

the books now for 17 years, as I remember, is inadequate to the challenges it faces.

I supported the infanticide law. I will continue to. If there are any changes that the Republicans want to make, is it too much to ask them to have a hearing in their own committee, which they chair, on this subject matter? I hope they will take it seriously enough to do it. Critics have said this has nothing to do with changing the law. It is just a “gotcha” vote on the floor—an amendment which may be used against candidates in future elections.

When it comes to children, something as serious as life and death should be taken much more seriously by the Republican majority.

AURORA, ILLINOIS, WAREHOUSE SHOOTING

Madam President, today is February 26. Eleven days ago, on Friday, February 15, an angry man with a history of violence and a Smith & Wesson .40 caliber pistol opened fire on his coworkers and police officers at a warehouse in Aurora, IL, about 40 miles from the city of Chicago.

In a matter of just a few minutes, five of this man's coworkers at the Henry Pratt Company were dead. He then shot and wounded five police officers who rushed to the scene. An hour and a half later, he died in an exchange of gunfire with other policemen.

The day before this horrible incident marked the anniversary of two other mass shootings: the 1-year anniversary of the Parkland, FL, shooting, which killed 17 high school students and staff, and the 11-year anniversary of a shooting at Northern Illinois University that left 5 students dead and 17 injured.

The gunman in the Henry Pratt warehouse massacre had just been told that day that he was going to be fired. His response was not just anger. His response was to pull out a firearm and murder five of his coworkers.

I want you to meet the victims of this man's violence. This is Trevor Wehner. Trevor was 21 years old. He was on the dean's list of Northern Illinois University's business college. He was on track to graduate this May.

Why was he at the Henry Pratt warehouse on that day? It was because he was on his first day of an internship at the business. Trevor was so excited about this opportunity to work at this business and to see what it was like to actually be in the real world that he showed up for his internship 45 minutes early that day. It was earlier than he should have. He was that excited. He died at the workplace that day.

This is Clayton Parks. He was known as “Clay” to his family and friends. He was the human resources manager at Henry Pratt. He was also an alumnus of Northern Illinois University. He had been working at the Henry Pratt Company for 4 months. He was 32 years old. He was married to his wife Abby and had a beautiful little 9-month-old baby boy, Axel.

I met them at Northern Illinois University when we held a vigil for Trevor

and Clay that afternoon. I talked to Clay's mom for the longest time. She wanted to tell me his whole life story, hoping that she could preserve the memory of this wonderful young man and what he meant to her.

Russell Beyer is over here. I went to his memorial service. He had been at Henry Pratt for more than 25 years. He was a mold operator and was the father of two grown children. He was also the chairman of the union at Henry Pratt.

In a terrible twist of fate, Russell had helped the gunman get his job back when the company first fired him 2 months earlier. Last Thursday would have been Russell's 48th birthday. Instead of a birthday party, his family and friends gathered that day at his wake. As I went into the funeral home in Montgomery, IL, I was struck by this fact. It turns out that the family decided that since Russell was such a passionate football fan, everybody should wear NFL jerseys. The room was filled with members of his family remembering him and paying tribute to him by wearing jerseys of all of the different teams they supported. Russell was a Patriots fan. He wore a Patriots jersey in his casket on the day that would have been his 48th birthday.

Vicente Juarez was a stockroom attendant and a forklift operator. He had been at Henry Pratt for 13 years, since the year 2006. Mr. Juarez and his wife of 38 years lived in a home in Oswego with their three grown children and eight grandchildren—all under one roof.

I will not forget that scene at the funeral home, either, because the family had decided that everyone would wear a T-shirt. It was a black T-shirt with a color photograph of Vicente in front of it and one of his favorite sayings on the back of it. There they were—grandchildren, children, older folks—all wearing those black T-shirts in honor and memory of this man.

I met his sister. His sister told me a story that Vicente was part of the family who immigrated to Illinois in 1972. There were five boys and five girls. They didn't have any money. Their father died 6 years after they immigrated. Yet they struggled and worked and stuck together as a family. That beautiful family—that beautiful family—had to shoulder this tragedy, where this gunman walked into that warehouse and killed Vicente.

Josh Pinkard's photograph is here. He was the plant manager. He joined Henry Pratt's parent company 13 years ago at a facility in his native Alabama. He and his wife had moved to Illinois with their three little kids last spring. As he lay dying, Josh pulled out his cell phone and texted his wife. His message was this: “I love you. I've been shot at work.” He died shortly thereafter. Josh Pinkard was 37 years old.

