

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.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

leadership of Senator McCONNELL. I don't know why this Senator has not accepted the fact that the U.S. Senate has an important role to play. We speak for people not only in Illinois and in Maryland but for those all across the United States, and they are very concerned.

In the recent trip home over the recess, I visited some of the areas around Chicago and in the city, and there were many conversations about the gun violence that we see across America. That gun violence has been punctuated by the horrible events in El Paso and Odessa, TX, and in other communities that have been affected by these mass killings. We have become numb, I am afraid, to the reality of gun violence in America. We have decided, I am afraid, that the Second Amendment to the Constitution is somehow holding us back—binding us and restraining us—from even doing the most basic things.

Overwhelmingly, the people of America, by a factor of over 90 percent—Democrats and Republicans—believe that we should have background checks. We believe that the people who have been convicted of violent felonies shouldn't own guns—period. We believe, as well, that when it comes to those who have serious mental instability, they should also be precluded from gun ownership. The laws do not allow us to adequately ask the question or to test whether the buyer has been convicted of a felony or has such a background.

In the city of Chicago, hardly a weekend goes by without there being dozens shot and 9 or 10 or more losing their lives. Most of them are young people, but not exclusively. Older people, as well, are caught in the crossfire.

People say: Well, I thought Chicago had these tough gun laws. What is going on there? Why do you have so many gun deaths?

The answer is obvious for those of us who spend time in that great city. We are about 20 minutes away from northwestern Indiana and from the gun shows that are held there, where people don't ask questions when they sell firearms. All you need to do is to have the money and the open trunk of your car to fill it up with guns and drive them back to the city of Chicago. That is why no State can solve this problem. We need Federal legislation.

As I talk to people across this country, they tell me the heartbreaking stories of sitting down with their children who have gone through some drill or program at school to forewarn them of what would happen if an active shooter were to come onto the premises. As we know, that reality is not beyond reach. In Connecticut, we saw a beautiful first grade class that was attacked by a killer with a weapon who took the lives of those children. If that scandalous massacre of children in a first grade classroom didn't move this Congress and this President to act, what will?

The President said to me in a conversation several weeks ago that we

are going to have a background check bill and that it will be the best in the history of the world. Well, I was skeptical when he said it. I am even more skeptical today. I knew what would happen. When the President had a choice between the public interest of gun safety and the special interest of the National Rifle Association, the National Rifle Association prevailed.

This President refuses to come forward with any proposal, and Senator McCONNELL believes his hands are tied and cannot bring this issue to the floor of the Senate. He cannot run the risk that his Members would have to be on the record as having taken a vote, as they were elected to do, on an issue of this importance.

S. 386

Madam President, this is not the only issue that we are ignoring—the only issue that is, frankly, not even being considered on the floor of the Senate. There is another one that is equally important to me and to most people across this country, and that is dealing with the challenge of immigration.

A few years ago, a bipartisan group of Senators—eight of us—I, Senator McCain, Senator SCHUMER, and others—sat down and wrote a comprehensive immigration reform bill. It was months of Republicans and Democrats sitting down, face-to-face, night after night, going through every section of our immigration code to come up with a comprehensive bill to deal with the obvious shortcomings, but we did it. We brought it to the floor of the Senate and it received 68 votes. There were 14 Republicans who joined the Democrats to pass this comprehensive immigration reform. We sent it to the Republican House of Representatives, and Speaker Boehner refused to even consider it. So all of our effort and all of our work was really for nothing.

We continue to face the challenge of immigration. We know what it is like at the border. Under this President, we have seen the worst border situation in modern times. His refusal to acknowledge the three Central American countries that are sending all of these immigrants to the United States has led to some horrible circumstances.

Recently, the inspector general of Health and Human Services came forward with a report on the Trump administration's response to this border crisis. It was a report on the policy of zero tolerance. I am sure you will remember it. It was under Attorney General Sessions, and he somehow found a quotation in the Bible to justify forcibly removing children from their parents. We removed 2,880 children from their parents at the border under this zero tolerance policy before there was an uprising in the United States against it and before the President backed off of it.

I commend the inspector general's report on what happened to those children—to every American. I saw it firsthand. I witnessed these children as

they were being removed from their parents and the trauma they went through as a result.

So why aren't we debating the immigration policy on the floor of the U.S. Senate? I am told that perhaps, later today, the junior Senator from Utah—at this point, I think he is the senior Senator from Utah—will come forward with a unanimous consent request to consider fixing one part of the immigration problem. I want to fix that problem and many more.

THE DREAM ACT

Madam President, I want to make sure that when we come to the floor to discuss immigration, as we should, that we take up the issue of the DREAM Act.

The DREAM Act was a bill that I introduced in the Senate 18 years ago. It states, if you were brought to the United States as a child and are undocumented in this country but you have gone through school and have had no criminal record of any serious consequence, you deserve a chance to be able to earn your way to legal status and citizenship. I introduced this bill 18 years ago. It passed in the Senate in 1 year and passed in the House in another, but it has never come up with the 60 votes—the supermajority requirement—in the Senate.

President Obama was a cosponsor when he was in the Senate, and when he had the White House under his control, I asked him to consider an Executive order to achieve the same goal, and he did. He created a program called DACA. There were 790,000 young people across America who paid the filing fee, who went through the criminal background checks, and who then received the protection to stay in this country and work legally.

Of course, in September of 2017, President Trump abolished this program. It took away the protection these young people had. He was challenged in court, and the court said we are going to continue this program until it is resolved at the highest levels of our Federal judiciary as to whether President Trump has this authority.

On November 12, across the street, the U.S. Supreme Court will consider that case—790,000 lives and more, for that matter, hang in the balance of how the Justices will make this decision on their future.

This should be debated on the floor of the Senate. It is why we are here. It is why we were elected. I think we can find bipartisan answers to many of these questions, but we need the Senate majority leader, the Republican leader, to really accept the reality of the Senate actually going to work. Instead of speeches by individual Senators on the floor, as impressive as they may be, we might actually pass a law. Think of that—a bill coming to the floor, subject to amendment, and actual debate in the Senate Chamber. We would fill the Galleries. It is such a novelty. It doesn't happen anymore.