

this right to fit their own gun-grabbing agenda. Their latest attack on the Second Amendment is the nomination of a registered anti-gun lobbyist, who has called for the ban of certain firearms, to lead the Bureau of Alcohol, Tobacco and Firearms. This is the very agency that oversees firearms.

It is unbelievable. Putting David Chipman in charge of the ATF is like putting an arsonist in charge of the fire department. He has a very hostile record toward the Second Amendment, and this hostile record against law-abiding gun owners speaks loud and clear.

It is interesting to look at the 2020 data that is coming in. Forty percent of the firearms sold in our country last year were to first-time buyers of a firearm—40 percent. Why? The American people want to be able to defend themselves.

As we are seeing the far left push to defund law enforcement, defund the police, and we see the anarchy going on across the cities of America, the lawlessness, the high murder rates, the violence, it is no wonder that more Americans now say: I want to own a firearm myself to protect myself.

If confirmed, Mr. Chipman would help the Democrats push their gun-grabbing agenda. We can't allow the left to continue this attack on our precious constitutional rights. David Chipman would be a disaster to the Second Amendment rights of Montanans and all Americans. The Senate must oppose Mr. Chipman's nomination for the sake of protecting our Second Amendment rights.

We must also pass some common-sense legislation that protects the Second Amendment, like what Senator BRAUN of Indiana is trying to do with his ATF Accountability Act. I support him in his efforts to pass this common-sense legislation.

I urge all my colleagues to join me in opposing Mr. Chipman's nomination to lead the ATF and encourage my colleagues to pass and support Senator BRAUN's ATF Accountability Act.

I yield back my time to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana.

UNANIMOUS CONSENT REQUEST—S. 1920

Mr. BRAUN. Mr. President, here in a moment, I am going to ask for unanimous consent on the ATF Accountability Act and the Protecting the Right to Keep and Bear Arms Act.

Governor Cuomo has declared gun violence a public health emergency in New York. "We want to do with gun violence what we just did with COVID," Governor Cuomo says.

During the pandemic, Governor Cuomo and other elected officials used the public health emergency to infringe upon Americans' constitutional rights. They barred Americans from exercising their freedom of religion by closing churches. They infringed upon Americans' right to assemble by banning many gatherings, and now gun

control activist organizations are pressuring President Biden to declare gun violence as a public health emergency.

Doing so would allow the administration to take Executive action to hold up gun sales.

Declaring a public health emergency should not give the executive branch the right to infringe upon our Second Amendment. This is why I introduced the Protecting the Right to Keep and Bear Arms Act to stop this. This bill would prevent the White House from declaring an emergency for the purpose of imposing gun control.

I took an oath to represent Hoosiers and protect their Second Amendment rights. That is why I will oppose the nomination of David Chipman and why I will ask for unanimous consent to pass the ATF Accountability Act and the Protecting the Right to Keep and Bear Arms Act.

Mr. President, as if in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1920 and the Senate proceed to its immediate consideration; further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The majority whip.

Mr. DURBIN. I read this bill, and I am not sure the Senator from Indiana really wants to do what this bill says because the bill makes it a priority that this Agency, Alcohol, Tobacco, and Firearms—a priority if there is a request from a licensed manufacturer, importer, or dealer, a request of the Agency for information questions on regulatory matters, puts timelines on them, deadlines.

It says that the Bureau of Alcohol, Tobacco, Firearms and Explosives—the Attorney General shall—shall—not later than 90 days after the receipt of such a request or question make a ruling or determination.

Well, you think to yourself, if this Agency has very little to do with thousands of employees, then perhaps the timeliness of response from the industry would merit some 90-day deadline. But the Senator in introducing this completely overlooks the obvious. This legislation would force ATF to take resources and manpower away from their other activities and put them into answering regulatory inquiries with a 90-day deadline in his bill.

So what are the other duties that will be taking the ATF agents away from? Well, the Senator is from Indiana, my neighboring State, and I am sure when he goes to northwestern Indiana, he hears a lot about the city of Chicago. Well, it was last weekend, on the Fourth of July weekend, that there were 104 people shot in the city of Chi-

cago, 19 died. There were 13 children who were shot and two law enforcement agents.

