

President's actions in the last month—no one can, no matter what your politics.

I say to President Trump: There are real issues facing real Americans, and it is our job as their elected representatives—whether we be in the executive branch or the legislative branch, whether we be Democrats, Independents, or Republicans—to do something to help them, but this President seems uninterested or maybe simply incapable.

As we return to work in Washington, let us aim for progress on the issues President Trump ignored during his strange, lost summer: gun safety, election security, healthcare, infrastructure, making progress on funding the government in order to avoid another government shutdown that the President caused and had to back off from last time.

That is the people's business. Even if the President isn't interested in it, it is our job to be. Let's roll up our sleeves and get to work, and sometimes we have to ignore the President's shenanigans.

One issue of particular importance looms on this upcoming Senate work period, and that is gun safety. In the month of August, more than 50 Americans were killed in mass shootings, the latest barrage in the litany of mass shootings that have become all too routine in our country, to say nothing of the American lives lost in everyday gun violence in our communities.

It is on the minds of the American people. I was at the airport, and someone I didn't know grabbed my arm and said: Senator, do something about gun violence. I lost my nephew to gun violence last year.

It is on so many people's minds. That is why our first order of business in the Senate should be to take action on H.R. 8, the House-passed Bipartisan Background Checks Act. We must grapple with the stark reality that gun violence is becoming an all-too-routine occurrence and that we in Congress have both the ability and responsibility to do something about it.

H.R. 8 is the most commonsense way for the Senate to save American lives. It is bipartisan. It has already passed the House. As a matter of policy, it is absolutely necessary to close the loopholes in our background check system in order to make other gun laws effective. We can and should pass a very strong red flag law, but what good would a red flag law do if someone were adjudicated, unable to have a gun, and he could go online and get that gun with no check at all? If you don't have background checks, bad people will get guns—felons, spousal abusers, those mentally ill, and people who get red flags. So it is critical that we pass a universal background check law and close the loopholes and that we do everything we can to prevent guns from falling into the wrong hands in the first place. Background checks must be the base, the foundation we start from,

when we talk about gun safety legislation.

Just look at the case of the shooter in Odessa, TX, who reportedly failed a background check in 2014 but was able to purchase a firearm through a private sale with no background check. This is one of the loopholes that the Bipartisan Background Checks Act would close.

These loopholes were never intended—I was the author of the Brady bill back in 1994, when I was a House Member and the chair of the Crime Subcommittee. I am proud of it. It saved tens of thousands of lives. Back then, there was no internet. When some of the gun advocates here said “Well, exempt gun show loopholes,” gun shows were simply a place to show antique-type guns, like your 1938 Derringer. Now, of course, they have become the huge loopholes that felons and other people who shouldn't have guns seek to use to get guns. We have to close these loopholes. It is not doing anything more to take away the rights of legitimate American citizens who want to bear arms—something I believe in—than it was when it passed. It is just closing loopholes as time has evolved.

There are two people in Washington who would make this legislation pass, which would greatly reduce gun violence: Leader MCCONNELL and President Trump. Leader MCCONNELL has the power to make sure this legislation passes this body or to make sure that it doesn't pass. It is in their hands.

The Republican leader determines the Senate's business. After the shootings in El Paso and Dayton, we demanded that the leader call the Senate back into session so that we could respond to the crisis. He refused. Maybe he hoped the scenes of violence would fade from the minds of the public, and the issue would fizzle out. That certainly has not happened, and the Democrats will not let it happen. Unfortunately, the increased frequency in mass shootings will not let it happen either.

As Democrats return to Washington, we carry with us the frustration of Americans who demand action but have seen far too little. These are demands of Democrats and Republicans, people northeast, south, and west, men and women, and people from urban areas, suburban areas, and rural areas. With their importuning in mind, we will make sure the issue of gun safety remains front and center for these next 3 weeks and beyond, until meaningful change is achieved.

By contrast, Leader MCCONNELL did not even mention gun violence in his opening remarks today, after promising that we would have a debate in the Senate when we returned. We await word from the leader when that debate might take place. One thing we do know is that Leader MCCONNELL has said that the question of background checks will come down to President Trump. “If the president took a posi-

tion on a bill,” Leader MCCONNELL said, “I'd be happy to put it on the floor.” That is what he said. Those are his words.

If that is the case, the President has a historic opportunity to save lives by signaling his support for the House-passed background checks bill. So far, he has been all over the lot.