How did the police respond to this mass shooting? Every on-duty member of the Aurora Police Department rushed to the scene, where they were joined quickly by off-duty members of

the police department. Then, once the word got out that a policeman had been injured, hundreds of other policemen, firefighters, and other first responders all came to the scene.

I was on the phone with the Aurora police chief, Kristen Ziman. Kristen put out a statement, which I commended her for. It was the most eloquent statement. It said many things, but I want to repeat what it said. She said: “Every time an officer was hit, another one went in. No one retreated.”

All told, five members of the Aurora Police Department were injured by gunfire: Officer Adam Miller, Officer Marco Gomez, Officer John Cebulski, Officer James Zegar, and Officer Reynaldo Rivera. A sixth officer, Diego Avila, suffered a knee injury. They and hundreds of other police officers and first responders who rushed to the scene are heroes. Simply put, they are heroes. Their quick and courageous response certainly saved other lives.

Here is the cruel irony and tragedy beyond the loss of life. The gunman should never have had a begun. In 1995, this gunman pleaded guilty in the State of Mississippi to charges that he had beaten a former girlfriend with a baseball bat and stabbed her with a knife. He was sentenced to 5 years in prison. He served 3.

In January of 2014—19 years later—he applied for an Illinois firearm owner's identification card. He lied on that application. He said he had no felony record, and he was given permission under Illinois law to buy a firearm. He got away with that lie because the State of Mississippi had failed to submit his conviction record to the FBI's criminal background check system. He wasn't in the computer as being disqualified.

In March 2014, this man bought a handgun from a gun dealer in Aurora. Two weeks later, he applied for a concealed carry permit. This time he slipped up. He voluntarily submitted his fingerprints in the hopes that his concealed carry permit would be expedited. Those fingerprints finally exposed his felony record in Mississippi and his violent past.

The Illinois State Police got word of it, rejected his concealed carry application, revoked his firearm owner's identification card, and sent him a letter saying that he needed to surrender the Smith & Wesson firearm, which he used to kill these five innocent people and to injure these policemen. Obviously, he never surrendered the weapon. It was that same weapon that he used to kill these innocent people and to injure these policemen.

Almost 7 years ago, a disturbed young man opened fire in a movie theater in a suburb of Denver, killing 12 people and injuring 70 others. The name of that suburb was Aurora—Aurora, CO.

In a sad commentary on how frequent mass shootings have become in this great Nation, the police chief of

Aurora, CO, tweeted after the killings in Aurora, IL: “Months from now, as people talk about the mass shooting in Aurora, someone will ask, ‘Which Aurora mass shooting are you talking about?’”

Mass shootings have become too common in America. They make the news, but tens of thousands of Americans die every year from gun violence, and many of those deaths are barely reported or noted. They die in suicides and gun accidents, alone or in small groups, in domestic disturbances, in gang disputes, and in crossfire.

I am honored to represent the city of Chicago, but my heart breaks to know that last year more than 2,700 people were injured or killed by gun violence in that great city.

Let's face it, America is confronting an epidemic of gun violence. We need thoughts and prayers, but we need so much more. We need action to do something.

Do the lives of these policemen mean anything? Of course, they do. They mean a great deal to their families, and they mean a great deal to this Nation.

Do the lives of these victims who died mean anything? I met the families—four of them. They are heartbroken, and their lives will never be the same.

We need action to close the deadly gaps in America's gun background check system. Much of the work needs to take place at the State level. State and local law enforcement agencies are investigating how this tragedy might have been prevented and how to prevent another violent felon from slipping through the cracks in the system.

We also have a responsibility here. It is not enough for a moment of silence. It is not enough for prayers to be offered. We need to do more to keep guns out of the hands of people who should not have them.

This week, the House of Representatives will vote on a measure to close the gun show and internet loopholes in our background check system. These loopholes make a mockery of the law, which says we want to make sure that no dangerous person buys a firearm or keeps a firearm in America. It is critically important, and I support the House's effort, but, sadly, I have to predict that this measure will not even come up for a debate—let alone a vote—in this Republican-controlled Senate. There is just no way that they will consider any gun safety measure.

After Columbine and nearly every mass shooting and natural disaster since, a carpenter who lives in Illinois has crafted wooden memorials to honor the fallen.

