

through unimaginable adversity, and hope is what continues to guide us today.

In celebration of that heritage and in recognition of our history, I am so proud to work with Senator RICK SCOTT to pass this bipartisan resolution for Jewish American Heritage Month. In doing so, let us celebrate not only the accomplishments of Jewish Americans throughout our Nation's history but also the values that continue to strengthen both our community and our country.

Let us recommit ourselves to fighting hate in all its forms. Let us continue building bridges across all communities. Let us ensure that future generations will grow up in a country where they can live openly, proudly, and safely as Jews and as Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Madam President, as if in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 738, which was submitted earlier today.

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

The senior assistant bill clerk read as follows:

A resolution (S. Res. 738) recognizing the significance of Jewish American Heritage Month and calling on elected officials and civil society leaders to counter anti-semitism.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCOTT of Florida. I ask unanimous consent that the resolution be agreed to, 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 resolution (S. Res. 738) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from Florida.

WAIVING QUORUM CALL

Mr. SCOTT of Florida. Madam President, I ask unanimous consent to waive the mandatory quorum call with respect to the Rikhye nomination.

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

The Senator from Florida.

Mr. SCOTT of Florida. Madam President, I ask unanimous consent that the previously scheduled rollcall vote start immediately.

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

VOTE ON CLARKE NOMINATION

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

Ms. ROSEN. 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 senior assistant bill clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. CRAMER), the Senator from Tennessee (Mr. HAGERTY), the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Montana (Mr. SHEEHY), the Senator from North Carolina (Mr. TILLIS), the Senator from Alabama (Mr. TUBERVILLE), and the Senator from Mississippi (Mr. WICKER).

Further, if present and voting: the Senator from Tennessee (Mrs. BLACKBURN) would have voted "YEA," the Senator from Tennessee (Mr. HAGERTY) would have voted "YEA," the Senator from Mississippi (Mrs. HYDE-SMITH) would have voted "YEA," the Senator from Montana (Mr. SHEEHY) would have voted "YEA," the Senator from North Carolina (Mr. TILLIS) would have voted "YEA," and the Senator from Mississippi (Mr. WICKER) voted "YEA."

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET) is necessarily absent.

The result was announced—yeas 52, nays 38, as follows:

[Rollcall Vote No. 127 Ex.]

YEAS—52

Armstrong	Gallego	Moran
Banks	Graham	Moreno
Barrasso	Grassley	Murkowski
Boozman	Hassan	Paul
Britt	Hawley	Reed
Budd	Heinrich	Ricketts
Capito	Hoeven	Risch
Cassidy	Husted	Rounds
Collins	Johnson	Schmitt
Cotton	Justice	Scott (FL)
Crapo	Kennedy	Scott (SC)
Cruz	Lankford	Shaheen
Curtis	Lee	Sullivan
Daines	Lummis	Thune
Durbin	Marshall	Whitehouse
Ernst	McConnell	Young
Fetterman	McCormick	
Fischer	Moody	

NAYS—38

Alsobrooks	Kelly	Sanders
Baldwin	Kim	Schatz
Blumenthal	King	Schiff
Blunt Rochester	Klobuchar	Schumer
Booker	Lujan	Slotkin
Cantwell	Markey	Smith
Coons	Merkley	Van Hollen
Cortez Masto	Murphy	Warner
Duckworth	Murray	Warnock
Gillibrand	Ossoff	Warren
Hickenlooper	Padilla	Welch
Hirono	Peters	Wyden
Kaine	Rosen	

NOT VOTING—10

Bennet	Hagerty	Tuberville
Blackburn	Hyde-Smith	Wicker
Cornyn	Sheehy	
Cramer	Tillis	

The nomination was confirmed.

The PRESIDING OFFICER. 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.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 737, Evan Rikhye, of the Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years.

John Thune, Ted Budd, Thom Tillis, John Barrasso, Tim Sheehy, Joni Ernst, Jon Husted, Katie Boyd Britt, David McCormick, Mike Rounds, John Boozman, Bill Cassidy, Rick Scott of Florida, Josh Hawley, Cynthia M. Lummis, Kevin Cramer, Steve Daines.

The PRESIDING OFFICER (Mr. BANKS). By unanimous consent, the mandatory quorum call under rule XXII has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Evan Rikhye, of the Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Texas (Mr. CORNYN), the Senator from North Carolina (Mr. TILLIS), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if the present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted "Yea."

The yeas and nays resulted—yeas 50, nays 47, as follows:

[Rollcall Vote No. 128 Executive]

YEAS—50

Armstrong	Fischer	Moody
Banks	Graham	Moran
Barrasso	Grassley	Moreno
Blackburn	Hagerty	Murkowski
Boozman	Hawley	Paul
Britt	Hoeven	Ricketts
Budd	Husted	Risch
Capito	Hyde-Smith	Rounds
Cassidy	Johnson	Schmitt
Collins	Justice	Scott (FL)
Cotton	Kennedy	Scott (SC)
Cramer	Lankford	Sheehy
Crapo	Lee	Sullivan
Cruz	Lummis	Thune
Curtis	Marshall	Wicker
Daines	McConnell	Young
Ernst	McCormick	

NAYS—47

Alsobrooks	Hassan	Ossoff
Baldwin	Heinrich	Padilla
Bennet	Hickenlooper	Peters
Blumenthal	Hirono	Reed
Blunt Rochester	Kaine	Rosen
Booker	Kelly	Sanders
Cantwell	Kim	Schatz
Coons	King	Schiff
Cortez Masto	Klobuchar	Schumer
Duckworth	Lujan	Shaheen
Durbin	Markey	Slotkin
Fetterman	Merkley	Smith
Gallego	Murphy	Van Hollen
Gillibrand	Murray	

Warner Warren Whitehouse
Warnock Welch Wyden

NOT VOTING—3

Cornyn Tillis Tuberville

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 47. The motion is agreed to.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Evan Rikhye, of the Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years.