The President told me he is going to get his “strongest possible bill” but has not committed to what he might support and then, in future days, seemed to have backed off that statement. That is why Speaker PELOSI and I sent President Trump a letter today, urging him to support H.R. 8, the universal background checks bill, to make his position public.

President Trump can lead his party to do something that the NRA has long prevented Republicans from doing by providing these Republicans the cover of a Republican President's support.

President Trump, please read our letter. Support the bipartisan universal background checks bill. It is common sense. It is enormously popular with the public—93 percent—even popular with Republicans and gun owners, and above all, would save American lives.

Maybe that man at the airport—I don't know his name or where he was from—would not have to come up to me and tell me his nephew died of gun violence if we had passed some of these laws. The time to act is now, before more lives are lost. The pressure is on President Trump and Leader MCCONNELL to act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

#### AUGUST RECAP

Mr. CORNYN. Madam President, I came to the floor, and I heard the Democratic leader talking, obviously, about some terrible incidents that occurred in El Paso, Dayton, and in Odessa.

Since we were last in session, we have had two shootings in Texas, one in El Paso and one in Odessa. I confess that these are terrible tragedies that cause us to first ask the question “Why” and then cause us to ask the question “What”: What can and what should we do to try to stop incidents like these in the future?

I will remind the Democratic leader that we actually have a great template for bipartisan support for gun safety legislation, which is the bill we sent to the President last year called Fix NICS—NICS being the National Instant Criminal Background Check System that the FBI operates.

For example, if you were convicted of a felony or dishonorably discharged from the military or you were subject to a protective order or you had been committed as a result of a mental health crisis, under existing law, all of these prohibit you from purchasing or possessing a firearm. But if the background check system doesn't work, it doesn't really count for much.

I am proud of the fact that we came together on a bipartisan basis and

passed this Fix NICS legislation by overwhelming margins. Anybody who is suggesting that we simply haven't done anything has a faulty memory, at the very minimum.

I would also add that we have passed legislation that would enhance school safety. One of the problems is that these cowards who commit these terrible acts don't go shoot up police stations; they go to the soft targets, like the schools. No parent should send their child to school wondering whether they are going to be safe from attacks like those we have seen occur in places like the Santa Fe school district in Texas, so we passed bipartisan legislation to deal with that as best we could.

We also recognize that many of the people who commit these acts are a danger to themselves and others because of a mental health crisis. In the 21st Century Cures Act—a broad, bipartisan bill—we passed legislation that provides for piloting of assisted outpatient treatment. The reason that is so important is, if you are dealing with an adult—an adult child, an adult spouse, obviously, or a parent—there is very little you can do to make them follow their doctors' orders or get the kind of treatment they need to take their medication. But as a result of assisted outpatient treatment orders, a family member or law enforcement or mental health professional can petition the court for a court order requiring people to comply with their doctors' orders to show up for their appointments and to take their medication. They have reaped tremendous benefits around the country, protecting people from themselves when they are in a mental health crisis and protecting other people from potential acts of violence that they might commit. It is not true that people who are mentally ill are somehow more prone to violence, but, certainly, when they lose control of themselves—and when they are in a mental health crisis, they do—they can be a danger to themselves and others. So this assisted outpatient treatment pilot program that we pioneered in the 21st Century Cures Act, I think, provides another tool.

Then we provided law enforcement with additional training. That is where the active shooter training came from. It was actually pioneered in San Marcos, TX, at Texas State University, where they train law enforcement not to sit on the perimeter while the shooting goes on inside a building but to attack the shooters where they are.

Also, we went one step further to make sure not only that we can stop the shooter but also that we can actually save lives and keep people from bleeding to death by training emergency medical personnel to follow the police into an active shooting scene to save lives.

Part of the problem with discussing this topic is that there is a lot of mythology out there. I heard my friend the Democratic leader say: If we had

just passed another background check system, maybe Dayton or El Paso would not have happened. Well, both of those shooters passed a background check. Is he suggesting we ought to pass a law just to pretend that we are doing something, but it would actually not have a positive impact on saving lives?

That is not what we did in the Fix NICS bill. As you may recall, the particular shooter there was disqualified from purchasing firearms, but the Air Force had not uploaded his felony conviction for domestic violence into the background check system. So when he went in to buy a firearm, it didn't catch him. He was able to lie and then buy.

I am proud to say that as a result of this bipartisan legislation we passed, there has been a 400-percent increase in the Federal Government providing additional background check information for the National Instant Criminal Background Check—the NICS—System.

