostly judged on how you vote. That is what we are supposed to be doing here—how you vote. And that becomes the scorecard of

your work. That becomes one of the measures against which people will make a judgment about you. So we are not asking people to do something that is all that difficult. I know there might be some political difficulty to it but, come on, this isn't like having to forgive someone who just murdered your loved one and you are standing in front of them. This isn't as difficult as what the families of all these places mentioned went through—Nickel Mines, PA, all the way through Sandy Hook Elementary School in Newtown, CT, and all the way to Orlando, FL. We are not asking people to do anything very difficult. All you have to do is put your hand up and then put it down twice if you are going to vote for it. And if you want to vote against it, so be it.

But at least put your hand up to allow a vote on two simple measures that will begin—just begin—the long journey to rectify a substantial national problem that takes 33,000 people every year. All we are asking for is a start, a foot in the door, maybe even a toe in the door—but just a start to do something about this problem we have to reduce this number.

No one can convince me that the greatest country in the history of the human race cannot begin to tackle this problem. This idea that there is nothing we can do, that all we need to do is enforce the law just doesn't make sense anymore. It really, really doesn't if you look at the facts.

In essence, there is nothing we can do, some say in Washington, other than enforce the law and just hope that good law enforcement every day of the week is going to save 33,000 lives. That is not logical. It is not tenable based upon the facts. To me, it is unacceptable.

So I would ask the Senator from Connecticut, a very simple question. What are we asking people to do, Members of the Senate, in the next couple of days and asking them as well as we are asking Members of the Senate to do something which puts them in any risk beyond political risk?

If you could just reiterate for us what is at stake here, why we need to take at least these two actions, and how we can best begin to solve this problem.

Mr. MURPHY. I thank the Senator from Pennsylvania for his comments and the question. Of course, the answer is that there is absolutely no risk involved in the votes that we are hopeful to bring forward in the Senate. Why? Because these are propositions that are supported by the vast majority of the American public. There is no controversy over either of these issues.

The risk is in doing nothing. The risk is in continuing to allow for this very large loophole for would-be terrorists to walk through.

I won't read it again, but several times on the floor today I have read this quote from a now-deceased Al Qaeda operative in which he very clearly advertises to recruits here in the United States:

You can go down to a gun show at the local convention center and come away with a fully automatic assault rifle, without a background check. . . . So what are you waiting for?

This is one of Al Qaeda's top operatives, directing individuals in the United States to take advantage of this loophole. We have seen this trend line away from other means of terrorist attacks to the assault weapon, to the firearm. So we should pay attention to this trend and do something about it.

The real risk is doing nothing, Senator CASEY. There is no risk in voting for this. You will be celebrated by the American people. After tonight, I hope there will be even more who will join our call.

The real risk is in standing pat and allowing for ISIS to recruit straight into the loophole that we have created. Think about what we are doing. We are selling guns to the enemy knowingly if we allow our set of laws today to persist. That is why we have to move forward and enact these commonsense measures.

With that, I yield to Senator KING for a question, who has been great to be with us for the majority of this late evening, without losing my right to the floor.

Mr. KING. I wish to discuss with the Senator and bring back the point we were discussing some 4 hours ago. It is hard to believe that it was some 4 hours ago, but this is really a national security discussion. This is really a national security discussion because of the changed nature of our adversaries and the changed strategy that they have for attacking us.

But first I want to go back to the Constitution, and purely by coincidence today I am wearing the Constitution. My daughter bought me this tie at the Library of Congress, and it is the handwritten version of the Constitution. You can see "We the People" in very large letters.

Why are governments formed, why are constitutions written? Going back to the earliest human societies, the fundamental function of bestowing power on the government is to protect you. Security is the fundamental, most sacred obligation of any government. And our Framers recognized that because in the preamble to the Constitution—the heart of the document, why we are doing this—the Framers were explaining to posterity, and two of the fundamental purposes, among several others, are to ensure domestic tranquility and provide for the common defense—the basic function of any government and the explicit function of our government.

Now, here are three important dates: 1812, 2001, and 2016. There is 1812 because that was the last time an adversary violated our shores. That was when Washington was burned by the British. It was the last invasion of America until 2001, but 2001 and 1812 have some similarities because 2001 was, in effect, a foreign invasion. It

was plotted abroad, it was planned abroad, and people came here from outside of our shores and attacked our country.

Now, in response to that attack in 2001, we mobilized a number of resources. We developed ways of protecting our aircraft, we developed great intelligence, an ability to determine when people were plotting against us, and indeed we sent our blood and treasure and young people to Afghanistan because it was a haven for terrorists. That was the reason we went there and in fact are still there—to keep that country from becoming an incubator for terrorists to attack this country, and we have been effective. We have been effective in preventing an attack on our country from abroad.

So as is always the case with warfare, our adversaries have developed a new strategy, and that is why the third date I mentioned is 2016. It was in the last few years, particularly in the last year, as ISIS has begun to be beaten back and to lose its territory in Syria and Iraq, that they have developed a new strategy which doesn't involve sending people here. It doesn't involve sending arms here or bombs or anything else. It involves using the Internet to radicalize people who are already here—often they are U.S. citizens—and then turn them against us. That is the new nature. This is terrorism 2.0. That is the nature of the struggle we are in now, and that is why the amendment that is being proposed makes so much sense from the point of national security.

If we discover an arms cache in Syria, we bomb it, but if ISIS wants to attack us here with terrorism 2.0, we sell them weapons. It makes no sense. The first rule of warfare is disarm your enemies, if you can, and that is exactly what we are talking about.

I think a lot of people just say: Well, this is just another gun control debate. We are talking about gun control. We are talking about national security. We are talking about defending ourselves from a strategy that relies upon people being able to acquire guns easily in this country—people who are terrorists or who are inspired by the terrorists or who want to be terrorists. And we can't have a bill that says you have to have probable cause to show you have already committed a terrorist act. That is too late. It has to be prevented, and that is what we are talking about here today.

So I think it is very important to remind ourselves that this is really a national security bill, and it makes no sense to close the terrorist loophole unless you close the gun show loophole because the terrorists aren't stupid. The terrorist APB they send out from somewhere else in the world to tell somebody to get a gun and kill people will also say, by the way, do it at a gun show or do it online because they will not check you.

My colleague already read a quote from the Al Qaeda operative who ex-

PLICITLY told people to do that. So if we don't do both things, it really is a false security. We are kidding ourselves. So we have to, one, close the terrorist loophole. I would venture to say 90 percent of the American people agree to that. If you were to walk up to people on the street and say: Do you think people should be prevented from getting on airplanes but they should be able to buy guns, they would look at you like you were crazy. That doesn't make any sense.

Yes, there are constitutional provisions built into the amendment we are talking about that allow people who are wrongfully on that list to have an opportunity to get off the list and to contest that designation. So this isn't some kind of wholesale violation of the Second Amendment. This respects the Second Amendment and is based upon the premise that due process is available in this situation.

Then we have to close the gun show loophole and the online loophole because otherwise doing the first thing just isn't going to be effective. So the two things together, to me, are national security and personal security because of all the other tragedies that we have talked about tonight that don't involve Al Qaeda or ISIS or al-Nusra or al-Shabaab or any of the other terrorist organizations but involve our individual citizens being killed in just stunning numbers. Since we have started talking here today—since the Senator took this floor—a dozen people have been murdered by guns—one an hour, 24 hours a day, 365 days a year.

