

supported by 56 groups from the Nature Conservancy to the NRA. It reduces our deficit by some \$7 million due to net gain over 10 years. This is an economic driver of outdoor industry, some \$646 billion in direct spending to our economy. I urge a "yes" vote on the motion to proceed and since it is 20 after 1, I would like to have a voice vote on it.

Mr. DURBIN. Mr. President, I want to explain my vote in support of cloture on the motion to proceed to S. 3525, the Sportsmen's Act of 2012. I am supporting cloture in an effort to move this important bill forward. It is a compilation of almost 20 different pieces of legislation that are important to the sportsmen's community. The Sportsmen's Act will increase habitat conservation while improving access to recreational fishing and hunting lands. The Senate deserves the chance to debate this bill, and I support invoking cloture on the motion to proceed in an effort to make it the pending business before the Senate.

However, I want to voice my opposition to a provision in this bill dealing with polar bears. The provision would allow hunters who killed polar bears in Canada before a ban was put in place to bring their remains into the United States. I believe this provision could encourage further hunting of polar bears, increase demand for polar bear trophies, and lead to a rise in poaching or illegal trade of polar bear parts. It could also stimulate demand for other exotic and endangered animal parts from around the globe.

Polar bears are currently listed as threatened under the Endangered Species Act. Their habitat is being threatened by global warming. We need to do everything we can to curb the hunting of these creatures for sport and avoid the unintended consequence of putting polar bears and other endangered species at risk.

The PRESIDING OFFICER. Who yields time?

Mr. REID. I yield back all time.

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 S. 3525, a bill to protect and enhance opportunities for recreational hunting, fishing, and shooting, and for other purposes be brought to a close?

The yeas are mandatory under the rule. The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Arkansas (Mr. BOOZMAN), the Senator from North Carolina (Mr. BURR), the Senator from Nevada (Mr. HELLER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Oklahoma (Mr. COBURN), the Senator from Illinois (Mr.

KIRK), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Nevada (Mr. HELLER) would have voted: "yea."

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

The yeas and nays resulted—yeas 84, nays 7, as follows:

[Rollcall Vote No. 200 Leg.]

YEAS—84

Akaka	Gillibrand	Moran
Alexander	Graham	Murkowski
Ayotte	Grassley	Nelson (NE)
Barrasso	Hagan	Nelson (FL)
Baucus	Harkin	Portman
Begich	Hatch	Pryor
Bennet	Hoeven	Reid
Bingaman	Hutchison	Risch
Blunt	Inouye	Roberts
Brown (MA)	Isakson	Rockefeller
Brown (OH)	Johanns	Rubio
Cantwell	Johnson (SD)	Sanders
Cardin	Johnson (WI)	Schumer
Carper	Kerry	Sessions
Casey	Klobuchar	Shaheen
Chambliss	Kohl	Shelby
Coats	Landrieu	Snowe
Cochran	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Lee	Thune
Coons	Levin	Toomey
Corker	Lieberman	Udall (CO)
Cornyn	Lugar	Udall (NM)
Crapo	Manchin	Warner
Durbin	McCaskill	Webb
Enzi	McConnell	Whitehouse
Feinstein	Merkley	Wicker
Franken	Mikulski	Wyden

NAYS—7

Blumenthal	McCain	Reed
DeMint	Menendez	
Kyl	Paul	

NOT VOTING—9

Boozman	Coburn	Kirk
Boxer	Heller	Murray
Burr	Inhofe	Vitter

The PRESIDING OFFICER (Mr. WHITEHOUSE). On this vote, the yeas are 84, the nays are 7. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

UNANIMOUS CONSENT REQUEST— S. 3254

Mr. REID. Mr. President, I have been asked on a number of occasions by Senator LEVIN and Senator MCCAIN what we are going to do on the Defense authorization bill.

I now ask unanimous consent that at a time to be determined by me after consultation with the Republican leader, the Senate proceed to Calendar No. 419, S. 3254, the Defense authorization bill; and that only relevant amendments be in order on the bill.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, reserving the right to object, I am very disappointed in this request. Senator MCCAIN has been asking that the leader take up the Defense authorization bill for weeks. This evening he tried very hard to get agreement from the Senator from Michigan, the chairman of the committee, and others to try to work out a way that we could take up

this bill right after we come back or at some point after we come back after the election.

