

Snowe	Toomey	Webb
Stabenow	Udall (CO)	Whitehouse
Tester	Udall (NM)	Wicker
Thune	Warner	

NAYS—1

Blunt

NOT VOTING—7

Franken	Rockefeller	Wyden
Kirk	Sanders	
Merkley	Vitter	

The nomination was confirmed.

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the previous order with respect to treaty document 112-7, the vote on ratification will occur at 2:15 Tuesday, tomorrow, December 4, with all the provisions of the previous orders remaining in effect. What this does is rather than having the vote at noon on the disability treaty, we would have it after our caucus.

The PRESIDING OFFICER. Is there objection?

Mr. DEMINT. Mr. President, I object. The PRESIDING OFFICER. Objection is heard.

Under the previous order, the motion to reconsider is considered made and laid on the table.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013—Continued

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. We hope cloture will be voted now. We have disposed of 119 amendments to this bill. I talked to the majority leader, and if we do vote cloture tonight, which of course Senator McCAIN and I hope we will, we are still going to try to clear some additional amendments using the same process we have used up to now. We would hope we could clear some additional amendments right up to the time of final passage. Hopefully we can get to final passage tomorrow at some point.

#### CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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, hereby move to bring to a close debate on S. 3254, a bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Harry Reid, Carl Levin, Kay R. Hagan, Barbara A. Mikulski, Tom Udall, Jeff Merkley, Al Franken, Tom Harkin, Jon Tester, Richard Blumenthal, Jeff Bingaman, Patrick J. Leahy, Robert P. Casey, Jr., Amy Klobuchar, Max Baucus, Michael F. Bennet, Mark Begich, Patty Murray.

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

The question is, Is it the sense of the Senate that the debate on S. 3254, a bill to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, 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 assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Minnesota (Mr. FRANKEN), the Senator from Oregon (Mr. MERKLEY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Vermont (Mr. SANDERS), and the Senator from Oregon (Mr. WYDEN) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Louisiana (Mr. VITTER).

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

The result was announced—yeas 93, nays 0, as follows:

[Rollcall Vote No. 218 Leg.]

#### YEAS—93

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

#### NOT VOTING—7

Franken	Rockefeller	Wyden
Kirk	Sanders	
Merkley	Vitter	

The PRESIDING OFFICER. On this vote the yeas are 93, the nays are 0. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative the motion is agreed to.

Mr. LEVIN. Mr. President, I move to reconsider that vote.

Mr. McCAIN. I move to lay the motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan.

AMENDMENTS NOS. 2923, AS MODIFIED, 2943, 2997, AS MODIFIED, 3023, 3121, AS MODIFIED, 3142, 3144, 3172, AS MODIFIED, 3276, 3298, 3278, AS MODIFIED, 2996, AND 3047, AS MODIFIED

Mr. LEVIN. Madam President, I call up a list of 13 amendments which have been cleared by myself and Senator McCAIN: Coats amendment No. 2923, as modified by the changes at the desk; Webb amendment No. 2943; Casey amendment No. 2997, as modified by the changes at the desk; Cardin amendment No. 3023; Wicker amendment No. 3121, as modified by the changes at the desk; Portman amendment No. 3142; Webb amendment No. 3144; Corker amendment No. 3172, as modified by the changes at the desk; Lieberman amendment No. 3276; Lautenberg amendment No. 3298; Blunt amendment No. 3278, as modified by the changes at the desk; Rockefeller amendment No. 2996; and Reid of Nevada amendment No. 3047, as modified by the changes at the desk.

Mr. McCAIN. They have been cleared by our side.

Mr. LEVIN. I ask unanimous consent that the Senate consider these amendments en bloc, the amendments be agreed to, and the motion to reconsider be laid upon the table.

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

The amendments were agreed to, as follows:

#### AMENDMENT NO. 2923, AS MODIFIED

At the end of Subtitle B of title III, add the following:

#### SEC. 314. REPORT ON PROPERTY DISPOSALS AND ADDITIONAL AUTHORITIES TO ASSIST LOCAL COMMUNITIES AROUND CLOSED MILITARY INSTALLATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the disposition of any not yet completed closure of an active duty military installation since 1988 in the United States that was not subject to the property disposal provisions contained in the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) The status of property described in subsection (a) that is yet to be disposed of.

(2) An assessment of the environmental conditions of, and plans and costs for environmental remediation for, each such property.

(3) The anticipated schedule for the completion of the disposal of each such property.

(4) An estimate of the costs, and a description of additional potential future financial liability or other impacts on the Department of Defense, if the authorities provided by Congress for military installations closed under defense base closure and realignment (BRAC) are extended to military installations closed outside the defense base closure and realignment process and for which property has yet to be disposed