The PRESIDING OFFICER. The majority whip.

ORDER OF PROCEDURE

Mr. BARRASSO. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the postcloture time with respect to Executive Calendar No. 737 be expired and the Senate vote on confirmation of the nomination at a time to be determined by the majority leader in consultation with the Democratic leader, tomorrow; further, if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate resume legislative session and 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.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

WAR POWERS RESOLUTION

Mr. KAINÉ. Mr. President, I rise to talk about the next vote the Senate will have on a War Powers Resolution, and this will be the eighth such vote. I want to dig into the topic for a minute why this vote is different than the earlier seven. Before I do, let me just kind of dig into the procedural nature of this vote.

War Powers Resolutions, like other Senate legislation, get referred to a committee—in this case, the committee of jurisdiction is the Senate Foreign Relations Committee, of which I am a member.

The committee does not have to take up legislation, and it is often the case—and I have often filed legislation that has never been taken up, not just by SFRC but other committees as well. If there is not a critical mass, it may not be taken up.

In matters of war, the drafters of the War Powers Resolution deemed the topic so important that they created a proceeding by which a single Senator could ask that the committee be discharged from consideration of the bill and the bill be reported out of the committee without a recommendation for actual consideration on the floor.

And so War Powers Resolutions in the instance of hostilities that have not been authorized by Congress, a Senator can file a resolution, a certain number of days elapse, and then we can come to the floor and ask for the committee to be discharged.

We have had seven earlier votes—all unsuccessful—asking that this war, which is now, I believe, on day 81, be—if a committee is not going to take it up, let's at least have the debate on the floor of the Senate that the Constitution intends.

And so the formal vote that we will have later is not a vote on the resolution itself, which says no war in Iran absent a vote of Congress, but it is a vote to discharge that resolution from the committee and allow it to be debated on the Senate floor. That is what we are voting on.

Should a matter that is in committee, that has been held in committee with no action for now 80 days during the midst of a pending war in which 14 American troops have been killed, hundreds have been injured, and we have spent north of \$29 billion—if we are not going to have committee action on the bill, can we not take it up on the floor of the Senate and debate it in front of the American public?

So now to my question: Why is this vote different than the vote we had last week? And I would argue there are a couple of reasons that make this vote different and the stakes higher that should suggest a need to finally take this matter up on the Senate floor.

First, we are now well past the 60-day deadline in the War Powers Resolution that, under the view of some, provides a President the ability to unilaterally take the Nation to war without a vote of Congress. I don't read the statute that way, but a number do, and we can have a good-faith disagreement about what the statute means.

But last week was the first time we had a vote after the 60-day deadline. The clock keeps running. We are now, I believe, at day 81. We are well past the statutory time that might give a President an argument that "I don't need to come to Congress to get a war approved."

The fact that we are now well past that deadline—a deadline that many of my colleagues on both sides of the aisle say should be an important milestone in terms of congressional review—is important.

The second thing that is important is we are in a cease-fire, but kind of a particular cease-fire right now. We are in a cease-fire where there is no active bombing, but there are still hostilities—the blockade of Iranian ports

by the United States, the significant closing of the Strait of Hormuz by Iran's military action—action taken against both military ships and commercial ships. We are in a cease-fire, but we have not ended hostilities, but the cease-fire entered a new phase just within the last day or two.

As you know, President Trump indicated that he was within an hour of ordering the restart of the bombing campaign but decided that it would be a good idea to engage in discussion with regional nations about: Could there be a path forward to find a diplomatic end to the war?

And my argument, Mr. President, to you and to all of my colleagues and to the American public is this: If we are in a cease-fire where we are trying to find a diplomatic path forward, rather than precipitously start a bombing campaign again, this is exactly the time where Congress should be having a debate about the rationale for the war, the status of the war, the plans to reopen the Strait of Hormuz, what a likely diplomatic off-ramp would look like, what the costs of the war are, how much U.S. munitions have been depleted, how much U.S. military facilities have been damaged.

When we are in this cease-fire period trying to find a diplomatic off-ramp, this seems, to me, to be the perfect time for the Senate to have the deliberate discussion about the need for a war that we should have had before the war began on February 28. Let's take advantage of this moment.

One issue in particular that is important right now is that Iran is transmitting to the President of the United States proposals for a diplomatic solution. As all know, Iran presented a proposal to the United States—to President Trump that he immediately dismissed as garbage. Guess what. No one in this body or in the House has been shown what that proposal is. None of us know what was in the proposal that the President dismissed as garbage.

This body contains many Members who have served in the military. This body contains many Members who have been on the committees of jurisdiction—the Armed Services Committee, the Foreign Relations Committee, the Intel Committee—not just for years, but in some instances for decades.

I assert that in the Senate and in the House, there are many people who would have some significant expertise about analyzing a proposal from Iran and determining whether or not it had merit.

Maybe it is a hundred percent garbage. Maybe it is a good offer. Maybe it is somewhere in the middle where there are pieces of it that are good but more needs to be done. But thus far, not a single Member of the 535 public servants serving in the House or the Senate know anything about the deal that the President has thrown out, and that is a very important fact.

Do we want to let—we have let one President take us to a war that has