What is the responsibility of the Alcohol, Tobacco, Firearms and Explosives Bureau when it comes to this kind of mass shooting that is taking place in the city I am honored to represent but breaks my heart to hear those numbers?

They are supposed to be investigating the gun violence. They are supposed to be gathering the information and evidence so they can work with the prosecutors to stop this mass shooting. Unfortunately, the Senator from Indiana said, no, that is not your priority at ATF; your priority is to answer regulatory questions from gun dealers and manufacturers. And you have 90 days to do it, no matter what else is going on. Oh, you may be going after somebody who is guilty in a mass killing and a mass shooting; put it aside. You have a bookkeeping question. That is one of the provisions in here. You have a bookkeeping question that should take priority over anything else you are doing. Stop preparing information and evidence for trial, answer the industry questions on regulations. That is your highest priority—at least that is what your bill says.

So I look at this, and I think, in the reality of gun violence and death and the crimes that are being committed, ATF has the most important role of keeping us safe. I want them to be efficient in dealing with the industry. But that is not their highest priority, as far as I am concerned. The highest priority is to keep America safe and to do something about gun violence. And for that reason, I object.

The PRESIDING OFFICER (Ms. SMITH). The objection is heard.

The Senator from Indiana.

Mr. BRAUN. Madam President, a quick response to that before I ask unanimous consent on the next item is that that is an argument I hear so often, that the city that supports some of the toughest State gun laws and local laws that ends up having the statistics that no one would want to have across our country and then would try to cast that blame on a neighboring State tells me that you are looking in the wrong place to solve the problem.

The ATF here, we are just wanting clarity—that is the purpose of this act, and I suggest that my friend from Illinois look at some of the more basic issues that might be underlying what is happening there.

UNANIMOUS CONSENT REQUEST—S. 1916

Madam President, as if in legislative session, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 1916 and the Senate proceed to its immediate consideration; further, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Let me say, initially, I did not mention the issue of the source of crime guns in Illinois. The Senator from Indiana raised it. And since he did, I want to make a record of it.

When we trace the crime guns in Illinois, we find an alarming percentage of them coming from gun shows in your State right next to Illinois. The bad guys get on the Skyway, drive over to northwest Indiana gun shows and buy guns at those shows without background checks and come back and commit crime in Chicago and other neighborhoods.

That is a fact. You may not like it; I certainly don't like it. But we ought to be doing something about that instead of worrying about the gun manufacturers and the gun salesmen and whether or not they are going to get special treatment from this Agency.

But let me address the second matter that is before us, and this is Senator BRAUN's request for S. 1916, Protecting the Right to Keep and Bear Arms. I want to set the record straight at the outset. Current Federal law, the Stafford Act, prohibits the Federal Government from seizing lawfully owned guns during a period of a major disaster or emergency. It is on the books. That is the law.

The Stafford Act is also clear that during a major disaster emergency, the Federal Government is prohibited from creating new registration requirements for guns, new prohibitions on gun possession, or new prohibitions on the lawful carrying of firearms. That is on the books already. So current law already protects guns that people own legally during periods of disaster or emergency. But the Senator's bill goes much further than that.

Section 4 of the bill would amend the Stafford Act—get this—to say that the Federal Government also cannot prohibit the manufacture or sale or transfer of guns or ammunition during a disaster or emergency. There are several problems with this.

First, current law has exceptions that allow the government to continue enforcing laws already on the books during a disaster. This includes laws that prohibit convicted felons from possessing guns. Your bill does not make that exception. I am sure you don't want to do that. I hope you will look at your bill. In other words, under the bill, as I read it, during a major disaster or emergency, the government would be barred from any prohibition of gun sales, even from enforcing the current prohibition on the sale of guns to convicted felons.

That doesn't make sense. I am sure that is not what you want to do, but that is what your bill says. I hope it is not what you intended, and I am sure it is not. So please look at it carefully.

