

lot of trouble by the Senator from Arkansas. He is to be commended. This is a great thing to happen to him in that he has now decided not to run again. I appreciate the work of the two leaders in getting the taxpayer bill of rights 2 passed.

Mr. DASCHLE. Mr. President, let me just say, in that regard, the Senator from Nevada makes a very good point. The Senator from Arkansas, Senator PRYOR, has labored on this issue probably longer than anybody here in the Senate and deserves much praise for his efforts. This is his second work product, along with others. We commend him for that.

#### GAMBLING IMPACT STUDY COMMISSION

Mr. LOTT. Mr. President, I inquire of the Democratic leader, what is the status with regard to the gambling impact study commission we had talked earlier about? You needed time to look at that and see if there were any problems with it, or whether amendments are required. What has the Senator been able to determine?

Mr. DASCHLE. If the majority leader will yield. As I understand it, we have three amendments that may be offered by one of the members of our caucus. At this point, he would like to be protected to offer those at the appropriate time.

Mr. LOTT. Are these germane amendments?

Mr. DASCHLE. As I understand it, they are germane amendments.

Mr. LOTT. I would like to try again to do this in such a way that it would not take much of the Senate's time. In fact, I do not think we can do it if we cannot get it done by unanimous consent. Could we ask for copies of these amendments to look at the text?

Mr. DASCHLE. Absolutely. If the majority leader will yield. I was not aware amendments were pending. As we tried to clear it, we were told that at least one Member—I think it is only one Member—has amendments. He said there were three. We would be happy to share them with you. He may be willing to agree to time agreements in an effort to expedite the situation.

Mr. LOTT. I would like to say that I did advise Senators on our side of the aisle that if there would be amendments, we probably would not even be able to bring it up because we do not have the time. We have killed 2 days here with these issues.

So I hope that Senators on both sides and Senators LUGAR and SIMON will work with us and see if we cannot get some sort of agreement so we can handle this quickly. I feel like I have fulfilled my commitment.

I yield to the chairman.

Mr. STEVENS. There is a managers' amendment, I point out, that Senator GLENN and I have worked up. So if we get a time agreement, I would like the managers to have the right to offer their amendment.

Mr. LOTT. I believe that is in the unanimous-consent request.

#### EXECUTIVE SESSION

##### NOMINATION OF WALKER MILLER, OF COLORADO, TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF COLORADO

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 591, the nomination of Walker Miller, of Colorado, to be U.S. district judge for the District of Colorado; I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and that the Senate then return to legislative session.

The PRESIDING OFFICER. Is there objection?

Mr. BRYAN. Reserving the right to object. As the request is propounded, we do not get off the Department of Defense appropriations bill; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. BRYAN. I have no objection.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The nomination was considered and confirmed, as follows:

#### THE JUDICIARY

Walker D. Miller, of Colorado, to be United States District Judge for the District of Colorado.

#### LEGISLATIVE SESSION

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

#### CONFEREES APPOINTMENTS

Mr. LOTT. Mr. President, I had planned to ask unanimous consent again to appoint conferees on health care reform—health insurance reform. I see the Senator from Massachusetts here. I would like very much for us to get these conferees appointed. I know that there is still discussion underway regarding medical savings accounts.

I now have something on paper. If we could review it, I will talk to Senator ROTH, Senator KASSEBAUM, and Congressman HASTERT and Congressman ARCHER. We will take a look at it. I had just about concluded that there was no intent at all to get health insurance reform. Now we have something we can review. I think it is a big mistake not to appoint conferees on this bill or any bill to go to conference. We labored for weeks and finally got conferees with the Coast Guard authorization bill. We got that done this morning at 10 o'clock, after all these weeks working on that.

My intent is, in short order, next week, to move to appoint conferees on the small business tax relief package, which includes minimum wage. I think we need to also appoint these. I will not ask for it tonight because I want to review the proposal I have.

Mr. DASCHLE. Mr. President, let me just say two things.

