

Ossoff	Schmitt	Van Hollen
Padilla	Schumer	Warner
Peters	Scott (SC)	Warnock
Reed	Shaheen	Warren
Ricketts	Sinema	Welch
Romney	Smith	Whitehouse
Rosen	Stabenow	Wicker
Rounds	Sullivan	Wyden
Rubio	Tester	Young
Sanders	Thune	
Schatz	Tillis	

NOT VOTING—5

Barrasso	Grassley	Scott (FL)
Graham	Kennedy	

The motion was rejected.

The PRESIDING OFFICER. Under the previous order, amendment No. 1381 is agreed to.

The amendment (No. 1381) was agreed to.

The PRESIDING OFFICER. The bill, as amended, is considered read a third time.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

ORDER OF BUSINESS

The PRESIDING OFFICER. There will now be up to 6 minutes of debate, equally divided, prior to the vote on the passage of H.R. 2872, as amended.

The majority leader.

Mr. SCHUMER. Mr. President, we have good news for America. There will not be a shutdown on Friday. Because both sides have worked together, the government will stay open. Services will not be disrupted. We will avoid a needless disaster.

My colleagues and I on both sides of the aisle worked late into the evening last night to reach this agreement. So I thank everyone for their good work. Keeping the government open wasn't a given. We stayed up, negotiating amendments and timing, but thanks to both sides working together, the Senate is passing the CR with enough time for the House to take it up today and send it to the President's desk well before Friday's deadline.

Avoiding a shutdown is very good news for every American, especially for our veterans, our parents, our children, our farmers, our small businesses, and so many others who would have felt the sting of a government shutdown.

I thank my colleagues on both sides for their good work. It is precisely what Americans want to see—both sides working together and governing responsibly, with no chaos, no spectacle, no shutdown.

I yield to the chair of the Appropriations Committee, who has done such a good job on this measure.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I urge all of our colleagues to join us in voting to pass the CR so we can continue the work of negotiating and passing full-year funding bills without a shutdown, causing needless harm and chaos for folks back home.

We know a shutdown come end of day Friday would be devastating. I will be frank. Just the fact that our Agencies have to continually plan around the

potential of a shutdown nearly constantly is a huge opportunity cost. A shutdown tomorrow would force staff administering our Nation's veterans and nutrition assistance programs and so much else to either work without pay or stop working altogether.

The Chair of the National Transportation Safety Board said a shutdown this week would force the Board to hit pause on investigations it is conducting, including the recent incident when a door plug blew out midflight. This should not be an acceptable option to anyone.

Now, I have been working nonstop with my colleagues in both Chambers to keep this process moving as quickly as we possibly can so we can write and pass the strongest possible funding bills. Passing this measure will allow us the time we need to hammer out those funding bills for fiscal year 2024 after many months of needless delays.

I think we all want this to be a drama-free and reliable process, so I hope House Republicans will work with us to make that possible now, too, which means leaving extreme partisan demands at the door. We are all working as quickly as possible, but we aren't going to lose sight of the millions of Americans who count on the programs we fund whether it is WIC—for so many moms and babies we don't want to go hungry—or lifesaving healthcare research.

We have a lot of work left to do, but it has to happen in a bipartisan way. So let's get this CR passed and then work to make sure it is the last by keeping our focus on finalizing serious appropriations bills, which means no partisan poison pills and understanding that there needs to be a bipartisan agreement when it comes to key investments in our country's future.

I yield the floor.

VOTE ON H.R. 2872

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

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 Wyoming (Mr. BARRASSO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Iowa (Mr. GRASSLEY), the Senator from Louisiana (Mr. KENNEDY), and the Senator from Florida (Mr. SCOTT).

The result was announced—yeas 77, nays 18, as follows:

[Rollcall Vote No. 12 Leg.]

YEAS—77

Baldwin	Booker	Butler
Bennet	Boozman	Cantwell
Blumenthal	Brown	Capito

Cardin	Kelly	Rounds
Carper	King	Rubio
Casey	Klobuchar	Sanders
Cassidy	Lankford	Schatz
Collins	Lujan	Schumer
Coons	Lummis	Shaheen
Cornyn	Manchin	Sinema
Cortez Masto	Markey	Smith
Cotton	McConnell	Stabenow
Daines	Menendez	Sullivan
Duckworth	Merkley	Tester
Durbin	Moran	Thune
Ernst	Mullin	Tillis
Fetterman	Murkowski	Van Hollen
Fischer	Murphy	Warner
Gillibrand	Murray	Warnock
Hagerty	Ossoff	Warren
Hassan	Padilla	Welch
Heinrich	Peters	Whitehouse
Hickenlooper	Reed	Wicker
Hirono	Ricketts	Wyden
Hyde-Smith	Romney	Young
Kaine	Rosen	