After he leaves the Chamber, and after virtually everybody is gone, at 1:40 in the morning the majority leader asks unanimous consent to take up the bill limited to relevant amendments. Now that would be fine with me, and I am sure it is fine with Senator MCCAIN, but everybody knows you can't get unanimous consent of your colleagues when they are all gone at 1:40 a.m. in the morning without any advanced notice that the request was going to be made.

As a result—though I would be happy personally to agree to the request—we don't know what our Members would agree to and whether they would agree to limiting this to relevant amendments. To me that is the only thing that seems to be out of order, but obviously we can't agree to it because we can't hotline this at this time of the evening and get consent from our Members.

What mostly bothers me is the implication, therefore, that the leader is all for taking it up and it is the Republicans who are objecting. I hope anyone who is aware of what has been going on here appreciates the fact that no one wants to go to the Defense authorization bill more than my colleague from Arizona, JOHN MCCAIN, and our leader, MITCH MCCONNELL.

With great regret and only because at this time of morning there is no way to survey our Members to see whether they would agree to the request, we have no option but to object.

I would certainly hope the leader would contact Senator MCCAIN. He left the Chamber now, but perhaps he could contact him tomorrow or the next day and ask if we can begin to work this out and allow us to talk to our Members so when we come back we can take up the Defense authorization bill. We should.

The Republican Members of this body want to do so, and I would hope we could work that out so it could be dealt with in the very early days after the election.

The PRESIDING OFFICER. Is there objection?

Mr. KYL. Mr. President, I said I object.

The PRESIDING OFFICER. Objection is heard.

The majority leader.

Mr. REID. Mr. President, Senator LEVIN has consulted with JOHN MCCAIN in regard to this matter. Senator MCCAIN knew this was going to happen. That is what the chairman of the committee told me, and Senator LEVIN has never misled me ever. Again, it is obvious the bill is being held up. So I am not surprised. This has been going on for 6 months.

Mr. KYL. Mr. President, would the majority leader yield for one question from me?

Mr. REID. Of course.

Mr. KYL. Mr. President, my question is, Is the Senator saying that Senator

MCCAIN was aware the Senator was going to make this request tonight in the form it was made?

Mr. REID. Senator LEVIN gave this to me and said he already talked to Senator MCCAIN about this.

Mr. KYL. I know they talked all evening long, but I am not sure that Senator MCCAIN was made aware that the Senator would propose this tonight.

Mr. REID. Mr. President, I first learned about this several hours ago from Senator LEVIN, so I take him at his word.

Mr. KYL. Thank you, Mr. President. Mr. REID. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MERKLEY). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 41

Mr. REID. I ask unanimous consent that the preamble to S.J. Res. 41 be agreed to.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 456, 714, 880 through 908, and 910, and all nominations placed on the Secretary's desk in the Air Force, Army, Foreign Service, Navy, and Public Health Service; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

AMTRAK BOARD OF DIRECTORS

Albert DiClemente, of Delaware, to be a Director of the Amtrak Board of Directors for a term of five years.

DEPARTMENT OF DEFENSE

Heidi Shyu, of California, to be an Assistant Secretary of the Army.

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Christopher C. Bogdan

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Jon A. Weeks

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Andrew M. Mueller

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be major general

Brig. Gen. Donald P. Dunbar

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Gerard F. Bolduc, Jr.

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

To be brigadier general

Col. Matthew P. Jamison

IN THE ARMY

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., sections 12203 and 12211:

To be brigadier general

Colonel David O. Smith

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Michaelene A. Kloster

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Garrett S. Yee

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Deborah A. Ashenhurst

The following Army National Guard of the United States officers for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Judd H. Lyons

Brig. Gen. Lee E. Tafanelli

The following Army National Guard of the United States officers for appointment in the

Reserve of the Army to the grades indicated under title 10, U.S.C., sections 12203 and 12211:

To be major general

Brig. Gen. Kendall W. Penn

To be brigadier general

Col. Keith A. Klemmer

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. Michael R. Smith

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. David J. Conboy

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Frederick B. Hodges

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Mark S. Bowman

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Ural D. Glanville

IN THE NAVY

The following named officer for appointment in the United States Navy to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be vice admiral

Rear Adm. (1h) James D. Syring

DEPARTMENT OF STATE

Sharon English Woods Villarosa, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Mauritius, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Seychelles.

Dawn M. Liberi, of Florida, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Burundi.

Stephen D. Mull, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Poland.

Walter North, of Washington, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the