

children in Newtown, Connecticut. It will provide much needed fixes to the law to keep our communities safer, while also protecting the rights of lawful gun owners.

Back when we enacted the 1994 legislation, that law prohibited semiautomatic weapons with a detachable magazine and at least two military characteristics. The bill we are introducing today tightens this test to prohibit semiautomatic rifles, handguns, and shotguns that can accept a detachable magazine and have one military characteristic. This is the standard employed in my home state of California—and it works.

Based on the 10 years of experience from the 1994 law, we learned that the “two-characteristic” test was too easy to “work around”: a manufacturer could simply remove one of the characteristics, and the firearm was legal. The bill we are introducing today will close that loophole. The bill also prohibits “bullet buttons”, a feature that certain manufacturers developed to evade restrictions on detachable ammunition magazines. In San Bernardino, the assault rifles originally contained “bullet buttons” for their magazine clips—which enabled them to avoid California’s assault weapons ban. Our bill contains language to close this loophole.

This bill also prohibits “bump-fire stocks”, which, as we saw in Las Vegas, allows individuals to convert semi-automatic rifles to function like a machine gun.

Other changes to the 1994 bill include updating the list of specifically-named military-style firearms that are prohibited, to account for new models developed since 1994; prohibiting semiautomatic rifles and handguns with a fixed magazine that can accept more than 10 rounds; adding a ban on the importation of assault weapons and large-capacity magazines; and eliminating the 10-year sunset that allowed the original law to expire. Importantly, our legislation also prohibits large-capacity ammunition feeding devices capable of accepting more than 10 rounds.

Now, let me tell you what the bill will not do.

It will not affect hunting or sporting firearms. Instead, the bill protects hunters and sportsmen by exempting 2,258 firearms used for hunting or sporting purposes and exempting antique, manually-operated, and permanently disabled weapons. The bill protects the rights of existing gun owners by grandfathering weapons legally possessed on the date of enactment. The bill also imposes a safe storage requirement for grandfathered firearms to ensure they don’t get into the hands of people who would be prohibited from possessing them.

While the bill permits the continued possession of high-capacity ammunition magazines that are legally possessed on the date of enactment, it would ban the future transfer of these magazines.

Finally, the bill allows local jurisdictions to use existing federal Byrne JAG grant money to support voluntary buy-back programs for grandfathered assault weapons and large-capacity ammunition feeding devices.

Opponents charge that this legislation impinges upon rights protected by the Second Amendment. I disagree.

The Supreme Court expressly held in *District of Columbia v. Heller* that “the right secured by the Second Amendment is not unlimited.” The Court made it clear that reasonable regulations are allowable under the Constitution.

This bill is simply establishing reasonable regulations for what types of weapons may be sold and used—individuals should not own a nuclear weapon, they should not own a rocket launcher, and they should not own a military-style assault weapon.

In fact, a number of courts have considered challenges to assault weapons bans. To date, every court that has considered a ban on assault weapons or large capacity magazines has upheld the law as reasonable.

In fact, the D.C. Circuit, the Second Circuit, the Fourth Circuit, the Seventh Circuit, the Ninth Circuit, as well as a number of federal district courts have all upheld laws like the one we are proposing.

Importantly, the Supreme Court let stand the ruling out of the Seventh Circuit upholding a local ban on assault weapons and high capacity magazines from the City of Highland Park, Illinois.

Mr. President, I believe very strongly that the most important duty that government has to its citizens is to protect the nation and the safety of its people.

When 26 churchgoers are killed in cold blood with their loved ones in a Baptist Church on a Sunday morning, we fail them by not making sure that they can worship in peace.

When 58 people attending a concert in Las Vegas lose their lives because a madman was able to use laws on the books to make his semi-automatic rifle into a machinegun, all of those who sit in this chamber have failed them.

When 14 people are gunned down during a holiday party by those with assault rifles that let off 65–75 rounds within minutes, our government has failed them.

When 20 elementary school children are slaughtered by an assault weapon, America has failed them.

The firearms used in these massacres are weapons of war. Let me say it as plainly as I can: weapons of war do not belong on our streets, in our churches, in our schools, in our malls, in our theaters, or in our workplaces.

