

I do think I do know these rules. I challenge anyone to challenge what I have just said, because there is no right the Senator from Nevada will lose by letting us proceed with the pending business with regard to anything they have the right to. They do have the right to do what they are doing, I agree. But they do not lose any rights by letting us go ahead.

Mr. NICKLES. Will the Senator yield for a question?

Mr. STEVENS. Yes.

Mr. NICKLES. The Senator from Alaska has been here a little bit longer than I have, and I compliment him for his years of service as well as the Senator from Hawaii, Senator INOUE, and I hope we can move forward with this legislation.

I cannot recall—I have been around when we had a few filibusters—but I cannot recall in my 16 years here that anybody has filibustered a bill, not the bill they were opposed to, but filibustering a bill that is coming up prior to the bill that they were opposed to.

Mr. STEVENS. I know Senators have objected to unanimous consent requests on legislation that was preceding an issue they were concerned with. I think that is done.

I do not know of any situation where, after a cloture motion has been filed on the subject of the Senator's interest, where a Senator has then tried to delay any other legislation in order to try to protect a right that he perceived. Because I can perceive no right in such delay after the cloture motion is filed. We either get cloture or we do not get cloture. The Senator's rights are protected either way, under cloture rule or postcloture—the handling of the bill if cloture fails. I do not remember any such circumstance.

Mr. SANTORUM. Will the Senator from Alaska yield for another question?

Mr. STEVENS. Yes.

Mr. SANTORUM. I am trying to understand the rights that might be given up. If the Senators from Nevada do not allow the Defense bill to come up, will there be a cloture vote on the nuclear waste bill at 10 o'clock on Tuesday?

Mr. STEVENS. Yes.

Mr. SANTORUM. If they allow the bill to come up, will there be a cloture vote at 10 on Tuesday on the nuclear waste bill?

Mr. STEVENS. Yes.

Mr. SANTORUM. What rights, then, do they lose if that occurs?

Mr. STEVENS. I perceive none once we get into the cloture motion and vote.

Mr. REID. Will the Senator from Alaska yield, with his retaining his right to the floor?

Mr. STEVENS. Yes, without losing my right to the floor.

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

Mr. REID. I say to my friend from Alaska, it appears to me that we are criticizing the wrong people here. If, in fact, there is such an urge to go for-

ward with this legislation, and much other legislation, it would seem to me it would be the right thing to do to move away from a bill that the President said he is going to veto. Why is all the burden placed on us?

Mr. STEVENS. Let me answer that, respectfully. When we tried yesterday to get to the defense bill, nuclear waste was not on the screen. We tried to get on it this morning, did get on to it, and immediately we have a filibuster because of nuclear waste. The leader did what he should do. He made the motion to call up nuclear waste, and filed the cloture motion so there will be a cloture vote on the motion to proceed to that bill.

The Senators from Nevada not only have the right to insist on a cloture motion on the motion to proceed, but they also have a subsequent right to a cloture motion on the final vote on the bill, they then have the right to cloture motion on appointment of conferees on that bill. I can tell the Senators, if I were the Senators I can guarantee the Senate would not vote on this bill you oppose this year.

But that has nothing to do with my bill. That has nothing to do with my bill. You have every right to protect your own interests with regard to your bill, but you are delaying the defense interests, the basic concern of the defense of the United States, in my opinion.

I am telling you, you lose no rights. I should not address the Senator directly. I apologize. The Senator from Nevada loses no rights, neither Senator, by allowing our bill to proceed. And by consenting to that unanimous-consent request, we would vote either before or after the cloture motion, the bill would go to conference, the defense bill, and we have a chance—a chance of finishing this year with a bill signed and approved by the President.

Mr. President, I cannot deal with this much longer without displaying some of what some people have called an unruly temper. It is not an unruly temper. I know how to use it.

So I would say to my friend from Nevada, I am sorry this is the case. It is my understanding the distinguished assistant minority leader has duties. Mr. President, under the circumstances, I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

#### THE TAXPAYER BILL OF RIGHTS

Mr. NICKLES. Mr. President, I wish to compliment Senator PRYOR and others for passage of the taxpayer bill of rights. I also wish to recognize Senator GRASSLEY, because he worked very energetically in trying to see that the Taxpayer Bill Of Rights 2 would actually become law. I am delighted we were successful in passing that today.