I think it is safe to say, as a result of the bipartisan legislation we passed, working together, that lives will be saved. That is what we ought to be about, not about show boats or political posturing. We ought to be about solving the problem.

Let's get our facts right first. The Democratic leader mentioned Odessa. It is true that the shooter in Odessa did have a mental health commitment, and he tried to buy a gun through traditional means. He failed a background check, so he wasn't successful. While the details are still being investigated, it looks as though he purchased the firearm from an unlicensed firearm dealer, which is a crime. If the dealer sold the firearm to the shooter knowing that he was disqualified from purchasing or buying a firearm, that would be another crime. So trying to suggest that some sort of additional background check would have solved that problem when what the dealer did and what the purchaser did were already illegal, I just don't think holds up.

I look forward to continued discussion and debate on this topic. It was on the minds of an awful lot of people as I traveled across my State of Texas this August—as we all did during the August work period.

I always benefit from going back home and getting refreshed by the thoughts, the ideas, and the aspirations of real people instead of living here inside this fantasyland known as Washington, DC. I always tell people that Washington is a fascinating place to visit. It is like Disneyland, but just remember one thing: It is not real.

What is real are the people we represent back home and what the laboratories of democracy produce, which are the States, including the great State of Texas.

As I travel back home, I also enjoy sharing updates about what we have been working on here in Washington

and seeing how legislation we have passed can actually make a difference back home.

One example is a program authorized by a bill that I introduced called Project Safe Neighborhoods, which is now the law of the land. It is a bill I introduced, which is now the law.

I invited Attorney General Barr to come to Dallas, TX, to hear how this initiative has already begun driving down crime rates in a couple of our communities in Dallas. This program partners with local, State, and Federal law enforcement officials, together with Federal prosecutors, to target violent offenders—people who have no legal right to possess a firearm and who use firearms routinely—and engage with the community and, thus, help create safer neighborhoods.

It is already having a positive impact in communities across my State, and I am eager to see the long-term benefits of this incredible program.

In Austin, I visited the University of Texas during the month of August and met with some student veterans who are reaping the benefits of a bill we passed this last summer. It is called the Veteran STEM Scholarship Improvement Act. STEM stands for science, technology, engineering, math. The Veteran STEM Scholarship Improvement Act made a seemingly small change to an existing program, which provides extended GI bill eligibility for student veterans pursuing STEM degrees.

Because we made a technical but important change, more students are able to continue their education with significantly less financial stress.

President Fennes of the University of Texas system said that instead of just three courses that veterans could qualify for using their GI bill, they can now qualify for, I think he said, 25. It may have been 28. There are multiples of what they can qualify for under existing law.

So this small change will make a big difference. I enjoyed hearing about their career goals from the students who are using these GI bill benefits, and I look forward to seeing all they will accomplish.

In addition to those meetings and those visits, I attended a ribbon-cutting at a brandnew VA clinic in San Angelo, TX. I spoke to survivors of sexual assault in Grapevine about the need to pass the Debbie Smith Act to reauthorize the money we appropriate to help test backlog rape kits. I was able to join my friend Congressman HENRY CUELLAR from Laredo, TX, to discuss the future of the USMCA, the U.S.-Mexico-Canada Trade Agreement, the successor to NAFTA.

So while it was a busy and productive work period, sadly, it was also marked by a number of heartbreaking moments that I alluded to a moment ago. On the morning of August 3, a gunman stormed into a Walmart in El Paso, TX, killing 22 innocent people and wounding two dozen others. It became

the deadliest mass shooting in the United States this year.

In a community as tight-knit as El Paso, the devastation was immeasurable, and I would note that the shooter traveled from another part of the State to El Paso. He was not from El Paso. The heartbreaking confusion quickly turned into rage when we learned that the shooter was a White supremacist whose crime could only be described as domestic terrorism.

The day after the shooting, I visited El Paso and met with several of the victims, as well as the law enforcement officers responding to the tragedy. Members of the community created a memorial to honor those who lost their lives, and on that first day, it was relatively small, about 4 feet wide.

By the time I returned to El Paso with President Trump and the First Lady, 3 days later, this 4-foot-wide memorial had grown to hundreds of feet wide. The outpouring by the community was overwhelming.

In the face of tragedy and unthinkable grief, the strength and support of the entire community from that memorial to the long line of folks waiting to donate blood, to the donations to help the victims was truly remarkable.

