next week or the week after or in the very near term—commonsense steps that have wide support across the country in both parties. One would be to finally say: Why not vote in accordance with not just a national consensus but actually a consensus here in the Senate on background checks? Why would we allow these gaping holes in our system to remain wide open so that almost anyone can get a gun? No matter how dangerous, no matter how much a threat they are to society, they can get a gun because of these gaping holes in our background check system. No one disputes that there are these holes. No one disputes that they lead to unnecessary death and violence. But we haven't been able to get enough Members in the Senate to come together to support background checks. We should try to do that again. I don't know why we don't have more votes. Let's keep voting until we get enough momentum.

Second, this idea of terrorists whom we made a judgment about—that we either know they are terrorists or we suspect they are terrorists based upon all kinds of evidence—and we say: That category of people will not be able to get on an airplane. Guess what. When we did that after 9/11, that was our policy or part of our larger policy against terrorism. We came together and said that those people can't get on airplanes. Guess what. We haven't had planes fly into buildings in the country since 9/11 because we came together, we made a decision, we acted on it, and we stopped at least that part of the practices terrorists engage in. But when it comes to this issue of reducing—even beginning to reduce gun violence, we haven't had the same consensus.

So we have a circumstance now where suspected terrorists are deemed too dangerous to fly in a plane but not to own a weapon of war. So, virtually, under the policy that is in place now, because the Senate hasn't acted, because we haven't had an act of Congress, there are folks who are either suspected terrorists or terrorists who can't get on an airplane but can buy any gun they want or obtain any gun they want and there is no legal prohibition. That makes no sense to anyone who is serious about this issue of preventing violence and reducing gun violence.

How about individuals who are convicted of violent hate crimes that involve the use of force being allowed to get a gun? Why would we wait until that individual commits a felony with a use of force that in many cases involves the use of force with a firearm? Why would we wait for that violent person to go down that pathway, someone who is convicted of a hate crime that involves domestic abuse or some other act of violence or the use of force?

So I think a number of these strategies are commonsense steps we can take that would have zero impact on the right to bear arms. We are not talking about law-abiding citizens; we are talking about people who pose a demonstrated threat to people in our community and beyond. But so far that hasn't happened. I hope we will schedule some votes. How can that be harmful, to keep voting on such an important issue until we move forward? So that is something we can work on before we leave here.

There is no rule that says we have to leave at the end of next week. We could work the week after that and the week after that and begin to make progress on a whole range of issues, including gun violence. Of course, I hope that will include finally getting to a conclusion on Zika funding to address this threat to pregnant women and their children. We should finally get that done, and maybe we can get that done with the spending bill next week. That would be great progress. But unless we act, we leave on the table this horror of gun violence where there has been virtually no progress for years—not just months but for years.

PENSIONS FOR MINE WORKERS

Mr. CASEY. Mr. President, I wish to speak about an issue that is—to say it is unfinished business is an understatement. The fact that we are standing here in the fall of 2016 and the Congress of the United States hasn't fulfilled its promise to coal miners is really an insult not only to coal miners who spent a lot of years in the mines in a lot of States, mine and other States, but it is also an insult to the country because their government—our government—made a promise to them more than a generation ago.

Some people may remember the book ''The Red Badge of Courage.'' That was written by Stephen Crane, a great novelist who didn't even make it to the age of 30. He died in his late twenties.

Stephen Crane is known for being a great novelist and known for writing ''The Red Badge of Courage,'' but one of the most compelling accounts he ever wrote or anyone has ever written about the dangers and horrors of a particular line of work was Stephen Crane's essay, just before the turn of the last century, about a coal mine in my hometown of Scranton. The name of the article published in Collier's magazine was ''In the Depths of the Coal Mine.'' I will not of course read all of it and recite major portions of it, but suffice it to say that Stephen Crane, a great novelist, went into a coal mine and reported what he saw there, not as a work of fiction but as a work of the harsh realities in nonfiction of what the miners were facing.

