

of Labor's Employee Benefit Security Administration, or EBSA.

EBSA has the massive task of helping retirees recover the benefits they are entitled to and forcing protections for people who get their healthcare coverage through their job, and overseeing millions of retirement plans, health plans, and other welfare benefit plans.

We need a strong leader at EBSA who will protect families' savings and futures and make sure people get the benefits they deserve under Federal law.

We need someone like Lisa Gomez. Ms. Gomez is a highly respected professional in the field of employee benefits law, who has represented a wide range of health plans, retirement plans, and more. And I am confident as Assistant Secretary she will fight to hold employers accountable to the law, ensure workers get the benefits they are owed, and protect families' financial security, and I strongly urge all of my colleagues to join me in voting to confirm her.

ROBB ELEMENTARY SCHOOL SHOOTING

Madam President, I can't leave the floor of the Senate today without talking about the heartbreaking shooting that took place at Robb Elementary School in Texas yesterday.

Nineteen children, two teachers at an elementary school. These were kids who were excited for summer, playdates with their friends—murdered by weapons of war.

This carnage is happening right here in America in fourth grade classrooms.

My heart breaks for the family and loved ones of these kids and their teachers, not to mention the kids and educators who will carry the trauma of that day with them for the rest of their lives.

But I am also furious. A lot of people have characterized this tragedy as "un-thinkable." But at this point, this kind of tragedy is not unthinkable. Parents in Washington State and everywhere else in America think about this all the time. They think about it every day when they drop off their kids at school. How can you not? They thought about it after the shooting in Buffalo at a grocery store 10 days earlier. They think about it every time there is another mass shooting, which is far, far too often—3,865 times since the Sandy Hook school shooting 10 years ago, to be exact.

What is unthinkable is that every time this happens, nothing changes. Every time, Republicans stand in the way of meaningful action. That is not just unthinkable; it is unacceptable.

But we don't have to live like this. This is a solvable problem. Republicans need to have the courage, the decency, the basic concern for the lives of our kids to work with Democrats on commonsense gun safety reforms.

They need to decide should school be a place where our kids and teachers feel safe, where they can talk about homework and class projects, where

they can be kids and laugh about what ever happened during lunch or art class? Or will they continue to be a place where school shooter drills are as routine as recess or algebra for our kids?

I want my colleagues to consider that.

What message are you sending to parents and kids, to teachers and students if you won't even allow a debate on commonsense measures like universal background checks?

I have heard Republican lawmakers talk about the need to have police officers at every school. I wish it were that simple, but we know it is not.

We saw yesterday that having an armed officer onsite at schools will not solve this crisis, despite the best efforts of law enforcement.

Some Republicans have suggested arming teachers. Are you kidding? Can you hear yourself? Teachers did not sign up to be soldiers, and guns have no place in our classroom.

Some Republicans will say: Well, this is a mental health issue. So let me be clear: America is facing a mental health and substance use disorder crisis. It is serious. It requires urgency, and I am actively working on bipartisan legislation to expand access to prevention and treatment and recovery services.

But I want to make this plain: The majority of people with mental illness do not commit violence against others.

Treating gun violence as a mental health issue rather than a gun issue will never get us to the root cause of these horrific shootings.

If we want to get at the heart of really stopping gun violence, I beg my colleagues to pull their heads out of the sand and finally start talking about what can really address this crisis of gun violence: commonsense gun safety legislation—and there is no getting around it—universal background checks and an assault weapons ban.

Now, I am ready to work with any Republican to make any kind of meaningful progress here. States like mine have made good progress on gun safety measures to keep our communities safe, but we cannot count on a patchwork of laws where one State requires background checks and another one right next door does not. We need Federal action. We need to get something done.

To my constituents in Washington State and the American people, I know and understand it can be disheartening to parents around the country to see the continued Republican obstruction on gun safety in Congress. Change is not easy, but let me be clear: Doing nothing and letting this continue to happen is the most extreme option on the table.

I have come to the floor of the Senate countless times to call for action to keep our kids and our families safe from gun violence, just to have Republicans block our efforts again and again. It is frustrating. It is infuri-

ating. But I will keep pushing for gun safety laws that the majority of Americans do support because we cannot give up. That is what the NRA and other extremists want us to do. The vast majority of Americans have made clear, they want an end to gun violence.

