

back those laws if it means helping to lift their sales.

Let's show the students at Stoneman Douglas and across the country that we hear them. I hope we show that reducing gun violence is a priority.

I call on my Republican colleagues to join the Democrats in a bipartisan effort to treat the issue of gun safety with the sense of urgency that the American people believe is necessary. If Republicans gave a fraction of the effort to gun safety that they have to other issues, we could get this done—and done quickly. There are plenty of reforms we could pass that are completely consistent with the Second Amendment and would save lives. Even President Trump, for the time being, has said that he supports them.

So let's get started. Not on a give-away to the gun lobby—let's work on closing loopholes. Let's have universal background checks. Over 90 percent of the American people believe we should keep guns out of the hands of convicted felons and mentally unstable people. I also believe that those who are subject to protective orders for domestic violence should be disqualified from buying a gun. I would say that those who are on the terrorist watch list, whom we do not allow to fly on airplanes because of fear that they could do harm to others, shouldn't be allowed to buy guns in the United States. I want to add a provision that straw purchasers—the girlfriends with no criminal record who buy the weapons to give to the boyfriends with a long criminal record—ought to have the book thrown at them. Let's get to work.

I want to thank the victims and advocates who have worked for many years to help reduce the epidemic of gun violence. I want them to know we stand with them, and I hope we can all stand with them on a bipartisan basis.

I yield the floor.

The ACTING PRESIDENT pro tempore. The majority whip.

FIX NICS BILL

Mr. CORNYN. Mr. President, I heard the remarks of my colleague from Illinois, and I, too, hope that we can get past the rhetoric and the talking points of the past and actually do something meaningful when it comes to public safety and address the terrible tragedies like the one that occurred at Stoneman Douglas High School in Florida just 2 weeks ago. But we are not going to do it by trotting out our laundry lists of requests and saying that it has to be all of this or nothing because when you say here in Washington—and particularly in Congress—"I want everything on my list or I want nothing," one thing is for sure. You will end up with nothing, and that simply is an unacceptable outcome, particularly when it comes to the public safety crisis manifested here most recently at Stoneman Douglas High School in Florida.

We know that there were many, many failures; you might even call this a systemic failure when it comes to the

children at Stoneman Douglas High School. First and foremost, why didn't Federal and local law enforcement follow up on threats and warnings? This young man, the shooter who took the lives of 17 people, telegraphed in very clear, unmistakable language what he intended to do, but the very people whom we trust and entrust with public safety at the Federal and State levels did not respond.

We know that the alleged shooter was expelled from school for disciplinary reasons. We know that deputies in Broward County received at least 18 calls warning them over the course of several years—18 calls. We know about the disturbing YouTube posts, where the shooter basically said what he intended to do and did, in fact, do later. We know that the FBI received many disturbing tips from citizens about the imminent danger posed by the shooter.

Another question is whether mental health officials could have done more. We know that this young man had a long history of violent outbursts. We are told that in 2016 he reportedly attempted suicide by drinking gasoline. He had been accused of verbal slurs against racial and religious minorities.

We know that Florida has a State law, as some have advocated at the Federal level, that permits forced hospitalization of people in mental health crises, but it seems that in this particular case, mental health workers concluded that this individual was stable at the time they examined him. Why and how was that determination made, and why does that stand in such stark contrast to the picture that we have been able to draw as a result of all the information that we received since this terrible shooting? If law enforcement, public health workers, and school officials were communicating and coordinating effectively, would they have made the same decisions in this case? Could they have made a difference in the outcome? Well, I think we need the answers to those questions.

There are two other questions we need to answer as well. One is why and how did the shooter have access to firearms in the first place? Another is why didn't the school's armed resource officer intervene once the shooting began?

All of us are angry at the fact that this shooting happened, but that shouldn't tempt us into easy solutions that at the end of the day wouldn't make any difference in the outcome and wouldn't do any good. That is what we tend to get here in Congress when we have hard issues like this—easy solution talking points that lead to no effective action. We can't let that happen here. As one columnist put it last week, we can't fall victim to "the politics of false hope."

The most frequent refrain I hear in Washington after some tragedy like this occurs is "We need to do something." Well, we need to do something effective, something that would change the likely outcome. We may not be

able to protect every citizen against terrible tragedies like this, but there are things we can do that will make things better and that will be effective in changing the outcome and, I believe, in saving lives.

Real solutions require us to look at why the FBI and local law enforcement failed to respond to multiple warnings. I asked one police officer about this, and he said: Well, in America we can't arrest somebody for precrimes. In other words, we can't arrest somebody for an offense that they haven't committed yet. It is perhaps a flaw that is exposed in our system when, unfortunately, we can't anticipate who might commit these terrible offenses and stop them before they commit the act. That is a feature of our law enforcement system, but this isn't just another job for law enforcement. There are a lot more people who could contribute to a solution here and prevent these incidents from happening beyond law enforcement, who are, by our very Constitution, structured to investigate and prosecute crimes that have already occurred, not to stop them in the first place.

I think a fair question to ask is, What is the role of social media in preventing mass violence? When you have people basically telling us what they are getting ready to do and posting those on social media and nothing seems to happen as a consequence, it strikes me that something is terribly wrong there. What is the responsibility of these platforms? Well, we know that Congress has said, for example, that you have a responsibility to police your platform for things like child pornography. In other words, they can't be totally oblivious to the things that are being posted on these social media platforms. They have a responsibility to intervene in some cases, and maybe it ought to be in more cases.