In one part of the essay, he described the mine he was in when he descended all the way down. Of course, you only have to go down a very short distance before it is pitch black. You can't even see your hand in front of your face. He described the mine as a place of ''an inscrutable darkness, a soundless place of tangible loneliness. . . . ''

Then he went on from there describing what he saw, describing young children working in the mines, children the ages of 10, 11, 12, and into their teens, working in the mines; describing the process of how the coal got out of the mines, mules pulling these carts full of coal. He described what my fraternal grandfather saw when he was there as a young boy at the age of 11, who entered a mine not too far away from this particular mine, just as Stephen Crane was writing.

Stephen Crane concluded the essay by talking not only about all of the horrors of the mine but how miners could die in that mine. He described it at one point in summation as the 100 perils or the 100 dangers that those coal miners faced.

Why do I raise that today? I realize coal mining in the present day or even 10 or 15 or 20 years ago, maybe even 30 years ago, was not nearly as dangerous as it was in the 1890s or the early part of the 1900s, but it is still very dangerous work today and has been for all these years. We have seen too many places where miners have been trapped and rescued or trapped and never rescued, killed, in places like Pennsylvania, West Virginia, Kentucky, and other places over more than a generation—in fact, many generations. Those miners worked there for, in many cases, more than 10 years or 20 years. Some of them also served our country in World War II, Korea, Vietnam, or beyond.

They were promised by their government that they would have a pension. A number of us, in a bipartisan fashion, came together to support the Miners Protection Act, which would make sure that at a minimum the now 12,951 miners in Pennsylvania would get that pension they were promised and a smaller number—but a big number, in the thousands, in Pennsylvania—would also get the health care they have a right to expect. This was a promise by the Federal Government. It wasn't a ''we will try to'' or ''we hope to do it'' or ''we will make every effort to do it,'' it was a hard-and-fast, irrefutable promise, and it is time the Federal Government has delivered on that promise to those miners and their families.

They went into the darkness and the danger of a coal mine in the 1950s, 1960s, 1970s, and beyond. Some of them were younger than that. Some of them still do it and still engage in that work. They should have a right to expect that just as they kept their promise to their families that they would go to work every day and work hard and bring home a paycheck, just as they made a promise to their employer that they would go into that mine every day and do impossibly difficult work year after year and sometimes decade after decade—and they fulfilled that promise to their employer and to their families. Some of them made a promise to their country that not only would they work hard, but they would serve their country in war and combat.

The question is, Will we keep our promise to them?

Their promise was much tougher than our promise. All we have to do here to keep the promise is vote the right way, vote in the U.S. Senate to make sure miners get their pensions and health care and vote in the House in the same way. That is not hard to do—to walk into the well of the U.S. Senate or somewhere in this Chamber and put your hand up. That is pretty easy to fulfill the promise we made to them. This isn't a lot of money for these miners. In addition to Social Security, sometimes it is about 530 bucks a month for all of that work they did. So it is not hard to fulfill this promise that our country and our government made to them.

These are people who are not in the newspaper every day, they are not on television. They may not have a lot of power. They may not be connected to people who are powerful or people who are wealthy. They are just hard-working people who did their job and deserve to have that promise fulfilled.

I believe this is a matter of basic justice. It is basic justice whether we are going to fulfill that promise. Saint Augustine said a long time ago, hundreds of years ago: ''Without justice, what are kingdoms but great bands of robbers.''

If you apply that to today's terminology, a kingdom in some sense is like our government—a governing body for a nation. Without justice, what is a government but a great band of robbers. We owe people that basic justice, that promise.

So let's fulfill our promise as Democrats, Republicans, and Independents in the U.S. Senate. Let's not allow inaction or other circumstances, political or otherwise, to prevent us from doing the right thing. Let's not rob these miners and their families of what they deserve, what they earned. We are not giving them anything. We are just voting the right way so they have a promise fulfilled.

