

efforts as we proceed for the remainder of this week on this very important issue.

CRITICAL ISSUES TO ADDRESS

Mr. DASCHLE. Madam President, we have 7 weeks between now and the next legislative recess, a period within which a great deal of work must be done. This has not been our most productive Congress so far. There are a lot of reasons why we have not been as productive as we would like it to be. I hope now as we get into the very critical months of April and May that we spend as much effort as we can to bring about the consensus we must have on a series of issues that this Congress must address. Some of them have deadlines. Some of them do not. But all of them are of extraordinary importance to this body and to the American people.

There are two with deadlines that I hope we can begin work on in earnest this week. First and foremost, the Chemical Weapons Convention. There is no doubt we are facing the prospect that the United States could miss its opportunity to become a full-fledged member of the international convention responsible for bringing about the elimination of chemical weapons. If we fail to ratify the convention by the 29th of April, we will miss the opportunity to commit ourselves fully to the obligations of that convention and to the international community. We are told that enrollment of the convention requires at least 10 days, which means we only have until the 19th. In other words, we have fewer than 14 days within which all of the ramifications of that important convention can be addressed here on the Senate floor.

This has been the subject of extraordinary debate, countless deliberations, numerous hearings, and efforts on both sides of the aisle to resolve the differences that still exist.

It is my understanding that we are not that much closer today than we have been for several weeks. If that understanding is inaccurate, then I hope someone will come to clarify the current set of circumstances.

Madam President, we simply cannot wait. We must deal with this convention. Time is running out. We are not inclined to support any other legislation or the movement of any other bill until such time as we have some appreciation of where we are with regard to this convention and when we can expect it to come to the Senate floor. I give great credit to the majority leader for his efforts in attempting to do that. He has been patient and diligent, but, so far, I think it is fair to say that none of us have been successful. So while our approach has always been to try to work through this and to give everyone the benefit of the doubt in the hopes that, ultimately, we can come to a resolution, the bottom line is that time is quickly running out. When time has run out, the last laugh may be on us.

Madam President, the stakes are too high, the issue is too important, and the consequences are too severe for us to ignore this important deadline. We must confront it and we must recognize that this must occur this week. Hopefully, tomorrow must be the day we finally come to the conclusion about when it is this important treaty will come to the U.S. Senate for ratification. Anticipating failure, I don't think we have any other choice but to do all that we can to hold off on taking any action on any other piece of legislation until such time as we can anticipate success.

So, Madam President, I am very hopeful that tomorrow we can resolve whatever remaining procedural questions there may be in an effort to deal with this issue directly.

Second, let me just say that we are also running up against another deadline, and that deadline involves the budget. We already missed April 1. That was the deadline that the Budget Committee was supposed to have reported out its budget resolution. Now we have the important deadline of April 15. That is the deadline under the law for the Senate to pass a budget resolution.

I didn't hear the distinguished majority leader this morning, but I am told that he had indicated that they are waiting for the White House to take additional steps and to make an additional effort. I must say, Madam President, I have heard that excuse now for too long. The fact is that the President has taken the action that is required of him under the law. He has presented a budget, by the way, that balances by the year 2002, using CBO figures. So, Madam President, as far as I am concerned, the President has done what he is required to do. The question now is, can we? And will our Republican colleagues take the leadership that comes with being in the majority and meet the April 15 deadline?

I hope that we will no longer rely on excuses. I hope that we can come together, Republicans and Democrats, in the Budget Committee first, and second on the floor, and meet the obligations proposed by law, with no more excuses about who has acted under what circumstances. While the negotiations are not going well enough, the time has come to act now, and the time has come for us to come together, to work in the regular order under the budget process, through the Budget Committee, and get the job done.

So there is an array of pressing issues, Madam President. As I indicated, some have deadlines—the Chemical Weapons Convention and the budget. Time is running out. Excuses are getting old. Let's get on with the work and get the job done.

I yield the floor.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Idaho.

Mr. CRAIG. Mr. President, I assumed the minority leader was speaking on his own time.

Mr. DASCHLE. That is correct.

Mr. CRAIG. Apart from the debate on the nuclear waste bill.

