

Secretary of Labor—they are truly one of the remarkable couples of political leadership in the Nation's Capital. I congratulate him on the comments by the majority whip today.

GUN VIOLENCE

Mr. President, I am wearing this ribbon because the Orlando community is mourning once again. Last night, there was another shooting, and a number of people have been killed again. Today marks 2 years since the tragic massacre at the Pulse nightclub in Orlando, 2 years since a gunman walked into the club with a Sig Sauer MCX assault rifle and killed 49 innocent people. They were there celebrating Latin American night at a gay nightclub. It was one of the deadliest mass shootings in modern U.S. history with 49 deaths, only to be eclipsed by the massacre of 58 people a year ago in Las Vegas. In the carnage, a number of people were severely wounded, and those who did not actually have physical wounds have the mental and emotional wounds that are not unlike the PTSD that our soldiers suffer from and have to be treated for for years and years. That is true in the Orlando community as a result of the massacre at the Pulse nightclub. Orlando is mourning again at this 2-year mark.

There were some incredible things that came out of this. I have never seen the Orlando community so united, with the leadership of the entire community, regardless of their politics, wearing these kinds of ribbons to point out their unity and using the phrase "Orlando Strong."

Today is a day to pause and honor the victims and the survivors and to once again thank the first responders who put their lives on the line to save so many more. Law enforcement was magnificent. The SWAT team was magnificent. I talked to the SWAT team. There was one of the SWAT members who actually had stitches across his forehead. But for millimeters, he would have been dead. That was one of the rounds from the assault rifle.

I talked to the trauma team at the Orlando regional hospital. A trauma unit just so happened to be about 10 or 15 blocks from the Pulse nightclub. But for that trauma unit, those trauma surgeons and their courage in trying to get victims stabilized, there would have been more deaths.

This is a day to look back on what we have actually done to prevent another such tragedy from ever happening again. Unfortunately, not much had happened until a bold, very courageous group of students after the massacre in Parkland, FL, at Marjory Stoneman Douglas High School stood up and said: We are going to make a difference.

The Orlando community is once again mourning today because last night a gunman shot a police officer and then killed four young, innocent children whom he was holding hostage in an apartment. It has happened again. These children, all under the age

of 12—one was just a 1-year-old—were killed by a man who, like so many others, shouldn't have had a gun in the first place. When are we going to say enough is enough?

At some point Congress has to accept the fact that the only way to change the current path is that we, as a society, are going to have to take a step in the right direction to do the right thing. Yet you can remember that a couple of years ago, in this body we tried to pass a bill which said that if you were on the terrorist watch list, it was going to be the law of the land that you could not buy a gun. Mind you, if they are on the terrorist watch list, we think they are potentially a terrorist and therefore cannot get on an airplane and fly on a commercial airline, but we could not pass that to say that they could not buy or acquire a gun.

So what we see that destroys our communities—we are going to have to do more than increase security at schools with some wrongheaded attempts to arm teachers. First of all, the teachers don't want to be armed in schools. I will tell you who else doesn't want them to be armed—the SWAT team that has to storm the school building looking for the shooter, and then if they come upon a teacher with a gun, they could think that teacher is the shooter.

We have to do more than increase funding for mental health or expand background checks, which we desperately have to do. We need universal, comprehensive background checks that would pick up red flags about mental health issues like those of the Parkland shooter. We have to do more than raise the minimum age to buy a gun or ban the sale of bump stocks, which makes a semiautomatic assault rifle into an automatic—a true military weapon.

At some point, Congress has to start standing up for the people it represents. It has to turn a deaf ear to the special interests that have locked down their votes here because they want to sell more guns. At some point, Congress has to stand up to the NRA, which represents the gun manufacturers—not the target shooters, not the hunters. It represents the gun manufacturers to sell more guns.

I say this as a fellow who grew up on a ranch. I have had guns all of my life and have hunted all my life. I still hunt with my son. An assault rifle like an AR-15 is not for hunting; it is for killing. We have to face the fact of banning the sale of military assault rifle types and the long clips of some 30 rounds of ammunition.

