

If confirmed, Mr. Destro—this very same Mr. Destro who is opposed to the rights of women, who is opposed to the rights of LGBTQ people—will be in charge of promoting civil rights around the world. What message would that send to women and members of the LGBTQ community who struggle under intolerant and oppressive governments? The answer is obvious. That is why yesterday every single Democrat, and even one Republican, voted against proceeding to his confirmation. I urge my Republican colleagues to study Mr. Destro's record, consider the job he is supposed to do, and join us in voting no on his nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE).

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

Mr. BLUNT. 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 legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 49, nays 44, as follows:

[Rollcall Vote No. 289 Ex.]

YEAS—49

Barrasso	Gardner	Perdue
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hawley	Romney
Braun	Hoeven	Rubio
Burr	Hyde-Smith	Sasse
Capito	Inhofe	Scott (FL)
Cassidy	Isakson	Scott (SC)
Cornyn	Johnson	Shelby
Cotton	Kennedy	Sullivan
Cramer	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McConnell	Toomey
Daines	McSally	Wicker
Enzi	Moran	Young
Ernst	Murkowski	
Fischer	Paul	

NAYS—44

Baldwin	Cortez Masto	Kaine
Bennet	Duckworth	King
Blumenthal	Durbin	Leahy
Brown	Feinstein	Manchin
Cantwell	Gillibrand	Markey
Cardin	Harris	Menendez
Carper	Hassan	Merkley
Casey	Heinrich	Murphy
Collins	Hirono	Murray
Coons	Jones	Peters

Reed	Sinema	Van Hollen
Rosen	Smith	Warner
Schatz	Stabenow	Whitehouse
Schumer	Tester	Wyden
Shaheen	Udall	

NOT VOTING—7

Alexander	Roberts	Warren
Booker	Rounds	
Klobuchar	Sanders	

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The bill clerk read the nomination of Brent James McIntosh, of Michigan, to be an Under Secretary of the Treasury.

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

Mr. WICKER. Mr. President, 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 bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting: the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber wishing to vote or to change their vote?

The result was announced—yeas 54, nays 38, as follows:

[Rollcall Vote No. 290 Ex.]

YEAS—54

Barrasso	Gardner	Murphy
Blackburn	Graham	Paul
Blunt	Grassley	Perdue
Boozman	Hawley	Portman
Braun	Hoeven	Risch
Burr	Hyde-Smith	Romney
Capito	Inhofe	Rubio
Cassidy	Isakson	Sasse
Collins	Johnson	Scott (FL)
Cornyn	Jones	Scott (SC)
Cotton	Kennedy	Shelby
Cramer	Lankford	Sinema
Crapo	Lee	Sullivan
Cruz	Manchin	Thune
Daines	McConnell	Tillis
Enzi	McSally	Toomey
Ernst	Moran	Wicker
Fischer	Murkowski	Young

NAYS—38

Baldwin	Durbin	Markey
Blumenthal	Feinstein	Menendez
Brown	Gillibrand	Merkley
Cantwell	Harris	Murray
Cardin	Hassan	Peters
Carper	Heinrich	Reed
Casey	Hirono	Rosen
Coons	Kaine	Schatz
Cortez Masto	King	Schumer
Duckworth	Leahy	Shaheen

Smith	Udall	Whitehouse
Stabenow	Van Hollen	Wyden
Tester	Warner	

NOT VOTING—8

Alexander	Klobuchar	Sanders
Bennet	Roberts	Warren
Booker	Rounds	

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Brian Callanan, of New Jersey, to be General Counsel for the Department of the Treasury.

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

Mr. CRAPO. Mr. President, 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. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 55, nays 39, as follows:

[Rollcall Vote No. 291 Ex.]

YEAS—55

Barrasso	Fischer	Murphy
Blackburn	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Risch
Braun	Hawley	Romney
Burr	Hoeven	Rubio
Capito	Hyde-Smith	Sasse
Cardin	Inhofe	Scott (FL)
Carper	Isakson	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Jones	Sinema
Cornyn	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	McConnell	Wicker
Daines	McSally	Young
Enzi	Moran	
Ernst	Murkowski	

NAYS—39

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Rosen
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Casey	King	Shaheen
Coons	Leahy	Smith
Cortez Masto	Markey	Stabenow
Duckworth	Menendez	Tester
Durbin	Merkley	
Feinstein	Murray	
Gillibrand	Paul	

Udall	Warner	Whitehouse
Van Hollen	Warren	Wyden

NOT VOTING—6

Alexander	Klobuchar	Rounds
Booker	Roberts	Sanders

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action.

The PRESIDING OFFICER. The Senator from Texas.