First, reference was made to the fact that the Democratic caucus—and those of us who are concerned about going to conference on health care also—oppose going to conference on the minimum wage. That was not the case. We do not oppose going to conference on the minimum wage. The unanimous consent was propounded in a way that combined the two, and, obviously, under those circumstances, we oppose.

I am pleased to hear the distinguished majority leader's comments that it is his desire to go to conference next week, and I am hopeful that on both these issues they can be resolved.

The second issue has to do again with the conferees. I do not want to be any more repetitive than he is. But since we tend to be repetitive on the floor to make our points, it is important again that I indicate our desire to be participants in conferences. We will be watching this Coast Guard conference very carefully because that will really be one of the prototypes. We are under new leadership now. It is my expectation that with new leadership there will be a new opportunity for bipartisan discussion, dialog, and resolution when it comes to the conference. This will be a good opportunity to demonstrate our good faith. I am hopeful that with that one over, we can move to others and see equal demonstrations of good faith and real bipartisanship in conferences. I have a feeling we will not have this conference problem in the future were that to be the case.

I yield the floor.

Mr. STEVENS. Mr. President, will the majority leader yield to me once again?

Mr. LOTT. Mr. President, I want to note with regard to the Coast Guard authorization that two of the Senators that are going to be in control of that are Senator STEVENS—once again he has been known and will be a conferee I am sure—and the Senator from South Carolina is going to be a conferee; bipartisan. Both of them represent coastal areas. Neither one of them wants us to end this session without a Coast Guard authorization bill. Yet, this issue has been held up by an issue involving claimless lawsuits that are being filed in the Federal court system—an issue which I really felt certainly did not justify all of the delay that has occurred here. But I believe that in conference they will work it out. They never are going to work it out until they get to conference. It took us weeks to get to conference. But now we are in it. I think these two guys, working with the House counterparts, are going to find a solution.

Mr. President, I yield to the Senator from Alaska.

Mr. STEVENS. I thank the leader. I can assure the leader that we will find an agreement on the Coast Guard bill. It is a very essential bill. I also state that there is no question about it, it has some very new initiatives, good new initiatives.

DEPARTMENT OF DEFENSE  
APPROPRIATIONS FOR 1997

Mr. STEVENS. Mr. President, I want to try once again on the defense bill.

As I understand it, Mr. President, under the situation we have now, if we are going to be in session tomorrow, the amendments in first degree on the defense bill must be filed by tomorrow. If we are in session on Monday, the second-degree amendments have to be filed Monday.

I certainly hope that I will not see the day when the Senate will vote against cloture on a defense bill, particularly one that has total bipartisan support; voted out of our committee without objection.

I can state to my good friend and partner from Hawaii that I am certain that we have personally reviewed every request made by each Senator and have discussed with each Senator every request made and have accommodated every Senator, or explained why it could not be accommodated. We have had no objection raised, to my knowledge, to any decision that has been made so far.

What I am concerned about is that means we are going into cloture on Tuesday, which means we are not going to get through our bill until at least this time next week.

I would like once again to see if there is not some way we can work out that question to come in tomorrow and handle amendments that are in agreement, come in Monday afternoon and handle amendments in agreement, and take up the amendments that are in contention on Monday and vote, and vote finally on our bill Tuesday afternoon.

That is the essence of what the request was in the unanimous consent proposal of the leader which we wrote.

Is there any way that any Senator would tell us what we could do to accommodate the concept of trying to move this bill forward?

Mr. LOTT. Mr. President, I might say to the Senator from Alaska and to the Senator from Nevada that their situation is in the mill. They are protected. I do not see why we cannot get an agreement to take up the Department of Defense appropriations bill and deal with it, recognizing your rights are still fully protected. Why can we not do that? I do not quite understand that.

Mr. BRYAN. Mr. President, if I might respond to the majority leader, the Senators on the floor currently have an understanding of the rules, as does the Senator from Alaska, and obviously the majority leader.

The Senators from Nevada are fighting for their lives. The legislation that is being proposed with respect to in-

terim nuclear waste dumps is without precedent in the history of the country and the history of the Senate. Therefore, to ask the Senators from Nevada to surrender any of the parliamentary rights which this body confers upon us is to ask us to abandon the constituents that we represent.

