Mountain, an issue my State vehemently opposes and I have diligently fought to block and defund in Congress, I simply cannot support his nomination.

I have worked closely with our congressional delegation over the past 8 years to fight efforts from outsiders to force nuclear waste on the State of Nevada. That includes defunding DOE efforts to advance the project and diligently questioning all DOE and Nuclear Regulatory Commission, NRC, nominees on their perspective regarding long-term nuclear waste storage. The 2012 Blue Ribbon Commission Report on America's Nuclear Future provides a path forward for safe, responsible nuclear waste storage so our Nation can move beyond Yucca Mountain once and for all. My litmus test for any nominee involved in nuclear waste disposal programs is support of the consent-based approach recommended in that report.

Mr. Hezir's nomination comes before the Senate today without one hearing in the Energy and Natural Resources Committee. It is the unique responsibility we hold as United States Senators to carefully examine nominees for influential positions in the executive branch, like the CFO at the DOE—providing advice and consent. As a member of the Senate Committee on Energy and Natural Resources, that has jurisdiction over this position at the Department of Energy, I take this responsibility seriously and deeply regret that I was not afforded that opportunity given the importance of this position.

Nevadans have the right to be safe in their own backyards. I recognize the need to address the problem of spent nuclear fuel, but Nevada, a State without any nuclear powerplants, should not bear the sole burden of long-term storage of the Nation's nuclear waste. I have strong concerns about the high amount of uncertainty that could create a dangerous situation for the surrounding communities and environment, and I simply do not trust the Federal Government to appropriately manage the proposed Yucca Mountain facility.

Without the opportunity to carefully question Mr. Hezir in the nomination process, I can only assume he will continue his advocacy on behalf of Yucca Mountain within the DOE. For this reason, I oppose Mr. Hezir's nomination to be Chief Financial Officer at the Department of Energy and encourage my colleagues to do the same.

Mr. DURBIN. Mr. President, I yield back the time.

The ACTING PRESIDENT pro tempore. Without objection, all time is yielded back.

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

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Joseph S. Hezir, of Virginia, to be Chief Financial Officer, Department of Energy?

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. LEVIN), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Texas (Mr. CRUZ).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 3, as follows:

[Rollcall Vote No. 308 Ex.]

YEAS—89

Alexander	Graham	Murray
Ayotte	Grassley	Nelson
Baldwin	Hagan	Paul
Begich	Harkin	Portman
Bennet	Hatch	Pryor
Blumenthal	Heinrich	Reed
Blunt	Heitkamp	Reid
Booker	Hirono	Risch
Boozman	Hoeven	Roberts
Boxer	Inhofe	Rubio
Brown	Isakson	Sanders
Burr	Johanns	Schatz
Cantwell	Johnson (SD)	Schumer
Cardin	Johnson (WI)	Scott
Carper	Kaine	Sessions
Casey	King	Shaheen
Chambliss	Kirk	Shelby
Coats	Klobuchar	Stabenow
Collins	Lee	Tester
Coons	Manchin	Thune
Corker	Markey	Toomey
Cornyn	McCain	Udall (NM)
Crapo	McCaskill	Vitter
Donnelly	McConnell	Walsh
Durbin	Menendez	Warner
Feinstein	Merkley	Warren
Fischer	Mikulski	Whitehouse
Flake	Moran	Wicker
Franken	Murkowski	Wyden
Gillibrand	Murphy	

NAYS—3

Barrasso	Enzi	Heller

NOT VOTING—8

Coburn	Landrieu	Rockefeller
Cochran	Leahy	Udall (CO)
Cruz	Levin	

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's actions.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. There will now be 2 minutes of debate equally divided prior to the cloture vote on the Stivers nomination.

Who yields time?

Mr. MCCONNELL. I yield back the time.

The ACTING PRESIDENT pro tempore. Without objection, all time is yielded back.

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, hereby move to bring to a close debate on the nomination of Gregory N. Stivers, of Kentucky, to be United States District Judge for the Western District of Kentucky.

Harry Reid, Patrick J. Leahy, Christopher Murphy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Jeff Merkley, Patty Murray, Barbara Boxer, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Gregory N. Stivers, of Kentucky, to be United States District Judge for the Western District of Kentucky, 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. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Texas (Mr. CRUZ).

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 69, nays 24, as follows:

[Rollcall Vote No. 309 Ex.]

YEAS—69

Alexander	Gillibrand	Murray
Ayotte	Graham	Nelson
Baldwin	Hagan	Paul
Begich	Harkin	Pryor
Bennet	Hatch	Reed
Blumenthal	Heinrich	Reid
Booker	Hirono	Roberts
Boxer	Isakson	Rubio
Brown	Johnson (SD)	Sanders
Burr	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Kirk	Shaheen
Carper	Klobuchar	Shelby
Casey	Levin	Stabenow
Chambliss	Manchin	Tester
Coats	Markey	Toomey
Collins	McCaskill	Udall (NM)
Coons	McConnell	Vitter
Donnelly	Menendez	Walsh
Durbin	Merkley	Warner
Feinstein	Mikulski	Warren
Flake	Murkowski	Whitehouse
Franken	Murphy	Wyden

NAYS—24

Barrasso	Grassley	McCain
Blunt	Heitkamp	Moran
Boozman	Heller	Portman
Corker	Hoeven	Risch
Cornyn	Inhofe	Scott
Crapo	Johanns	Sessions
Enzi	Johnson (WI)	Thune
Fischer	Lee	Wicker

NOT VOTING—7

Coburn	Landrieu	Udall (CO)
Cochran	Leahy	
Cruz	Rockefeller	

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 69, the nays are 24.

The motion is agreed to.

CHANGE OF VOTE

Ms. HEITKAMP. Mr. President, on rollcall vote No. 309, I voted ''aye.'' It was my intention to vote ''nay.'' Therefore, I ask unanimous consent that I be permitted to change my vote since it will not affect the outcome of the vote.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

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

NOMINATION OF GREGORY N. STIVERS TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF KENTUCKY

The ACTING PRESIDENT pro tempore. The clerk will report the nomination.

The bill clerk read the nomination of Gregory N. Stivers, of Kentucky, to be United States District Judge for the Western District of Kentucky.

CLOTURE MOTION

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 2 minutes of debate equally divided prior to the cloture vote on the Leeson nomination.

Without objection, all time is yielded back.

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, hereby move to bring to a close debate on the nomination of Joseph F. Leeson, Jr., of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Harry Reid, Patrick J. Leahy, Christopher A. Coons, Dianne Feinstein, Richard J. Durbin, Richard Blumenthal, Brian Schatz, Debbie Stabenow, Michael F. Bennet, Robert P. Casey, Jr., Jeff Merkley, Christopher Murphy, Edward J. Markey, Al Franken, Tom Harkin, Sheldon Whitehouse, Angus S. King, Jr.

The ACTING PRESIDENT pro tempore. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Joseph F. Leeson, Jr., of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. ROCKEFELLER), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CRUZ), and the Senator from Illinois (Mr. KIRK).

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

The yeas and nays resulted—yeas 66, nays 26, as follows:

[Rollcall Vote No. 310 Ex.]

YEAS—66

Ayotte	Hagan	Nelson
Baldwin	Harkin	Paul
Begich	Hatch	Portman
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Brown	Isakson	Roberts
Cantwell	Kaine	Rubio
Cardin	King	Sanders
Carper	Klobuchar	Schatz
Casey	Levin	Schumer
Chambliss	Manchin	Shaheen
Coats	Markey	Stabenow
Collins	McCain	Tester
Coons	McCaskill	Toomey
Donnelly	McConnell	Udall (NM)
Durbin	Menendez	Vitter
Feinstein	Merkley	Walsh
Flake	Mikulski	Warner
Franken	Murkowski	Warren
Gillibrand	Murphy	Whitehouse
Graham	Murray	Wyden

NAYS—26

Alexander	Enzi	Lee
Barrasso	Fischer	Moran
Blunt	Grassley	Risch
Boozman	Heller	Scott
Boxer	Hoeven	Sessions
Burr	Inhofe	Shelby
Corker	Johanns	Thune
Cornyn	Johnson (SD)	Wicker
Crapo	Johnson (WI)	

NOT VOTING—8

Coburn	Kirk	Rockefeller
Cochran	Landrieu	Udall (CO)
Cruz	Leahy	

The PRESIDING OFFICER. On this vote, the yeas are 66, the nays are 26.

The motion is agreed to.

NOMINATION OF JOSEPH F. LEESON, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The PRESIDING OFFICER. The clerk will report the nomination.

The assistant bill clerk read the nomination of Joseph F. Leeson, Jr., of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

CLOTURE MOTION

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided prior to a cloture vote on the Griggsby nomination.

Mr. VITTER. I ask unanimous consent that all time be yielded back.

The PRESIDING OFFICER. Without objection, all time is yielded back.

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

The assistant bill 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 the nomination of Lydia Kay Griggsby, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years.

Harry Reid, Patrick J. Leahy, Robert Menendez, Patty Murray, Debbie Stabenow, Benjamin L. Cardin, Amy Klobuchar, Kirsten E. Gillibrand, Christopher Murphy, Brian Schatz, Richard J. Durbin, Richard Blumenthal, Tom Harkin, Angus S. King, Jr., Tom Udall, Mazie K. Hirono, Sheldon Whitehouse.

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 nomination of Lydia A. Griggsby, of Maryland, to be a Judge of the United States Court of Federal Claims, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. LEAHY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Colorado (Mr. UDALL), and the Senator from New Mexico (Mr. UDALL) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CRUZ), and the Senator from Illinois (Mr. KIRK).

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

The yeas and nays resulted—yeas 53, nays 36, as follows:

[Rollcall Vote No. 311 Ex.]

YEAS—53

Ayotte	Gillibrand	Murphy
Baldwin	Hagan	Murray
Begich	Harkin	Nelson
Bennet	Heinrich	Pryor
Blumenthal	Heitkamp	Reed
Booker	Hirono	Reid
Boxer	Johnson (SD)	Sanders
Brown	Kaine	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Levin	Stabenow
Casey	Manchin	Tester
Collins	Markey	Walsh
Coons	McCaskill	Warner
Donnelly	Menendez	Warren
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murkowski	

NAYS—36

Alexander	Corker	Flake
Barrasso	Cornyn	Graham
Blunt	Crapo	Grassley
Boozman	Enzi	Hatch
Coats	Fischer	Heller