So we have a national security reason to do this, and we have also—remember, the preamble, and I will finish with my question. The preamble has two pieces: provide for the common defense. That is what I have been talking about—national security. Insure domestic tranquility. That means keeping people safe here, not from enemies abroad but from criminal elements within our own society—again, the most fundamental and sacred obligation of “we” as a government. If we don't do this, we are committing constitutional malpractice. We are not abiding by the most sacred obligation in our Constitution—to keep our people safe. It can be done consistent with the Second Amendment, respectful of the Second Amendment, but in a way that will fundamentally realize the promise the Constitution makes to all Americans; that their government will protect them from foreign attack and from domestic unrest.

So I ask the Senator: Does he view this as, in large measure, a national security issue?

Mr. MURPHY. I thank the Senator from Maine, especially because, as he mentioned in his previous comments, he sits on the Intelligence Committee and so he is, frankly, privy to information he likely cannot state on the floor but is directly on point, which is this notion these terrorist groups, whether

it be Al Qaeda or ISIS, now are more dependent than ever on inspiring and launching lone-wolf attacks. Why? Because they are losing ground in Syria and in Iraq, and this notion there was going to be an inevitable caliphate that was going to grow and prosper and control large amounts of territory in the Middle East is no longer a reality.

As someone earlier today said on the floor, there is a record-low trickle of American citizens today going abroad—maybe it was my colleague from Maine—to join Al Qaeda, which suggests how their pull, how their gravitational pull has been greatly reduced.

It means there are right ways and wrong ways to engage in this second front, this effort to try to launch lone-wolf attacks. The wrong way is to marginalize Muslim communities in this country by telling them they are less than, by telling them they are threats, by nature of their ethnicities or their religion, to the United States.

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

Mr. MURPHY. I will yield for a question.

Mr. KING. On February 15, 2015, Dabiq, which is the sort of public newspaper of ISIS, published an explicit strategy for what they hope will become a worldwide conflict. The strategy is that westerners will fall into the trap of persecuting Muslims and drive them into the arms of radicals. That is the strategy.

So to the extent that we persecute and marginalize these overwhelmingly peaceful citizens who want to be citizens of our country or citizens of other countries in the world, we are doing their job. They said that is what we want to do and indeed some people in our society have fallen into that trap and are doing it. This is exactly what they want because they want this to be a war between Islam and the West. Do we really want to radicalize 1.6 billion people and 3.3 million here in this country, the vast majority of whom want nothing more than what the rest of us want, which is to raise our families and live our lives and enjoy the benefits of this wonderful country.

So I agree with the Senator and would ask him if he concurs that if we are marginalizing people of any faith, then in this particular case we are driving them into the arms of our adversaries.

Mr. MURPHY. The name Dabiq itself, which is the name of the publication this organization—that ISIS sends to the rest of the world is rooted in a spot that is representative to this terrorist group of the historic clash between East and West. So the entire orthodoxy of ISIS is based on this idea that we convince would-be converts that this is a fight between the Muslim faith and the Christian faith, which just again speaks to the fact that there are right ways and wrong ways to go about fulfilling the mission my colleague has articulated in the preamble of the Constitution.

The wrong way is to blame these attacks on everyone who shares the Muslim faith. The right way is to target the very small subset of individuals of any faith who have connections to terrorist groups. The good news is that because of a network of surveillance we have endorsed, we can do much better than before in finding what individuals have that contact with terrorist groups, and when we find that out, it simply makes sense that we shouldn't sell them weapons.

I thank the Senator.

Mr. KING. I thank the Senator for his answers and for his leadership on this issue.

Mr. MURPHY. I would say in yielding to Senator DURBIN for a question, just personally, it has meant so much to me to have Senator DURBIN on the floor for almost the entirety of the now 13-plus hours. He is frankly a hero to those of us who showed up relatively late to this fight for justice on the issue of combating gun violence. I am so thankful to Senator DURBIN for being here consistently with us, and I yield to him for a question without losing my right to the floor.

Mr. DURBIN. I would like to propose a question to the Senator from Connecticut, but before I do, first I would like to thank the Senator who is presiding at this early morning hour. I thank him and his fellow Senators who made this possible.

A special thanks to staff. They have been thanked before, but they should be thanked again for their diligence and patience during this conversation and debate on the floor of the Senate.

And a special thanks to the pages who stayed late, late tonight and will have stories to tell about that night when the Senate went into the morning and we were there. So you will be able to tell those stories when you get back home to your families and friends, but it is a historic debate and it is an important debate and it is one that will affect your lives and the lives of the many people you treasure on this Earth.

We come to this floor at this early morning hour—a quarter to 1 here in Washington, DC, as the Senator from Connecticut noted, more than 13 hours after he first took the floor—to discuss the critically important issue about the safety and security of America.

When I think about what we are facing here, as has been said by the Senator from Maine, we are dealing with a new strategy by terrorists. I can remember the day of 9/11, 2001, in the room just a few feet away, when a little after 9 in the morning we quickly turned on the television to see that planes were crashing into the World Trade Center in New York. By the time the second plane went in, we knew it wasn't an accident. Then there was a crash at the Pentagon, black smoke billowing over the mall, and we were quickly advised to evacuate the Capitol of the United States. We did. We raced for the exits and went outside,

we stood on the lawn and didn't know which way to turn, feeling that the next plane was headed for the Capitol dome. That was the threat we faced and the reality of that threat right here in this building, that some terrorists—unimaginable—would use an airplane to attack us. That was the weapon.

Well, it was a bitter lesson, and 3,000 innocent Americans died. We changed America. Osama bin Laden changed America. The way we went to the airport, when we arrived, how we arrived, what we carry, what we wore became part of our defense of America, and for 15 years it has become a routine. Our children and grandchildren have grown up with it. They couldn't imagine a day when you didn't go through intense security at an airport. But before 9/11, it virtually never happened, and when it did it wasn't very reliable.

What we are talking about is a new strategy, a new tactic by terrorists. That is why this debate is about more than just this horrible tragedy at Orlando. It is about a pattern that is emerging of those who are radicalized and marginalized and turn to guns that they can buy legally in the United States to threaten us. How serious are these guns? In an earlier meeting, I made a mistake of calling it an automatic weapon. The weapon that was found to have been taken in by this man in Orlando is a semiautomatic weapon. The difference, of course, is with an automatic weapon, you hold the trigger and it bursts all the cartridges in the magazine, as many as you have. With a semiautomatic, you literally have to pull the trigger each time. But let me give an idea of what that meant.

In the early morning hours at the Pulse nightclub in Orlando, a brief video was uploaded to Snapchat by one of the victims, Amanda Alvear. It was the last video she ever shot because she died. What the early moments of the massacre sounded like came through on the Snapchat video: a frantic drum-beat of shots, 17 or more shots in 9 seconds, one shot per trigger pull in a continual barrage. Today the FBI told us there were hundreds—hundreds of shots fired.

So when we talk about a potential terrorist with a gun, it is a terrorist with the capacity to kill hundreds of people. That is the new tactic. And that is why this conversation is not just about the Second Amendment in theory; it is about keeping America safe in fact from the new wave of terrorism.

When the Senator from Connecticut took the floor, it was for two reasons. We said them and we should say them again—to make sure that if someone is suspected of being a terrorist, they cannot legally purchase a weapon in America, and particularly not this kind of weapon that could create such carnage and kill so many innocent people. Secondly, that this terrorist, once realizing he is stopped by the legal

process, can't go through the extraordinary process of going to a gun show. I have been by these gun shows in the armories and gymnasiums across Illinois. They all come piling in to show their weapons and sell their weapons, and people buy them in bulk. And rarely—in some States, in Indiana for example, for many sellers there is no background check. Do you want to buy more than one, a Glock pistol? How much money do you have? Do you want to fill up the trunk of your car and take them in to the city of Chicago? Be my guest. This is exactly what happens. Of course, now the Internet is another source.

