

Democrats here understand that Congress has a duty to act to protect lives, and that the President's cowardice absolutely should not set Congress's agenda.

While President Trump's backtracking on this serious issue is disgraceful, I ask my Republican colleagues to remember that we are not beholden to the President or to the gun lobby and that we do not need President Trump's permission to vote on bills or to act to save lives.

In fact, in States across the country, we have been able to take on the gun lobby and make meaningful progress to address this crisis.

In my home State of Washington, we have closed background check loopholes, and we have enacted extreme risk protection orders. We were able to accomplish those things because of the advocacy of groups like Moms Demand Action across my State, the Washington State Alliance for Gun Responsibility, Everytown for Gun Safety, March for Our Lives, and so many more, as well as the dedicated volunteers and activists behind those organizations, the brave people who have been out making their voices heard and putting pressure on lawmakers to do their jobs to end this senseless epidemic, people like Jane Weiss, who lives in Mill Creek, WA. After she tragically lost her niece to gun violence, Jane joined the fight to pass lifesaving legislation in Washington State by putting pressure on her State lawmakers and won.

There are people like Jane all across the country who are speaking up and fighting back, even when it means reliving some of the hardest moments of their lives, in order to prevent others from suffering as much as they have. That is hard and brave work to do, but there is absolutely nothing hard or brave about simply having a vote on bipartisan, House-passed legislation to ensure universal background checks. To the contrary, it is the height of cowardice not to hold that vote while families across the country wonder which movie theater or shopping mall or synagogue or mosque or church or community space is next and while students spend their time in school on active shooter drills while they should be learning. Unfortunately, cowardice is what we are seeing from far too many Republicans here in the Senate and in the White House when it comes to protecting families from this scourge of gun violence.

I want to be clear. I hope my Republican colleagues allow this legislation to pass today, but if they don't, for Jane and so many others, Senate Democrats are going to keep shining a spotlight on the inaction on gun violence here in the Senate and the broken promises coming out of the White House. We are going to keep making the case, building support, and we will not give up until this is done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

UNANIMOUS CONSENT REQUEST—H.R. 8

Mr. MURPHY. Mr. President, as Senator MURRAY noted, 100 people die from gunshot wounds every single day. We can't go 24 hours without news of another mass shooting somewhere in America. My kids and millions of others hide in corners of their classrooms or in their bathrooms preparing for a mass shooting at their school, and this body does nothing about it.

The good news is, we have a piece of legislation that enjoys 95 percent support in the American public and will undoubtedly make an enormous impact on gun violence rates in this country.

I will give more extensive remarks after I make this unanimous consent request, but my request will be that the Senate immediately take up H.R. 8, the universal background checks bill which was passed in a bipartisan way in the House of Representatives and which has received no action, no debate here in the U.S. Senate since that time.

As in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 29, H.R. 8; further, that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there an objection?

The Senator from Mississippi.

Mrs. HYDE-SMITH. Mr. President, reserving the right to object, legislation that would affect the rights of American citizens under the Second Amendment should not be fast-tracked by the Senate. Efforts to criminalize otherwise lawful conduct with firearms by law-abiding gun owners should not be exempt from consideration by the appropriate committee of jurisdiction. It should not be exempt from debate on the Senate floor.

If this so-called commonsense, bipartisan legislation was indeed crafted with strong bipartisan input, it shouldn't have any problems advancing by regular order.

Many questions about this legislation need to be answered before it is forced upon law-abiding gun owners. If I wanted to give my best friend's son or grandson my hunting rifle, would we first have to appear before a licensed gun dealer and go through a lengthy and potentially expensive background check? This is my understanding. We have many questions like this.

My constituents would like to have an opportunity to weigh in on measures like these, which is why we can't fast-track legislation that affects America's Second Amendment rights.

I object to this unanimous consent.

I yield the floor.

The PRESIDING OFFICER. Objection is heard.

The Senator from Connecticut.

Mr. MURPHY. Mr. President, I appreciate the good-faith objection from my friend from Mississippi, but the good

news that I can convey to her is that my Republican Senate friends who want to have some impact into the consideration of the future of American gun laws have ample opportunity to do that because they are in the majority.

Senate Republicans control the Judiciary Committee. Senator MCCONNELL can decide to bring any measure to the floor. If the concern is that there hasn't been enough Republican input into the question of whether criminals or terrorists or people who are seriously mentally ill get guns, then, convene a discussion on this, bring a debate to the floor, have a process in the Judiciary Committee. Don't just stay silent. It doesn't pass the straight-face test to come down here and say: Well, we can't take up H.R. 8, despite the fact it has 90 percent public approval because we haven't had input on it. You are in the majority. You have the ability to pass legislation that you support and that Democrats can support as well.