His name is Greg Zanis, 68 years old. In 20 years, he has made and delivered—listen to this—more than 26,274 handmade wooden crosses, Stars of David, and crescent moons to communities across this country.

Greg drove to Sandy Hook, CT, after 26 first graders and educators were murdered in their grade school. He drove to Las Vegas after 58 people were

killed at a music festival. He drove to the First Baptist Church in Sutherland Springs, TX, after 26 worshipers were killed. He drove to Pittsburgh, PA, to honor the 11 worshipers killed at the Tree of Life synagogue.

Even after all that tragedy, the mass murder at Henry Pratt hit Greg Zanis especially hard. You see, Greg Zanis's hometown is Aurora, IL. Mr. Zanis told a reporter from the New York Times that he could drive away from all of the other tragedies, but he said: “I am not going to be able to get away from this one.”

To those who will say that the aftermath of a mass shooting is not the time to talk about gun safety, I have one simple question: When is the right time to talk about gun safety? If we are going to talk about it only on the days when no one dies in America because of the use of guns, then, of course, we will never talk about it.

Will you wait until this killing comes to your community, your church, your kid's school? Is that what it will take before Members of the Senate and the people across this Nation feel as Greg Zanis does, that you just can't escape this carnage anymore? I pray that is not the case.

We need to work together. Let's start. Let's do something sensible and bipartisan in the name of gun safety to make our background check systems as effective as they can be.

Look at those faces. Eleven days ago, they were alive, part of a family, loved—sons, fathers, grandfathers—and now they are gone because one man who never should have owned a gun took it to work in a fit of anger and killed these five men. It is time for this Senate and this Congress to do something.

I yield the floor.

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

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

Mr. LEAHY. Mr. President, what is the legislative situation?

The PRESIDING OFFICER. The pending question is on the Miller nomination.

Mr. LEAHY. I thank the Presiding Officer.

I ask unanimous consent to speak as in morning business.

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

DECLARATION OF NATIONAL EMERGENCY

Mr. LEAHY. Mr. President, President Trump declared a national emergency 2 weeks ago. He did this in order to build a pet project of his. In the process, he said it was his intent to siphon billions of dollars that Congress had appropriated to help our men and women in uniform. Now, I am not sure what lawyers he consulted, but those lawyers seem to have overlooked our Nation's

founding document—the U.S. Constitution.

I know the President likes to communicate in 280 characters or less, so I will point him to a 77-character phrase he may want to review: “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law.”

That is a short sentence, but our Founders knew what it meant. They enshrined it in article I, section 9 of the Constitution, and they established that Congress—and Congress alone—possesses the power of the purse. That Congress has exclusive power over our government's spending priorities is one of the most critical checks and balances in our constitutional system. The President can propose funding for whatever project he wants. He has the absolute right to propose funding, but it is the job of Congress to decide where to invest the American people's hard-earned tax dollars.

Let's review the facts. For over 2 years, the President has repeatedly tried and has repeatedly failed to convince Congress that building his southern border wall is a good idea. He has failed to get a deal with Mexico despite giving his word and promising his supporters more than 200 times that Mexico would pay for it. He promised that Mexico would pay for it while knowing, of course, that Mexico would not pay a cent for it. Then he failed to get a deal with his own party even during the 2 years when the Republicans controlled the Presidency, the U.S. Senate, and the U.S. House of Representatives. He also failed to get a deal after he forced the country into a 35-day government shutdown over the issue—a shutdown, incidentally, that cost our country at least \$11 billion, to say nothing of the number of people whose lives were so disrupted that many either lost their apartments, were unable to pay their mortgages, were unable to pay their bills, or were unable to pay for the medical care they needed.

Yet, in the face of all of these failings, he has decided to go it alone. He has decided to stretch his powers—beyond all recognition—under the National Emergencies Act. There is no rational basis to justify the use of this authority. So we should look at what a bipartisan group of Republicans and Democrats wrote—a group of 58 former senior national security officials who had to help secure our country under both Republican and Democratic Presidents.

They wrote: “There is no factual basis for the declaration of a national emergency” on the southwest border.

I ask unanimous consent that the Joint Declaration of Former United States Government Officials be printed in the RECORD.

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

JOINT DECLARATION OF FORMER UNITED STATES GOVERNMENT OFFICIALS

We, the undersigned, declare as follows: