

what is so noteworthy is that at a time when the President assembled practically an NBA All-Star team of counterterror leaders, this group determined that national security letter authority ought to be narrowed, not expanded. They were making a judgment to counter to the senior Senator from Texas, and they felt they ought to go the other way and be more cautious about how it is used.

These leading national security officials, the names of whom I have just given, stated in their report that national security letters have been, in their view, highly controversial and noted that there have been “serious compliance issues on the part of the government.” They concluded the following: “For all the well-established reasons for requiring neutral and detached judges to decide when government investigators may invade an individual’s privacy”—their words and not mine—“there is a strong argument that [national security letters] should not be issued by the FBI.”

National security letters was what the description of the issue was all about. In the judgment of these experts, the government should seek the approval of a judge the way our Founding Fathers intended.

I want it understood that I would strongly oppose the surveillance amendment filed this morning. My view is that it would erode our core constitutional rights without making our country safer.

All over the country right now, Americans are asking what can be done to make our country safer. This morning, for example, we had the CIA Director, Mr. Brennan, in the Intelligence Committee, and I pointed out that one of the things that help Americans be as safe as possible is strong encryption for their smartphones. Those smartphones have people’s different transactions, such as medical and financial information. Their whole life is in those smartphones. If you weaken strong encryption and require companies—as several of our colleagues want to do—to build back doors into these digital products, Americans are going to be less safe.

For example, a number of the smartphones have a location tracker so parents can keep tabs on their youngster. Well, if you weaken encryption and weaken the location tracker, you are pretty much giving a gift to pedophiles because it will be easy to track youngsters as a result of weakening encryption.

We had a discussion about it this morning. The comment I was concerned about in particular this morning was when I said “Hey, if we weaken encryption in the United States, the reality is that terrorists, hackers, and others will go overseas, where there are hundreds of products with strong encryption,” it was the view of the CIA Director that that was “theoretical.” So I was forced to correct that later in the course of the day to say that some

of the leading experts in cyber security said that this is not theoretical.

The reality is that there are hundreds of products overseas with strong encryption. So think about that one. What we would be doing if we weakened encryption is we would be adopting a policy that would leave our people less secure and their liberties more at risk right at the time when they are saying, after the horrific tragedy in Orlando, that they want better policies to promote their safety and make sure their liberties are kept.

This is a debate we are going to have in several forms. We will have them in committee rooms and on the floor of the Senate. I just want it understood that the reason I am opposing what the senior Senator from Texas talked about today is that I think it flies right in the face of what I have described. It does nothing to make us safer, and it puts our liberties at risk, much as the distinguished panel that was put together by the President—all these outstanding counterterror officials—said when they expressed concern about the whole future of national security letters.

There is a way to do this right, and I would submit that is what we did in Section 102 of the USA FREEDOM Act. It was something I had talked about with the President on several occasions. I am willing to say what I said but not what the President said.

I have repeatedly said to the government that if the government doesn’t have enough authority in emergency situations to protect the American people, I will use my ability as a senior member of the Intelligence Committee to make sure they have that authority. We did that in the USA FREEDOM Act. The government can move immediately to collect phone and email records and then come back later to go through the court review process. That is the kind of model we ought to use, not what we heard about this morning from the senior Senator from Texas that would expand government surveillance authority, put our liberties at risk, and not make our country safer.

I am sure this will be a topic of extensive discussion on the Senate floor next week. I just wanted to take this opportunity to outline my views on the topic.

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

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

#### GUN VIOLENCE

Mr. COONS. Mr. President, I am coming to the floor today to join so many of my colleagues who have spoken over the last day to encourage bipartisan

cooperation on commonsense legislation to address the gun violence epidemic that plagues our Nation and my home State of Delaware. I want to thank my colleagues, Senators MURPHY and BLUMENTHAL, for their consistent and unwavering commitment in addressing this very real national crisis.