Now, I am under no illusions—I know that the gun lobby has a stranglehold on this building. I know we got 40 votes in 2013, and I know Republicans control the Senate today. But I also know this was hard-fought in 1994, and we prevailed—with Republican support—and

it was a bipartisan vote. I still believe that, at some point, Americans will come together and realize that we can be a nation that protects its people from the savagery of these weapons.

I urge my colleagues to support this bill. I thank the chair, and I yield the floor.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 324—DESIGNATING NOVEMBER 9, 2017, AS “NATIONAL DIABETES HEART HEALTH AWARENESS DAY”, COINCIDING WITH AMERICAN DIABETES MONTH

Mr. NELSON (for himself and Mr. RUBIO) submitted the following resolution; which was considered and agreed to:

S. RES. 324

Whereas 30,300,000 people in the United States, or 9.4 percent of the population, have diabetes, including an estimated 7,200,000 people who are undiagnosed and an additional 84,100,000 people who have prediabetes;

Whereas adults with diabetes are 2 to 4 times more likely to die from heart disease than adults without diabetes;

Whereas at least 68 percent of people who are 65 or older and who have diabetes die from some form of heart disease;

Whereas, among Medicare fee-for-service beneficiaries, diabetes and cardiovascular disease are common, with cardiovascular disease affecting 31 percent of beneficiaries and diabetes affecting 28 percent of beneficiaries;

Whereas the American Heart Association considers diabetes to be 1 of the 7 major controllable risk factors for cardiovascular disease;

Whereas minority populations are disproportionately affected by both cardiovascular disease and diabetes;

Whereas findings from a recent study reveal that 52 percent of adults living with type 2 diabetes are unaware they are at an increased risk for cardiovascular disease and complications from cardiovascular disease;

Whereas 2 out of 3 deaths in people with type 2 diabetes are attributed to cardiovascular disease;

Whereas obesity, poor diet, and lack of physical activity are all major risk factors for type 2 diabetes and cardiovascular disease;

Whereas 1,250,000 people in the United States have type 1 diabetes and the incidence of type 1 diabetes is increasing by more than an average of 2 percent each year;

Whereas cardiovascular disease is a major cause of mortality for people with type 1 diabetes;

Whereas, according to the American Diabetes Association, diagnosed and undiagnosed diabetes cost the United States \$322,000,000,000 in 2012;

Whereas cardiovascular disease accounts for 26 percent of the hospital inpatient costs of treating people with diabetes;

Whereas most of the costs of diabetes, 62 percent, is provided by government insurance, including Medicare, Medicaid, and the military;

Whereas appropriate awareness and education about the cardiovascular risks associated with diabetes can effectively reduce the health and financial burden of illness; and

Whereas the designation of November 9, 2017, as “National Diabetes Heart Health

Awareness Day" and coinciding with American Diabetes Month, will raise public awareness about the specific risks of heart disease for people with diabetes and help to ensure people at risk receive a timely diagnosis and proper treatment: Now, therefore, be it

Resolved, That the Senate—

(1) designates November 9, 2017, as "National Diabetes Heart Health Awareness Day";

(2) supports the efforts of the Secretary of Health and Human Services, as well as the entire medical community, to educate people about the risks, symptoms, and treatment of diabetes to include comorbid cardiovascular diseases and risk factors;

(3) encourages the greater coordination of federally funded efforts that address diabetes or cardiovascular disease independently to incorporate the common comorbidity of diabetes and cardiovascular disease, including education and actions that address both; and

(4) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to the Secretary of Health and Human Services.