The attack at the Pulse nightclub 2 years ago was an attack of both terror and hate, and it was an attack on our fundamental American values of dignity and equality. It was an attack designed to divide us as a nation, but what we saw instead was an entire community and entire country come together united.

In remembrance of the victims today in Orlando, you will see this ribbon worn by many, many citizens in the community. On the 2-year date of that horrific event, I want us to come together again in the same way we did after Pulse in Orlando, the same way we did after Parkland but, this time, not to help each other mourn to get through the tragedy but to require real change to make sure that it is going to be more difficult for this to happen again.

Aren't people beginning to realize there is way too much gun violence in this country—and a lot of it since Sandy Hook Elementary School in Connecticut? In my State of Florida, just this year, we have seen 17 students gunned down at Marjory Stoneman Douglas. Just in this year, 1 month after that, we saw another student shot at Forest High School in Ocala. Just last month, a sheriff's deputy was shot and killed in Lake Placid. Then, this week, we have awakened to the news of an officer shot in Orlando and the deaths of four young children who were held hostage.

We should not allow these shootings to become the new normal in this country. This Senator has been involved in a lot of bipartisan bills to prohibit known or suspected terrorists from purchasing firearms, to empower our family members and law enforcement to take guns away from relatives who pose a danger to themselves and others who bring up these so-called red flags. These are sensible, bipartisan options to help make our communities safer, yet there has been little movement in the Senate to proceed on these proposals.

The student leaders of the March For Our Lives organization have said it. The parents of the children at Sandy Hook have said it. Those who have lost loved ones to suicide have said it. Two years after Pulse, our resolve to end gun violence must be stronger than ever. It is time for us to act. We realize that with practical politics, it is going to be very, very difficult to move legislation, but we have to keep trying.

Let's work on some real bipartisan, commonsense solutions to make our communities safer. Let's work on how we can prevent these assault weapons from getting into the wrong hands. Let's work together on how we can stop massacres that continue to plague this country. We owe it to the victims of the massacres and to their families. We owe it to every American, who has the right to live without being in fear of this violence. Just ask the students in the schools of America today if they fear that violence.

Really, isn't enough enough?

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:31 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. HOEVEN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2019—Continued

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, one of the greatest things about our country is the Bill of Rights. When we passed the Constitution, many people were fearful that if specific rights were not enumerated, they might be taken away. I think other people said: We don't need a Bill of Rights. Who can imagine a time when we would take away the right to trial? Who can imagine a time when you wouldn't get a lawyer or that you could be held indefinitely without a trial?

Some people opposed the Bill of Rights and said: We don't need this because it is so obvious that no one in their right mind would ever argue that an American citizen or someone apprehended or accused of a crime in the United States would be held without limit, would be sent to a camp in another country and held forever without a trial. None of our Founding Fathers ever imagined that could happen.

Well, here we are at a time where just 4 or 5 years ago, this body passed a bill that says an American citizen can be detained forever; that an American citizen accused of a crime in the United States can be sent to a foreign camp and held forever without trial.

When you mention this, people are incredulous. They ask: Who is the person who would object to the Bill of Rights? Who is it who possibly objects to the Fifth Amendment and the Sixth Amendment?

You are going to hear from that person shortly because it is one person in the Senate who objects to the Fifth Amendment and the Sixth Amendment applying to those who are accused of a crime in our country—captured in our country and accused of a crime in our country. This person would deny you a lawyer. This person believes the entire world is a battlefield, including the United States, so we need to have martial law in the United States. This person discounts the whole presumption that you are presumed to be innocent until found guilty.

Why is this a problem? Well, after 9/11, we captured 119 people, and we tortured them. Our government tortured them, but, in retrospect, we found out that 26 out of the 119 were the wrong person.

Does anybody remember a time in our history when Black people were lynched because they were presumed to be guilty? This is what this is about. This is about people accused of a crime—not declared guilty, not found guilty, but you are willing to lock them up without a trial. I cannot think of anything more un-American.

You will hear today from the representative of the un-American position that the Fifth and the Sixth Amendments don't apply to everybody.