In the aftermath of the tragic mass shooting of Orlando, I have been filled with many emotions, as have so many of my colleagues—grief for the victims and their families, concern for the city of Orlando, grief for the greater LGBTQ community across our Nation and world, anger toward the perpetrator and the extremists who spread hatred, violence, and fear around the world, and a powerful, deep-seated frustration that our government, our Congress, this Senate, has not taken needed steps to keep dangerous and unstable individuals from getting access to guns. The atrocity that took place at the Pulse nightclub in Orlando, FL, was more than just a cowardly act of terrorism and a despicable, violent rampage of hate against our LGBTQ brothers and sisters; it was also an attack on the very freedoms in our way of life. From the brave first responders and law enforcement officers who rushed to the scene, to the hundreds, even thousands, of Floridians who lined up in the days since to donate blood, tragedies like these so often showcase the very best and worst of humanity in the same heartbreaking moment.

This mass shooting—the worst mass shooting in American history—should force us to confront a number of powerful but unanswered questions: Are we going to be a nation that celebrates our diversity or one that stokes fear, division, and hatred? Are we going to engage the American Muslim community in pursuing our shared goal of defeating the scourge of terrorism, or are we going to malign and alienate 1.6 billion people from one of the world’s great religions? Are we together going to pass commonsense safety measures addressing gun violence, or is this Senate, yet again, going to accept the status quo?

Our Nation, my State, my constituents, my neighbors, are crying out for the Members of this body to have the courage of our convictions and to address this moment. Regardless of the Orlando attacker’s intentions or his background, Congress must act to prevent known or suspected terrorists from having the unfettered ability to purchase high-powered military grade weaponry. That means ensuring that we have a universal system of background checks when a firearm is purchased. It also means ensuring that the U.S. Department of Justice gets notified when a known or suspected terrorist goes to buy a gun so that the Department can investigate or stop a transaction that might immediately endanger citizens’ lives.

Today an estimated 40 percent of all gun sales are sold by unlicensed dealers who are not required to conduct any

criminal background checks under Federal law. In the aftermath of the atrocity in Orlando, Deputy Attorney General Yates noted that the Justice Department “would have liked to have known” that Omar Mateen had gone to purchase an assault rifle.

Our Constitution protects the fundamental individual right to bear arms, but no freedom is absolute, and no one amendment can subvert all the others. Orlando deserved to have the security of a functioning universal background check system that keeps guns out of the hands of people known to be dangerous. So, too, do the people of my hometown of Wilmington.

Earlier this week, late Tuesday night, in my hometown of Wilmington, less than a block away from a business owned by one of my treasured staff members, four young teenagers, ages 12, 13, 15, and 16, were shot. The 15-year-old boy remains in critical condition in Christiana Hospital. He was shot in the stomach, hand, and leg.

Earlier this week in Wilmington, a 15-year-old girl was shot during an argument at a party. There have been so many instances of gun violence on the streets of my hometown in the weeks and months of this year, last year, and the year before that we have become numb to it. We have almost lost count of them. Yet this daily carnage continues in my hometown and in towns all across this country.

Orlando deserves the amount of attention it has received as one of the worst mass American atrocities occurring in history. Yet we cannot forget the week-in and week-out tragedies where one, two, and three individuals are shot in what now seems to be, sadly, routine gun violence all across this country.

We have heard in speeches given by my colleagues about incidents all over our country. From Orlando to San Bernardino to Newtown, from Wilmington to Chicago to Los Angeles, Americans fall victim to gun violence each and every day. It doesn't have to be this way.

Americans are 25 times more likely to be murdered with a gun than people in any other developed country. We can and we must do more to prevent senseless acts of gun violence.

So today, this week, we mourn the lives taken from us too soon in Orlando, and I mourn and many of my neighbors and constituents mourn the lives lost in Wilmington. But we all pray that the families and friends grieving the loss of their loved ones will find strength and purpose in the days to come and will bring encouragement from actions by this Senate.

Tragedies like these don't just draw our attention, don't just hold our gaze, and don't just break our hearts; they also challenge our values as a nation. In response to the atrocities in Orlando, America's message to the world must not be one of fear and anger and isolation as some propose. Instead, I think we can and should take action to

protect all of our citizens of any ethnicity, any faith, and any sexual orientation with commonsense gun legislation. I am encouraged to know there have been filed bills that this body will take up and act upon next week and that my colleagues, Senators MURPHY and FEINSTEIN, have been able to submit for consideration by this body—bills relating to background checks and to closing the terror gap that I look forward to supporting next week when we return.