#### MORNING BUSINESS

#### TRIBUTE TO LT. GEN. PAUL E. BLACKWELL

Mr. HOLLINGS. Mr. President, today I wish to congratulate Lt. Gen. Paul E. Blackwell, Deputy Chief of Staff for Operations and Plans of the U.S. Army, who will retire on 26 July 1996. Lieutenant General Blackwell's career spans 31 years in which he has given distinguished service as a soldier, leader, and visionary for our military. Let me briefly recount to you the career of this distinguished servant of our Nation.

A native of South Carolina, Lieutenant General Blackwell graduated from Clemson University where he earned both a bachelor and masters of science. He entered active duty as a second lieutenant in 1965 as an infantryman. Since then, he has commanded at platoon through division level.

Lieutenant General Blackwell has served in every type of U.S. Army division—light, airborne, mechanized, motorized, and armor. He has held an extraordinary variety of command and staff positions, including commanding general, 24th Infantry Division (mechanized) and his most recent assignment as deputy chief of staff for operations and plans. Other key assignments include commanding general, 2d Armored Division(-), Garlstedt, Federal Republic of Germany; commander, III Corps (Forward), Maastrich, The Netherlands; assistant division commander, 3d Armored Division and commander, Hanau Military Community, Federal Republic of Germany; deputy director for operations, National Military Command Center, Joint Staff, Washington, DC; commander, 1st Brigade, 9th Infantry Division, Fort Lewis, WA; chief of staff, 9th Infantry Division, Fort Lewis, WA; G3 (operations officer), 9th Infantry Division, Fort Lewis, WA; commander, 1st Battalion, 4th Infantry, 3d Infantry Division, Aschaffenburg; Brigade S3, 2d Brigade, 3d Infantry Division, Kitzingen; S3, 2d Battalion, 325th Infantry, 82d Airborne Division.

Lieutenant General Blackwell's combat experience includes two tours in the Republic of Vietnam and service in Saudi Arabia during Operation Desert Storm. During his tours in Vietnam, he served in various positions to include commander, Company D, 3d Battalion, 60th Infantry, 9th Infantry Division and platoon leader of an airfield security platoon. During Operation Desert Storm, Lieutenant General Blackwell served as the assistant division commander of 3d Armored Division.

Lieutenant General Blackwell's career spanned a period of enormous changes and great turmoil requiring vigilance coupled with decisiveness to ensure our Nation's security. He has adapted to new and diverse and integrated technologies to assist the Army to change both intellectually and organizationally to meet the challenges of the 21st century.

Throughout his three decades of service, Lieutenant General Blackwell provided flawless moral character and vision for our Army. He led by example and significantly contributed to the transformation of the Army from a cold war, forward deployed force, into a power projection force, ready to defend the national interest in any corner of the world, whenever the Nation called. While meeting the challenges of today, he prepared the Army for tomorrow as well, with a farsighted and far-reaching vision of the conduct of future war. His determination to keep the Army "trained and ready," his sense of responsibility to his soldiers and the Nation, and his understanding of both our history and the future of armed conflict have given this Nation an Army capable of achieving decisive victory now and into the 21st century.

Lieutenant General Blackwell's career reflects selfless service to our Nation and the essence excellence we expect from our military leaders. Through the decades of service and sacrifice, he has been supported by a loving family. Lieutenant General Blackwell's family is a critical part of his success. Janet Blackwell and his son, Paul, have served the Nation by providing unconditional love and support through numerous deployments and countless family moves to maintain the homefront for this dedicated soldier.

Lt. Gen. Paul E. Blackwell is the quintessential professional, loyal servant of the Constitution, and caring leader for America's sons and daughters, on behalf of the Congress of the United States and the people we represent, I offer our sincere thanks for your service.

#### BILL LEE

Mr. JOHNSTON. Mr. President, today, I join thousands of Americans and other admirers around the world in paying tribute to Bill Lee, retired chairman of Duke Power Co. and a personal friend, who died on July 10, 1996, in New York at age 67.

