

The VICE PRESIDENT. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The VICE PRESIDENT. Before the question is put to the Senate, the Chair will remind the galleries that expressions of approval or disapproval are prohibited.

The question is, will the Senate advise and consent to the nomination of Clarence Thomas, of Georgia, to be an Associate Justice of the U.S. Supreme Court?

The yeas and nays have been ordered.

Mr. MITCHELL addressed the Chair.

The VICE PRESIDENT. The majority leader.

Mr. MITCHELL. Mr. President, I want to inform Members of the Senate that this will be the last vote this evening. Under a unanimous-consent agreement previously obtained, there will be a vote tomorrow on the veto override on the unemployment compensation bill and possibly other votes on appropriations conference reports. Those remain to be worked out.

The VICE PRESIDENT. The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 220 Ex.]

YEAS—52

Bond	Fowler	Nickles
Boren	Garn	Nunn
Breaux	Gorton	Pressler
Brown	Gramm	Robb
Burns	Grassley	Roth
Chafee	Hatch	Rudman
Coats	Hatfield	Seymour
Cochran	Helms	Shalby
Cohen	Hollings	Simpson
Craig	Johnston	Smith
D'Amato	Kassebaum	Specter
Danforth	Kasten	Stevens
DeConcini	Lott	Symms
Dixon	Lugar	Thurmond
Dole	Mack	Wallop
Domenici	McCain	Warner
Durenberger	McConnell	
Ezon	Murkowski	

NAYS—48

Adams	Glenn	Mikulski
Akaka	Gore	Mitchell
Baucus	Graham	Moynihan
Bentsen	Harkin	Packwood
Biden	Heflin	Pell
Bigaman	Inouye	Pryor
Bradley	Jeffords	Reid
Bryan	Kennedy	Riegle
Bumpers	Kerry	Rockefeller
Burdick	Kerry	Sanford
Byrd	Kohl	Sarbanes
Conrad	Lautenberg	Sasser
Cranston	Leahy	Simon
Daschle	Levin	Weilstone
Dodd	Lieberman	Wirth
Ford	Metzenbaum	Wofford

The VICE PRESIDENT. The nomination of Clarence Thomas, of Georgia, to be an Associate Justice of the U.S. Supreme Court is hereby confirmed.

Mr. DOLE. I move to reconsider the vote.

Mr. MITCHELL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll. The Sergeant at Arms will ensure order.

The assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

LEGISLATIVE SESSION

UNANIMOUS-CONSENT AGREEMENT

Mr. MITCHELL. Mr. President, I ask unanimous consent that immediately following the disposition of the override vote on the President's veto of S. 1722, the unemployment compensation extension bill on tomorrow at 12:15 p.m., the Senate proceed to the consideration of the conference reports to accompany the following appropriations bills in the order listed: H.R. 2426, military construction appropriations; H.R. 2698, agriculture appropriations; H.R. 2942, transportation appropriations; that there be no amendments to any amendment in disagreement; that there be no time for floor debate on either conference reports or on disposition of amendments in disagreement; and that following the disposition of each conference report or amendment in disagreement, the Senate proceed without intervening action or debate to the disposition of the next conference report.

I further ask unanimous consent that the statements with respect to any of these conference reports may be inserted in the RECORD at the appropriate place as if read; and that it now be in order to ask for the yeas and nays on the adoption of the conference reports with one show of second.

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

Mr. MITCHELL. Mr. President, I now ask for the yeas and nays on the adoption of the three conference reports that I have just listed.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

Mr. MITCHELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. BRYAN. Mr. President, I ask unanimous consent that time be set aside for morning business.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BRYAN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nomination: Calendar No. 319, Arthur J. Rothkopf to be General Counsel of the Department of Transportation.

I further ask unanimous consent that the nominee be confirmed; that any statements appear in the RECORD as if read; that the motion to reconsider be laid upon the table; that the President be immediately notified of the Senate's action, and that the Senate return to legislative session.

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

The nomination, considered and confirmed, is as follows:

DEPARTMENT OF TRANSPORTATION

Arthur J. Rothkopf, of the District of Columbia, to be General Counsel of the Department of Transportation.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. McCathran, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations and withdrawal received today are printed at the end of the Senate proceedings.)

VETO OF S. 1722—MESSAGE FROM THE PRESIDENT RECEIVED DURING RECESS—PM 84

Under the authority of the order of the Senate of January 3, 1991, the Secretary of the Senate, on October 11, 1991, during the recess of the Senate, received the following message from the President of the United States:

To the Senate of the United States:

I am returning herewith without my approval S. 1722, the "Emergency Un-