NAYS—18

Blackburn	Cruz	Paul
Braun	Hawley	Risch
Britt	Hoeven	Schmitt
Budd	Johnson	Scott (SC)
Cramer	Lee	Tuberville
Crapo	Marshall	Vance

NOT VOTING—5

Barrasso	Grassley	Scott (FL)
Graham	Kennedy	

The bill (H.R. 2872), as amended, was passed.

The PRESIDING OFFICER (Ms. BUTLER). On this vote, the yeas are 77, the nays are 18.

The 60-vote threshold having been achieved, the bill is passed, as amended.

The bill (H.R. 2872), as amended, was passed.

MORNING BUSINESS

Mr. VAN HOLLEN. Madam President, I ask unanimous consent that the Senate be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

ADDITIONAL STATEMENTS

TRIBUTE TO SERGEANT KEN LUTTRELL

• Mr. SCHMITT. Mr. President, I rise today to honor the extraordinary life of Ken Luttrell of St. Louis, a true American hero, on the occasion of his 100th birthday.

In the dark days that followed the attacks on Pearl Harbor, Mr. Luttrell answered his country's call, enlisting in the Marines and completing boot camp and radio training before shipping out to the Pacific. Sergeant Luttrell saw combat on the Marshall Islands and throughout the Pacific Islands and was part of the initial wave of marines landing on the shores of Iwo Jima. There, shrapnel from a Japanese shell tore through his lower face as he and his detachment set up their radios to coordinate the assault.

After numerous reconstructive surgeries, Mr. Luttrell returned to his home and family in St. Louis, and he has been a pillar of the community

ever since. His story—one of courage, strength, and resilience—is an example for us all, and I ask my Senate colleagues to join me in expressing our gratitude for his courageous service to our Nation and in celebrating Mr. Luttrell's 100th birthday.●

MESSAGES FROM THE HOUSE

At 11:02 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5862. An act to amend the Homeland Security Act of 2002 relating to authority of U.S. Customs and Border Protection to consolidate, modify, or reorganize Customs revenue functions.

ENROLLED JOINT RESOLUTION SIGNED

At 12:32 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

S.J. Res. 38. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Highway Administration relating to Waiver of Buy America Requirements for Electric Vehicle Chargers"

The enrolled joint resolution was subsequently signed by the President pro tempore (Mrs. MURRAY).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5862. An act to amend the Homeland Security Act of 2002 relating to authority of U.S. Customs and Border Protection to consolidate, modify, or reorganize Customs revenue functions; to the Committee on Finance.

ENROLLED JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, January 18, 2024, she had presented to the President of the United States the following enrolled joint resolution:

S.J. Res. 38. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Federal Highway Administration relating to "Waiver of Buy America Requirements for Electric Vehicle Chargers".

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3329. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to compliance by the United States courts of appeals and district courts with the time limitations established for deciding habeas corpus death penalty petitions; to the Committee on the Judiciary.

EC-3330. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "2023 Office for Victims of Crime (OVC) Report to the Nation: Helping Crime Survivors Find Their Justice"; to the Committee on the Judiciary.

EC-3331. A communication from the Chairman of the Federal Election Commission, transmitting, pursuant to law, a report relative to sixteen (16) legislative recommendations; to the Committee on Rules and Administration.

EC-3332. A communication from the Chair, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts during fiscal year 2023; to the Committee on Commerce, Science, and Transportation.

EC-3333. A communication from the Chair, National Transportation Safety Board, transmitting, pursuant to law, the report of a rule entitled "Civil Monetary Penalty Annual Inflation Adjustment" (RIN3147-AA24) received in the Office of the President of the Senate on January 17, 2024; to the Committee on Commerce, Science, and Transportation.

EC-3334. A communication from the Program Analyst, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991, Advanced Methods to Target and Eliminate Unlawful Robocalls, and Targeting and Eliminating Unlawful Text Messages" (FCC 23-107)(CG Docket No. 02-278)(CG Docket No. 17-59)(CG Docket No. 21-402)) received in the Office of the President of the Senate on January 11, 2024; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petition or memorials was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-97. A resolution adopted by the Legislature of Guam requesting for the United States Congress to appropriate monies for Guam non-military residents who were exposed to Agent Orange and who are suffering from ailments caused by exposure to Agent Orange; to the Committee on the Judiciary.