Are we so certain of the security of America that we are not going to protect our families and our friends and the people we love from the next attack, from the next would-be terrorist? I don't know if this man in Orlando was truly associated with a terrorist organization. The investigation is underway. Some of the things he said were nonsensical when it came to identifying himself with these terrorist groups. I don't want to dismiss that possibility. Let the FBI investigate that in its full range to find out whether he was associated. But then who is the next one? And will the next one have access to some weapon that can kill so many innocent people at once? That is what this conversation is all about. It isn't about some age-old debate on the floor of the Senate. It is about the new world we live in. The Senator from Maine made it clear. The Senator from Connecticut read directly from terrorists who were instructing those who would kill Americans how to get it done most efficiently. That is what we are trying to stop. That is what this is all about. It will be great if at the end of this we not only get these amendments called, but maybe even a bipartisan agreement on stopping terrorists from buying guns in America to threaten innocent people in Orlando, in Connecticut, in Illinois, in Maine, in New Jersey.

I would close by first thanking Senator MURPHY and Senator BOOKER, who has been a stalwart supporter and friend throughout this debate. I believe he has tried to stand by Senator MURPHY literally throughout. I say to Senator BOOKER, thank you for bringing to our attention at our caucus lunch yesterday the fact that this is about more than mass murder. It is about the murders of Americans that go on every day, every hour. In the cities that we love, innocent people die because of it. It is all part of the same conversation and the same debate. I thank the Senator for bringing that message home. It touched me because of what we are enduring in my State of Illinois and the city of Chicago.

I say to Senator MURPHY, it has been a long day. Here we are, a new day. I hope it is a new day for our country—a new day when we start looking seriously at putting an end to this gun violence and this carnage and doing a

smart, sensible, commonsense thing to make sure that those who would be terrorists don't have access to the most lethal killer weapons available in gun stores and gun shows across America.

My close is a simple question. At the end of this battle there are more to be fought, not just on this issue but on the issue of military-style weapons being sold to civilian populations. But let's save that for another day. I would just ask the Senator in closing what he is feeling as he watched his colleagues give up their time during the course of yesterday and the early hours of this morning in terms of the intensity of feeling and the stories that he heard that I hope have inspired him as they have me.

Mr. MURPHY. I thank the Senator from Illinois. I thank him for setting an example of how to speak truth to power in this body. We have talked over the course of this afternoon about the influence of special interests and how they have affected this debate. There is simply no one in the U.S. Senate who, over a period of time, has ignored special interests and money and power and just done and said and fought for the right thing over and over again. To the extent that people like Senator BOOKER and I made the choice to run for this body even amidst its reputation for dysfunction, it is because we hoped that when we got here we could maybe—we could maybe—equal some portion of the example that the Senator has set. So personally—and I think I can speak on behalf of Senator BOOKER and Senator BLUMENTHAL and myself. Certainly, for me it has meant so much that the Senator has been here for the totality of this debate. I say to Senator DURBIN, thank you.

It has meant just as much to me to have all our colleagues here today. It has meant the world to me to have Senator BLUMENTHAL, my partner, engaging in this together and to have Senator BOOKER, as was mentioned, in an act of wonderful sympathy, make the decision to stand on his feet for the duration of this time as well.

This has been organic. We sent out the word that we thought this was something important, but this really happened of its own volition. Everything that has happened outside of this Chamber today and tonight, with the hundreds of thousands of interactions, the ten thousand phone calls that have just come into our office alone speak to the wellspring of desire there is in this country to act—to act on the issue of the epidemic of gun violence.

Of course, what we have proffered here are two simple measures that we think we are on our way to perhaps getting votes on. But we don't want votes; we ultimately want agreement. Hopefully, the momentum that comes from today and tonight and the 13 hours that we have been on the floor will get us there.

I will yield for a question at this point, without losing my right to the floor, to Senator BOOKER.

Mr. BOOKER. I thank Senator MURPHY very much for what I think has been one of the more remarkable exhibitions of grit and toughness. Senator MURPHY has not only been on his feet, not only has not left the floor to use facilities, but he has stood in the saddle and has been for this entire time—as our colleagues have flowed through this Chamber, he has been answering question after question after question after question on a topic that he is passionate about, on a topic about which he feels deeply and personally. I just want to thank him for his leadership because it has captured the attention of our Nation.

This filibuster right here—I know a little bit about social media. This filibuster right here has been the focus trending on Twitter, the focus of Facebook. It has created media attention on a problem because in a sense the Senator is giving hope. His very intention of coming here has met the urgent need that the public has seen that this auspicious body, this greatest deliberative body on the planet Earth, this Senate, designed by the Constitution to deal with the biggest problems of our land—this body would not just go on with business as usual. What the Senator chose to do is to say: Enough. Stop. We are going to have a discussion about an issue that is not just on the minds of the American public but is grievously affecting the hearts and the spirit of our Nation.

Tens of thousands of people since Sunday have been standing around our country in vigils, in solidarity, expressing their pain and expressing their sorrow but expressing the feelings they have that we should be better than to allow such grievous, terroristic, hateful acts to happen on our soil. While the American public has been stepping up, this body today had a different plan—to move on a piece of legislation, to barely acknowledge this.

So before I want to really reframe this, I just want to say to the Senator, thank you for the courage that you have put forth to say: Enough is enough. No business as usual; we are going to stop, and we are going to push for two commonsense amendments that cannot end gun violence in America, cannot stop terrorist activity here and abroad, but they can take a step—a constructive step—toward beginning to choke the flow of commonality of these incidents on American soil. As has been said time and again, as has been said by a number of Senators today, what reason was our government organized in the first place? We heard ANGUS KING—wearing the Constitution on his tie—talk to that preamble: common defense, domestic tranquility.

So I want to frame this again. But the first frame, I just have to say—the Senator and I talked about it after caucus lunch yesterday, we talked about it during the day, and we talked about it last night. I say to the Senator, you are not talking about it today; you are

doing it—no business as usual. For that, I am grateful.

It is merited that we also thank the many people who are involved. When the Senate is open past midnight, hundreds of people have to be here as well—not just the people you see here on the floor. The pages are in their first days, and this is one of their seminal experiences. Not the folks who are working behind the dais there, not the great Republican colleagues who have had to man that chair, but there are security guards and subway operators and the people who are seating folks in the gallery.

I want to say thank you, and I want to point out the fact that CHRIS has helped to pay for food for not only a lot of the folks here but including the Republican cloakroom. I appreciate you, Senator MURPHY.

Now I want to get to the framing of what this is about because there has been a lot talked about tonight, most of which I agree with, a lot discussed, a lot far afield, but you came here with a purpose around two issues that are common sense; one is that in the United States of America, if our investigatory authorities see people as threats, are investigating people because they are believed to be desirous of committing acts of terrorism on American soil—people who have already been banned, in some cases, from flying on airplanes—we should take a step, we should make it the law of this land that the person who is a suspected terrorist, that person who can't get on an airplane, that person also should not be able to buy an assault rifle.

That is so commonsense that as you said earlier today, perhaps 4, 5 hours ago, many people in America are shocked when they realize that a terrorist loophole actually exists. What you are fighting for, Senator MURPHY, is not radical. It is not out of the box. It is common sense.

What is even more important is that in this day and age, when partisanship does cripple this body from time to time on big issues, this issue is actually not partisan. Study after study has shown, survey after survey, poll after poll says overwhelmingly Americans agree with this. In fact, over 80 percent of American gun owners say we need to close the terrorist loophole. In fact, over 70 percent of NRA members say we should close the terrorist loophole.

