

serve him well as a judge for the Eastern District of Wisconsin.

Mr. Conway is a very active member of his local community, having served as president of the Brown County Bar Association, as the Brown County District Representative to the State Bar Board of Governors, and as the vice president of the board of directors for the Brain Center of Green Bay, which offers resources to individuals with cognitive deficits and neurological disorders. Byron Conway has both the experience and the temperament necessary to serve Wisconsin's Eastern District with fairness and impartiality.

I want to thank the chairman of the committee, Chair DURBIN; Ranking Member GRAHAM; and the members of the Senate Judiciary Committee for advancing Mr. Conway's nomination out of the committee with bipartisan support.

I urge my colleagues to join me in voting to confirm Mr. Conway's nomination.

I yield the floor.

The PRESIDING OFFICER (Ms. BALDWIN). The junior Senator from Rhode Island.

#### VOTE ON CONWAY NOMINATION

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the scheduled vote begin immediately.

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

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

Mr. WHITEHOUSE. 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. DURBIN. I announce that the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from Florida (Mr. SCOTT), the Senator from North Carolina (Mr. TILLIS), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 58, nays 37, as follows:

[Rollcall Vote No. 254 Ex.]

#### YEAS—58

Baldwin	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Helmy	Rosen
Booker	Hickenlooper	Sanders
Braun	Hirono	Schatz
Brown	Johnson	Schumer
Butler	Kaine	Shaheen
Cantwell	Kelly	Sinema
Capito	King	Smith
Cardin	Klobuchar	Stabenow
Carper	Lujan	Tester
Casey	Manchin	Van Hollen
Collins	Markey	Warner
Cortez Masto	Merkley	Warnock
Cramer	Murkowski	Warren
Duckworth	Murphy	Welch
Durbin	Murray	Whitehouse
Fetterman	Ossoff	Wyden
Gillibrand	Padilla	
Graham	Peters	

#### NAYS—37

Barrasso	Hagerty	Ricketts
Blackburn	Hawley	Risch
Boozman	Hoeven	Rounds
Britt	Hyde-Smith	Rubio
Budd	Kennedy	Schmitt
Cassidy	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Crapo	Lummis	Thune
Cruz	Marshall	Tuberville
Daines	McConnell	Wicker
Ernst	Moran	Young
Fischer	Mullin	
Grassley	Paul	

#### NOT VOTING—5

Coons	Scott (FL)	Vance
Cotton	Tillis	

The nomination was confirmed.

The PRESIDING OFFICER (Ms. BUTLER). 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.

The Senator from Vermont.

#### AUTHORIZING THE PRESIDENT OF THE SENATE TO CERTIFY THE REPORT OF THE COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS OF THE SENATE REGARDING THE REFUSAL OF DR. RALPH DE LA TORRE TO APPEAR AND TESTIFY BEFORE THE COMMITTEE

Mr. SANDERS. Madam President, over 4 months ago, Steward Health Care and the more than 30 hospitals it owns in 8 States declared bankruptcy, with some \$9 billion in debt. This bankruptcy has caused devastating harm to patients, healthcare workers, and entire communities from Massachusetts to Arizona.

In July, the Senate Health, Education, Labor, and Pensions Committee, which I chair, voted to authorize a bipartisan investigation into the financial mismanagement of Steward Health Care. On that same day, the HELP Committee also voted to subpoena Dr. Ralph de la Torre, the CEO of Steward Health Care, to testify at a hearing on this very important issue on September 12.

Sadly, Dr. de la Torre made the unfortunate and unacceptable decision not to show up at this hearing in defiance of a congressional subpoena. So last week, the HELP Committee voted 20 to 0 on two resolutions to hold Dr. de la Torre accountable for his failure to appear at this hearing.

The first resolution instructs Senate legal counsel to bring a civil suit in the District Court for the District of Columbia to require Dr. de la Torre's compliance with the subpoena and his testimony before the HELP Committee.

The second resolution would refer this matter to the U.S. attorney for the District of Columbia to criminally prosecute Dr. de la Torre for failing to comply with the subpoena.

In a few moments, I will be asking unanimous consent to pass the second resolution, which seeks to hold Dr. de la Torre in criminal contempt for fail-

ing to comply with the congressional subpoena.

But before I do that, let me take a moment to briefly explain why the HELP Committee believed it was so important for Dr. de la Torre to testify before Congress.