The idea that we are just going to sit here and twiddle our thumbs week after week as 100 people are killed by guns through suicides and homicides and accidental shootings is an abdication of our basic responsibility as U.S. Senators. There is nothing that matters more to our constituents than their physical safety.

There are kids who are walking to school in cities in every single State in this Nation who fear for their lives, whose brain chemistry is changed by the trauma they go through because of that fear for their safety, and they can't learn, they can't cope, and they can't build strong relationships.

My kids go through active shooter drills at school because they, in fact, expect that someday someone will walk through their doors and start firing a military-style assault weapon in one of their classrooms.

I get it that there is a difference of opinion on exactly how we should expand background checks. I understand that maybe my Republican colleagues don't want to support H.R. 8. But you are in the majority. You have the ability to lead a conversation that can find that common ground on expanding background checks.

I am not going to accept this argument that we can't bring H.R. 8 to the floor because we have some concerns about it. I can't get a piece of legislation to the floor any other way than to offer this motion.

The American public is not going to accept silence from this body week after week, month after month, in the face of this epidemic carnage that is happening across this country. Parents know their kids aren't safe, and they expect us to act.

The President's Attorney General said the other day that we made some progress on the issue of background checks over the summer, but now we have the impeachment proceedings, and so that stops all of this discussion.

That is not true. The impeachment proceedings right now are in the House of Representatives. The discussion on the future of a background checks bill was in the Senate. It was happening between myself and Senator MANCHIN and Senator TOOMEY. We are still at the table, ready to negotiate a compromise version of the Background Check Expansion Act. We, frankly, have lots of time on our hands in the Senate because we are not doing anything other than approving an appointee here, a judge there. We have plenty of time. We have plenty of bandwidth in the Senate to negotiate with the White House over a universal background checks bill.

You can't say that we can't take up H.R. 8 because we haven't had input. Republicans are in charge. You have the ability to have as much input as you want. The White House can't say the impeachment is stopping a debate on background checks from happening. I am ready to talk. Senator TOOMEY is ready to talk. Senator MANCHIN is ready to talk.

We have evidence from this summer about how important universal background checks are. On the last day of August, a gunman fled from police in Odessa, TX. He hijacked a U.S. Postal Service van. He killed its driver and then randomly fired on people as he drove through the streets. During his shooting spree, the gunman killed seven people and wounded over 20 others—a reign of terror throughout the streets of this Texas town.

The current background checks law worked as it was intended to work. The shooter tried to buy a gun in January 2014, but he was denied. Why? Because he had been found to be so seriously mentally ill when he was committed to an inpatient institution that his name was placed on the list of individuals who were prohibited from buying weapons.

The problem is, Texas doesn't have universal background checks, meaning that it was as easy as pie for the shooter, after he got denied a gun purchase at a brick-and-mortar store, to just go find a private seller who would sell him a military-style weapon without a background check. In this case, it resulted in 20 people getting hurt and seven people being wounded—this easy way to find loopholes through the Nation's background check system. But that happens every single day. Every single day, somebody buys a gun at a gun show or online or through a private sale because that is the way they can get a gun without having to go through a background check.

I am deeply troubled. I am profoundly aggrieved by my body's reluctance to even take up a conversation about the future of gun policy in this country. I wish there wasn't an objection. I wish we had an opportunity to be able to discuss the future of background checks and the future of our gun laws on the Senate floor. Our constituents expect us to have that debate.

This will not be the last time we come down to the floor to try to force a debate, to force a conversation in this body so that we can find bipartisan consensus on an issue that enjoys 95 percent public support, 80 percent support from gun owners, and 70 percent support from NRA members. There is almost nothing else that is less controversial in America today than the issue of universal background checks, and we will continue to press that case on behalf of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, we ought to be aggrieved, we ought to be angry, and we ought to be furious—not just frustrated but furious—at this sad, even pathetic, objection to moving forward with a bill that is supported by 95 percent of the American people. The simple fact is that our Senate colleagues have been talking to us in good faith, not only about a background checks bill but also about emergency risk protection orders, because we know there is no single solution, no panacea, and that emergency risk protection orders are the other side of the coin to background checks.

