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## Senate

The Senate met at 12 noon and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, You have promised that "As Your days, so shall Your strength be." We praise You that You know what is ahead of us this week and will provide us with exactly what we need in each hour and in each circumstance. We relax in the knowledge that You will neither be surprised by what evolves or incapable of sustaining us in any eventualities. You will show us the way all through this week.

Therefore, we resist the temptation to be anxious or to worry over whether we have what it takes. Instead, we will receive what You have offered: hope for our discouraging times, replenishing energy for our tired times, and renewed vision for our down times. We dedicate this week to You. Protect us from the pride that supposes we can be self-sufficient, and the vanity that refuses to submit our needs to You. Help us not only to walk more closely with You, but to be open to Your encouragement through others. May we all live this week as a never-to-be-repeated opportunity to glorify You by serving our Nation with patriotism and loyalty. In our Lord's name. Amen.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator DOLE, is recognized.

Mr. DOLE. Thank you, Mr. President.

### SCHEDULE

Mr. DOLE. Mr. President, we will have morning business until the hour of 3 p.m., with Senators to speak for up to 5 minutes each. Senator DASCHLE, or his designee, is in control of the first 90

minutes; Senator COVERDELL, or his designee, is in control of the next 90 minutes. If there are no requests for morning business, then we may stand in recess during part of that period until 3 o'clock.

At 3 o'clock, we will resume consideration of H.R. 2937. We will have no roll-call votes. There will be a cloture vote on H.R. 2937, the White House Travel Office legislation at 2:15 p.m. on Tuesday. Under the provisions of rule XXII, Senators have until 1 p.m. today to file first-degree amendments to H.R. 2937. Hopefully, we can complete action on the Travel Office bill on Tuesday.

Other items possible for consideration this week, if we can work them out, are: Amtrak authorization; the firefighters age discrimination bill; and the balanced budget constitutional amendment.

I hope we might be able to pass the balanced budget constitutional amendment early this week or next week. It is supported by 80 percent of the American people. We addressed some of the concerns that some of my colleagues who voted against the amendment expressed last year about protecting Social Security. We believe we will have language that should satisfy real concerns—if somebody is playing games, we will not satisfy them—if they have real concerns. We are also concerned about protecting Social Security.

In our balanced budget, which we sent to the President, which he vetoed, we did not touch Social Security. We believe we can overcome some of the objections that some have if they are real concerns. Otherwise, we will not be able to do that.

Tomorrow is tax freedom day. That is when people can take a break from taxes. Starting on the 8th of May, they start working for themselves instead of the governments who impose taxes. It will be a good day to pass the gas tax repeal. It seems to me it might have a nice ring to it.

Mr. President, 4.3 cents may not seem like a lot per gallon, but it adds

up to about \$4.8 billion a year, and it does not go into any fund to build highways. It goes into what we call deficit reduction, which has only been done one other time. That was on a very temporary basis between 1990 and 1993, when 2.5 cents went into tax reduction. That was necessary to get an agreement on the 1993 budget. Normally, gas taxes are used for highways, bridges, and other structures, and mass transit to help improve travel conditions for people to make the highways safer, mass transit safer.

But this gas tax by President Clinton for deficit reduction is permanent. We think it should be repealed. We can find ways to cut spending or some other way to offset it if we are not going to add to the deficit. We think we can do that.

There is a bill at the desk, Calendar No. 374, H.R. 2337, the taxpayer bill of rights. Sometime before the day is out, I will ask consent that we be able to take up that bill and offer one amendment—that would be the gas tax repeal—and send it back to the House. I am certain they will pass it very quickly. As I understand, there is bipartisan support now for repealing the gas tax. Maybe we can accomplish it on that revenue bill.

I have also asked Senator LOTT and Senator LOTT has reported to me he had a good discussion on Friday with Senator DASCHLE with reference to scheduling the minimum wage. We believe we have made a fair proposal. We hope it might be accepted.

Otherwise, I think the matter people are really concerned about in America is a balanced budget and whether we have the will to amend or at least send a constitutional amendment to the States and see if three-fourths of the States will ratify it. If that happens,

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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the constitutional amendment, if it is ratified, of course, becomes part of the Constitution. Then we will have more discipline in the Congress when it comes to spending taxpayers' money and when it comes to ordering priorities.

Beyond that, anything else that should occur, we will make an announcement on the Senate floor this afternoon.

I yield the floor.

#### MORNING BUSINESS

The PRESIDING OFFICER (Mr. THOMAS). Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak up to 5 minutes each, with Senator DASCHLE, or his designee, in control of the first 90 minutes, and Senator COVERDELL, or his designee, in control of the second 90 minutes.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent to speak for about 10 to 12 minutes.

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

#### LOW-LEVEL RADIOACTIVE WASTE STORAGE IN CALIFORNIA

Mr. MURKOWSKI. Mr. President, I wish you a good morning. I ask you to imagine the following situation: You are stricken with bone cancer. Unfortunately, your doctor informs you that radiation therapy is no longer an option because it creates low-level radioactive waste and they simply cannot store any more.

