

make its way to the President's desk for his signature, Speaker PELOSI appears to have a different approach. House Democrats want to replace our free-market healthcare system with the heavyhanded government approach that puts us on a path to socialized medicine. They want to allow the government to set prices and put bureaucrats at the center of our healthcare system, instead of patients.

The Speaker's plan is just the latest example of a partisan messaging document masquerading as legislation, and it has absolutely no chance—zero, zip, nada—of passing the Senate or becoming law.

In contrast, the ideas we have been working on would lower out-of-pocket costs by increasing competition and transparency, while stopping the bad actors who try to game the system. Unlike the House, we have been considering bills that have broad bipartisan support, as I said, which means they have the potential to actually become law, to get something done.

Speaker PELOSI should take note that we in the Senate have done the hard work of finding consensus with our colleagues on both sides of the aisle. I encourage our friends in the House of Representatives to stop wasting time and, instead, start working in a bipartisan fashion and work on legislation that can actually become law. Only then will the American people see the benefit of a reduction in out-of-pocket costs for their prescription drugs.

APPROPRIATIONS

Mr. President, on another matter, with the end of the fiscal year just a week and a half way, we know the clock is running out for us to pass funding bills. After the longest government shutdown in history earlier this year, I thought there was bipartisan support to get the regular appropriations process back on track. Both parties knew there was a funding crisis at stake this fall if we couldn't come together and reach a compromise.

So that is exactly what we did before the August break. Our colleagues on the Appropriations Committee, led by the chairman, Senator SHELBY, worked day and night to reach an agreement that was acceptable to both parties in both Chambers, as well as earning the support of the President. That is not easy to do. That was the 2-year budget caps agreement. But they got it done. That is until the August recess occurred, and, apparently, memories faded about what exactly had been agreed to, or people reconsidered their previous agreement and decided to withdraw their consent.

We knew this caps deal, as imperfect as it was, would lay the foundation for the appropriations process this fall and get us out of this reoccurring movie called the looming shutdown.

At the end of July, we passed a 2-year budget agreement. It was a fair compromise, considering everybody's interests. While there are still details to be

hashed out in the individual appropriations bills, it was a strong start. We thought we had made it past this shutdown movie and scenario.

We agreed to top-line defense spending and nondefense spending. There was a promise not to derail the appropriations process with poison pill policy riders, and we got it done with plenty of time to spare.

Now it appears that our Democratic friends are backing down from their commitments, which is a serious mistake on their part. If we can't work together in good faith and trust that our colleagues will actually stick to their word and keep their commitments, then, that is going to do nothing but further erode our ability to function on behalf of the American people.

Imagine my surprise when, yesterday, the Senate voted to begin debate on the first batch of funding bills and Democrats blocked it. They stopped it dead in its tracks. Even though they had agreed to the spending caps and a process to go forward, they blocked it. They voted to deny our troops the largest pay raise in a decade. They voted to withhold vital funding from our military at a time when we face growing threats around the world. They voted to derail the very process they had agreed to before August. In so doing, they once again put partisan politics above our responsibilities to the American people.

What is the reason for this? A disagreement over funding allocations of 0.003 percent of the total budget—0.003 percent of the total budget. That is like robbing a bank in order to steal the change from the gumball machine. I am really disappointed. We are better than that, and I hope our colleagues will reconsider.

Our national security is on the line. If there is one thing we ought to do above all else, it is to provide for the defense and to make sure that the American people are safe and that those who put themselves in harm's way and who volunteer to wear the uniform of the U.S. military are treated with respect and fairness. It is inappropriate and it is just wrong to play games with national security or with our military, as our Democratic colleagues appear to be doing.

DEBBIE SMITH ACT

Finally, Mr. President, 4 months ago, the Senate passed a bipartisan bill that I introduced with the Senator from California, Mrs. FEINSTEIN, to reauthorize what has arguably been the single greatest driver behind our progress to reduce the rape kit backlog.