SENATE RESOLUTION 325—EXPRESSING SUPPORT FOR DESIGNATION OF THE WEEK OF OCTOBER 29 THROUGH NOVEMBER 4, 2017, AS "NATIONAL OBESITY CARE WEEK"

Mr. CARPER (for himself, Mrs. CAPITO, and Mr. HEINRICH) submitted the following resolution; which was considered and agreed to:

S. RES. 325

Whereas the disease of obesity is a major source of concern across the United States, and more than ⅓ of adults in the United States are affected by obesity, with the number of people affected by severe obesity in the United States continuing to grow;

Whereas experts and researchers agree that obesity is a complex disease influenced by various physiological, environmental, and genetic factors;

Whereas studies show that bias against and stigma associated with people affected by obesity can be significant barriers to effectively treating the disease;

Whereas research suggests that weight loss of as little as 5 to 10 percent of the total weight of an individual affected by obesity can improve the associated health risks affecting many patients living with obesity and can thereby support the goals of reducing chronic disease, improving health outcomes, and controlling healthcare costs;

Whereas comprehensive and individualized strategies for weight loss and weight management that consider all treatment options, such as reduced-calorie diets, physical activity modifications, pharmacotherapy, and bariatric surgery, have been identified as important components of treatment;

Whereas it will take a long-term collaborative effort, which will involve partners in diverse fields taking active roles, to improve obesity care and treatment; and

Whereas the week of October 29 through November 4, 2017, would be an appropriate week to designate as "National Obesity Care Week": Now, therefore, be it

Resolved, That the Senate—

(1) supports the designation of the week of October 29 through November 4, 2017, as "National Obesity Care Week"; and

(2) encourages all people in the United States to create a foundation of open communication to eliminate the misunderstanding and stigma regarding obesity and to improve the lives of all individuals affected by obesity and their families.

AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have 6 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, November 8, 2017, at 9:45 a.m., to conduct a hearing on the following nominations: Dana Baiocco, of Ohio, to be a Commissioner of the Consumer Product Safety Commission, James Bridenstine, of Oklahoma, to be Administrator of the National Aeronautics and Space Administration, Neil Jacobs, of North Carolina, and Nazakhtar Nikakhtar, of Maryland, both to be an Assistant Secretary of Commerce, Bruce Landsberg, of South Carolina, to be a Member of the National Transportation Safety Board, Raymond Martinez, of New Jersey, to be Administrator of the Federal Motor Carrier Safety Administration, and Diana Furchtgott-Roth, of Maryland, to be an Assistant Secretary, both of the Department of Transportation, and Leon A. Westmoreland, of Georgia, to be a Director of the Amtrak Board of Directors; to be immediately followed by a hearing to examine protecting consumers in the era of major data breaches.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, November 8, 2017, at 10 a.m., in room SD-106 to conduct a hearing entitled "Protecting Consumers in the Era of Major Data Breaches."

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, November 8, 2017, at 10 a.m., in room SD-406 to conduct a hearing on the following nominations: Kathleen Hartnett White, of Texas, to be a Member of the Council on Environmental Quality, and Andrew Wheeler, of Virginia, to be Deputy Administrator of the Environmental Protection Agency.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, November 8, 2017, at 10 a.m. to conduct a hearing on the nomination of Kirstjen Nielsen, of Virginia, to be Secretary of Homeland Security.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, November 8, 2017, at 10 a.m., in room SD-226 to conduct a hearing entitled "The Impact of Lawsuits Abuse on American Small Businesses and Job Creators."

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, November 8, 2017, at 2:30 p.m., in room SD-628 to conduct a hearing on S. 465, "Independent Outside Audit of Indian Health Service Act of 2017" and S. 1400, "Safeguarding Tribal Objects of Patrimony Act of 2017".

SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH POLICY

The Subcommittee on Africa and Global Health Policy of the Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, November 8, 2017, at 3 p.m. to conduct a closed hearing on Ambassador Haley's Recent Trip to Africa.

PRIVILEGES OF THE FLOOR

Mr. FRANKEN. Mr. President, I ask unanimous consent that my energy policy fellow, Shuchi Talati, be granted floor privileges for the remainder of this Congress.

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

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern Zach Foote be granted privileges of the floor for the remainder of the day.

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

Mr. GARDNER. Mr. President, I ask unanimous consent that Tom Kourlis, a member of my staff, be given floor privileges for the rest of the day.

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

NATIONAL DIABETES HEART HEALTH AWARENESS DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 324, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 324) designating November 9, 2017, as "National Diabetes Heart Health Awareness Day," coinciding with American Diabetes Month.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.