ORDER OF BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the Senate proceed to legislative session to resume consideration of the motion to proceed to H.R. 2740; further, that at 2:20 p.m., there be up to 20 minutes of debate equally divided between the chairman and ranking member; and that following the use or yielding back of that time, the Senate vote on the cloture motion on the motion to proceed to H.R. 2740, with the mandatory quorum call being waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LEGISLATIVE SESSION

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, DEFENSE, STATE, FOREIGN OPERATIONS, AND ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2020—Motion to Proceed

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session to resume consideration of the motion to proceed to H.R. 2740, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 140, H.R. 2740, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

GUN CONTROL MEASURES

Mr. CORNYN. Mr. President, one of most poignant moments of my life—and certainly of my career here in the Senate—came in 2017, when a gunman opened fire on a Sunday service at the little Baptist Church right outside of Sutherland Springs, TX.

Twenty-six lives were lost that day; 20 people were injured; and the entire community—that small, little community outside of San Antonio—was shaken to its core by this hateful act.

It didn't take us too long to learn about the shooter—a man with a record of domestic violence, animal cruelty, and mental illness. He had been court-martialed by the Air Force and con-

victed of serious domestic abuse, which is a felony.

By law, the shooter should have been prevented from purchasing or even possessing a firearm, but he wasn't because the critically important information about his criminal background had not been uploaded into the relevant background check databases maintained by the FBI, even though a Federal statute clearly states that all Federal agencies are required to do so. As a result, the gunman was able to unlawfully purchase four firearms, three of which he used to carry out this despicable act.

In the wake of any tragedy like this, you can't help but ask: What if?

In this instance, it was our sad duty to ask those questions, but we knew the answer. If his criminal record had been uploaded into the FBI background check system, the shooter would have been prevented from purchasing these firearms that he used in the attack.

It was the worst kind of system failure. I searched my conscience, and I searched the record to try to figure out exactly what we might be able to do to prevent acts like this from occurring in the future.

Ten days after the shooting, I introduced a bill called the Fix NICS Act. Now, it is a little bit confusing. NICS is the National Instant Criminal Background Check System. But it was clear that we needed to fix the National Instant Criminal Background Check System—hence, the name Fix NICS Act, which is now law.

That law broadened the background check system to prevent violent criminals who shouldn't be able to purchase firearms from being able to do so. It was actually one of the good things that came out of this terrible tragedy. At a time when division and partisanship were much more common than working together, we actually were able to overcome that partisan divide and division to pass this commonsense solution to a real problem, which I am convinced will save lives in the future. This is the kind of thing our constituents expect us to do and what we need to do more of.

It has been 2 years since the shooting in Sutherland Springs. Unfortunately, that was not the last mass violence episode experienced by the State of Texas. On August 3 of this year, a gunman stormed the El Paso Walmart, killing 22 people and wounding two dozen others. Less than a month later, on August 31, a man went on a shooting rampage in Midland and Odessa, killing 7 people and wounding 25.

I visited each of these cities in the days following the shootings to pay my respects to those who had lost loved ones, to visit those who were still recovering in hospital rooms, and also to thank the law enforcement officers who I believe saved lives that would have otherwise been lost but for their quick and professional response.

In those early days, we were still gathering information and working to

get to the bottom of how these shootings happened. Now that we have a pretty good idea about what happened and what didn't happen that should have happened, it is time to work on solutions to help prevent these types of episodes of mass violence in the future.

Over the weekend, the minority leader here in the Senate and the House Speaker said that any proposal that does not include the House-passed universal background check legislation “will not get the job done.” But I would say to them that there is simply no evidence that if the House bill was law, it would have prevented any of these recent acts of violence.

I have to ask: If the solution that you proposed would not have prevented these acts from occurring, what is the point? Is this about making a statement? Is this about virtue signaling? Is this about politics? Or is this about trying to come up with solutions to the problem?

We also know that the President has repeatedly issued a veto threat on that particular bill, and we know there is zero—zero chance—that it will ever become law. That is not what I call getting the job done.

Some of the folks who don't believe in the Second Amendment are using these tragedies to advance an agenda rather than to try to solve a problem. That is not good enough, and this is not what the American people deserve.

I am not interested in introducing legislation just because we are being urged to “do something.” I am interested in trying to solve a problem and save lives in the process. That is what we did with the Fix NICS legislation, and that is exactly what we need to do by coming together once again.

In the wake of the shootings in El Paso, Midland, and Odessa, I have been working on some ideas that I believe can, once again, help to unite Congress so we can pass laws that will have a real impact, and not just “do something.”

One of the most important ways to intervene as early as possible is to improve access to mental health services. Assisted outpatient treatment programs, otherwise known as AOTs, were under the 21st Century Cures Act, as part of a bill I introduced back then called the Mental Health and Safe Communities Act.

What is so important about assisted outpatient treatment programs is the alternatives available to a family member. When your son or daughter or your spouse or your parent or your brother or your sister becomes mentally ill and is suffering a crisis, your options are extraordinarily limited. The assistant outpatient treatment programs provide alternatives to allow a family member to help somebody undergoing a mental health crisis who otherwise might be a danger to themselves and others.

We know that the most common cause of gun-related deaths are suicides. If we could somehow get people