The Debbie Smith Act was first passed in 2004 to provide State and local crime labs with the resources they need to end the backlog of unsolved crimes. At one point, we learned there were perhaps as many as 400,000 forensic kits, or rape kits, sitting either in evidence lockers or in labs that had been untested—400,000. In each one of those kits is the evidence needed to identify the assailant in a sexual as-

sault or, conversely, to rule out somebody in a sexual assault.

Also, as a result of uploading of this information, if it is tested, into the FBI system, or the CODIS system, it can help to solve a myriad of crimes, not just sexual assault cases.

The Debbie Smith Act is one of those rare cases where there has always been bipartisan and bicameral support. More than \$1 billion has been provided to forensic labs because of this law, enabling them to get untested evidence off the shelf so we can provide victims with answers and we can take these assailants, which, characteristically, don't just do it one time—they do it multiple times until they are ultimately caught—off the street.

As I said, while the primary goal of the legislation was to reduce the rape kit backlog, under the Debbie Smith Act, this has provided an abundance of DNA evidence that has been used to solve other numerous crimes. That is because once the evidence is tested, it is uploaded in the FBI's DNA database, called CODIS. Similar to the fingerprint databases, this DNA database can help to identify and convict people who commit any type of crime that is under investigation.

For example, if a criminal commits a burglary in one State, DNA from that burglary case can later be used to connect this criminal to an unsolved rape case in other States. It is that powerful.

According to the National Institute of Justice, 42 percent of the hits in the FBI's DNA database system are the direct result of Debbie Smith Act funding—42 percent.

Last month, I visited a living community in Grapevine, TX, called The Gatehouse. This is a place where women and children who have been victimized by domestic violence find the care and resources they need to restart their lives. I spoke with survivors of sexual assault, advocates, and law enforcement about the impact of the Debbie Smith Act and the need to reauthorize this critical program before it expires at the end of the month.

Here is the thing that completely confounds me. The Debbie Smith Act is not partisan. It is not even controversial. It is not divisive. The last time we voted on it, not a single Senator voted no. So there is no reason for the House to stall on this critical legislation. If the House doesn't act by the end of the month, it will expire.

Once again, I urge Speaker PELOSI to allow this bill to go to the floor of the House without further delay. It would be simply shameful to allow this program to expire, especially when she has a bipartisan bill in her hand and all she has to do is allow it to go to the floor of the House for a vote.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. FISCHER). Without objection, it is so ordered.

BACKGROUND CHECKS

Mr. CARDIN. Madam President, in February of this year, the House of Representatives passed what is known as the universal background check in regard to gun sales. Since that time, the Senate has had no action whatsoever on gun safety issues. Leader MCCONNELL could bring this bill to the floor, and I am confident we have the support to pass it.

I do hear from many of my colleagues on the other side of the aisle that we are waiting for the President, and unless the President signs off on a bill, they are not interested in bringing it up. The last time I checked the Constitution of the United States, the first article of the Constitution provides for the legislative branch of government, and that is us. We make the laws, not the President of the United States. It is up to us to deliver and consider legislation and pass legislation. Yet there is no action from the floor of the Senate. Leader MCCONNELL will not bring up gun safety legislation.

Every day we wait—every single day—100 people in America die from gun violence. That is why many of us are frequently speaking on the floor of the Senate about the need to consider gun safety legislation.

It has been over 200 days since the House took bipartisan action on the universal background checks. Since that time, we have seen many mass shootings, including on August 3 in El Paso, August 4 in Dayton, and August 31 in Odessa. There is no action on the floor of the Senate. Every day, there are people dying in our communities and in our homes from gun violence. Yet there is no action on the floor of the Senate.

The United States is an outlier among the developed nations in the world. We have 10 times, 20 times, 30 times more instances of gun violence than in developed countries in the world. We have more guns in private ownership than the people of developed worlds, more suicides, more mass shootings, more gun violence. Yet there is no action on the floor of the Senate.

The issue is kind of simple. Inaction is not an answer to gun violence in America. Americans are expecting us—the Members of the Senate—to consider gun safety legislation. We want the majority leader to bring that bill to the floor today before another 100 people die. Let us take action.