What nation when they are at war—where your enemy is actually trying to incite terrorism in your country, when your enemy is explicitly saying exploit this loophole—would keep that loophole wide open, where it is easy for someone with terroristic aims to hurt, injure, destroy, and kill? But you took it one step further, and I was happy this morning to work on an amendment with you that says you can't just close a terrorist loophole and leave open, as you called it hours ago, a backdoor for those terrorists to use. That means if you do background

checks, they need to be universal because if it is just the brick-and-mortar gun retailers, you go there and you are going to have to do a background check.

By the way, those background checks stop people every single year, not just people who may be suspected of terrorism. Frankly, they stop criminals, but we now know that we are a nation of change, where the buyers of weapons have migrated from the brick-and-mortar stores now to another market, often online or gun shows. Unless we close those avenues for terrorists to use, they are going to use them—so very much common sense again. The second thing that you were saying today is that we need to close the terrorist loophole, and we need to make sure we are doing universal background checks. That is the reason we are here—the grit of a Senator and the common sense of two amendments that are very critical.

For a moment, I want to tell you what was perhaps the most touching time for me in this 13, 14 hours. I actually checked the rules, and you can't acknowledge people who are in the Gallery. They are not here now, so I am not acknowledging anybody who is here, but your wife and child showed up. When I heard you talk as a parent about the love of your child and how you did something that is so important for us as Americans—in fact, I think it is at the core of who we are that this is what our country calls us to do, which is to take courageous steps of empathy and say, when other people's children are dying, that is not their problem. It triggers empathy in me. I think of my own child. I think about my niece. I think about my nephew. I think about my family.

There is a privilege in this country that is a dangerous type of privilege. It is the type of privilege that says if something is not happening to me personally, if a problem is not happening to me personally, then it is not a problem. It is not a problem if it is not happening to me personally.

That is contrary to what we say about ourselves as a country. The spirit of this country has always been we are all in this together. We all do better when we all do better. If there is injustice in our midst affecting another family, another State, another neighborhood, then that is an injustice that is threatening the whole.

Senator MURPHY, this is one of your core values. It is expressed by great Americans. It was expressed by Martin Luther King in perhaps one of the greatest pieces of American literature, the "Letter from a Birmingham Jail," this idea that if something is going on wrong in Connecticut, if a tragedy happens there, if children are murdered there, that is not Connecticut's problem, it is our problem. Dr. King said:

Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a common garment of destiny.

So, to me, that is a core element of our Nation. It is what our Founders understood when they said we are in this together. The very Declaration of Independence ends with a nod toward that interdependence, toward that interwoven nature. It was said by our Founders on the Declaration of Independence, right at the end, that in order for this Nation to work, we must be there for each other. We must care about each other. We must invest ourselves in each other. If an injustice happens to my brother or my sister, it is affecting me. That Declaration of Independence ends with those words: "We mutually pledge to each other our Lives, our Fortunes and our sacred honor."

Now we see these tragedies, and I don't want to believe that we are becoming numb to them. We see them as some distant reality and not as a personal attack because when you attack one American, you attack us all. When you have an avenue where you can make a difference to preserve and protect life and you do not claim it, to me, that is a sin.

There is a great writer, great thinker, Nobel laureate, who once said to the effect that the opposite of love is not hate, it is indifference. The opposite of love is not just hate, it is inaction—lack of caring, lack of compassion.

What gets me upset about this issue is that we have commonsense tools that have been enumerated by wise colleagues of mine. We have legal scholars in our caucus who understand clearly that there is no absolute right when it comes to freedom of speech. As has been quoted many times, the majority opinion in the Heller case, there is no absolute right to bear arms. It has been said by multiple Senators, just closing the terrorist loophole doesn't infringe on the rights of any American to bear arms, of any American sportsmen, any American seeking self-defense. This is just saying that if you are someone who is believed to be a terrorist, you should not be able to purchase a gun. If you are somebody on that no-fly list, you should not be able to purchase a gun. Even with that, as you pointed out, there should be due process so that if you have to grieve that, there is a process for you to grieve being on that no-fly list.

When I see the Senator's child come here to listen to her father, when I see parents—many of my colleagues have children. I hope that when we hear about a mass shooting, we don't just say I am praying for those families but begin to think that what is happening to my fellow American is a threat to me. It is happening to us all. We all are lesser as a result of it. We have to think to ourselves, "How would it feel if I fail to act, to do what is right, to close a terrorist loophole?" What if right now that person our enemy is working to radicalize, what if right now that person in our country whom our enemy is working to inspire, what about that person who right now is

seeking to do harm to Americans, what happens if they exploit that loophole tomorrow, next month, next year? What happens if they exploit that loophole, and this time they go to a playground, a train station, a movie theater, a school, a church, and it happens to be your playground, your movie theater, your school, your church, your child?

If you know there is something we can do to stop our enemy from getting arms and doing us harm—and we have seen now from San Bernardino to Orlando, FL, the terrorists are looking to do us harm—and we can stop our enemy with a commonsense amendment that is believed and supported by the majority of Americans, the majority of Republicans, the majority of gun owners, the majority of NRA members, yet this body can't do that, then we are setting ourselves up for future acts of violence and terror that could have been prevented. What if it is our child or our family or our community or our neighborhood?

There is one more step I have to mention, I say to Senator MURPHY. There is one more step that is important to this because if you close the terrorist loophole and make sure those terrorists cannot exploit the backdoor, if you make sure those background checks are universal—again agreed to by the majority of Americans, the majority of Republicans, the majority of gun owners, the majority of NRA members—you are also going to benefit by creating a background check system that stops criminals from getting guns, that better undermines their ability to get their hands on weapons that they want to carry out violence in our neighborhoods, communities, and our cities. That is where it gets deeply personal to me. As the Senator has for his child, every American has for their kids. We have big dreams. This is a nation of dreams. We have something called the American dream, which is known across the globe. It is a bold dream. It is a humble dream that this is a nation where our children can grow up, have the best of opportunities. Our children can do better than us. It is the American dream.

But the challenge I see with American reality, where we have such liberal access to weapons by people who are criminals, what that has resulted in—I have seen it myself—is so many children taken, killed, murdered, time and time again, every day, every hour. Time and time again, another dream destroyed, another dream devastated, another dream murdered. And those are not just my words. I have seen it across my State. I have seen it in our cities and on our street corners where shrines with candles and Teddy bears are set up, marking place after place and street after street where children have been murdered. I have stood on too many street corners looking down at bodies—13-year-olds, 14-year-olds, 16-year-olds murdered in our Nation with a regulatory that has not been seen in

wars past. I have been to funerals with parents begging us to do something about the violence in our country. I have seen children who are living, yet live with trauma and stress because they hear gunshots in their neighborhoods.

We have the power to stop this, and we can't assume that these problems are not ours. Langston Hughes said it so poetically: "There is a dream in this land with its back against the wall, to save the dream for one, we must save the dream for all." How many children's dreams must be destroyed by gun violence before we do the common-sense things we agree on to begin to shrink those numbers?

It is written in Genesis that when Joseph's brothers see him approaching, with murder in their eyes, they said, "Here cometh the dreamer, let us slay him, and see what becomes of his dreams." We have lost so many, and so many have been slain, but the dream of America can't die. There are people who want to take it from us. They want to inject it with fear and hate. The dream of our country cannot die.

There are rules and loopholes that allow madmen, terrorists, and criminals to get their hands on assault weapons. We cannot let the dream of our country die and be dashed and killed. We can do something about it, and it is unacceptable, when you have the power, to do nothing.