Some will say: Oh, the Fifth Amendment just applies to citizens, and maybe we could talk about citizens but not noncitizens. The Fifth Amendment says that no person shall be held or deprived of their liberty or due process, which is the whole idea of going to court. Nobody captured in this country can be deprived of that. The Sixth Amendment says: "In all prosecutions, the accused"—not just American citizens but the accused.

People will say: Oh, we are talking about terrorists here, and they are terrible people. Absolutely they are terrible people. Everybody would want to punish the guilty terrorists, but do you want to punish people who are only accused of terrorism?

You say: Well, it is a terrible crime. We might as well just throw out the Constitution and throw out the Bill of Rights. Why don't we just lock these people up or, better yet, kill them? That is the mentality of lynching. That is the mentality of locking up all the Japanese during World War II. Is that who we are as a people?

They will have won after 9/11 if we give up on the Bill of Rights. If we give up on who we are, they will have won. We presume people to be innocent. We don't lock up people because they are Japanese—not any longer—and we don't lynch people because they are Black—not any longer—because the Bill of Rights applies to everyone.

If you say, well, he is accused of terrorism, and he shouldn't get a trial, or she shouldn't get a trial, we have had 386 people accused of terrorism in our country, and every one of them has been convicted.

The man who killed 13 people in New York City the other day, if I am on the jury, I vote to convict, but I want to hear the evidence first. I want to know that they got the right person. I want to know that someone saw him do it, that there is evidence—not just because he has brown skin we are going to lock him up and lock him up forever without a trial.

We have convicted everybody tried in the United States. We didn't give up on who we are. Yet the law currently says—thanks to several individuals—that you can be detained forever without a trial.

President Obama signed this law, but even President Obama knew it was a terrible law. He said: This law, this power is so terrible that I will never use it.

But that is not what the law is about. The law is about being so good that even when you get a rotten person in office someday, they don't have the power to do this. What happens if someday we elect someone who is a bigot or someone who says that gay people should be guilty or someone who says that Brown people or non-Christians or Christians or homeschoolers—

you name it—you can be a minority of the color of your skin or a minority of your ideology, but we should never let the government lock you up without a trial, without a lawyer.

The amendment I have been trying to get for 6 years simply restates the Constitution, restates the Bill of Rights. It says that no declaration of war will allow people apprehended in the United States to be held without a trial. We not only can't get this passed, we can't get a vote on it because certain individuals have such disregard for American tradition, disregard for the presumption of innocence, and disregard for the Bill of Rights that they object to even having a vote. So we have been trying for 6 years to have a vote on this.

Mr. President, I ask unanimous consent that it be in order to call up my amendment, which would forbid indefinite detention of American citizens and others who are accused of a crime, amendment No. 2795 to amendment No. 2282.

The PRESIDING OFFICER. Is there objection?

Mr. GRAHAM. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I will try to be brief. I appreciate Senator PAUL's passion. He has been doing this for 6 years. I think he has been wrong for 6 years.

Let me say something. There is a reason I am not talking about eye surgery on the floor: I don't know anything about it. You are talking about legal concepts you clearly don't know anything about. You are fighting a crime; I am fighting a war. If it were up to Senator PAUL, there would be no difference between a criminal and a warrior. Radical Islam in the form of ISIS is not trying to steal your car or break into your house; they are trying to destroy your way of life. So if you believe we are at war, as I do, we should apply the law of war.

For 33 years, I was a military lawyer, a prosecutor, a defense attorney, and a military judge. I think I know the difference between fighting a crime and fighting a war. When it comes to fighting a war, if you capture somebody who is part of the enemy force, the last thing we worry about is how to try them. We want to hold them under the law of war to gather intelligence, to make sure we understand what this person knows about any enemy operations.

We had 450,000 German and Japanese prisoners in the United States. Guess what. Not one of them had a lawyer. If you had said what he just said, in World War II, they would have run you out of town. Most Americans would find it odd that a Japanese or German prisoner of war would be entitled to a lawyer under the Bill of Rights because they are not.

We are fighting a war, and I would like to win the war sooner rather than