First, we wanted Dr. de la Torre to explain to us how it could happen that at least 15 patients at hospitals owned by his company died—died—as a result of a lack of medical equipment or staffing shortages, and why at least 2,000 other patients were put in immediate peril, according to Federal regulators.

That is something that the American people deserve to know. But perhaps most importantly, we wanted to know how it could happen that while thousands of patients and healthcare workers suffered and communities around the country have been devastated as a result of Steward Health Care's financial mismanagement, Dr. de la Torre and the companies he owned were able to receive at least \$250 million in total compensation over the past 4 years.

For months, Senator CASSIDY, the ranking member of the HELP Committee; Senator MARKEY, the chair of our healthcare subcommittee; and I have asked Dr. de la Torre to testify before our committee to answer these questions. And time after time, he has arrogantly refused, and that is simply not acceptable.

So, today, I will ask the Senate to unanimously adopt this resolution seeking to hold Dr. de la Torre in contempt of Congress.

Let me take this opportunity to thank Ranking Member CASSIDY and his staff for working with me and my staff on this very important issue. The passage of this resolution by the full Senate will make clear that, even though Dr. de la Torre may be worth hundreds of millions of dollars, even though he may be able to buy fancy yachts and private jets and luxurious accommodations throughout the world, even though he may be able to afford some of the most expensive lawyers in America, no, Dr. de la Torre is not above the law. If you defy a congressional subpoena, you will be held accountable no matter who you are or how well connected you may be.

The goal of the HELP Committee throughout this entire process has been to make sure not only that we have a complete understanding of the financial chicanery surrounding Steward Health Care but to do everything that we can to make sure that such a travesty never occurs again.

Madam President, I ask unanimous consent that two letters be printed in the CONGRESSIONAL RECORD, one from Dr. de la Torre's attorneys to the committee and, secondly, a response letter from Ranking Member CASSIDY and myself.

There being no objection, the material was ordered to be printed in the RECORD as follows:

SEPTEMBER 18, 2024.

Re Senate HELP Committee Subpoena to Dr. Ralph de la Torre.

Hon. BERNIE SANDERS,  
Chairman, Committee on Health Education,  
Labor, and Pensions, U.S. Senate, Wash-  
ington, DC.

DEAR SENATOR SANDERS: We write to follow up on our September 4, 2024 letter ("Letter") to the Senate Health, Education, Labor, and Pensions Committee (the "Committee") and the Committee's recent announcement that it intends to vote this week on two contempt resolutions regarding the July 25, 2024 subpoena issued to Dr. de la Torre, in his capacity as Chairman and Chief Executive Officer of Steward Health Care System LLC ("Steward"), for testimony at the Committee's September 12, 2024 hearing titled "Examining the Bankruptcy of Steward Health Care: How Management Decisions Have Impacted Patient Care" (the "Hearing").

As we underscored in our Letter, Dr. de la Torre lacks the authority to speak on behalf of Steward with respect to the ongoing bankruptcy proceedings and he is prohibited by a federal court order from doing so. Despite these valid objections, however, the Committee moved forward with the Hearing without meaningfully considering the issues that Dr. de la Torre raised and without attempting to reschedule the Hearing. What is more, the Committee's disregard for Dr. de la Torre's request to reschedule the Hearing in light of these legal restrictions substantiated our concern that the true purpose of the Hearing was not to gather facts within the Committee's constitutional and congressional remit, but instead a pseudo-criminal proceeding with the goal of convicting Dr. de la Torre in a court of public opinion.

Our concerns that the Hearing would be used to ambush Dr. de la Torre in a pseudo-criminal proceeding were on full display last week, with the Committee soliciting testimony from witnesses calling Dr. de la Torre and Steward executives "health care terrorists" and advocating for Dr. de la Torre's imprisonment, all while the Committee refused to even acknowledge or aid the bankruptcy settlement that would ensure continuity of services in all but two Steward hospitals across the nation.

Dr. de la Torre cannot be permitted to provide sworn testimony at this time, given that the Hearing was seemingly designed as a vehicle to violate Dr. de la Torre's constitutional rights, including his Fifth Amendment rights. The U.S. Constitution affords Dr. de la Torre inalienable rights against being compelled by the government to provide sworn testimony that is specifically (yet baselessly) sought to frame Dr. de la Torre as a criminal scapegoat for the systemic failures in Massachusetts' health care system. Accordingly, on the advice of counsel, Dr. de la Torre invokes his procedural and substantive rights under the Fifth Amendment of the U.S. Constitution, including the privilege to refrain from testifying at the Committee's Hearing. See *Quinn v. United States*, 349 U.S. 155, 161 (1955). ("Still further limitations on [Congress's] power to investigate are found in the specific individual guarantees of the Bill of Rights, such as the Fifth Amendment's privilege . . .").

If the Committee had any concern for the hospitals affected by Steward's bankruptcy proceedings it would, consistent with Dr. de la Torre's request to postpone the hearing for a more appropriate time, permit the bankruptcy resolution to move forward and focus its actions on tackling legitimate questions in the best interests of Steward patients, hospitals, and communities.

Sincerely,

ALEXANDER J. MERTON.

SEPTEMBER 25, 2024.

Alexander J. Merton,  
Partner, Quinn Emanuel, Washington, DC.

DEAR MR. MERTON: We write in response to your letter of September 18, 2024. As explained in our letter of September 5, 2024, your client, Dr. Ralph de la Torre, had a legal duty to attend the hearing of the U.S. Senate Committee on Health, Education, Labor, and Pensions on September 12, 2024, as commanded by the duly authorized Committee testimonial subpoena issued to him on July 25, 2024, for which you accepted service on his behalf and indicated his availability.

As further explained in our September 5, 2024, letter, had Dr. de la Torre appeared to testify, he would have had a full opportunity to assert his Fifth Amendment right against self-incrimination in response to questions posed to him by members of the Committee that implicated that right. Having elected not to appear, Dr. de la Torre willfully placed himself in default of the Committee's subpoena. Your effort to assert the Fifth Amendment, on your client's behalf, after the fact, and generally rather than in response to specific questions, is untimely and inadequate and does not cure your client's default.

In response to Dr. de la Torre's failure to appear, the Committee convened an executive session on September 19, 2024, and voted to report two resolutions to the Senate for further consideration. The first directs Senate Legal Counsel to bring a civil action to enforce the Committee's subpoena and the second authorizes the President of the Senate to certify a Committee report regarding the refusal of Dr. Ralph de la Torre to appear and testify before the Committee to the U.S. Attorney for the District of Columbia for criminal prosecution. Both resolutions were agreed to and favorably reported by the Committee.

Sincerely,

BERNARD SANDERS,  
CHAIRMAN,  
Senate Committee on Health, Education,  
Labor, and Pensions  
BILL CASSIDY, M.D.,  
RANKING MEMBER,  
Senate Committee on Health, Education,  
Labor, and Pensions.

Mr. SANDERS. With that, Madam President, I would be happy to yield to the ranking member of the committee who has done an excellent job on this issue, Senator CASSIDY.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. CASSIDY. Madam President, for months the HELP Committee, on a bipartisan basis, has investigated the financial mismanagement of Steward Health Care and the impact on the delivery of care at its hospitals.

Steward's mismanagement has nationwide implications, affecting patient care in more than 30 hospitals across 8 States, including one in my home State, Glenwood Regional Medical Center in West Monroe, LA.

Because of Steward's management decisions resulting in limited resources at Glenwood, the State had to force the hospital to operate at one-third capacity. One patient reportedly died waiting for transfer to another hospital because Glenwood did not have the necessary resources to treat.

According to a report from the Centers for Medicare and Medicaid Services, a doctor at Glenwood told a Lou-

isiana State inspector that the hospital was performing "third-world medicine."

Now, the problems at Glenwood are not unique. The HELP Committee heard testimony that because of understaffing at a Steward-owned St. Elizabeth's Medical Center in Boston, patients at the hospital waited in the emergency room for hours and sometimes days.

We have also heard testimony that Steward neglected to pay the vendors for essential hospital services. At St. Elizabeth's, there is a report that when newborn babies died, nurses had to put their bodies into cardboard shipping boxes because Steward did not pay for proper bereavement boxes.

A new mother who experienced a hemorrhage, or a bleed, during childbirth died because a basic piece of medical equipment required to save her life to stop the bleeding had been repossessed because Steward did not pay its bills.

Through the committee's investigation, it became evident that a thorough review of Chief Executive Officer Dr. Ralph de la Torre's management decisions was essential to understand Steward's financial problems and its failure to serve its patients.

To better understand and hopefully prevent this from happening again, we sought testimony from Dr. de la Torre, frankly, giving him the opportunity to present his side. It is possible that there is something that we didn't understand. And if he presented it, that understanding would have given us a different perspective.

Unfortunately, Dr. de la Torre refused to testify voluntarily. As a result, the committee issued a subpoena in July. And up until September 4, his lawyers indicated he intended to comply with the subpoena and to testify. However, 8 days before the scheduled hearing, Dr. de la Torre informed the committee he would not comply with the subpoena.

We responded to Dr. De la Torre explaining why his objections to the committee subpoena had no merit, directing him to comply.

Unfortunately, Dr. De la Torre ultimately defied the subpoena, refusing to appear before the committee.

Now, a witness cannot disregard and evade a duly authorized subpoena. That is why today the Senate will be voting on a resolution to hold Dr. de la Torre in criminal contempt for defying the subpoena.

I think it is unfortunate that we are here. But if someone shows contempt for the American people by defying a subpoena and refusing to provide answers, that is a contemptible thing. Congress has a responsibility to act.

I urge my colleagues to approve this resolution and to hold Dr. de la Torre in contempt.

And with that, I yield to my colleague.

Mr. SANDERS. Senator MARKEY has played a leadership role in the investigation of this whole process. I would like to yield to Senator MARKEY.

Mr. MARKEY. Thank you, Mr. Chairman, very much. Thank you for your great leadership on this issue. Thanks to Senator CASSIDY. We have made this bipartisan from the very beginning in order to ensure that the American public can completely understand what has happened to this Steward Health Care chain, and I thank him for the leadership in holding Dr. Ralph de la Torre accountable for his greed and shining a light on the deadly consequences that result from the involvement of for-profit forces in our healthcare system.

Steward Health Care declared bankruptcy in May. It was a culmination of a financial tragedy. Over the past decade, Steward, led by its founder and CEO, Dr. Ralph de la Torre, and his corporate enablers, looted hospitals across the country for their own profit. And while they got rich, workers, patients, and communities suffered.

Nurses paid out of pocket for cardboard bereavement boxes for the babies to help grieving parents who had just lost a newborn. Hospital beds collapsed underneath patients. Patients died alone in hallways.

The Boston Globe Spotlight team has laid out the details in eye-watering fashion.

Meanwhile, Ralph de la Torre and his corporate cronies got just what they wanted: hundreds of millions of dollars in profit, yachts, private jets, luxury vacations. They used hospitals to fund their own episode of "Lifestyles of the Rich and Famous." And its star is CEO Dr. Ralph de la Torre.

Today, we are here because Dr. de la Torre has yet to answer for what he has perpetrated. I asked him to appear before my Primary Health and Retirement Subcommittee in April in Boston. He declined. He refused.

Senators SANDERS and CASSIDY invited Dr. de la Torre to testify in July here in Washington. He declined. He refused.

On July 25, the committee issued a legal order for him to appear. He ignored it. He refused.

Dr. de la Torre is using his blood-soaked gains to hide behind corporate lawyers instead of responding to the U.S. Senate's demand for actions.

But while he tries to run and hide, Dr. de la Torre is revealing himself for what he truly is: a physician who placed personal gain over his duty to do no harm.

The Senate has not made a criminal contempt referral in more than 50 years, since 1971. It is a rare move for the rare degree of callousness, cruelty, and cowardliness that Dr. de la Torre has demonstrated.

In the face of all of the mismanagement, health workers fulfill their sacred responsibility to their patients and to their communities. They cared for young and old, held grieving families' hands, and responded in people's greatest moments of fear and vulnerability.

And now workers and communities will spend years cleaning up Ralph de

la Torre's disaster all in order to ensure that they will be protecting patient care.

The rich don't need to use communities as a safety net for their wealth, but that is how Dr. de la Torre used these hospitals and communities—including in Massachusetts—and sacrificed community health in the process. They are rightly outraged in those communities, and I am outraged for them.

For them and for everyone who has suffered due to Ralph de la Torre's greed and Steward's collapse, I hope the Department of Justice will move swiftly to bring charges against him.

To Dr. de la Torre, you cannot use your millions to shield yourself from accountability to the American people.

I urge the Senate to hold Dr. Ralph de la Torre, CEO of Steward, in criminal contempt.

And I thank, once again, Chairman SANDERS and Ranking Member CASSIDY for their great leadership on this issue.

Mr. SANDERS. Senator MARKEY, thank you for your leadership on this.

Madam President, as if in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 522, S. Res. 837.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 837) authorizing the President of the Senate to certify the report of the Committee on Health, Education, Labor, and Pensions of the Senate regarding the refusal of Dr. Ralph de la Torre to appear and testify before the Committee.

There being no objection, the committee was discharged and the Senate proceeded to consider the resolution.

Mr. SANDERS. I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate?

Hearing no further debate, the question is on adoption of the resolution.

The resolution (S. Res. 837) was agreed to.

Mr. SANDERS. Madam President, I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 23, 2024, under "Submitted Resolutions.")

The PRESIDING OFFICER (Ms. CORTEZ MASTO). The Senator from Maine.

NATIONAL LOBSTER DAY

Ms. COLLINS. Madam President, before I begin my remarks on the continuing resolution to fund the government, I do have to take just a moment to note that today is National Lobster Day, and that is extremely important to the State of Maine.

Just last week, I treated the Members of my caucus to a wonderful lob-

ster lunch, complete also with Maine potatoes and Maine wild blueberry pie. That should be an incentive for people to become Republicans, I would think, to get that annual lobster lunch. But it is an iconic industry in my State. If you ask people about the State of Maine, lobster always comes up.

So I do want to acknowledge that Senator KING and I have once again this year noted that September 25 is National Lobster Day, and we appreciate the support of our colleagues.

GOVERNMENT FUNDING

Now, Madam President, I rise to urge passage of the government funding measure that was approved by the House of Representatives earlier today. The bill, which is known as a continuing resolution, or a CR, is straightforward. Most important of all, it prevents a government shutdown.

Government shutdowns are inherently a failure to govern effectively. They have negative consequences all across government. They require certain essential government employees, such as Border Patrol agents or members of our military or air traffic controllers, to report to work but with no certainty that they will be paid. We simply cannot allow that to occur.

Other harmful impacts have been outlined by the Secretary of Defense and all of the service Secretaries who point out that new defense programs cannot be started when there is a government shutdown—that inevitably increases costs to the taxpayers—and programs that should be terminated or trimmed are continuing to be funded at current levels. So we can't have—or stopped altogether, as people cannot do their work—so we cannot have a government shutdown.

This continuing resolution is not perfect, but it is an effort to extend current year program levels through December 20, with limited exceptions aimed primarily at preventing program disruptions and preparing for the Presidential transition and inaugural activities.

I would also note that this temporary funding bill includes \$231 million for the Secret Service's immediate protection operations following the two recent assassination attempts on the life of former President Trump. All of us are aware that there also is a plot by the Iranian Government to assassinate President Trump. So we need to make sure we are providing robust protection.

While the first attempt on President Trump's life, the Secret Service has conceded, was due to poor communication and other failures, the Secret Service has also asked for this additional funding. It is absolutely essential as they deal with the increased threat environment and ensure that our current President and Vice President and Presidential candidates are all fully protected.

As I mentioned, the Secret Service has acknowledged that the security failure on July 13 was not a result of a

lack of resources. The additional funding in this bill will help to surge support to meet emergent personnel, equipment, and logistical needs. It will also allow for the Department of Defense to be reimbursed for the activities that it provides and will now resume for former President Trump.

The continuing resolution also allows the Federal Emergency Management Agency, FEMA, immediate access to more than \$20 billion for its Disaster Relief Fund to sustain disaster assistance during the period covered by this CR.

This funding resolution is the product of bipartisan, bicameral negotiations. It is essential that it be adopted in order to prevent a government shutdown, and I urge its adoption.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I am very pleased that we now have a straightforward, bipartisan compromise to fund the government and avoid a pointless, devastating shutdown. I hope every single one of my colleagues will join us in voting to pass this bill.

Our work does not end here. My hope is that now we can get going in earnest on hammering out bipartisan full-year funding bills, including providing long overdue disaster assistance.

It is time for Democrats and Republicans to negotiate those bills together instead of House Republicans just following the loudest voices on the far right, because it is getting a little exhausting to watch some House Republicans push again and again for the most extreme, partisan cuts and policies—stuff that is not realistic at all—before learning the same lessons the hard way yet again.

You cannot strike a deal to govern with people who do not really want to govern. You can't avoid a shutdown trying to placate the people who want a shutdown. But here is the important thing: You do not have to waste time trying. If you are serious about governing, you do not have to let a few extreme House Republicans set the agenda or let Donald Trump call the shots.

There is a better way, and I know because it is the path that we have been following here in the Senate. Vice Chair COLLINS and I passed 11 funding bills out of our committee with overwhelming bipartisan support. We negotiated strong bills that could actually be signed into law and would make a real difference for folks back at home.

We did it by listening to each other, by listening to folks back home, rejecting partisan policies, and focusing on how we set our Nation and families up for success. That is the same approach I hope we can now take now that this CR gives us the time we need to negotiate bipartisan, bicameral full-year bills.

I know compromise takes time, and it takes a lot of hard work. I have hammered out with my colleague many tough deals here in my time, but I

think we have proven in this Congress, many times over, that the path to bipartisanship is far easier and far more productive than the dead-end MAGA extremism House Republicans keep making their very first priority.

So let's all vote to pass this CR, and then let's get to work, in a serious bipartisan way, on our full-year funding bills and on meeting the long overdue disaster relief needs of so many of our States and our communities.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Madam President, I do think it is important to point out that the House passed this bill by an overwhelming bipartisan vote.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF BUSINESS

Mr. SCHUMER. Madam President, I understand the Senate has received H.R. 9747 from the House, and I ask the Chair to execute the order of September 24 with respect to the bill.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will proceed to legislative session.

#### CONTINUING APPROPRIATIONS AND EXTENSIONS ACT, 2025

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 9747) making continuing appropriations and extensions for fiscal year 2025, and for other purposes.

The PRESIDING OFFICER. The majority leader.

Mr. SCHUMER. Madam President, tonight, the American people can sleep easier knowing we have avoided an unnecessary government shutdown at the end of the month. It is a relief for the country that, once again, bipartisanship prevailed to stop another shutdown threat. It took much longer than it should have, but because House Republicans finally, finally chose to work with us in the end, Congress is getting the job done tonight.

Because bipartisanship ultimately prevailed, the government will stay open. Vital government services will not be halted. Appropriators will have more time to fully fund the government before the end of the year. This bipartisanship is a good outcome for America, and I hope it sets the tone for more constructive bipartisan work when we return later in the fall.

Thanks to Speaker Johnson for working with me on the agreement, and thanks to Leader MCCONNELL and Leader JEFFRIES for helping make it happen—and a special thanks to our appropriators, particularly Chair MURRAY and Vice Chair COLLINS, for setting an excellent example of bipartisanship.

I urge everyone to vote yes, and I urge us to vote now.

I yield back all time.

The bill was ordered to a third reading and was read the third time.

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

Mr. SCHUMER. Madam 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 legislative clerk called the roll.

Mr. DURBIN. I announce the Senator from Delaware (Mr. COONS) is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON), the Senator from Florida (Mr. SCOTT), and the Senator from Ohio (Mr. VANCE).

The result was announced—yeas 78, nays 18, as follows:

[Rollcall Vote No. 255 Leg.]

#### YEAS—78

Baldwin	Grassley	Peters
Barrasso	Hassan	Reed
Bennet	Heinrich	Romney
Blumenthal	Helmy	Rosen
Booker	Hickenlooper	Rounds
Boozman	Hirono	Rubio
Brown	Hoeben	Sanders
Butler	Hyde-Smith	Schatz
Cantwell	Kaine	Schumer
Capito	Kelly	Shaheen
Cardin	Kennedy	Sinema
Carper	King	Smith
Casey	Klobuchar	Stabenow
Cassidy	Lankford	Sullivan
Collins	Lujan	Tester
Cornyn	Lummis	Thune
Cortez Masto	Manchin	Tillis
Cramer	Markey	Van Hollen
Cruz	McConnell	Warner
Daines	Merkley	Warnock
Duckworth	Moran	Warren
Durbin	Murkowski	Welch
Ernst	Murphy	Whitehouse
Fetterman	Murray	Wicker
Gillibrand	Ossoff	Wyden
Graham	Padilla	Young

#### NAYS—18

Blackburn	Hagerty	Paul
Braun	Hawley	Ricketts
Britt	Johnson	Risch
Budd	Lee	Schmitt
Crapo	Marshall	Scott (SC)
Fischer	Mullin	Tuberville

#### NOT VOTING—4

Coons	Scott (FL)
Cotton	Vance

The PRESIDING OFFICER (Mr. OSSOFF). On this vote, the yeas are 78, the nays are 18.

Under the previous order requiring 60 votes for the adoption of this bill, the bill is passed.

The bill (H.R. 9747) was passed.

The PRESIDING OFFICER. The Senator from Vermont.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. WELCH. Mr. President, I ask unanimous consent that the Senate resume executive session and resume consideration of the Perry nomination.

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

The clerk will report the nomination.