We, those of us elected to this body, are the caretakers of that dream. We are the torch with the light, the hope, and the promise of this country that still attracts so many. Hundreds of millions of people in our Nation believe, as do so many people outside of our Nation, that we must make sure that we form a more perfect union, where we see that unfinished business, the work to be done, and answer the call of our citizens.

I return to where I began. There have been literally thousands of Americans who have taken to the streets this past week. I saw them in New Jersey. I read about them in California and Florida. I see them in Washington, DC, here in our Nation's Capital.

Today I am proud that my friend has decided that that dream was worth fighting for, that the call of our Nation had to be answered, that that dream demanded something more than business as usual. Senator MURPHY has stood on this floor for 13-plus hours.

I don't know how long it will take, but I know that closing the terrorist loopholes and closing the avenues for terrorists to go online or to gun shows is just doing what makes common sense to keep us safe. I know we will win this battle. It is not a matter of if, it is a matter of when.

As the hour grows later and later and this filibuster drags on, I just wish to address one more item. Senator MURPHY and I both know from the thousands of calls to his office that one of the problems we happen to have is that we allow our inability to undermine

our determination to do something; that when you have a majority of people who believe in something, often the only thing that stops us from achieving it is not that we can't—it is not a matter of can we, it is this: Do we have the collective will?

I know from scanning social media that there are thousands of people watching this right now. As Senator MURPHY speaks to our colleagues and speaks to the Chair, my question is, Can my friend speak to those people tonight, many of whom were cynical about this body but found a little bit of hope by your action? Can my friend take a moment to speak to them about how we can keep fighting this fight and what they can do to press forward and how we can make the dream of our Nation stronger, mightier, and more just so that a week or a month from now, we are not gathered together and mourning our Nation about dreams that were dashed by violent terrorists?

(Mr. DAINES assumed the Chair.)

Mr. MURPHY. Mr. President, I thank my friend for the question, and I thank him for standing, quite literally, with me every second of these last 13-plus hours. I thank my friend from Connecticut as well, who is about to speak, for doing the same.

It is nice to have friends. It is nice to have friends who are committed to the same thing as you are, but it is just nice to have friends.

It doesn't have to be like this. There are so many things in this country that we accept as inevitable, true, and unchangeable, and we are right on the precipice of getting to the point in this country where we accept this level of gun violence and gun homicide as just a normal facet of life in this country. I know it because I heard the kids in the North End of Hartford tell me that the sound of ambulances and police sirens is their goodnight lullaby. They are used to falling asleep to the response of the next shooting.

I knew it at the beginning of this week, when, as the news was filled with not just another mass shooting but the worst mass shooting in the history of this country, this body signaled that it wasn't going to take up any measures to combat the epidemic of gun violence in the wake of the worst mass shooting in the history of this country. It has felt like we have fallen upon the precipice of accepting this as the new normal in this country.

All we are doing tonight is standing here and talking. We are asking for a vote. And I think, as I will speak to in a moment, we have gotten to a place where we are going to get votes on these important amendments, but all we are doing here is talking.

Senator BOOKER was right when he said that what has happened this afternoon and this evening is a platform for sustained and collective action that demands that this not be just a one-time phenomenon, that this passion you heard from dozens of Members of the Senate who came down here organi-

cally just because they cared sustains throughout the day, the months, and the years.

As I said earlier on this floor, great change movements are defined by their obstacles and failures, and we have already had a bunch of failures when it comes to our fight for gun violence measures. We lost a big vote on the floor of the Senate in 2013. There are State legislatures that have gone in the other direction and made it easier to get weapons. We lost a vote here in December when we tried to expand our background check system to make sure that people who are on the terrorist watch list are captured by it. We have had our share of defeats and losses.

As it turns out, we will get to have votes on these amendments, and maybe we will lose those too. But every great change movement in this country is defined by persistence in the face of obstacles and failures, and this change movement isn't defined by what we do here, it is defined by the 90 percent of Americans who believe in the righteousness of what we are proposing.

Frankly, we aren't in the business of changing the minds of millions of Americans; we are in the business of changing the minds of a few dozen Members of Congress. It doesn't sound that bad when you put it that way, right? We don't have to convince the broad electorate that something has to change; we just have to convince a few people here. And that can happen—it can—but it won't happen through Senator BOOKER, Senator BLUMENTHAL, and me coming down here and doing this week after week; it will happen because members of the public decided to make those 10,000 phone calls that somehow plausibly fit themselves into the phone lines to my office today. Those phone calls need to go to every other office in the Senate and House over the course of the coming days, weeks, and months as we lead up to these meaningful votes. This is an issue that voters prioritize when they go to the voting booth. They need to pay attention to whether their Member of Congress is voting with or against them when it comes to commonsense issues like expanding background checks to cover gun shows and Internet sales and making sure terrorists don't get guns. It is a commitment to never lose that sense of empathy which has to be at the root of this.

Luis Vielma was 22 years old when he was shot and killed late Sunday night in Orlando in the largest mass shooting in American history. He had been so excited that night because he was hosting a friend of his who was visiting from Miami. He wanted to show him this wonderful nightclub that he had found, this place where the community could come together and celebrate themselves. His father Jose suggested that the two of them come over to his house for some homemade Mexican food, but Luis was so excited to have a great time that night with his visiting friend that he put off his dad and said:

I am going down to the club. I am heading downtown.

On his way to the club, he texted to his dad: "I love you." Those were the last words Jose ever heard from his son.

His family said that he went to the club that night to dance. "Oh, and he can dance and get down," a family friend said. "Yes, he can."

He was born in Florida, but he loved the Mexican national football team, adored his family, liked to play tricks on his younger brother, and was a huge Harry Potter fan. He had a job at Universal Studios. He worked on the Harry Potter ride, and that was a big deal to Luis.

Upon hearing of his death, J.K. Rowling tweeted out a tribute to him. His job at Universal was a passion for him because he loved Harry Potter, but it was also paying for his education. He was studying to be a physical therapist at Seminole State College.

His friend Will Randle said:

Luis was by far the best person I knew. He inherently made us all better people by simply existing around us. Part of him will always live on in every good decision that I make.

Kelly, a friend of his on Facebook, asked: "How could this happen to someone so kind?" How could this happen to anyone?

In December of 2015, Jonathan Aranda was shot and killed in the morning hours of December 8 in New Haven, CT. He was 19 years old. He had just graduated from Eli Whitney Technical High School in Hamden, CT. In a statement, the superintendent of schools talked about the devastation in the entire educational community because of the loss of this beautiful young man. His cousin said he was hard-working, and he was well-liked. He worked at Brook & Whittle, a packaging company in Guilford. He was getting out of work. He had stopped at a friend's house to talk about cars, and then, bam, this senseless act of violence happened.

His friend said that he was quick to lend a hand when you needed help and he wouldn't ask for anything in return. He worked the third shift and he came home, and then he helped his friends and his family. His younger sister said that he was a humble and loving person, and he never picked fights. A very, very likeable kid, said his cousin. He didn't have a problem with anybody.

Luis Vielma was 22 years old when he was killed on Saturday night in the worst mass shooting in the history of this country. This shooting has gotten a lot of publicity, and it has prompted us to come down to this floor and demand change. But nobody in this country knows about Jonathan Aranda. He was killed in December of last year on the streets of New Haven, and his family and friends and his educational family mourn for him, but he didn't make headlines. There are the 80 others that day on December 8 who died didn't make headlines either, but their

deaths are just as meaningful, just as impactful, and just as unacceptable as the 50 people who died late on Saturday night, early Sunday morning in Orlando.

It doesn't have to be like this. That is why we have come to the floor this evening.

