

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Steven J. Menashi, of New York, to be United States Circuit Judge for the Second Circuit.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.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

REMEMBERING KAY HAGAN

Mr. DURBIN. Madam President, last month, we lost Kay Hagan after a long illness.

Kay was always a fighter, starting with her days in the North Carolina State Legislature and continuing to when she answered the call of serving the Senate during the perilous days of the great recession. Kay was the right person to fight for North Carolina when she was needed the most.

She came from a family who knows service and sacrifice. Her uncle was Lawton Chiles, a Korean war veteran and former Representative, Senator, and Governor of Florida. Her father and brother served in the Navy. Her father-in-law was a major general in the Marine Corps. Her husband is a Vietnam veteran who used his GI bill to pay for law school. When Kay talked about veterans' issues, she spoke from the heart.

Kay was born into politics. As a young girl, she was putting bumper stickers on cars for her uncle. Her father won an election to become mayor of Lakeland, FL. While interning for her uncle, Kay learned about the ups and downs of Congress, literally. She operated the Senators-only elevator in this building.

North Carolina Governor Jim Hunt first encouraged Kay to run for office when she served as his Guilford County campaign chairman. In 1998, she unseated a Republican incumbent and won a seat in the North Carolina State Senate. For 10 years, Kay Hagan earned a reputation as a commonsense hard worker, interested in results, not partisan fighting. As cochair of the State budget committee, she increased the State's rainy day fund and balanced five straight budgets. She helped make record investments in education, raised the pay for teachers, and increased the minimum wage.

She was one of the most versatile women in her State. She juggled Girl Scout events, winning reelection four times, raising her growing family, and

serving as a Sunday school teacher and a Presbyterian Church elder.

In 2008, Kay ran for and won a U.S. Senate seat, becoming the Senate's first female Democratic Senator. With her family's military background, it surprised no one that Kay fought hard in the Senate for military families and veterans. When she heard about 9-year-old Janey Ensminger—daughter of a retired marine—passing away from leukemia because of contaminated water on the base of Camp Lejeune, she worked to pass the Janey Ensminger Act to help those affected receive healthcare.

Kay also introduced a bill that was close to my heart. It would ban for-profit colleges from using the phrase "GI bill" in their aggressive marketing efforts aimed at separating veterans and servicemembers from their hard-earned education benefits.

Kay was fearless with her voting. She made the toughest votes count, knowing the consequences to her own career. As long as it helped people of North Carolina and the United States, she was always a crucial partner. The Affordable Care Act and the 2009 economic stimulus package were politically difficult for many, but Kay stepped up and supported them. She was brave to the highest degree. Historians will remember that bravery. She stepped up when America needed her. Today, because of it, America is stronger and better.

We will all remember Kay Hagan for her friendship and that we had the privilege to call her a friend and colleague.

She is survived by her husband Chip, her three children—Jeanette Hagan, Tilden Hagan, Carrie Hagan Stewart—her father Joe P. Ruthven, two brothers, and five grandchildren.

It was my honor to serve with Kay Hagan and to memorialize her service to North Carolina and the United States in this statement today.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

NATIONAL ADOPTION MONTH

Mr. THUNE. Madam President, November is National Adoption Month. Later this morning, I will be spending time with a family I nominated to receive an Angels in Adoption Award this year. The Angels in Adoption Program is designed to bring recognition to individuals and organizations who are, in the words of the program, "making extraordinary contributions to adoption, permanency, and child welfare."

Angels in Adoption is a program in the Congressional Coalition on Adoption Institute, and each year Members of Congress are invited to nominate an individual or family to receive an Angels in Adoption Award. I have been making these nominations for more than a decade now. It has been a privilege and an inspiration to meet South Dakota families who have opened their hearts and homes to children in need.

This year, I nominated Mike and Kim Adams, fellow residents of Sioux Falls,

SD. Mike and Kim have a tremendous heart for children. They have five biological children, but as they learned more about the plight of children in poverty, they were drawn to adoption.

God put the country of Ethiopia on their hearts in a particular way. In 2008, they adopted a daughter from Ethiopia—Eva. Within a few years, they had adopted three more children—Selena and Amanuel from Ethiopia and Shakira from Uganda—making them a family of 11. The story doesn't end there. Seeing the poorest of the poor in Ethiopia deeply moved them, and in addition to adoption, they sought ways to help communities stuck in poverty.

The needs of children were particularly close to their hearts. In 2013, Mike and Kim agreed to take over two schools in Ethiopia when the agency running them was forced to pull out of the country. The Adams family formed the Adams Thermal Foundation to support the schools. Today the foundation supports more than 1,000 students in two schools in Ethiopia. The schools' mission is to serve children most in need—those who might otherwise miss out on the opportunity for an education. In addition to academic instructions, schools provide other resources in an effort to alleviate some of the effects of poverty and to make it easier for the children to stay in school.