To eulogize William States Lee as Duke's former chairman, while accurate, does not begin to do justice to the scope of Bill's talents, vision, and accomplishments. In a career at Duke that spanned four decades, Bill presided over one of the most successful electric utilities in the Nation. He provided the leadership for the most successful nuclear power program in the Nation. It was his determination to bring safe, clean, and reliable power for North and South Carolina electricity consumers that resulted in the construction of the Oconee, McGuire, and Catawba nuclear powerplants, which have admirably served the people of the region for many years.

Bill Lee's achievements do not stop at the bounds of Duke's service territory. He is revered as the driving force behind the national and international organizations that today do so much to

ensure the safety of the United States and world nuclear powerplants. It is those contributions, perhaps even more than his contributions at Duke Power, that constitute his true legacy and assure his place in the history for the electric power industry.

After the 1979 accident at the Three Mile Island, Bill Lee, then president and chief operating officer of Duke Power, was called in to lead the recovery effort. It was Bill who spawned the idea that the nuclear industry needed its own watchdog organization to assure excellence in operation at every plant. He went on to create the Institute for Nuclear Power Operations, headquartered in Atlanta, which includes every nuclear utility in the Nation as its members. He served as INPO chairman from 1979 to 1982.

The news of the Chernobyl accident was only days old in 1986 when Lee launched a personal diplomatic crusade to bring the former East bloc countries into an organization like INPO. In was his often-stated belief that "radiation knows no national boundaries." Thanks largely to his personal ability to persuade and the respect he commanded on both sides of the Atlantic, the World Association of Nuclear Operators [WANO] was founded in 1986. Lee served as WANO president from 1989 to 1991. Today, WANO continues to be a major force for global nuclear safety, as a vehicle for sharing Western safety and performance expertise throughout the world.

Bill Lee was a native of Charlotte, NC. He was graduated from Princeton in 1951, with a degree in civil engineering, and after a stint in the U.S. Navy, joined Duke Power as a junior engineer in 1955. He was named vice president of engineering in 1965, and a board member 3 years later. He became chairman and president in 1989, and remained in that position until his retirement in 1994, when he became Duke's first chairman emeritus.

The business magazine Financial World named Bill a winner in its CEO of the Year competition for 4 consecutive years. In 1989, the magazine named him "Utility CEO of the Decade."

Bill also was active in numerous civic organizations, especially as an advocate for education reform. He is survived by his wife, Jan, his son, States, his two daughters, Helen and Lisa, his mother, Sara Toy, and five grandchildren. He will be greatly missed—and long remembered—by both family and his many admiring associates.

I will personally miss his boundless enthusiasm. This enthusiasm was always there, whether he was raising money for charity, keeping Duke Power on the cutting edge of excellence, or taking up some new adventure-like skiing at the age of 40. I worked with Bill on some of the toughest legislative issues the Energy and Natural Resources Committee faced. He was a great ally: Tough, razor sharp, sophisticated, always able to see

the big picture. He was a leader who was a gentleman, a man with great integrity and a keen sense of the public interest. In an industry obsessed with the bottom line and next week's stock price, Bill was a visionary who took responsibility for the future. We need more Bill Lees, but were not likely to find any like him.

Bill Lee did it all, and he enjoyed all. I know my colleagues join me in paying tribute to this remarkable man and extending condolences to his family and many friends.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, 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 which were referred to the appropriate committees.

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

#### MESSAGES FROM THE HOUSE

At 2 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 193. Concurrent resolution expressing the sense of the Congress that the cost of Government spending and regulatory programs should be reduced so that American families will be able to keep more of what they earn.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3754. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1997, and for other purposes.

##### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 419. An act for the relief of Benchmark Rail Group, Inc.

H.R. 701. An act to authorize the Secretary of Agriculture to convey lands to the city of Rolla, Missouri.

#### MEASURES REFERRED

The following bill was read the first and second times by unanimous consent and referred as indicated:

H.R. 3754. An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1997, and for other purposes; to the Committee on Appropriations.

The following concurrent resolution was read and referred as indicated:

H. Con. Res. 193. Concurrent resolution expressing the sense of the Congress that the