I am going to turn the floor over to Senator BLUMENTHAL in a moment. Actually, I will turn it over to Senator BOOKER for some comments and then to Senator BLUMENTHAL. But let me just finish these remarks by talking about the families of Sandy Hook. Senator BOOKER was talking about courageous acts of empathy. I think it is a wonderful turn of a phrase. I think about the courageous act of empathy inherent in the decision made by the families of those murdered in Sandy Hook to come to the Congress to argue in 2013 and then again in 2014, 2015, and 2016 for background checks, because if you know the facts of the case in Sandy Hook, background checks on sales at gun shows or with respect to online sales wouldn't have mattered in that case, because that sale was done with a background check. To the families of Sandy Hook, what would matter much more is a ban on military-style assault weapons like the kind that was used to kill every single kid that was shot in Sandy Hook or a ban on high-capacity magazines.

Let me tell you this. There are kids who survived that shooting. They survived that shooting because the shooter fumbled when he went to reload and a handful of kids snuck out. But because he was using 30-round magazines, he only had to reload a handful of times. Had he been forced to reload after discharging 10 bullets rather than 30 bullets, there are a lot of families in Newtown who think there would be more kids alive today. That mattered to them. But they came to Washington in a courageous act of empathy to argue on behalf of Jonathan Aranda, who was still alive in the spring of 2013 when we took that vote. They came to this Congress to argue on behalf of those still living on the streets of this country who could benefit by an expanded background check system that would stem the flow of illegal weapons on their streets. Had we been successful, had we been able to pick up a few more votes to persist and beat that filibuster, maybe Jonathan Aranda would be alive today. Had we years ago passed a law that puts people who have had an intersection with the FBI with respect to terrorist connections on the list of those who are prohibited from buying guns, maybe that network would have caught up with Omar Mateen, and he would never have bought the weapon that he used to kill those in Orlando.

Those are all maybes, but life isn't always a game of certainties. What we have been asking for here today is to just take a step forward and take a vote on two commonsense measures that can start to show that we have the ability to make progress as a body.

There is a laundry list of other things that everyone who has spoken wants to happen. Our families in Sandy Hook have a laundry list of other things that they want to occur. But we want to start with these two commonsense measures.

Through the Chair to Senator BOOKER and Senator BLUMENTHAL, I think we can report some very meaningful progress over the course of these 13 hours. When we began this debate on the floor, when we declared that we were not going to move forward on the CJS bill without a commitment to talk about what happened in Orlando, to talk about how we fix it, and when we began, there was no commitment, no plan to debate these measures. It is our understanding that the Republican leader and the Democratic leader have spoken and that we have been given a commitment on a path forward to get votes on the floor of the Senate on a measure to assure that those on the terrorist watch list do not get guns, the Feinstein amendment, and an amendment introduced by myself and Senator BOOKER and Senator SCHUMER to expand background checks to gun shows and to Internet sales.

Now, we still have to get from here to there, but we did not have that commitment when we started today, and we have that understanding at the end of the day. There is no guarantee that those amendments will pass. But we will have some time to take the movement that existed before we started and maybe is a little bit stronger now and try to prevail upon Members to take these two measures and turn them into law.

So I am deeply grateful to be standing here at now 1:40 in the morning with both of my friends who started here with me now going on 14 hours ago. I gladly yield to my friend Senator BOOKER for a question and any final comments that he has.

Mr. BOOKER. This is my final question. I ask the Senator one more time, will you yield for a question?

Mr. MURPHY. I yield for a question without relinquishing my control of the floor.

Mr. BOOKER. I just want, again, to say thank you to you. We started this about 13 and a half or almost 14 hours ago with business as usual. We started almost 14 hours ago with no focus on these issues in this body. We started this 14 hours ago with something as obvious as closing the terrorist loophole not on the agenda of the Senate.

This filibuster—your standing tall, your multiple colleagues standing with you, over 2 dozen representing States from East to West—and this measure is standing here together. It now seems that we at least will have a vote on those two things, the closing of the terrorist loophole and the expanding of the terrorist block so that we have background checks that can block terrorists who seek to get weapons through secondary avenues. So that is a good step. It is not everything I

would have hoped for out of this day. But it seems clear to me that we have some work to do in changing the hearts and minds of some of our colleagues so these measures that have failed in the past can pass now.

For those of you who don't know the history of this body, a lot of the most prideful legislation of America—let's take the Civil Rights Act, for example—failed many, many, many times. But those who kept fighting and didn't give up or didn't give in to cynicism were able to break that measure on the floor. This has happened with many pieces of legislation, from the abolishing of slavery to a woman's right to vote.

Sweet Honey in the Rock is a group that I love. They sing a song called Ella's Song, where they say: We who believe in freedom cannot rest. We who believe in freedom cannot rest until it is won.

So my hope is that this filibuster, now going into its 14th hour, didn't just win a vote on these two amendments, didn't just stop business as usual, didn't just get a chance to have a final determination at least on these two amendments, but that it happened to do something else, Senator MURPHY. My hope is that it helped to push back on cynicism. I think cynicism is a refuge for cowards, that cynical people basically throw up their hands and say nothing can change. Thank God people who are fighting for our freedoms in this country didn't give in to cynicism and stop fighting. Thank God that those who have reasons to be cynical about government didn't fall into that trap of cynicism, didn't take that refuge for cowards and kept fighting in this body for so much of the legislation that we take for granted, from workers' rights to the rights of immigrants.

So my hope, Senator MURPHY, if I can express it to you, is that not only will we fight to win the vote on these two amendments—one by DIANNE FEINSTEIN in closing the terrorist loophole and the other authored by you, me, and Senator SCHUMER to expand background checks—but my hope is that this filibuster did not just get those four votes but will mobilize it and engage more people to reach out to their Senators.

I really appreciate the fact that your office got 10,000 calls. I appreciate the fact that your effort has been trending on social media, but that is nothing calling you, who already support this, and not reaching out to Senators who are deliberating over whether to support this or not.

We are all here because folks not only didn't take that refuge for cowards through cynicism, that toxic state that debilitates us from being agents of change, but we are also here not just because of people who shun cynicism but because of people who embrace love. Love—I use that word very purposefully—love of country, love of patriotism necessitates loving your country, men and women, and if you love

your country, men and women, you don't just tolerate them. I think that is kind of a cynical aspiration for this country, that we will be a nation of tolerance, stomaching each other's right to be different. If we are a nation of love, love doesn't just stomach someone's right to be different. Love actually sees the truth of who we are. We each have value, worth, and merit. We need each other. We are interwoven in each other's destiny. And if there is injustice facing you, it affects me, and I have to work to correct that.

I am here, Senator BLUMENTHAL is here, Senator MURPHY is here, and all of the people who are working here, we are here because of this conspiracy of love of folks who didn't just take care of themselves and their families, they got engaged in their country, in their communities, in their neighborhoods. They did it for others. They served, they volunteered, and they sacrificed.

So we are on another inflection point in America's history, with the worst mass murder in our country's history. You cannot control always what happens to you, but you can control your response to it. Let our response to this hateful act be love. Let our response to this terroristic act seeking to scare us be courage.

Let us in the days ahead act with love and courage, as demonstrated by our engagement with our political system—pressing, pushing, letting our representatives be heard from in this body that we want them to support commonsense initiatives, the closing of the terrorist loophole and expanding that with background checks that shut off the back door for terrorists to exploit to get assault weapons to do repeats of what we saw. With that kind of courage, with that kind of love, our enemies do not win. We do. With that kind of courage, that kind of love, we don't stumble, we don't stop, we don't hesitate, equivocate, or retreat; we advance this country toward its highest ideals that we will be a Nation with liberty and justice for all. We are all families. From inner city communities to suburban, from rural to urban, all communities should enjoy safety, security, strength, and prosperity.