And I refuse to let Republicans get away with this yet again, to dance around the real issue, to distract us with conversations about arming teachers or tripwires outside elementary schools. Enough. Enough.

We need to force Republicans to bear witness to the tragic consequences of their inaction. We need people and families across the country to do the same. No one gets to look away. No one gets to change the subject. I promise all of the students and parents, grandparents, teachers, everyone in Washington State that despite the obstruction and silence from my Republican colleagues, I will not stay quiet and I will keep pushing for change and I really hope the American people will do the same.

Using our voices and our votes, we can change things. We can hold Republicans accountable, and we can make progress to end gun violence.

I yield the floor.

The PRESIDING OFFICER (Mr. OSSOFF). The Senator from Oregon.

Mr. WYDEN. Mr. President, it seems very appropriate that Senator MURRAY, our chair of the HELP Committee—she and I—I am the chair of the Finance Committee—often work together on these issues. As Northwest colleagues, we see how serious and how incredibly damaging the last 24 hours have been to our country.

I am going to speak in a few minutes about a Health and Human Services nomination, but I want to pick up where Senator MURRAY left off with respect to guns and specifically talk about the atrocity—the atrocity—that took place yesterday in Texas.

I think Senators can barely begin to imagine the pain the families in Texas are feeling at this moment. They are living every parent's worst nightmare.

This morning, around the country millions and millions of parents dropped kids off at school, and they were fearful. In a country that we all believe is and must continue to be the greatest country on Earth, parents drop their kids off at school in fear that a gunman would walk into their classrooms and murder them.

Let's think about that.

And it has been going on for decades—decades—in our country. We can remember the sinking, empty feeling after Sandy Hook. For a few days, there was a glimmer of hope that the Senate would do something on a bipartisan basis, but then the other side caved to the gun lobby. Congress has done nothing in response to all this carnage in our schools, in our grocery stores, in our churches. Atrocity after atrocity after atrocity, and yet people still live in fear that their kids are next. They live with hopelessness due

to the fact that their elected officials are unwilling to act.

There are no excuses left. This happened in a State that is flooded with guns. There was armed security at the school and still 19 kids and two teachers are dead, still their families are broken. No excuses.

Perhaps that is why I have heard multiple Republicans say today that there is nothing you can do to stop the shootings; that they are just going to happen. That is the way it is. They are going to happen regardless.

I just believe with all my being that is just nonsense, and it is ridiculous coming from so many Senators who haven't lifted a finger to do anything about the violence.

My wife always says I am a glass-half-full guy. I try to be positive, always about bringing the two sides together. But on this issue, I don't know what else to say. The truth is that if we act, then maybe—maybe—it will be possible to prevent another massacre in another school. That should be enough. That should be enough.

The 100 of us here in the Senate are the ones with the power to act—not anybody else. It is about us. So, Senators, we have got a choice, either we can choose to act on moral courage or just let the fear and hopelessness win out. As far as I am concerned, if you don't have the moral courage to act here on the Senate floor or at least try to prevent more of these massacres, then you ought to hang it up, go home, and let somebody else have the job.

NOMINATION OF SAMUEL R. BAGENSTOS

Mr. President, let me turn now to the nomination we will be voting on in a few moments, Samuel Bagenstos, to serve as general counsel of the Department of Health and Human Services.

Just a few words on why the Senate ought to support the nomination. He is an experienced public servant, an accomplished lawyer and educator. He currently serves as general counsel to the Office of Management and Budget. He previously served as Principal Deputy Assistant Attorney General for Civil Rights. He has been a leader in the State of Michigan on the issue of workers' rights. He has argued cases before the Supreme Court. He is a highly respected law professor on leave from the University of Michigan.

He has got the experience to serve as HHS general counsel and the right outlook on what public service in the law is all about. I am particularly pleased that he has been a crusader for the rights of Americans with disabilities. He has argued cases before the Court on the subject. He literally wrote the book—the most prominent law school casebook—on disability rights law.

