

Mr. President, finally I say to all my colleagues, this is a very good bill, and I urge all Senators to vote for it.

I am prepared to yield back the remainder of my time.

Mr. BYRD. Mr. President, will the Senator yield me a minute?

Mr. INOUE. I am pleased to yield.

Mr. BYRD. I thank the Senator. Mr. President, Scriptures say:

Seest thou a man diligent in his business? he shall stand before kings. . . .

These two Senators are diligent in their business. They are experienced legislative craftsmen, and they have studied this subject for many years. In defense of our country, they have traveled all over the globe searching for answers to questions, searching for solutions to problems, and coming back to the Senate and applying their experience, their knowledge to the problems at hand. The Senate is in their debt.

I personally thank them for the good work they have done on this bill, the good work they always do. The Nation is in their debt. I thank them both.

Mr. INOUE. I thank my chairman.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. I yield back my time.

Mr. INOUE. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. All time is yielded back. Under the previous order, the committee-reported substitute is agreed to.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. INOUE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The PRESIDING OFFICER. The question is, Shall the bill, H.R. 5010, as amended, pass? The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. REID. I announce that the Senator from Hawaii (Mr. AKAKA) is necessarily absent.

Mr. NICKLES. I announce that the Senator from North Carolina (Mr. HELMS) is necessarily absent.

I further announce that if present and voting the Senator from North Carolina (Mr. HELMS) would vote "yea".

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

The result was announced—yeas 95, nays 3, as follows:

[Rollcall Vote No. 204 Leg.]

YEAS—95

Allard	Dorgan	Lugar
Allen	Durbin	McConnell
Baucus	Edwards	Mikulski
Bayh	Ensign	Miller
Bennett	Enzi	Murkowski
Biden	Feinstein	Murray
Bingaman	Fitzgerald	Nelson (FL)
Bond	Frist	Nelson (NE)
Boxer	Graham	Nickles
Breaux	Gramm	Reed
Brownback	Grassley	Reid
Bunning	Gregg	Roberts
Burns	Hagel	Rockefeller
Byrd	Harkin	Santorum
Campbell	Hatch	Sarbanes
Cantwell	Hollings	Schumer
Carnahan	Hutchinson	Sessions
Carper	Hutchison	Shelby
Chafee	Inhofe	Smith (NH)
Cleland	Inouye	Smith (OR)
Clinton	Jeffords	Snowe
Cochran	Johnson	Specter
Collins	Kennedy	Stabenow
Conrad	Kerry	Stevens
Corzine	Kohl	Thomas
Craig	Kyl	Thompson
Crapo	Landriau	Thurmond
Daschle	Leahy	Torricelli
Dayton	Levin	Warner
DeWine	Lieberman	Wellstone
Dodd	Lincoln	Wyden
Domenici	Lott	

NAYS—3

Feingold	McCain	Voinovich
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NOT VOTING—2

Akaka

Helms

The bill (H.R. 5010), as amended, was passed, as follows:

Mr. BOND. Mr. President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senate insists on its amendments and requests a conference with the House on the disagreeing votes of the two Houses.

The Presiding Officer appointed Mr. INOUE, Mr. HOLLINGS, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, Mr. DURBIN, Mr. REID, Mrs. FEINSTEIN, Mr. KOHL, Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, and Mrs. HUTCHISON conferees on the part of the Senate.

ORDER OF PROCEDURE

Mr. DASCHLE. I ask unanimous consent the next vote be 10 minutes in duration.

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

EXECUTIVE SESSION

NOMINATION OF HENRY E. AUTREY, OF MISSOURI, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MISSOURI

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the nomination of Henry E. Autrey, of Missouri, to be United States District Judge, which the clerk will report.

The assistant legislative clerk read the nomination of Henry E. Autrey, of Missouri, to be United States District Judge for the Eastern District of Missouri.

The PRESIDING OFFICER. Who yields time?

Mr. LEAHY. Mr. President, the Senate Judiciary Committee moved expeditiously to consider Judge Henry Autrey despite the poor treatment of President Clinton's nominees in the same circumstances. I mention this because this vacancy is special. It is a vacancy to which Justice Ronnie White should have been confirmed. But in October of 1999, my friends on the other side of the aisle, the Republicans, marched from a closed-door meeting to vote lockstep against Justice Ronnie White, the first African American Justice of the Missouri Supreme Court, after his nomination to the District Court had been kept waiting for 2 years—2 years here in the Senate; actually kept on the Executive Calendar pending for 9 months.

I mention this because, with all the unfair criticism of Majority Leader DASCHLE, who has been moving judges through at a much faster pace than was done prior to him becoming majority leader, I just want to contrast the difference between that action and the one on this nomination, where we are going to confirm Judge Autrey to the Federal bench in Missouri.

It shows, also, Senator CARNAHAN showed far more grace in helping us move this nominee forward.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Missouri.

Mr. BOND. Mr. President, first my appreciation to the President for nominating Judge Autrey. My thanks to Chairman LEAHY and the Senate Judiciary Committee for voting unanimously to confirm him.

We will have discussions about other procedures and other activities in a different forum. In this forum, I express my strongest support and highest confidence that this candidate respects the role of judges in our system of government—the job being to interpret the job rather than to legislate it.

Permit me to tell you that Judge Henry Autrey currently serves as a circuit court judge for the 22nd Judicial Circuit for the State of Missouri, City of St. Louis. Judge Autrey served with distinction as an associate circuit judge beginning in 1986, a position to which he was appointed by then-Governor, John Ashcroft. He was later promoted to the full circuit bench by then-Governor of Missouri, Mel Carnahan.

As a sitting judge for over 15 years, Judge Autrey has displayed an unwavering commitment to honesty and approachability, earning a reputation as a thoughtful and hard-working judge with a judicious temperament.

Prior to his service on the bench, he served as a prosecutor in the City of