I mentioned several times the bill that passed the House of Representatives over 200 days ago, the universal background checks. Let me just talk a moment about why that bill needs to be considered and passed as soon as possible. In 1993, we passed the Brady Handgun Violence Prevention Act. It

provides for a presale check as to whether an individual is entitled to own a handgun. As I am sure my colleagues are aware, the Supreme Court of the United States has determined that the Second Amendment is not absolute. If you have been convicted of a violent crime, if you have mental issues, you are not entitled to have a handgun. The Brady presale check determines whether you fall into those categories, and they will deny you the right to buy a handgun if you do.

Since its inception in 1993, 3 million sales have been stopped. It works. It is compliant with the Supreme Court, and it doesn't interfere with legitimate Second Amendment rights. It was passed in 1993. It is now 2019. Sellers of handguns have figured out a way to get around the 1993 law with private sales, gun shows, and internet sales. We didn't have internet gun sales in 1993. We need to close those loopholes.

Here is the situation. Some States have done this. In the States that have done it, we see that the results are favorable. There is less gun violence in those States that have passed universal background checks. However, let me just tell you about the State of Maryland. Of the guns that are recovered from crime scenes in Maryland, 53 percent are guns that were acquired in a State outside of Maryland. We need universal background checks in order to provide the types of results that can keep our communities safer by keeping guns out of the hands of people who are not entitled to have guns.

How do the American people feel about this? There are 90-plus percent who believe that we should have universal background checks. Yet there has been no action on the floor of the U.S. Senate. The Republican leader will not bring the bill to the floor. This is a bill that should have been passed a long time ago. Every day that we delay, there are another 100 deaths from gun violence.

We shouldn't stop there. We should deal with assault-style military weapons. When someone has one of these assault weapons, within a matter of seconds, he can shoot off multiple rounds and kill multiple numbers of people. Even if you have those who come to the rescue—if law enforcement is on the scene or people are able to deal with the circumstances—in a matter of seconds, you can already have multiple casualties. We need to get rid of these military-style weapons in private ownership.

When you talk to law enforcement officers and ask them what they fear the most when they go into a situation in which someone is armed, it is the assault weapons they fear. It is not fair to our law enforcement officers, who put their lives on the line for us and who rush into harm's way, to allow for these types of weapons to be available to the general public.

We can do something about it. Let us take up legislation that restricts the private ownership of assault-style

weapons. There has been no action, though, on the floor of the Senate. The Republican leader will not bring up any issues on gun safety.

I could add legislation with regard to the large-capacity magazines. We see that. They are used in mass shootings because you can shoot off multiple rounds without reloading. Again, as we have seen in mass shooting circumstances, it has added to the number of deaths. It is not inconveniencing the public to restrict that type of capacity from being out there, which is known to cause harm by those who want to create a situation of mass casualties. Again, there has been no action on the floor of the Senate by the Republican leader.

We have bipartisan legislation that would identify those individuals who pose extreme risks so that there is a red flag placed on those individuals that prevents them from being able to purchase handguns—bipartisan legislation. Our States are acting, but there has been no action on the floor of the U.S. Senate. The Republican leader will not even bring that up.

We could go over a whole host of other issues, such as mental health and earlier identification—those types of services. There are a lot of things we can do. I would hope that the one option that would be off the table would be that of doing nothing, but that seems to be the Republican leader's preferred option—to let this issue rest without there being any action taken by the Senate. It has been over 200 days since the House of Representatives acted, but there has been no action here on the floor of the Senate.

I urge all of my colleagues to impress upon the Republican leader that it is well past time for us to consider gun safety legislation. Let us bring these bills to the floor. Let us not wait for the President of the United States. We are the legislative branch of government. Let us act and do the right thing to keep our communities and our homes safer.

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

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

Mr. DURBIN. Madam President, let me join the Senator from Maryland in expressing my frustration. Many of us worked long and hard to be elected to the U.S. Senate, not just to represent our States but to respond to the challenges that face us in the United States. The challenge of gun safety faces everyone. Thank you to the Senator from Maryland for making that point on the floor of the Senate.

Many people come to the Senate Galleries, sit in the chairs, and wait for the Senate to act. It is a long waiting game because, unfortunately, the Senate does little or nothing under the