During the Finance Committee hearing on his nomination, he talked about how that experience and perspective will guide his work in the Department if he is confirmed. I am sure pleased to see somebody like this attracted to public service, protecting vulnerable people—people who fall between the

cracks all too often, all too often. That is the key to improving the health and well-being of all Americans.

This nominee, Mr. Bagenstos, is the right choice for Health and Human Services general counsel. He is highly qualified, deserving of broad support. We will be voting on his nomination in a few minutes. I urge all Senators to support this nominee.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Thanks, Mr. President. I always enjoy following my friend from Oregon who has done such important work on tax and trade law and Medicare and Medicaid and everything since his career began as a young Gray Panther.

NOMINATION OF TODD M. HARPER

Mr. President, I urge my colleagues to support Todd Harper's nomination. He came out of my and Senator SMITH's and the Presiding Officer Senator OSSOFF's committee to be Chairman of the National Credit Union Administration.

Mr. Harper is an experienced regulator. He has the background, knowledge, and leadership experience to safeguard the credit union system, a very important component of our financial system, and to protect millions of credit union members.

We know that credit unions, more than Wall Street banks, really look out for the little guy and regular people and people who are, you know, mostly solidly middle class or aspiring to the middle class.

A career public servant with midwestern roots, Todd Harper understands the vital role that credit unions play in local communities, especially rural and underserved communities.

Being the first openly gay leader of any Federal financial regulatory Agency, the first NCUA career staff member to serve on the NCUA Board, he brings a vitally important perspective. We know that prior to this President taking over and my becoming chair of the Banking, Housing, and Urban Affairs Committee, we know most of the Federal regulators look like me and walk like Wall Street. Those days are behind us. Another reason for Todd Harper's nomination to NCUA.

Throughout his career as an NCUA Board member and Chair, he has worked with both parties. He has worked for advocates and industry to strengthen credit unions to fight for consumers. In 2019, the Senate confirmed Mr. Harper by voice vote to the three-member NCUA Board. In 2021, President Biden designated him as Chair.

As Chair of the NCUA, he has worked with his fellow Board members to advance bipartisan efforts on important issues facing credit unions and their members, like digital assets and emergency capital investment.

Prior to serving on the Board, he was Director of the Office of Public and Congressional Affairs. He was Chief

Policy Advisor to former Chairs Deborah Matz and Rick Metzger.

Mr. Harper previously served as a staffer in the House of Representatives, as staff director for the Subcommittee on Capital Markets.

If confirmed, he will continue to work collaboratively. It is what we ask him to do, to represent all taxpayers to ensure that our credit union system is safe, sound, and works for all its members.

Mr. President, I encourage my colleagues to support the nomination of Todd Harper.

I yield the floor.

VOTE ON FREY NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Frey nomination?

Ms. DUCKWORTH. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN), the Senator from Oregon (Mr. MERKLEY), and the Senator from Maryland (Mr. VAN HOLLEN) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from Texas (Mr. CRUZ), and the Senator from Alaska (Ms. MURKOWSKI).

The result was announced—yeas 51, nays 43, as follows:

[Rollcall Vote No. 205 Ex.]

YEAS—51

Baldwin	Gillibrand	Peters
Bennet	Hassan	Portman
Blumenthal	Heinrich	Reed
Booker	Hickenlooper	Rosen
Brown	Hirono	Sanders
Burr	Kaine	Schatz
Cantwell	Kelly	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Collins	Lujan	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Warner
Cramer	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Whitehouse
Feinstein	Padilla	Wyden

NAYS—43

Barrasso	Hawley	Rounds
Blackburn	Hoeben	Rubio
Blunt	Hyde-Smith	Sasse
Boozman	Inhofe	Scott (FL)
Braun	Johnson	Scott (SC)
Capito	Kennedy	Shelby
Cassidy	Lankford	Sullivan
Cotton	Lee	Thune
Crapo	Lummis	Tillis
Daines	Marshall	Toomey
Ernst	McConnell	Tuberville
Fischer	Moran	Wicker
Graham	Paul	Young
Grassley	Risch	
Hagerty	Romney	

NOT VOTING—6

Cornyn	Manchin	Murkowski
Cruz	Merkley	Van Hollen

The nomination was confirmed.

The PRESIDING OFFICER (Mr. KELLY). Under the previous order, the