

NAYS—48

Baldwin	Gillibrand	Reed
Bennet	Heinrich	Reid
Blumenthal	Heitkamp	Rounds
Booker	Hirono	Sanders
Boxer	Kaine	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Manchin	Stabenow
Carper	Markey	Sullivan
Casey	McCaskill	Tester
Coons	Menendez	Tillis
Cornyn	Merkley	Udall
Durbin	Murphy	Warner
Enzi	Murray	Warren
Flake	Nelson	Whitehouse
Franken	Peters	Wyden

NOT VOTING—3

Feinstein	Kirk	Mikulski
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The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 48.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

The majority leader.

RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

I will say to my Republican colleagues, we are going to have a conference in the Strom Thurmond Room right now.

There being no objection, the Senate, at 1:05 a.m., recessed subject to the call of the Chair and reassembled at 2:13 a.m. when called to order by the Presiding Officer (Mr. GARDNER).

CONCURRENT RESOLUTION ON THE BUDGET, FISCAL YEAR 2016—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Mr. President, it is my understanding there will be a vote on the Brown amendment that is pending.

The PRESIDING OFFICER. The Senator is right.

There is 2 minutes of debate prior to a vote on Brown amendment No. 994.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the disposition of the Brown amendment, which we were just discussing, No. 994, the next amendments in order be the following and that the Senate vote on the amendments in the order listed with no second-degree amendments in order prior to the votes: Vitter No. 811, Warren No. 1094, Lee No. 855, Cardin No. 367, Rubio No. 552, and Kaine No. 1047, as modified.

I further ask unanimous consent that there be 2 minutes equally divided between the managers or their designees prior to each vote and that all votes after the first in this series be 10 minutes in length.

Let me just say parenthetically that if everyone will stay in their seat—the clerk tells me it takes 7 minutes to

call the roll. So if everyone will stay in their seat, we will go straight through. They tell me it takes 7 minutes to do it. This should take us about an hour if we get started.

Further, I ask unanimous consent that following the disposition of the listed amendments and any cleared amendments agreed to by both managers and both leaders, the remaining pending amendments be withdrawn and the Senate proceed to vote on adoption of the resolution, as amended.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Ohio.

AMENDMENT NO. 994

Mr. BROWN. Mr. President, I ask to call up amendment No. 994.

The PRESIDING OFFICER. The amendment is pending.

Mr. BROWN. Mr. President, 18 years ago, the 6 biggest U.S. banks had assets equal to 18 percent of the GDP. Today, those six banks' combined assets are about 63 percent of GDP, with an average of more than 5,000 legal entities operating in 57 different countries.

Dodd-Frank requires large banks to produce an annual living will explaining the bank's plan for its own rapid and orderly resolution through the bankruptcy process in the event of material financial distress or failure. The Brown-Vitter amendment says that if banks cannot credibly explain how they can fail safely, then they are considered too big to fail and they need to have more capital or be restructured until they can go bankrupt without a government bailout.

As Chairman SHELBY told the Senate Banking Committee on Tuesday, if a bank is too big to fail, it is probably too big to exist.

I ask support for the Brown-Vitter amendment.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, there is no objection on our side. We would hope for a voice vote.

The PRESIDING OFFICER. The question is on agreeing to the Brown amendment.

The amendment (No. 994) was agreed to.

AMENDMENT NO. 811

The PRESIDING OFFICER. There is 2 minutes of debate prior to a vote on Vitter amendment No. 811.

The Senator from Louisiana.

Mr. VITTER. Mr. President, during the ObamaCare debate on the Senate floor, the Senate passed an amendment to the Obama bill saying that all Members of Congress need to go to our exchange for health care, just as other Americans have gone to the exchange—no special deal, no special exemptions, and no special subsidy.

After that was passed into law, a lot of folks didn't like it, and a special rule was applied by the Obama administration to change some of that situation. This amendment would say: No, we are going to live by that statute.

We are going to go to the exchange for our health care—no special subsidy, no special deal—and it would also apply to the President, the Vice President, and their political appointees.

This amendment would not change anything at all with regard to congressional staff.

I urge support for my amendment.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, colleagues, this is very important. Today, every single Senator is treated like every single person in the country who works for a large employer. Those large employers all make a contribution to their employees' health care. We don't get any subsidies. We don't qualify for subsidies. We are treated like everyone else in this country who has an employer contribution to their health care.

Now, colleagues, you do not have to take that employer contribution. If you don't want it, give it back. You don't need this amendment to give it back. If you feel as strongly as Senator VITTER does that you and your family don't want or need this employer contribution, then give it back to the Treasury, as I assume Senator VITTER does.

Again, we don't need this amendment. If you don't want your employer contribution, you vote yes.

The PRESIDING OFFICER. All time for debate has expired.

Mrs. BOXER. And if you believe we should be treated like everyone else in the country, vote no. That is how I am voting.

Mr. VITTER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) and the Senator from Maryland (Ms. MIKULSKI) are necessarily absent.

The result was announced—yeas 52, nays 46, as follows:

[Rollcall Vote No. 130 Leg.]

YEAS—52

Alexander	Fischer	Perdue
Ayotte	Flake	Portman
Barrasso	Gardner	Risch
Bennet	Graham	Roberts
Blunt	Grassley	Rounds
Boozman	Hatch	Rubio
Burr	Heller	Sasse
Capito	Hoeven	Scott
Cassidy	Inhofe	Sessions
Cochran	Isakson	Shelby
Corker	Johnson	Sullivan
Cornyn	Kirk	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Toomey
Cruz	McCain	Vitter
Daines	McConnell	Wicker
Enzi	Moran	
Ernst	Paul	