I would hope that before everyone goes home to do whatever folks will do—travel to their States or campaign or whatever they are going to do—I would hope, at a minimum, we would take action on a number of things we talked about today but in particular that we make sure families don't have to worry about the horror and threat of Zika, something we can prevent the spread of if we take action; that families will not be threatened by it in Florida or Puerto Rico or anywhere because beyond that, we don't get to the solution, the action. Of course, we hope we can go home and say we at least said to miners and their families: We have fulfilled the promise the government made to you generations ago. That is the least this body and the other body should do before we leave Washington.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

TRIBUTE TO TIM MITCHELL

Mr. CASEY. Mr. President, I didn't want to leave today without joining the chorus of commendations for Tim Mitchell. I think technically tomorrow is his 25th anniversary, if I have that right, and I heard some of the comments this morning, but I didn't get to the microphone earlier to say anything, and I should have. I will be brief.

I just want to thank Tim for his remarkable service to the Senate these 25 years, and I know he has more work to do, but it is an important anniversary to highlight.

Some people mentioned his great baseball knowledge, where I am often deficient, despite having two great teams in Pennsylvania, the Pirates and Phillies, but Tim knows just about as much as anyone. In addition to his knowledge of baseball and his great work in the Senate, which often in the Senate goes unrecognized or unheralded, Tim is someone who brings to the job great character, integrity, and a kind of decency that sometimes we all don't exercise every day of the week. Sometimes he is getting seven questions from nine different people and he handles every one. Sometimes you ask him the impossible question which he tries to answer, but he probably shouldn't, which is: When will we finish this week, which is always an open question with an uncertain answer. I have at least kept my faith with him by saying: Tim, I won't quote you, but tell me when we might wrap up this week.

He is a great example of public service in the Senate and a great example of what we all hope to be when we work in a government institution or in a Chamber like the U.S. Senate. I am so grateful to Tim for his ongoing commitment to public service. I wish him 25 more years on top of the 25 years that preceded this anniversary.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I thank my colleague from Pennsylvania.

Several of us came to the floor earlier today to pay tribute to Tim Mitchell in his service to the Senate, which is certainly deserved on this occasion of his 25th anniversary of beginning work here.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 3347 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. DURBIN. Mr. President, 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. 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.

RELIGIOUS LIBERTY

Mr. SASSE. Mr. President, I rise today to address the recently released new report of the U.S. Commission on Civil Rights entitled ''Peaceful Coexistence: Reconciling Nondiscrimination Principles with Civil Liberties.''

The Commission on Civil Rights has a glorious and profound history in our Nation. Founded in 1957, the Commission initially had the grand cause of ending the horror and the tragedy of Jim Crow laws in our Nation.

Sadly, however, the Commission's focus has recently strayed, and its new report poses profound threats to the historic American understanding of our First Amendment. In the Commission's just released report, the majority reveals a disturbingly low view of our first freedoms. It actually puts the term ''religious liberty'' in scare quotes, and it says that religious liberty must now be subservient to other values.

Here is a snapshot of the majority's position from this new report, in their own words:

> Progress toward social justice depends upon the enactment of, and vigorous enforcement of, status-based nondiscrimination laws. Limited claims for religious liberty are allowed only when religious liberty comes into direct conflict with nondiscrimination precepts. The central finding which the Commission made in this regard is:
>
> Religious exemptions to the protections of civil rights based upon classifications such as race, color, national origin, sex, disability status, sexual orientation, and gender identity, when they are permissible, significantly infringe upon these civil rights.

Additionally, the Commission's Chair, Martin Castro noted:

> The phrases ''religious liberty'' and ''religious freedom'' will stand for nothing except hypocrisy so long as they remain code words for discrimination, intolerance, racism, sexism, homophobia, Islamophobia, Christian supremacy or any form of intolerance.

But are the phrases ''religious liberty'' and ''religious freedom'' simply hypocritical code words? Are they shields for phobias, intolerances, and power struggles?

Of course, they are not.

Religious liberty is far more beautiful, far more profound, and far more human than that. Our national identity is actually based on this very premise.

The American founding was unbelievably bold. Our Founders were making the somewhat arrogant claim, almost, that almost everyone in the history of the world had actually been wrong about the nature of government and about the nature of human rights.

Our country's Founders believed that God created people with dignity and that we have our rights via nature. Government is our shared project to secure those rights. Government does not