Mr. DASCHLE. Yes.

The PRESIDING OFFICER. The pending question is the motion to proceed on the bill.

The Senator from Idaho.

Mr. CRAIG. Mr. President, before I speak in relation to the motion to proceed on S. 104, let me only say to the minority leader of the Senate, with due respect to him—and I do respect Senator DASCHLE—the Senate and the leadership of the Senate and the House, for well over a month and a half, deferred to the President and the responsibility of the President in submitting a budget to Congress. I sat on the floor of the U.S. House of Representatives and listened to our President refer to the submitting of a balanced budget; 12 times in the State of the Union address our President spoke of a balanced budget. We received that budget. No one chose, in their own good form, to criticize it. In fact, we sent it off to be analyzed by the Congressional Budget Office. And it came back.

I must report to the minority leader that it was not a balanced budget, and we all know that now. It was well out of balance by nearly \$100 billion for the 4 years of this President, with the inclusion of a major tax increase and some tax cuts. And then, of course, the year after this President leaves office, the tax cuts go away, the tax increases stay, and a major cut in programs or a major increase in revenue. That is why we haven't dealt with the budget, because we were willing to give this President the benefit of the doubt. Certainly the Senator knows that, and it was a fair willingness on our part.

Now that that day has passed, the Senate is beginning to work its will on the budget. We first wanted the President to have a fair and uncriticized opportunity, and that is exactly what he got. But in all fairness, the public now knows that this President's budget includes major spending increases and major new Federal programs and no real commitment to balance, not in the context of the political reality that certainly the minority leader operates in and that we operate in. No Congress has made those kinds of dramatic cuts, nor, frankly, have they raised that much revenue as the President is proposing, because while he appears to give on one hand, he rapidly takes away on the other.

In all instances, his program spending wraps up, a major increase in 1 year of \$25 billion of new domestic spending in this country. That is what we are wrestling with. Certainly, this Senate is going to deal with the budget, and they are going to deal with it in a very timely manner. What I hope we can do is something that I know the minority leader will appreciate and that is to deal with it in a bipartisan

way. That we can accomplish and we should accomplish. Already, moderate and conservative Democrats are speaking up and saying they can't deal with the President's budget, not in the context of our commitment. Our commitment was that if we would not support a balanced budget amendment to the Constitution, we could produce a balanced budget without it.

Now, the Senator knows how disappointed I was that he worked so hard to destroy the vote on a balanced budget amendment to our Constitution, because I worked a long time to get that because I think that without it we won't get a balanced budget. But all the while he was working to change that vote and worked with the administration to do so, there was a constant drumbeat of promise to get us to a balanced budget by the year 2002.

I know that the Senator was sincere in that commitment. We are committed to that commitment. But we cannot get there with the President's schedule of new spending, and we cannot get there with the President's new tax increases, and we cannot get there with doing all of the cuts and all of the changes in the fifth year after this President has left office. It must start now. It must ramp its way toward the year 2002. Let it be said—and I think it is important that it be said—that for the last 2 weeks, with the President's commitment and with the leadership's commitment, meetings have gone on. I think the only problem is that everybody has been sitting around at those meetings talking about how delightful it is that they are meeting, instead of time lines and commitments to the American people meeting what we have said to the American people we would give them, and that is, of course, a balanced budget by 2002.

We need to start this year, not 4 years out. We don't need major tax increases to get there, and we can do so with reasonable responses to our domestic spending, not major new programs, but reprogramming, giving the priorities where it ought to be. Many of those is where the President knows he wants them, and we are willing to participate in that. So the budget process is now well underway. But it took a month's detour, with the commitment that it would allow the time for the President's budget to play out. That has now played out. We now need to get on to the real budgeting that is the responsibility of the Congress.

I would be happy to let the minority leader comment, if he wishes, before I go on with my discussion on the nuclear waste bill.

The PRESIDING OFFICER. The minority leader.

Mr. DASCHLE. I thank my colleague from Idaho for his comments. I appreciate very much having the opportunity to hear them just now.