Last week, the Washington Post reported that President Trump has given up on passing lifesaving gun violence legislation. The reason is fierce lobby by the NRA.

Let's face the stark truth here. The objection on the floor today is not the result of any lack of clarity about the need for background check legislation. It is the result, purely and simply, of the President saying no.

We need to do our job. We have continued talks, in fact, with members of the White House staff after the impeachment proceedings began. My hope is that the Washington Post article is untrue. I believe it, certainly, in no way forestalls or prevents these discussions from continuing. I think there is a reason to hope, but it will take courage and strength to do it.

The President said yesterday that he was too busy doing his job meeting with the President of Turkey—an individual who has potentially enabled war crimes in northern Syria. If he wasn't too busy to do that kind of meeting, he shouldn't be too busy to do gun violence prevention.

The fact is that the stakes are simply too high for there to be delay, and 36,000 Americans are killed every year, or more. That is 100 every day. Gun deaths are, in fact, rising, not declining.

The trends are absolutely alarming and appalling, and we are complicit in these deaths if we fail to act. As I speak on the floor right now, there is a school shooting in Santa Clarita, CA. How can we turn the other way? How can we refuse to see that shooting in realtime, demanding our attention, requiring our action? We are complicit if we fail to act. It is not just a political

responsibility. It is a moral imperative. The unconscionable loss of life is our responsibility.

This problem is one that we can solve. We may not be able to prevent all the deaths that occur—all 100 every day in America—but we can save lives. Our goal has to be to save as many lives as quickly as possible.

I have been hopeful for the first time in a long time, as I have talked with my colleague Senator GRAHAM. He and I have worked together conscientiously and closely on "extreme risk protection order" legislation. There have been a series of encouraging conversations with the White House, and all seemed to be proceeding well, until there was a report of the President talking to Wayne LaPierre of the NRA. Apparently, it takes only a phone call—or a couple of them—with the NRA to turn around the White House and stop the progress we have been making and throw out the window all the good work we have done.

Over these past several months, Senator GRAHAM, the White House, and my office have made important strides on emergency risk protection. We know that they work. They enjoy broad popular support. At least 70 percent of the American people support some type of "extreme risk protection" legislation, including two-thirds of Republicans and 60 percent of gun owners.

States like Connecticut, which was the first to adopt them, have shown they have a palpable, tangible, measurable effect. They are a crucial tool for law enforcement. The full implementation of Connecticut's "emergency risk protection order" law was associated with a mere 14-percent decline in firearm suicide rates, and the passages of Indiana's law in 2005 is associated with a 7.5-percent decline in the firearm suicide rate.

We know these laws work. In the 17 jurisdictions that have passed them, there has been a decline in suicides and homicides and domestic violence shootings. We can save lives. We can put together a measure that combines background checks, emergency risk protection orders, and other sensible steps. We can work through this body. The objection that we are bringing it to the floor precipitously is absolutely ridiculous. There is no reason we have to give up now and throw away all our work simply because the House is doing something unrelated, on impeachment.

There has been too much good work as well by groups doing the grassroots task of mobilizing public support—Moms Demand Action, Students Demand Action, and all of the groups that have rallied around for gun safety. In Connecticut, the Newtown Action Alliance, Connecticut Against Gun Violence, and Sandy Hook Promise show us the way.

In the last election, gun violence was on the ballot. Gun violence prevention won. That is the reason the House has passed H.R. 8. That is the reason why

we should do it here. History will judge my Republican colleagues harshly if they fail that, and the voters will judge them even more immediately equally harshly.

The NRA is imploding. Its vice-like grip should be crumbling in this body. They may have the ear of the President, but they should not have the ear of my Republican colleagues.

To the President, I say: The NRA is telling the American public they own you and that all they have to do is snap their fingers, and you fall into line. Prove them wrong. All you need to do is take the final steps on this legislation. Give us a green light. Tell us that we can move forward and that you will sign this bill.

To the majority leader I say, whether or not the President gives us that green light, we need to do our job. Please do your job. Let us have this vote.

Thank you.

I yield the floor.

**DIRECTING THE CLERK OF THE HOUSE TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 2423**

Mr. CORNYN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 72, which was received from the House.

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

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 72) directing the Clerk of the House to make a correction in the enrollment of H.R. 2423.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

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

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 72) was agreed to.

**VIOLENCE AGAINST WOMEN ACT**

Mr. CORNYN. Mr. President, unfortunately, this Congress has been defined by previously unprecedented political antics. Things that used to be far above the political fray are now getting roiled in controversy.

