

Senator from Nevada (Mr. HELLER), the Senator from Utah (Mr. LEE) and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Delaware (Mr. COONS) are necessarily absent.

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

The result was announced—yeas 31, nays 62, as follows:

[Rollcall Vote No. 122 Leg.]

YEAS—31

Blumenthal	Markey	Sanders
Booker	Menendez	Schatz
Cantwell	Merkley	Schumer
Cardin	Mikulski	Sullivan
Durbin	Murkowski	Tester
Gillibrand	Murphy	Udall
Heinrich	Murray	Warren
Hirono	Nelson	Whitehouse
Kaine	Paul	Wyden
King	Reed	
Leahy	Reid	

NAYS—62

Alexander	Donnelly	McConnell
Ayotte	Enzi	Moran
Baldwin	Ernst	Perdue
Barrasso	Feinstein	Peters
Bennet	Fischer	Portman
Blunt	Flake	Risch
Boozman	Franken	Roberts
Brown	Gardner	Rounds
Burr	Grassley	Rubio
Capito	Hatch	Sasse
Carper	Heitkamp	Scott
Casey	Hoeven	Sessions
Cassidy	Inhofe	Shaheen
Cochran	Isakson	Shelby
Collins	Johnson	Stabenow
Corker	Kirk	Thune
Cornyn	Klobuchar	Tillis
Cotton	Lankford	Toomey
Crapo	Manchin	Warner
Cruz	McCain	Wicker
Daines	McCaskill	

NOT VOTING—7

Boxer	Graham	Vitter
Coats	Heller	
Coons	Lee	

The motion was rejected.

CHANGE OF VOTE

Mr. SCHUMER. Mr. President, on rollcall vote No. 122, I voted nay. It was my intention to vote yea. Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of the vote.

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

(The foregoing tally has been changed to reflect the above order.)

VOTE ON AMENDMENT NO. 4936

The PRESIDING OFFICER. The question is on agreeing to amendment No. 4936.

The amendment (No. 4936) was rejected.

VOTE ON MOTION TO CONCUR WITH AMENDMENT NO. 4935

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to the motion to concur in the House amendment to S. 764 with amendment No. 4935.

The yeas and nays have been previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator

from Indiana (Mr. COATS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Utah (Mr. LEE) and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) and the Senator from Delaware (Mr. COONS) are necessarily absent.

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

The result was announced—yeas 63, nays 30, as follows:

[Rollcall Vote No. 123 Leg.]

YEAS—63

Alexander	Enzi	McConnell
Ayotte	Ernst	Menendez
Baldwin	Feinstein	Mikulski
Barrasso	Fischer	Moran
Bennet	Franken	Nelson
Blunt	Gardner	Perdue
Boozman	Grassley	Peters
Brown	Hatch	Portman
Burr	Heitkamp	Risch
Capito	Hirono	Roberts
Carper	Hoeven	Rounds
Casey	Inhofe	Rubio
Cassidy	Isakson	Scott
Cochran	Johnson	Shaheen
Corker	Kaine	Shelby
Cornyn	Kirk	Stabenow
Cotton	Klobuchar	Thune
Crapo	Lankford	Tillis
Cruz	Manchin	Toomey
Daines	Rubio	Warner
Donnelly	McCaskill	Wicker

NAYS—30

Blumenthal	Leahy	Sasse
Booker	Markey	Schatz
Cantwell	Merkley	Schumer
Cardin	Murkowski	Sessions
Collins	Murphy	Sullivan
Durbin	Murray	Tester
Flake	Paul	Udall
Gillibrand	Reed	Warren
Heinrich	Reid	Whitehouse
King	Sanders	Wyden

NOT VOTING—7

Boxer	Graham	Vitter
Coats	Heller	
Coons	Lee	

The motion was agreed to.

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 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 motion to proceed to Calendar No. 524, H.R. 5293, an act making appropriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes.

Mitch McConnell, Tom Cotton, Shelley Moore Capito, Mike Crapo, Thad Cochran, Jerry Moran, Richard C. Shelby, John Hoeven, Lamar Alexander, Orrin G. Hatch, Daniel Coats, Pat Roberts, John Barrasso, Bill Cassidy, John Thune, John Boozman, John Cornyn.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 5293, an act making ap-

propriations for the Department of Defense for the fiscal year ending September 30, 2017, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Indiana (Mr. COATS), the Senator from South Carolina (Mr. GRAHAM), the Senator from Nevada (Mr. HELLER), the Senator from Utah (Mr. LEE) and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER) is necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 44, as follows:

[Rollcall Vote No. 124 Leg.]

YEAS—50

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

NAYS—44

Baldwin	Heitkamp	Peters
Bennet	Hirono	Reed
Blumenthal	Kaine	Reid
Booker	King	Sanders
Brown	Klobuchar	Schatz
Cantwell	Leahy	Schumer
Cardin	Markey	Shaheen
Carper	McCaskill	Stabenow
Casey	McConnell	Tester
Coons	Menendez	Udall
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Franken	Murphy	Whitehouse
Gillibrand	Murray	Wyden
Heinrich	Nelson	

NOT VOTING—6

Boxer	Graham	Lee
Coats	Heller	Vitter

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 44.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

Mr. MCCONNELL. Mr. President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

MORNING BUSINESS

Mr. MCCONNELL. Mr. 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.