To name one example, at the end of last year, the foundation completed a project to provide a permanent source of clean water to its school in Ottoro, Ethiopia, as well as to seven local villages. In addition to providing essential health and sanitation benefits, the new pipeline also frees children from the hours-long task of fetching water for their families, meaning more children can attend school.

In learning Mike and Kim's story, I was struck by how love multiplies and expands. Mike and Kim's willingness to open their hearts has led not only to four children finding a forever home but to hope and opportunity for hundreds more. I feel privileged to have learned their story and to be able to nominate them for an Angels in Adoption Award this year.

National Adoption Month is a chance to honor all those who, like the Adams, chose to welcome a child in need of a home. Sadly, not every child is born into a safe and loving home. Some are born to parents who are unable to take care of them. Some lose their parents to war, accident, or illness, and, tragically, some are born to parents who refuse to take care of them or actively seek to damage the great gift in their care.

Thankfully, there are parents out there eager to receive these children. Across our country, there are countless parents whose homes and hearts are already prepared to welcome a child in need. They may not yet know the names of their future sons or daughters, but they are ready and waiting to meet them.

National Adoption Month is a good time to rededicate ourselves to caring for children in need and helping them find loving families to receive them.

In the gospel of Mark, Jesus says, "Whoever welcomes one of these little children in my name welcomes me."

There are few actions more worthy of admiration than a decision to welcome a child in need and to create for that child a secure and loving home.

I am so grateful for all of the generous families across this country who have opened their hearts and found sons and daughters through adoption. I am also thankful for all of the birth mothers who have chosen adoption for their children to give them better lives in loving families.

I am honored to recognize the Adams family today for their embrace of their own adopted children, as well as everything they have done to make life better for children in Ethiopia.

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

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

RECOGNITION OF THE MINORITY LEADER

The Democratic leader is recognized.

SENATE LEGISLATIVE AGENDA

Mr. SCHUMER. Madam President, for the past few weeks, including this morning, the Republican leader has amazingly accused the Democrats of being uninterested in making progress for the American people because we are so distracted by the impeachment inquiry into President Trump. It is a ludicrous charge, not the least because Leader McConnell has shuttered the Senate when it comes to legislative business.

The House has passed over 250 bills that Leader McConnell has taken no action on here in the Senate. Leader McConnell proudly called himself the Grim Reaper and blocked just about everything that came through the House long before impeachment was even being talked about. So this idea that impeachment is blocking us from doing things belies Senator McConnell's record. Let me repeat it. The House has passed 250 bills, and Senator McConnell has taken no action on them from January forward.

There are lots of these bills we could have put on the floor this week, but there has been not a one. The Republicans just block and block. They block legislation to protect Americans with preexisting conditions, to reauthorize the Violence Against Women Act, and even to secure our elections from foreign interference.

A few minutes ago, I heard Leader McConnell say that everything was fine with the elections and that we don't need any more legislation. Go talk to the election officials around

the States. The States are the ones that have the say. The bottom line is they think we need to do more, and the experts think we need to do more. Only Leader McConnell doesn't. Again, he is blocking that. If Russia interferes in 2020—and I hope it will not—all eyes will be on the Republican leader, who has repeatedly prevented us from moving forward on bipartisan legislation to make our elections safer.

To show another example of the legislative graveyard, in a few minutes, the two Senators from Connecticut—MURPHY and BLUMENTHAL—will be moving forward on bipartisan background checks, H.R. 8. It is overwhelmingly supported by the American people. Senator MURPHY and Senator BLUMENTHAL will ask for unanimous consent, and the Republicans will object. So, while the Republican leader accuses the Democrats of being too distracted to make progress, he has turned the Senate into a legislative graveyard, where we hardly ever vote on legislation, where we hardly ever have an open amendment process, where we hardly ever debate major issues. This is despite commitments that have been made by the Republican leader in the past. At one point, he said—and I am sure my colleagues from Connecticut will point this out—yes, we ought to do something on background checks. Yet nothing has happened—nothing.

You don't even have to ask me. My friend the Republican Senator from Pennsylvania, Mr. TOOMEY, said something last week that caught my attention. He and I may not agree on much, but here is what he said: "Our Democratic colleagues have frequently criticized the Republican leadership and Republican majority for not legislating. Sometimes they have a point." Those are his words, not mine.