So with that, I ask the question, does Senator MURPHY agree that we have not just achieved this first step of stopping business as usual, letting this body go on, but actually getting two measures that were not on this agenda until this action began? Does the Senator believe that is not enough, and with thousands of people watching, people on social media now, we need to get more engagement to begin, as the Senator said earlier, not to change the hearts and minds of all Americans—frankly most of America is with us—but to start focusing on the Senators that will be deliberating over the coming hours, maybe days, about these specific pieces of legislation?

Mr. MURPHY. I thank the Senator. This is an important start, but it is not sufficient.

What is unacceptable is to do nothing. What would have been unacceptable is to spend this entire week on legislative business that was irrelevant to the epidemic of gun violence that has been made more real than ever by the tragedy in Orlando. So I thank the Senator for helping us convene our colleagues over the course of 14-some odd hours. I think we can report having made progress, but certainly not enough.

I will yield for a question to my friend Senator BLUMENTHAL, who has been on the floor with us for the entirety of this time, standing with me, and frankly I have been standing with him, my senior Senator in this fight since 2012. I yield to him for a question without relinquishing control of the floor.

Mr. BLUMENTHAL. I thank Senator MURPHY. And I join in thanking all of the staff who have worked over this day and into the night and into the next day at great personal sacrifice and at great benefit to the U.S. Senate.

I want to thank my colleague Senator BOOKER for his eloquence, his perseverance, and his dedication to this cause, and Senator MURPHY for his courage and strength in this cause that brings us here today, tonight, tomorrow, and in the days ahead because this experience is, as he has said, only the next step, and this legislation is only a next step.

We have talked a lot in great—and some of it very powerful and compelling—terms about what is at stake here. Certainly the reason we are here has to do with the deadliest mass shooting in the history of the United States. But the numbers are important. Numbers are cold, hard, and stark. Forty-nine people were killed in that single attack in Orlando, but in an ordinary day in America, dozens of people are shot without any notice. It is not a headline, barely a mentioning. Certainly there are no speeches on the floor of the U.S. Senate. The fact is that gun homicides are a common cause of death in our Nation—the greatest, strongest Nation in the history of the world—killing about as many people as car crashes, and in direct contrast to the experience of other countries where, for example, in Poland and England, only about one out of every million people dies in a gun homicide—about as often as when an American dies from an agricultural accident or falling off a ladder. These numbers come from the New York Times of just a few days ago, June 13, which I ask to be printed in the RECORD if there is no objection.

Mr. MURPHY. I would ask the Senator to withdraw that request at this time.

Mr. BLUMENTHAL. I will offer it at another time. Thank you.

The point is that we can do something about these numbers. We can reduce them, and we can save lives if we adopt commonsense central measures

such as are going to be debated specifically and given a vote in the U.S. Senate.

A result of our staying—our colleagues and the three of us staying—is no more business as usual. Enough is enough. Let's listen to the American people. There is a consensus. The poll numbers show that 90 percent of the American people think we should have background checks. The majority of gun owners and the majority of people also think that someone suspected of terrorist activities based on evidence should be barred from buying a gun. That is a national consensus, as well, and makes good common sense. If we are at war with ISIS—and we are—we should stop ISIS inspired or supported terrorists in this country from buying guns. If we think ISIS is trying to create extremist violence here that leads to the kind of attack that we saw in Orlando, those individuals who are motivated by the twisted, pernicious, insidious ideology of hate should be barred from buying a gun. These determinations are not based on speculation; they are based on evidence and facts under the measure that we have proposed, and they provide due process for someone to have his name removed if that determination is made in error that he is on the list or that he is barred from buying guns.

The details are important, as they are in every law, because they are a guarantee of due process and individual rights. The same is true of background checks. Somebody who is mistakenly on the NICS list should have that name removed. But facts are important; evidence is critical. That is what is involved in these measures, which are a start.

Laws work when they are enforced. We know they work in Connecticut because there was a 40-percent reduction in some crimes in the wake of the permit to purchase laws passed in 1994. That study was recently done by researchers at Johns Hopkins University and the University of California, Berkeley, saying to those doubters or skeptics that the permit-to-purchase laws passed in Connecticut in 1994 actually were a huge success for public safety.

My colleague from Connecticut has cited other efforts that show that laws work when they are enforced, and national laws are important because Connecticut cannot itself create the kind of protections that our citizens deserve. Borders are porous to the trafficking of guns. Guns have no respect for State boundaries, nor do the traffickers, so we need national laws to protect the citizens of every State.

We are here because there is a national consensus in favor of those laws, and we know that we have an obligation and a historic opportunity to be changemakers in this body. The American people want change on both sides of the political aisle. We know that voters want Washington to change, they want the political system to

change, they want our laws to change, and they want the system of public financing to change, so that the public interest, not special interests, will prevail. Other measures surely should be sought—the repeal of the unique immunity and shield from accountability that gunmakers have, the inability of a protective order to protect against domestic abusers that have guns, the absence of laws to protect against straw purchasers and illegal trafficking. There ought to be national laws, again, that provide those protections.

Of course, even for licensed firearms dealers, a person whose background check is not completed in 72 hours can still buy a gun, even though if the background check had been completed, he would have been barred. That is the reason that in Charleston, SC, nine people were murdered by Dylann Roof, who obtained that gun even though he was in effect legally barred from buying a gun because the background check was not completed within 72 hours.

There are many more steps that need to be taken, and even with the passage of measures that we are advocating today, there is no single solution.

We are only at the beginning of the efforts to pass these measures, but we have at least changed this debate. We have changed the context of this consideration, and the reason is that Senator MURPHY has shown the leadership that he has shown. We are grateful to him for it, and we will continue this fight together.

So my question, generally, to my colleague from Connecticut is, How should we close tonight, and isn't he glad there will be no more questions?

Mr. MURPHY. I thank Senator BLUMENTHAL for the final question. Let me reiterate my thanks to everyone who has persisted this evening—for all of our colleagues who have come down to the floor to join in this exercise, and, again, to all of the staff and the pages who, indeed, just showed up a week ago for standing with us and for their commitment to public service and to those who sat in the Chair. I have done that for an overnight session or two. I know it is not exactly the way to plan to spend your Wednesday evening. Most importantly, I thank Senator BOOKER for standing with me quite literally since 11:20 this morning and Senator BLUMENTHAL for being a perpetual friend and partner.

I woke up this morning determined to make sure that this wasn't going to be a lost week, and I have been furious since those days following Sandy Hook. I have been so angry that this Congress has mustered absolutely no response to mass shooting after mass shooting in city after city that is plagued by gun violence, such that the children who grow up in the east end of Bridgeport or the north end of Hartford live through stress and trauma that affects their brains in irreparable ways.

I am embarrassed that it took me so long to become a convert to this issue.

I am embarrassed, frankly, that it took the tragedy in Sandy Hook for me to wake up to the fact that people all around this country, in Newark, in cities in my State, have been living through this horror without attention from this body. There is no silver lining to what happened in Newtown, but inarguably what has happened in the 4 years since has been the focus of attention from all over this country on the inaction of this body and the failure of it to respond, and that is what is so perplexing to me. We have disagreements over what should be done, but what I have not understood is why we don't even attempt to find common ground on this floor—why, week after week, there is not a single vote or debate scheduled on any of the measures that have been proposed to try to stop this carnage. There hasn't been a debate scheduled on the floor of the Senate. There haven't been debates in committees. I am not saying we aren't doing important work, but there are 30,000 people dying every year on the streets of this country. Those whom they leave behind—their moms, their dads, their little sisters and brothers—don't get the total indifference we portray.