Or another one: A loved one tests HIV positive. Sadly, we learn that breakthrough research using radioactive materials to find a cure for AIDS is being suspended. Why? Because we cannot store any more waste.

Finally, imagine this: You are the parent of a student at the University of California. You're informed that a fire occurred in a radioactive storage waste building on campus and exposed your son or daughter to radiation released by the fire.

These are not farfetched situations, Mr. President. In fact, radioactive waste is piling up on college campuses, hospitals, and businesses at some 800 sites in California alone.

This chart tries to depict the distribution of low-level radioactive waste that is stored today in California. The current situation shows that it is virtually all over—in the bay area, the Sacramento area, southern California, Los Angeles, San Diego, and so forth. There are 2,254 material licensees who store waste at some 800 sites in populated areas, endangered by the threat of fires, earthquakes, and floods. It is an extraordinary expense and duplication of effort.

Over 2,000 colleges, hospitals, and businesses in California alone are licensed to use radioactive materials. I have a list of them. There are radioactive materials or waste in San Francisco, as a matter of fact, at the Golden Gate Park in San Francisco; in Chinatown, at 845 Jackson Street, to be specific; the University of San Francisco at 2130 Fulton Street; in Santa Monica at 2200 Santa Monica Boulevard; in Beverly Hills at 9400 Brighton Way.

These are just a few of the research centers, the hospitals, the biotechnical firms, and the cancer treatment centers that use radioactive materials. These materials are needed and used to improve and prolong our lives.

But we endanger our opportunity to enjoy these benefits when we do not allow the State of California to carry out the radioactive trash for proper disposal. That is exactly what is happening today because our Interior Secretary, Bruce Babbitt, will not allow the State of California to dispose of its low-level waste at Ward Valley, which is the site California has licensed for this waste.

Mr. President, let me show you the second chart. This is California without those 800-plus sites, with 1 site designated as a repository for low-level waste, 1 site in a remote area away from the populated areas, away from the area of southern California, away from the bay area. This was a site selected after a 7-year process of scientific study and public input. It is a site secure from fires, earthquakes, and floods. It is carefully monitored and regulated, meeting all Federal and State health and safety protection standards.

Is it not better, Mr. President, to just have 1 site for low-level radioactivity instead of over 800 sites? Certainly it is. Soon we could reach a point where advanced medical treatment for cancers and other medical research will be curtailed or even halted due to a failure to deal with the waste problem.

Is this a sane situation? Certainly not. Unfortunately, many of the temporary sites used for storage of radioactive waste across California are vulnerable to exposure such as fires, earthquakes, or floods, which could cause an accidental release of radioactivity in urban or suburban neighborhoods. Doctors are worried that the storage problem will impact, if you will, future cancer treatment. Researchers are worried that it will impact medical research. Educators are wondering how they will explain to the parents of students that their children live on campus that stores low-level radioactive waste.

Clearly, Mr. President, California has an environmental problem. But to California's credit, California has acted in good faith to address this problem.

Mr. President, as chairman of the Energy and Natural Resources Committee, which has the oversight for this matter of both low-level and high-level radioactive waste, I commend the

Governor and the State of California for the manner in which they have attempted to live under the Federal law which has given the States the authority to address low-level waste.

Acting in accordance with the Low Level Radioactive Waste Policy Act and all applicable environmental laws and regulations, California has found a solution. California wants this radioactive waste, used, again, by more than 2,200 licensees in California, they want it to be removed from those 800 suburban and urban locations to a safe, licensed monitoring location at Ward Valley in the Mojave Desert, which I have shown on the chart here.

Let us go back and look at a little of the history. After an 8-year effort under the NRC guidelines, the Nuclear Regulatory Commission guidelines, and the expenditure of over \$45 million, the California Department of Health Services issued a license for a low-level waste site at Ward Valley. The California Department of Health had the authority to issue the license. The Federal Government gave them the authority. They issued it.

But even with that license in hand, the operator of the site has been unable to begin construction and operation because radical antinuclear activists have launched a crusade to stop Ward Valley. Those activists have used every conceivable method. They have sued. They have demonstrated. They have occupied the site. They have made outrageous and scientifically indefensible claims.

But these groups are wrong. They have been proven wrong. All of their radical lawsuits challenging the licenses have been heard, and they have been dismissed. Their legal challenges have been exhausted.

Two environmental impact statements have shown their radical claims about Ward Valley's environmental impacts to be absolutely inaccurate, just plain wrong. The two biological opinions from the Endangered Species Act have shown their radical claims about Ward Valley's impact on the desert tortoise are simply wrong. They have reached out under every conceivable avenue in an attempt to find an excuse to stop going ahead with Ward Valley.

In a special scientific report which was prepared for Secretary of the Interior Babbitt, the National Academy of Sciences concluded, on the issue of ground water contamination which was certainly a legitimate consideration, that there is a highly unlikely prospect of any potential threat of ground water contamination in this area with so little rainfall out in the Mojave Desert.

They further stated that there is no health threat posed to Colorado River drinking water as some of the radical opponents continue to erroneously claim. They claim that somehow this is going to seep down into the ground water and get into the Colorado River. They will reach out and conclude almost anything, Mr. President.

As the chairman of the National Academy's committee recently wrote: