

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 Missouri (Mr. BLUNT), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. PERDUE), and the Senator from Alaska (Mr. SULLIVAN).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “yea,” the Senator from Kansas (Mr. MORAN) would have voted “yea,” and the Senator from Alaska (Mr. SULLIVAN) would have voted “yea.”

Mr. SCHUMER. I announce that the Senator from Ohio (Mr. BROWN) and the Senator from Illinois (Mr. DURBIN) are necessarily absent.

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

The yeas and nays resulted—yeas 68, nays 23, as follows:

[Rollcall Vote No. 13 Leg.]

YEAS—68

Barrasso	Feinstein	Reed
Bennet	Fischer	Risch
Blackburn	Gardner	Roberts
Blumenthal	Graham	Romney
Boozman	Grassley	Rosen
Braun	Hassan	Rounds
Burr	Hawley	Rubio
Cantwell	Hoeven	Sasse
Capito	Hyde-Smith	Scott (FL)
Carper	Inhofe	Scott (SC)
Casey	Johnson	Shaheen
Cassidy	Jones	Shelby
Collins	Kaine	Sinema
Coons	King	Stabenow
Cornyn	Lankford	Tester
Cortez Masto	Manchin	Thune
Cotton	McConnell	Tillis
Cramer	McSally	Toomey
Crapo	Menendez	Warner
Daines	Murkowski	Whitehouse
Duckworth	Murray	Wicker
Enzi	Peters	Young
Ernst	Portman	

NAYS—23

Baldwin	Kennedy	Schatz
Booker	Klobuchar	Schumer
Cardin	Leahy	Smith
Cruz	Lee	Udall
Gillibrand	Markey	Van Hollen
Harris	Merkley	Warren
Heinrich	Murphy	Wyden
Hirono	Sanders	

NOT VOTING—9

Alexander	Durbin	Paul
Blunt	Isakson	Perdue
Brown	Moran	Sullivan

The PRESIDING OFFICER (Mr. BRAUN). On this vote, the yeas are 68, the nays are 23.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1) to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

The PRESIDING OFFICER. The Senator from New Jersey.

AMENDMENT NO. 96 TO AMENDMENT NO. 65

Mr. MENENDEZ. Mr. President, I call up Menendez amendment No. 96.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Jersey [Mr. MENENDEZ] proposes an amendment numbered 96 to amendment No. 65.

Mr. MENENDEZ. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To clarify that the amendment shall not be construed as a declaration of war or an authorization of the use of military force)

At the end of the amendment, add the following:

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a declaration of war or an authorization of the use of military force.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. I would like to ask Senator MENENDEZ, is it your understanding that your amendment does not affect any existing legal authorities governing the use of military force?

Mr. MENENDEZ. Yes, that is my understanding. My amendment should not be construed to affect in any way any existing authorities governing the use of military force. It only clarifies that the McConnell amendment is not an authorization for the use of military force or a declaration of war.

Mr. RISCH. I thank Senator MENENDEZ. Based on our understanding of your amendment, I will be supporting it.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, the Senate just invoked cloture on the majority leader’s amendment, and I now rise to urge support for my second-degree amendment, the one where the colloquy included in the RECORD between the chair of the Senate Foreign Relations Committee and me leads to the conclusion of his support. I believe the amendment will also have the support of the majority leader and the rest of the body. The inclusion of my vote in support in terms of moving forward.

As I have stated over the past month, I continue to be seriously concerned that precipitously withdrawing U.S. troops from Syria and Afghanistan will deeply harm American interests and security. With that in mind, I am generally supportive of Senator MCCONNELL’s amendment to S. 1, which echoes what I have been saying for much of the past 2 years, calling on the administration to develop a real strategy for securing our interests in the Middle East, including combating terrorist groups and effectively confronting Iranian and Russian aggression, and calling on the administration

to more effectively engage with the legislative branch.

I share in the belief that the way in which the President announced his Syria withdrawal—with no plan, without consultation with Congress or our allies or consideration of the implication for our partners—is not in our interest. American troops on the ground are on the frontline, fighting for our interests and also providing leverage to achieve diplomatic success.

At the same time, it is imperative that this body, which has the responsibility to authorize the use of military force, emphasize that such force alone will not protect our interests; that military force alone cannot defeat ISIS, al-Qaida, or other nonstate actors; and that military force alone will not provide enduring, sustainable peace and security against our adversaries.

More importantly, when we do send our sons and daughters into combat, we should do so only after careful consideration and consultation and with clear objectives and strategy—a strategy that requires investments into diplomatic efforts in coordination with our allies and partners.

I want to make it crystal clear that the McConnell amendment cautioning against a precipitous withdrawal of U.S. troops in no way constitutes Senate support for their permanent presence for an undefined mission. As a legal matter, my amendment makes clear one critical point: Nothing in the McConnell amendment can be construed as an authorization for the use of military force. Authorizing military force is simply not part of the debate on either the McConnell amendment or S. 1.

At the end of the day, I would like to see all of our troops back home and off the battlefield. I believe we must continue to have comprehensive strategies to achieve that outcome.

So, in conclusion, I believe the majority leader’s amendment sends an important message to the President—that while he is the Commander in Chief, the legislative branch will continue to exercise the due diligence and oversight of his actions regarding our security and interests abroad. It also sends a message that the United States will not abandon our allies and our partners.

I particularly worry about the Kurds in this regard, who have been some of the most significant fighters on the ground in Syria and who are also in pursuit of our interests there. We cannot send a global message that once we have finished using you for our purposes, we will leave you to die on the battlefield. That sends a message across the globe: Don’t fight, and don’t join the United States because when it finishes with you, it will leave you to die on the battlefield.

I want to make it clear to the American people, however, that we are not in the business of authorizing open-ended conflicts or of keeping our troops on the battlefield forever. Our safety