I would like to thank all of my colleagues of both parties who have advanced proposals or have come to the floor to participate in an important effort to show the people across the country that we can work across the aisle, that we can listen to each other, and that we can, I hope, legislate.

I specifically thank my colleague Senator MURPHY for his discipline, his engagement, and his work in an important filibuster to show the people of our country that we are listening, we are paying attention, we are working, and we will soon take action.

With that, I thank the Presiding Officer.

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

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

#### REMEMBERING MARY D. FERGUSON

Mr. MCCONNELL. Mr. President, I wish to share with my colleagues the very sad news that Mary D. Ferguson, a legendary Kentucky journalist and a good friend of mine, has passed away. She departed this life last Thursday, June 9, in the town of Hopkinsville, KY, at the age of 82. She will be remembered and greatly missed by her family, many friends, and journalists throughout the Commonwealth.

Mary was a pioneer as a female journalist in an era when women were not expected to enter that profession, but she did not let that deter her from doing what she had dreamed of since childhood. She got her first job in journalism when she was a freshman in college, working as the society editor at the Clarksville Leaf-Chronicle.

She also served as the news director for a Hopkinsville radio station, WHOP, before being hired as a reporter by the Kentucky New Era in 1962. There she remained for more than 50 years—as a reporter, columnist, and eventually as an unofficial historian for the region and fount of institutional knowledge for the newspaper. By the time she passed away, of course, she had been working there since before most of her coworkers were born.

Mary touched the lives of thousands in Kentucky and beyond with her work

for the New Era. Her stories gave voice to the people of her community, and she brought events of the world home for her readers. In covering events at Fort Campbell, KY, she wrote about Presidents spanning from Lyndon Johnson to George W. Bush. She covered gubernatorial inaugurations, crime, the courts, elections, and the arts.

I got to know Mary back when I was first elected to statewide office. She interviewed me and was a part of editorial board meetings, which I frequently held with the New Era. Mary was a rarity in the fact that she was one of the few journalists who leaned Republican, although she always kept her reporting balanced. I certainly appreciated her support and encouragement throughout the years and grew to have great admiration and respect for this woman who was not afraid to chart her own path.

Mary was the heart of the New Era newspaper and will be deeply missed by her colleagues and the hundreds of journalists who passed through that publication's offices over the five decades of her tenure. The paper established in 2005 the Mary D. Ferguson Award, given annually to the employee most committed to the quality of the newspaper. That tradition will continue after her death.

Kentucky has lost one of its leading lights in journalism, and I have lost a friend. Elaine and I want to express our deepest condolences to Mary's family. She is survived by her husband, retired Kentucky State Police Trooper Russell Ferguson, her daughter Lee Ellen Ferguson Fish, and two grandchildren. Along with the Hopkinsville community, we stand by the Ferguson family and support them in their time of grief.

The newspaper Mary Ferguson wrote for for 54 years, the New Era, published a remarkable article detailing her life and career. I ask unanimous consent that the article be printed in the RECORD.

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

[From the Kentucky New Era, June 10, 2016]

TRAILBLAZING JOURNALIST, MARY D.

FERGUSON, DIES AT 82

(By Jennifer P. Brown)

HOPKINSVILLE, KY.—Mary D. Ferguson, a Kentucky New Era staff writer and columnist who covered stories about farmers, housewives, Army generals, American presidents and much more in a career lasting more than 50 years, died Thursday morning at a Hopkinsville nursing home. She was 82.

A native of Trenton and longtime resident of Pembroke Road, she lived just a few miles from the newspaper. She is survived by her husband, retired Kentucky State Police Trooper Russell Ferguson, and their daughter, Lee Ellen Ferguson Fish.

Ferguson was a trailblazer for women in news reporting.

A 1952 graduate of Trenton High School in Todd County, she moved to Clarksville when she started college at Austin Peay State University. In the spring of her freshman year, she applied for the society editor's job at the Clarksville Leaf-Chronicle newspaper