I was here on the floor yesterday with the senior Senator from Texas, and we talked about how the Senate might go about trying to lower the costs of prescription drugs. I disagreed with the Senator's unanimous consent request, as it was too narrow a rifle shot. We need to do a whole lot more. Yet we agreed we could work through the issues if the Republican leader would only allow a debate on the floor whereby both sides could offer amendments and receive votes. We Democrats very much want to vote on legislation that would maintain protections for the people who have preexisting conditions. We Democrats very much want to have a vote on allowing Medicare to negotiate with the drug companies to dramatically lower drug prices. Let's have a debate on all of these. Who is stopping that? It is not the Democrats. It is the Republican leader.

The fact of the matter is, the kinds of open debates for which we wish and the American people wish have not happened in Leader McConnell's legislative graveyard. The man who proudly called himself the Grim Reaper goes far too far in accusing the Democrats

of stifling progress. Instead, he should take a hard look in the mirror.

IMPEACHMENT

Madam President, in the House impeachment inquiry into President Trump, public hearings began yesterday with the testimony of George Kent and William Taylor.

Ambassador Taylor, who is a career public servant and a war hero who has long served Presidents of both parties, provided a startling new revelation—that his aide overheard a conversation between President Trump and Ambassador Sondland, during which the President made clear he cared more about Ukraine's investigating the Bidens than he did about helping Ukraine. The aide is reportedly set to appear before the House for a deposition later this week, and Mr. Sondland is set to appear before the Intelligence Committee for a public hearing next week.

All Senators will have an obligation to seek and review the full facts that will be developed by this inquiry to be able to render impartial justice. However, some of my Republican friends in the Senate have said they are not even paying attention to the hearings in the House. The distinguished chairman of the Committee on the Judiciary—a former House manager of an impeachment case, who, at the time, repeatedly urged Senators not to make up their minds before the case was in—recently said that he has made up his mind, that there is nothing there. This is before a single bit of evidence has been presented in the Senate. Alice in Wonderland: First is the verdict, then the trial. That is not becoming for the chairman of the Committee on the Judiciary.

While my Republican colleagues may not have been paying attention, I have been paying attention, and my Democratic colleagues in the Senate, who know they might have to act as judges and jurors in this case, are paying attention. America is also paying attention. The evidence we all heard from Mr. Taylor and Mr. Kent has cast a troubling portrait of a President who is trying to use the powers of his office for personal political gain. As the public hearings continue, we have a responsibility here in the Senate not to prejudge the case but to examine the evidence impartially. At the very least, Senators should be paying attention.

NOMINATION OF STEVEN J. MENASHI

Madam President, the Senate will vote today on the confirmation of Steven J. Menashi to serve on the Second Circuit Court of Appeals.

In all my time in this body, Mr. Menashi has been one of the most contemptible nominees to have come before the Senate. He would be a disgrace to the seat once held by the great Thurgood Marshall.

While sitting before the Committee on the Judiciary, Menashi refused to answer simple questions. He showed a breathtaking contempt for Senators on both sides of the aisle. His record on

race, women's equality, LGBTQ rights, and the rights of immigrants should be disqualifying. At the Department of Education, he helped to cook up an illegal scheme to use the Social Security data of students who had been swindled by for-profit colleges in order to deny them debt relief. A judge ruled this scheme violated Federal privacy laws.

At the very least, a candidate for a judgeship should show respect for the law. That is the lowest possible bar. A judge is supposed to revere the law, uphold it, and apply it with an even hand. How can anyone trust Mr. Menashi to come even close to doing that? Mr. Menashi is a textbook example of someone who does not deserve to sit on the Federal bench, particularly with a lifetime appointment.

My Republican colleagues, in my view, have rubberstamped too many of these extreme, unqualified nominees—nominees, in Mr. Menashi's case, who have been almost craven, but on few occasions, a small group has stood up and said: Enough. This is too far.

Well, my colleagues, if there were ever anyone who was too far, it is Menashi. There is no reason President Trump couldn't find a more suitable nominee for the Second Circuit Court of Appeals. I urge my Republican colleagues to do the right thing today and reject the Menashi nomination.

TAX RETURNS

On tax returns, yesterday a Federal appeals court ruled that Congress can seek 8 years of the President's tax returns. No doubt, the President will appeal the ruling to the Supreme Court in an effort to keep hidden what the President has been hiding for as long as he has been in public life—his tax returns.

Why the President has engaged in such an astounding breach of transparency is still unknown.

President Trump, what are you hiding?

The DC Circuit's decision—an 8-to-3 ruling—was clearly the correct legal result. It should be upheld.

FARMERS AND VETERANS

Last but not least, on farmers and veterans, President Trump has long fashioned himself a champion of everyday Americans—workers, farmers, veterans. This week has been a grim reminder that despite the President's promises, almost every week his administration undermines the very people he claims to champion.