As I also indicated at the beginning of my remarks, less than a month later, we experienced another shooting. A man went on a shooting rampage between Midland and Odessa, killing 7 people and wounding 25 others. When I visited Odessa this last week, I met Odessa police officer James Santana, who was injured in the shooting but fortunately is expected to make a full recovery.

When I asked the police chief in Ector County, which is where Odessa is located: What do you think we might be able to do in Washington that would help, he said: Well, we just don't have adequate resources to deal with people suffering from a mental health crisis. That might be one area where you could help.

I had the pleasure of thanking the men and women in blue, our law enforcement officers, for their quick response in Odessa and thanked them for the work they do every day.

By the way, I also had the opportunity to travel to the White House this morning. President Trump gave an award to the police officers in Dayton, OH, who were able to stop the shooter there. He offered certificates of commendation to some of the employees of Walmart who helped save lives in the shooting episode there.

While major events like these are ones that grab the headlines, Texas law enforcement officials and officials all over the country are on the streets each and every day doing everything they can possibly do to keep our communities safe. I think it would just be negligence on our part not to continue to thank these men and women and especially those who responded to tragedies like El Paso, Midland, and Odessa.

As our State continues to grieve from this senseless loss of life, the

questions are, of course, How did this happen? How can we prevent it from happening again? Well, I know we are going to try, just as we have done in the past, to identify gaps and problems with the law and fill those gaps and save lives in the process.

If I knew how we could pass a law that would prevent people from committing crimes, we would pass it unanimously, but, unfortunately, that is not the human condition. I have been speaking with my constituents as well as colleagues in the Senate over the last few weeks about what a legislative solution might look like, and I do expect us to have a wide range of debate on the subject in the coming days.

I just spoke to a representative at the White House. They say they are putting together a set of proposals to provide the President later this week, and we look forward to hearing what the President believes these proposals should consist of.

Again, I think the model we used after the Sutherland Springs shooting in 2017 was a pretty good one, where we introduced a bill to improve the background check system and to prevent people who should not be able to purchase a firearm from doing so. We passed that legislation on a broad bipartisan basis. Had that legislation passed sooner, it could have prevented the Sutherland Springs gunman from acquiring his weapon in the first place. By lying on his background check application, knowing, perhaps, that the United States Air Force had not uploaded his conviction for domestic violence into the background check system, he was able to get away with it.

These are the kind of reforms I believe we should be looking at—real solutions to real problems. We owe it to the American people to focus on making changes that will actually work, not show votes and not talking points. We ought to be about trying to solve this problem.

The American people are smart. They can see what is happening up here when we resort to the same old tired talking points and are not really engaged in trying to find solutions. They see through it, and we owe it to them and owe it to ourselves and owe it to people who might otherwise become future victims to do everything we can to provide the tools to law enforcement to try to prevent as many of these deaths as we can.

In the case of the Fix NICS Act, it was able to become law because it had broad support from Republicans and Democrats as well as the President. This will guide my approach. Again, I am not interested in scoring political points or introducing bills so we can pat ourselves on the back and run our next campaign on it. I am actually interested in trying to solve the problem and saving lives in the process. That is what we did on the Fix NICS Act.

The leader made it clear that if there is a proposal out there that is able

meet these same criteria, we will consider it on the floor of the Senate. He has asked us to come together and figure out what that legislation would look like. While there are certainly differences on both sides of the aisle about what we should do, I hope all of us can remember we share a common goal of stopping these mass shootings to the extent we humanly can.

Again, if we knew how to pass a law to prevent people from committing crimes, we would have already done that. We may not be able to do that, but we sure can, I think, make some progress and hopefully save some lives in the process.

There are a lot of discussions about ways to do that, and I am hopeful we can reach an agreement soon. We cannot allow these acts of violence to somehow become the new normal. As we keep the victims and their families and the dedicated law enforcement officers impacted by the shooting in our prayers, we owe it to all of them and to ourselves to work on a solution to prevent more communities from experiencing these types of tragedies.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BOOZMAN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Kelly Craft, of Kentucky, to be Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations.

Mitch McConnell, John Cornyn, Mike Crapo, Shelley Moore Capito, Mike Rounds, John Boozman, Thom Tillis, Richard Burr, James E. Risch, David Perdue, Roy Blunt, Kevin Cramer, Roger F. Wicker, Tom Cotton, John Barrasso, Steve Daines, John Thune.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Kelly Craft, of Kentucky, to be the Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Representative of the United States of America to the United Nations, shall be brought to a close?

The yeas and nays are mandatory under the rule.