What options currently exist to reporting disturbing content online? I believe in the YouTube video case, it was someone who actually saw it, was disturbed by it, and then reported it to the FBI. It was not even YouTube itself that identified it. Of course, they would be in the best position to identify it immediately. It was some third party who happened to see it, was disturbed by it, and contacted the FBI. Tragically, it was never followed up on. How often are these popular platforms reporting to police or Federal authorities when people actually threaten to commit acts of violence? If there are holes in the reporting protocol, we should close them.

That is why I think this is a systemic failure. When you look at mental health providers, when you look at law enforcement officials, when you look at the schools, when you look at the social media platforms, when you look at all of this together, I think it begins to give us some ideas about things we can do that may end up saving lives, and we should do them.

Members are discussing many ideas, which always happens after a tragedy

like this, and I am open to a conversation with anyone who shares my desire to take effective action to prevent another one of these tragedies. There is one proposal that has already been introduced that has won bipartisan support and has brought together advocates from all sides. It is really a unique piece of legislation because there are not many times that I can think of where people who are strong Second Amendment advocates and people who believe there ought to be more controls imposed on guns can come together to find consensus, to find common ground, but we have on a bill called the Fix NICS Act, which I introduced to strengthen the background check system.

It may take a long time to answer all the questions raised by the tragedy in Parkland, but one step we can take right now is to pass the Fix NICS bill. This bill has the unique quality of causing the junior Senator from Connecticut and me to reintroduce this bill. We couldn't be more ideologically different. He is a Democrat and I am a Republican, but we have come together on a bill that does enjoy broad bipartisan support and that, I believe, will save lives.

This bill was introduced in the wake of the shooting last fall in the small community near San Antonio called Sutherland Springs, TX. As we will recall, a deranged gunman with a criminal record and a history of violence and mental illness opened fire during a Sunday morning church service, killing 26 people and wounding 20 more. To add to the tragedy that had already occurred, this murderer's criminal conviction records were never uploaded to the FBI's National Instant Criminal Background Check System. When he went to purchase firearms, he lied about his record, and there was nothing in the criminal background check system to show that he lied and thus deny him the opportunity to purchase weapons. This failure to enforce our background check law allowed this shooter to walk into a gun store, pass a background check, and illegally purchase a firearm.

This bipartisan legislation would tighten the National Instant Background Check System. It is supported by people all across the political spectrum. It is even cosponsored by the Democratic leader, Senator SCHUMER, and is supported by Everytown for Gun Safety. It has brought together all sides in the gun debate—leaders on the Republican side and Democratic side alike.

Under current law, mentally ill individuals and persons convicted of violent crimes are prohibited by current law from purchasing or possessing firearms. This is to make sure that these laws are enforced and that criminal history information is uploaded into the NICS Federal database by State and Federal authorities.

For years, our colleagues across the aisle have said that they want reform

that would help stem the tide of gun violence perpetrated by dangerous criminals. Well, this is their chance. This is our chance. It is our chance to show the Nation that we refuse to accept shootings in schools and churches as the new normal, and we can do that. We can start doing that by passing Fix NICS this week.

Senator SCHUMER, the minority leader, said yesterday that he wants to wait, even though he is a cosponsor of the Fix NICS bill. He is a cosponsor of the bill, but he says that he wants to wait. He wants to wait and debate other ideas he knows are controversial and can't pass. Of course, that is his right as a Senator, but as I said earlier, if our attitude is "I want everything on my list or nothing," we are going to end up with nothing.

I, for one, am not willing to go home and look my constituents in the face and say that we had an opportunity to pass legislation, the Fix NICS bill, which will save lives in the future and will make sure that existing laws are enforced. I will not be able to go home and tell them, in good faith, that we have done everything we can in our power to help save lives. We can do that by passing bipartisan legislation that could pass today if it were put on the floor and voted on by a supermajority of the Senate.

I implore our Democratic colleagues to change course. Let's do the art of the possible. That is what politics is, the art of the possible. Let's do what we can immediately to pass Fix NICS and build from there. I am willing to work with them. The President is willing to work with them on things like bump stocks and the mental health failure, trying to make sure that our schools are safer and to make sure that social media platforms report threats of violence to law enforcement officials so they can be followed up on.

There are a lot of other things we can do, but the one thing we can do this week before we go home is to pass the Fix NICS bill and to send it to the House and have the President sign it into law. It will save lives.

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. MCCONNELL. Mr. President, the Senate will soon vote to confirm another fine candidate to serve on the Federal bench.

Yesterday afternoon, we voted to advance the nomination of Judge Elizabeth Branch for the Eleventh Circuit Court of Appeals. Judge Branch has sat on the Georgia Court of Appeals since 2012. This follows a fine career that spanned both private practice and public service.

Judge Branch has previously answered the call to serve at the Department of Homeland Security, where she worked as associate general counsel, and then at the Office of Information and Regulatory Affairs. Her record and qualifications are well known.

Our colleagues on the Judiciary Committee reported her nomination favorably by an overwhelming vote. Confirming this worthy nominee will be a further credit to the outstanding work of Chairman GRASSLEY and the members of the committee.

I encourage all my colleagues to join me in voting to confirm Elizabeth Branch today. Let's continue to fulfill our constitutional responsibility and confirm the President's outstanding judicial nominees.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 387.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of William Northey, of Iowa, to be Under Secretary of Agriculture for Farm and Foreign Agricultural Services.

Thereupon, the Senate proceeded to consider the nomination.

Mr. YOUNG. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements relating to the nomination be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the Northey nomination?

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR—Continued

The ACTING PRESIDENT pro tempore. The Senator from Utah.

REMEMBERING FREDERICK DOUGLASS

Mr. LEE. Mr. President, 200 years ago this month, a man was born into slavery in a cabin not far from here in