Take our veterans whose service we commemorated earlier this week on Veterans Day. The Department of Veterans Affairs decided in 2017 to help Vietnam-era veterans who were exposed to Agent Orange by expanding the list of diseases that were eligible for health benefits to include bladder cancer, hypertension, Parkinson's-like symptoms, and hypothyroidism.

There are tens of thousands of veterans whose lives would be changed by this decision. It was the right decision based on research done by the VA. Unfortunately, it was recently revealed

that OMB Director and Acting White House Chief of Staff Mick Mulvaney blocked funding for these new health benefits because of what it would cost. Think about that. Mick Mulvaney, who thought adding \$1.5 trillion to our deficit was an acceptable cost for tax cuts to the rich, believes the cost of health benefits for sick veterans is just too high. So wrong. So wrong. It is shameful that Mulvaney could actually be in the position he is.

The next time the President claims to be a champion for our Nation's veterans, the American people should remember what he is doing here—denying benefits to men and women who were in our Armed Forces, exposed to Agent Orange, and are now sick. It is too expensive to help them but not too expensive to give tax cuts to the wealthiest of Americans. Shame on the administration, shame on Mulvaney, and shame on President Trump.

What about our farmers? It is no secret that America's farmers have struggled as a result of President Trump's trade policies and retaliatory tariffs from other countries. The administration even created a new program through USDA to help offset the losses farmers were facing.

Well, now it turns out that the Trump administration has grossly mishandled that program. A report by the Democratic minority on the Agriculture, Nutrition, and Forestry Committee, led by its ranking member, Senator STABENOW, revealed that the lion's share of Federal aid has gone to large agricultural conglomerates scattered across the South, not to small family farms in the Midwest who have suffered the most. Ninety-five percent of the largest per-acre payments have gone to Southern States, while the lowest payments have disproportionately gone to the farmers who are suffering in the Midwest. The administration lifted the limits on aid to row crops but kept the limits for other crops, meaning that more aid has gone into the pockets of the largest and wealthiest farms in America. The report even showed that tens of millions of dollars have gone to foreign-owned entities, including a beef factory in Brazil.

President Trump has claimed to look after our farmers, and he has claimed to look after our veterans, but he has instead turned his back on them. More and more Americans—farmers, veterans, others—are starting to notice.

I yield the floor.

THE PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Washington.

H.R. 8

Mrs. MURRAY. Mr. President, I want to thank Senators MURPHY and BLUMENTHAL for their tremendous leadership that we are here on the floor today to speak about.

I come today not just as a Member of the Senate representing my home State of Washington but as a former educator, as a mother, and as a grand-

mother devastated by how the gun violence epidemic is tearing apart our families and ravaging our communities in every State.

I am furious at Republican leaders who continue to stand by and do nothing while more and more lives are lost, just as I was after Newtown, Parkland, Sutherland Springs, and Marysville in my home State of Washington. I could go on.

We don't have to continue this cycle of violence, heartbreak, and inaction, and we are here today to emphasize that there is action we can take right now because earlier this year, the House passed H.R. 8—meaningful, bipartisan gun safety legislation—to address this terrible crisis through universal background checks and other popular reforms. But in the 260 days since H.R. 8 passed the House, it has languished here in the Senate despite repeated calls from myself and my Democratic colleagues for a vote.

That is why 58 days ago, following the tragic events at El Paso, Dayton, and Midland, I joined my Senate Democratic colleagues here on the floor to try to break the cycle and demand that we address the scourge of gun violence in this country by taking a vote here in the Senate on H.R. 8, which would install universal background checks—a policy that, by the way, is supported by an overwhelming majority of Americans.

In the face of Republican apathy, people across the country raised their voices even louder, demanding action to end the endless wave of gun tragedy, so much so that after this summer's string of horrors, President Trump bowed to public pressure and made a commitment to finally act to address the gun violence epidemic.

After months and years of inaction and far, far too many lives lost, it was the first sliver of hope in a long while—that the President and Senate Republicans would finally put the safety of our families over their allegiance to the NRA and do something substantive about ending this Nation's gun violence epidemic, working with Democrats toward commonsense reforms to end gun violence and keep people safe.

Now, more than 2 months later, President Trump has betrayed his pledge to address this tragic epidemic as if the past summer never even happened. Once again, he has chosen to abdicate his responsibility to keep our families and our communities safe and has broken yet another promise he made to the American people, kowtowing to the NRA and its unpopular, hard-right agenda to stymie commonsense gun reform as soon as mass shootings were out of the headlines.

Well, I can assure you, Senate Democrats and I are going to keep fighting for commonsense gun safety reforms, like universal background checks, even when gun violence isn't making a headline that day, because while President Trump continues carrying water for the NRA and Senate Republicans continue hiding behind President Trump,

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