One example is yesterday, when the minority leader blocked the bipartisan bill that I introduced to reduce drug prices—a bill that received unanimous support in the Judiciary Committee. I recognize my friend from Connecticut Senator BLUMENTHAL, who is the chief Democratic cosponsor of that bill.

I think the most egregious example of politicalization of things that used

to be nonpartisan has to be the politicalization of the Violence Against Women Act, or VAWA. For 25 years, this program has supported survivors of domestic violence and sexual assault through a range of critical programs and resources.

As a longtime victims' rights advocate myself, I am a proud supporter of the Violence Against Women Act, and I have consistently fought not only to continue it but to strengthen it as well.

I think there is more we can and should do to support victims, and I know folks on the other side of the aisle feel the same way. It is safe to say, though, that we have had our fair share of disagreements on how exactly to accomplish that.

Earlier this year, our Democratic colleagues allowed VAWA to get caught in the crosshairs of a funding debate when they insisted we should not fund this vital program because it is overdue for updates. This is a rash move, to be sure. It lines up with the "my way or the highway" legislative strategy sometimes deployed by our friends on the other side, but that hasn't stopped my Republican colleagues, led by Senator JONI ERNST from Iowa, from pursuing a compromise.

For many months now, Senator ERNST has been working with DIANNE FEINSTEIN, the Senator from California, to find ways to make improvements that both sides can agree on. That is the way things get done around here: You try to build consensus, and maybe you don't get everything you want, but if you can get 80 percent of what you want, you ought to take it and run.

Last week, unfortunately, Democrats walked away from the negotiating table when it came to the Violence Against Women Act. Rather than continuing the discussions with people of opposing views, they took the easy way out and simply walked away and introduced their own partisan reauthorization—one they know has no chance of passing.

Just like the version that passed the House earlier this year, this is a messaging document, worth no more than the paper it is written on. It is not going to reauthorize VAWA or make the program better, and it is not going to support victims because it stands no chance of becoming law.

I am truly disappointed that our Democratic colleagues, once again, have chosen to play politics rather than deliver real results, this time for the victims of domestic violence and sexual assault.

Despite the games being played here, my Republican colleagues and I are working to put in the hard work it takes to actually accomplish something and legislate.

Senator ERNST said she will soon be introducing a good-faith proposal that actually has the chance to become law. It is not a partisan document. It really

is a return to where we used to be, where the Violence Against Women Act enjoyed broad support on both sides of the aisle and was truly not just bipartisan but nonpartisan. It is a shame that something as urgent and undeniably important as combating domestic violence and sexual assault has somehow fallen prey to Washington, DC, politics.

I hope our colleagues will reconsider and return to the negotiating table so we can reach a compromise and finally reauthorize the Violence Against Women Act.

**E-CIGARETTES**

Mr. President, on another matter, in recent months, there has been a lot of coverage in the news and in social media about the health consequences of e-cigarette use. The "e" stands for electronic—electronic cigarette use.

We have seen alarming headlines about vaping-related illnesses that have led to severe health consequences and dozens of deaths. I find it particularly concerning that an increased number of children in middle school and in high school are using these products, even though it is inconsistent with the law. It is against the law.

The National Youth Tobacco Survey estimates that more than 5 million middle and high school students currently use e-cigarettes, up from 3.6 million last year. Five million middle and high school children are using this product that the law says they should not be using.

Folks at home are certainly dealing with the fallout. Last year, 19 percent of Texas high school students had used an e-cigarette in the last 30 days, and news reports lead me to believe the number has done nothing but go up.

Certainly, there are negative health consequences associated with it. A teen in Michigan was recently hospitalized, as my colleague from Michigan well knows. He was recently hospitalized after vaping and then had to have an incredibly rare double lung transplant because of the damage done to the lungs.

This is causing alarm for parents, for educators, for health professionals, and just about everybody else who has heard about it. It certainly caught my attention.

Yesterday the HELP Committee—the Health, Education, Labor, and Pensions Committee—in the Senate held a hearing to look into the government's lackluster response to these public health concerns. I am seriously concerned with how, compared to traditional cigarettes, this industry is able to evade countless government regulations, especially through online sales.

Consumers are able to purchase traditional cigarettes online, but there are clear guardrails in place to prevent minors from using online purchases to skirt the age restrictions.

At the time of delivery, if you buy cigarettes online, you have to sign and show an ID proving your age. That just