RESOLUTION No. 29-37

Whereas, I Liheslaturan Guåhan finds that with the passing of the "Honoring Our Promise to Address Comprehensive Toxics Act of 2022" (PACT Act), the United States government finally recognized that U.S. military veterans stationed in Guam within the twenty-two (22) year timeframe of 1958 and 1980 were exposed to Agent Orange and consequently suffered ailments. However, the PACT Act was not inclusive of non-veterans who were also exposed to Agent Orange and also suffered ailments at the same time as their military veteran counterparts who are now eligible for Agent Orange Disability Compensation; and

Whereas, Agent Orange belongs to a class of color-coded or rainbow herbicides. The properties of Agent Orange consist of a fifty-fifty (50/50) mixture of two (2) herbicides: 2, 4-D and 2, 4, 5-T, as well as the toxic contaminant, Dioxin, otherwise known as 2, 3, 7, 8-tetrachloro-dibenzo para-dioxin, or TCDD. Other harmful herbicides containing Dioxin include Agents White, Blue, Purple, Pink, and Green. Dioxin buried or leached under the surface or deep in the sediment of rivers

and other bodies of water can have a half-life of more than one hundred (100) years; and

Whereas, on August 10, 2022, for the first time, the U.S. territory of Guam was added to the list of locations eligible for Agent Orange Disability Compensation; and thus ended decades of the U.S. military's persistent denial that Agent Orange was used on the island of Guam. The PACT Act also incorporated the "Lonnie Kilpatrick Central Pacific Relief Act" which was named after the late veteran who led the fight for recognition of Agent Orange use on Guam, which is noted at the 117th Congress, First (1st) Session, in H.R. 3368; and

Whereas, the U.S. Government Accountability Office (GAO) submitted the GAO-19-24 report to the U.S. Congress. Published in November of 2018, the detailed report relative to Agent Orange use on Guam indicates that not all shipment records pertaining to the disposal of Agent Orange were complete, including shipment documentation and logbooks that identify ports where vessels made stops enroute to Southeast Asia. The GAO states that of the 13.9 million gallons of Agent Orange obtained by the U.S. Department of Defense (DOD), the GAO collected and examined shipment documents for more than 12.1 million of those gallons. After scrutinizing ninety-six percent (96%) of the logbooks for the aforementioned shipments, they discovered that among the vessels traveling to Southeast Asia, at least one (1) vessel carrying Agent Orange made a stop on Guam; and

Whereas, during the Vietnam War, the Andersen Air Force Base in Guam served as the cornerstone of U.S. airpower in the conflict. To support bombing operations, B-52s were amassed on the base in the fall of 1972. Testimony presented to the U.S. Congress clearly demonstrated that during that time, Agent Orange was sprayed, among other places, at Andersen Air Force Base along the fence line, flight line, sidewalks, and golf course; at Naval Air Station along the fence line and flight line; and along the Cross Island Road oil pipeline that ran between the two (2) military bases, all of which are now the subject of substantial, credible reports of herbicide application by Vietnam-era veterans. This was strongly asserted and confirmed in the "NVLS (National Veterans Legal Services Program) and VLSC (Veterans Legal Services Clinic) White Paper Confirming That Veterans Who Served in Guam from 1958-1980 Were Likely Exposed to Dioxin-Containing Herbicide Agents including Agent Orange" issued by the Yale Law School Veterans Legal Services Clinic in May of 2020, and updated in February of 2021; and

Whereas, I Liheslaturan Guåhan recognizes the disparity between the unequal treatment of military personnel and non-military personnel exposed to Agent Orange; and a large number of Guam residents who were civilians and non-military have testified to having similar exposure to Agent Orange resulting in similar ailments as the U.S. military veterans, but are not covered by the PACT Act; now therefore, be it

Resolved, That I Mina'trentai Siette Na Liheslaturan Guåhan does hereby, on behalf of the people of Guam, strongly urge the United States Congress and the Executive Branch of the U.S. Government to treat Guam residents and non-veterans in the manner equal to the treatment now given to military veterans in providing funding and compensation to those who are suffering from ailments as a result of exposure to Agent Orange on Guam; and be it further

Resolved, That the Speaker certify, and the Legislative Secretary attest to, the adoption hereof, and that copies of the same be thereafter transmitted to the Honorable Joseph R.