There are also legitimate reasons why the government might need to temporarily prohibit guns being sold in a disaster area. Here is something that is not outlandish. Suppose the background check system has been knocked offline in a disaster area. We wouldn't want felons taking advantage of that situation to walk into a gun dealer and buy guns that they are ineligible to buy.

Current law ensures that the government can't take anyone's lawfully owned guns away from them during a disaster, but there is no clear justification for granting untouchable status to gun sales during the disaster. This bill needs some work. I hope we will not pass it in a hasty manner. And in light of these and other concerns, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Illinois.

#### NOMINATION OF DAVID CHIPMAN

Mr. DURBIN. Madam President, David Chipman is the nominee for the Alcohol, Tobacco, Firearms and Explosives Agency. I know a bit about him because he went through the Agency process. He is a veteran of over 20 years working for this Agency. We need him. I will tell you why we need him.

In the history of the Alcohol, Tobacco, Firearms and Explosives Agency, there has only been one person who has served—I believe it is from your State of Minnesota. There is only one person who served as the confirmed Director of the Agency. Otherwise, over and over again, it goes without any leadership. You say: Well, is that just an accident that this Agency never has a Director? I don't think it is an accident at all.

You see, the gun lobby, when they want to make their case against new gun laws, always say the same thing: "Well, just enforce the laws on the books. You don't need new laws. Enforce the laws on the books."

If you bought that premise, then the Alcohol, Tobacco, Firearms and Explosives Agency is one of the agencies that does that. So if you can weaken this Agency—fewer agents, fewer employees, fewer supervisors, no Director—then the actual enforcement that is being done by this Agency is diminished.

So, now, President Biden brings us Mr. Chipman. There are two parts of his career that should be noted: Over 20 years at ATF, involved in some of the most serious investigations, and did an incredible job. After he left the ATF, he went to work for a gun safety group. He is the first one to tell you: "I own a gun, and I respect your Second Amendment rights and my Second Amendment rights, but I don't want guns to get into the hands of the wrong people, and that is how I would run the ATF."

I think that reflects what the majority of Americans think. Second Amendment rights—I honor them, I respect them, they are in the law, decided by the Supreme Court in the Heller deci-

sion, but when it comes to guns—and I look at the wanton violence taking place. I don't want guns getting into the hands of convicted felons. No, I don't. I don't think they have any Second Amendment right, neither does David Chipman. But the people behind the gun lobby, gun industry don't want an Agency that actually enforces those laws. They really don't. And so they are trying to stop his nomination.

It may be controversial, but I hope he gets this job. I am going to vote for him.

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. 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.

#### CLIMATE CHANGE

Mr. DURBIN. Madam President, this morning, our friends in Europe claimed first place in the race against climate change. The European Union has laid out a plan to decarbonize Europe and reduce greenhouse gas emissions by 55 percent at the end of this decade. It is an ambitious plan, and it is one that will, in the words of EU climate policy chief Frans Timmermans, "give humanity a fighting chance."

To our allies in Europe, I want to say: America stands with you in this effort, and we welcome the friendly competition to see who can move quickest to save our planet.

Earlier today, President Biden joined members of the Senate Democratic caucus to discuss our historic budget proposal that was unveiled last night. It is a proposal designed, first and foremost, to help working families and secondly—and not a distant second, right up with that—to secure our planet's future.

Climate change impacts every single one of us. It doesn't care about our borders or national identities. It does present an opportunity for us to lead the world in saving this planet, literally, for our kids and grandkids.

I am glad we have a President who understands this issue. The budget resolution we discussed with him today will pave the way for that to happen.

#### VOTING RIGHTS

Madam President, more than 156,000 Allied troops stormed the beaches of Normandy on D-day. Among them were 2,000 African-American soldiers. Within that group was an even smaller band of brothers: 700 members of the 320th Barrage Balloon Battalion, the only—all Black combat unit to take part in D-day.

Ten days ago, on the Fourth of July, Henry Parham—the last known living member of that historic African-American battalion—died at a veteran's hospital in Pittsburgh. He was 99 years old.

He was one in a million, literally. He was one of the 1 million African-American men and women who served in the