I have not been here as long as my senior colleague, but I know that each of the Senators on the floor are advocates and tenacious supporters of their constituents. We can be no less with our own.

So the issue that is all important for us is the interim storage of nuclear waste, and there is no reason why that needs to go forward. The technical review people and scientists tell us there is no reason. It is only the nuclear utility lobby that puts us in this position.

Mr. LOTT. Mr. President, does either Senator from Alaska wish to say anything at this point or try anything else?

I thought I might propound another unanimous consent request.

I ask unanimous consent that the cloture vote with respect to nuclear waste occur at 10 a.m. on Tuesday, July 16, and it be in order to consider S. 1894 prior to the cloture vote regarding nuclear waste.

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, will the leader allow me to respond to my friend?

Mr. LOTT. I yield to the Senator from Nevada.

Mr. REID. Mr. President, I state to my friend and colleague from Nevada that I serve on the Appropriations Committee. I would like this bill to move on. But for reasons that have been explained, we cannot do that. The Senator from Alaska knows that if we agree that the Defense bill go on before the two cloture votes on Monday or Tuesday, we give up certain rights, important rights that we have. And so I respectfully say that I think we cannot give those rights up.

I would only say in addition to what my friend from Nevada said, we, we believe, are not only protecting the rights of the people of the State of Nevada, but there are going to be tens of thousands of tons of nuclear waste transported on railroads and trucks all over the United States that is unnecessary. The nuclear review board has said leave it where it is—the technical review board.

So we understand the importance of moving legislation. We want to move legislation. But we cannot do it with this nuclear cloud hanging over our head.

Mr. LOTT addressed the Chair.

Mr. STEVENS. Will the Senator yield?

Mr. LOTT. I yield. In fact, Mr. President—

Mr. STEVENS. I will be brief. I would only say, if I might, Mr. President, I have been here a long time, and I have

seen a lot of filibusters. I have seen a lot of delaying of the Senate. I have never seen any Senator—and I would challenge anyone to show me—that any Senator filibustering has ever held up a bill that is in the interest of national security. This Senator never has. I know Jim Allen never did. I do not remember any such parliamentary tactic being used against a Defense bill.

As a matter of fact, I think this is the first time I can remember we have had to file cloture to get the Defense appropriations bill passed. This is not just a run-of-the-mill bill. This is the most important bill we pass every Congress to maintain the defenses of this country. This is our second duty when we take the oath. We swear under the Constitution that we will maintain the defenses of this country.

I admire my friends from Nevada for standing up for their State. I take no back seat to anyone in standing up for my State. And I have taken every right that I have had on the floor to protect my State, but I have never held up a bill that is in the interest of national security.

I do not believe the Senators from Nevada are correct in asserting that somehow they would lose any rights by allowing us to proceed with this bill. Their rights are protected under the rules in terms of handling the issue that affects their State. Their rights are protected, of course, in handling whatever they want to do with regard to the bill that I have the privilege to manage, but they would lose none of their rights, and I would not be a party to taking rights away from them, by proceeding with the Defense bill.

Blocking the Defense bill has nothing to do with the national security as far as this country is concerned. My bill, our bill does. And it means now we will probably not get finished with this bill until about a week from now, and that means we will probably not be able to get back here, before we recess in August, with a conference report. We will not be able to know whether the President agrees. And we will be behind this bill that the Senators from Nevada are talking about all the way. If we are delayed now, we will be delayed later when it comes up again. It is going to come up again in terms of the conference report, in terms of appointing conferees. I say it is in the best interests of this country to get this bill out of the way.

I challenge the Senators from Nevada to demonstrate what they have said. Proceeding on this bill of ours now will not harm their rights with regard to the issue that affects their State in any single way.

Mr. REID. I would accept the challenge, if I could, through the majority leader.

Mr. STEVENS. I would be happy to have it.

Mr. LOTT. Mr. President, I believe I will yield the floor and let Senators get recognition in their own right.