I know we are not indifferent. I know, in talking to my Republican colleagues, that they feel just as deeply about the loss in Orlando and about the loss in New Haven or Chicago or Newark as we do. I know there is a commonality of emotion here that betrays the story line we portray to the American people.

This exercise over the course of the last 14 hours in many ways has been a plea for this body to find a way to come together on answers, because it is devastating. It is devastating to the families who live through this trauma to watch the U.S. Senate do nothing, absolutely nothing, week after week. Think about that. Sandy Hook was 4 years ago, 3½ years ago, and Congress hasn't passed a single measure that would make the next mass shooting, the next murder of kids in this country, less likely.

I don't know what the vote is going to be—if we are successful, as we believe we will be, in getting these votes—but I do know it will be another chance for our colleagues to come together on two measures that we have carefully selected as being the most likely to get bipartisan votes.

That is why we chose to demand votes on these two measures—A, because they are significant, they will make a difference, and B, because they are as noncontroversial as you can get.

The American people have already made up their minds. They want a background check system that captures potential terrorists. They want to make sure everybody who buys a gun through a commercial sale has to prove they are not a criminal before they buy it. The American people have made up their minds.

We chose to ask for the two least controversial provisions possible that

still will do a world of good. I am pleased that we are on a path to get those votes. It is a necessary but insufficient response to the carnage that we witness in this country every single day.

This is personal to all of us. Senator KAINE said it well earlier tonight—that we have scar tissue, but it is razor-thin scar tissue compared to those today in Orlando who are living through the catastrophe of losing a 21-year-old son in the prime of his life or losing a 24-year-old daughter with all of her potential ahead of her. Our scar tissue is there, but it is tiny.

I close by telling a story that I told during my first speech on the floor of the Senate. I introduce you to Dylan Christopher Jack Hockley, who in this picture is age 6. According to just about everybody who knew him, it was impossible not to fall in love with Dylan Hockley if you met him. He loved video games, and he loved jumping on the trampoline and watching movies. He loved munching garlic bread. He had dimples, he had blue eyes, and he had this very mischievous little grin. You can see it here. And he is wearing one of his favorite shirts. His beaming smile would light up almost any room he was in. He loved to cuddle. He loved to play tag every single morning with the neighbors at the bus stop. He liked to watch movies, the color purple, and he loved seeing the Moon. He loved eating his favorite foods, especially chocolate. He was so proud that he was learning how to read, and he would bring a new book home every day. Most importantly, he adored his big brother Jake, who was his best friend and his role model.

Dylan's mom Nicole, who has been a champion in the cause of ending gun violence in the country, always thought that Dylan was, in her words, "a bit special, a bit different." She said:

He was late to develop speech. He was late to learn to crawl, and there was always a little something about him, but we couldn't put our finger on it.

He said he only liked bland foods and he wanted only plain spaghetti. He had a habit of flapping his hands when he got excited. He would put his hands over his ears when he heard sudden or loud noises. He was diagnosed with autism, but, as his father points out, autism is a spectrum with many different facets to it.

Dylan loved repetition, and he would watch his favorite movies over and over again—"Up," "Wall-E," and "The Gruffalo." He would find a particular portion of that movie that he loved and he watched that portion. He would rewind, he would watch it, he would rewind, and he would watch it. When he watched his favorite parts, his laugh was infectious.

Dylan was struggling with autism as a student at Sandy Hook Elementary School, but he was a special boy who was going to turn into a special young man.

He idolized his brother Jake, but he idolized someone else as well. He idolized a woman named Anne Marie Murphy. Anne Marie Murphy was his special education teacher and his personal aide. Over the course of the beginning of his first grade year, they formed a bond, a deep bond that is often hard to form for kids with autism like Dylan. Their bond was so tight that he had a picture of her on the refrigerator, along with his class. Every day when he would walk by the refrigerator, he would point to the picture and say "There's my class! There's Mrs. Murphy!" It meant something to him to have that relationship, and he loved going to school in large part because he knew he had someone there who loved him back.

Senator BOOKER has talked about the expectations that we should have for each other, that expectation of deep, passionate love for each other. Dylan and Anne Marie Murphy had it.

Senator BLUMENTHAL and I got to Sandy Hook Elementary School after most of the families had come to realize that their loved ones weren't coming back, that their little boys and girls were probably lying on the floor of those classrooms. We still saw and heard things that I think we both wish we didn't hear and see.

When Nicole Hockley was standing in or outside the firehouse, when she came to the slow, awful, crippling realization that her little boy was not coming back, she had a moment where she thought to herself, maybe Anne Marie will come back and she will tell me what happened to my little boy. Then she had a second thought: that Anne Marie probably wouldn't leave Dylan if he was in danger.

When Adam Lanza walked into that classroom and aimed his military-style assault weapon with clips attached to it, holding 30 bullets, Anne Marie Murphy probably had a chance to run or to hide or to panic. Instead, Anne Marie Murphy made the most courageous decision that any of us could imagine. Instead of running, instead of hiding, instead of panicking, Anne Marie Murphy found Dylan Hockley and embraced him. Do you know how we know that? Because when the police entered the classroom, that is how they found Dylan Hockley—dead, wrapped in the embrace of Anne Marie Murphy.

It doesn't take courage to stand on the floor of the Senate for 2 hours or 6 hours or 14 hours. It doesn't take courage to stand up to the gun lobby when 90 percent of your constituents want change to happen. It takes courage to look into the eye of a shooter instead of running, wrapping your arms around a 6-year-old boy and accepting death as a trade for just a tiny, little, itty piece of increased peace of mind for a little boy under your charge.

So this has been a day of questions. I ask you all this question: If Anne Marie Murphy could do that, then ask yourself what you can do to make sure that Orlando or Sandy Hook never ever happens again.

With deep gratitude to all of those who have endured this very late night, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

MORNING BUSINESS

Mr. ROUNDS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

CHARITIES HELPING AMERICANS REGULARLY THROUGHOUT THE YEAR ACT

Mr. HATCH. Mr. President, today I wish to discuss a topic that has been near and dear to me my entire life: the importance of charities and charitable giving to the well-being of America. I am taking this moment to discuss this issue for several reasons.

Late last year, Congress managed to make permanent a few of the temporary charitable tax provisions that I have supported for years. Since then, two of my esteemed colleagues, Senator THUNE and Senator WYDEN, have introduced legislation to enact several more important charitable tax provisions. And later this week, the Alliance for Charitable Reform, the Council on Foundations, and the Independent Sector will send its members to fan out across Capitol Hill to tell Members of Congress and their staffs about the good and essential work charities and nonprofits perform every day in America.

Alexis de Tocqueville wrote in "Democracy in America" of the importance of intermediate associations that stand between the individual and a centralized state. The Catholic Church speaks about subsidiarity, the principle that matters ought to be handled by the least centralized competent authority. To put these insights into constitutional terms, the Federal Government cannot—and should not—do it all. The truth of these moral and legal principles is embodied in the work of America's churches and charities, which have played a critical role in securing the welfare of Americans throughout our Nation's history when faced with difficulties like war, natural disasters, and economic recessions and depressions.

And it is no secret that our economy has been growing much too slowly in recent years. That means that a healthy, well-resourced charitable community is essential to the well-being of those in need. As State and local governments grapple with budget deficits and revenue shortfalls and as Americans face unemployment, stagnant wages, and lower workforce participation, people in need are turning for help in ever greater numbers to churches, charities, shelters, and other social welfare groups.