Let me respond with four specific points. First of all, I don't know of a time when the Congress required the President to submit a budget that we were in total agreement with. That isn't what we do here. We are not wait-

ing for the perfect document to come from the White House. That isn't what we did in past Congresses. It isn't what we did with Republican or Democratic Presidents.

The President submits a vehicle, the President submits a budget, and we either accept it as the vehicle and mark up the vehicle and provide a budget that will allow the consensus to work its will, Republicans and Democrats, or we present an alternative. My argument this year is that, so far, the Republicans have done neither. They have said we don't like the Democratic budget, but they have not proposed one either.

As I said in my comments a moment ago, time is running out. April 15 is soon to be here. We don't have many more days, legally, for the Republicans and the Democrats to do what my friend suggests we do—work together to come up with some resolution. That is No. 1.

No. 2, June O'Neill, the Director of the Congressional Budget Office, sent a letter directly, I think, to all members of the Senate Budget Committee reaffirming CBO's analysis of the President's budget, that indeed it does reach balance by the year 2002. Now, the Senator may not subscribe to the triggers used by the President to assure that we reach CBO figures and balance the budget by the year 2002, but there is no doubt whatsoever that the President did what he said he was going to do—present a balanced budget—and he uses a mechanism that will allow us to do that, which has been embraced wholeheartedly by Republicans and Democrats in past budgets, including the Republican budget in the last Congress.

No. 3, there will always be differences between Republicans and Democrats on priorities. We have no doubt that, ultimately, whether or not we get a resolution, our differences may or may not be bridgeable. We feel very strongly about the need to commit resources to education beyond that which was committed in the past. We feel that if we lose the opportunity to educate the next generation, we lose the kind of freedom and greatness this country aspires to.

So, Mr. President, there will be differences, and we will have our debates about those. But that is really what the debates ought to be all about, those fundamental differences on our priorities. I will argue for whatever length of time we have that investments in education, health care, housing, and investments in the people of this country in ways that will make them stronger and less relying upon Federal programs are in our long-term best interest regardless of what form they may take.

Mr. President, No. 4, I believe that all too often in this country we get hung up on whether or not a given budget is going to achieve everything that we had hoped it would. You know, the funny thing is that we never find out, because the Congress, in all of its wisdom, oftentimes never gets to that point where we can pass a budget agreement that allows us to move on

through the process of reconciliation and appropriation and the whole process here.

I want to say that I think there are Republicans and Democrats who have come to a point of asking whether or not an annual budget resolution makes a lot of sense. That is a debate for another day. Someday I hope that we can have a good debate about whether annual budget resolutions make sense. My personal preference is to have a bi-annual budget resolution because I think it would allow us a lot more opportunities to cope with all of the circumstances involving the \$1.5 trillion budget that we have to consider on an annual budget today. But that is the law right now, which takes me back to the first point. The law says that regardless of how we may feel about bi-annual budgets in the future the law requires an annual budget today. The President has fulfilled his obligations under that law. Now it is time to fulfill ours, working together to meet that April 15th deadline to do exactly what the President proposed that we do—balance the budget by the year 2002.

Mr. REID. Will my friend yield for a question?

Mr. DASCHLE. I do not have the floor. The Senator from Idaho yielded to me.

Mr. CRAIG. I would be happy to yield briefly to the Senator from Nevada.

Mr. REID. I ask the Democratic leader, is it not true that last year was the fourth year in a row in which we had a declining deficit, and the first time in a row since before the Civil War?

Mr. DASCHLE. Mr. President, in response to the Senator from Nevada, the answer to that is yes. We have made great progress to reduce the deficit by 60 percent. OMB and the Congressional Budget Office fought aggressively over past budget projections. But OMB has been more accurate than the Congressional Budget Office in the last 4 years. That has brought about economic strength that we didn't anticipate as we wrote this budget. So we have exceeded our target. We ought to continue to do that. We are prepared to use the Congressional Budget Office figures even though OMB is more accurate because the Congressional Budget Office tends to be more conservative, and that is fine when it comes to economic projections. But the bottom line is that we have come more than halfway already. Now it is time for us to complete the job.

Mr. REID. Mr. President, I also ask my friend, the Democratic leader, is it not true that inflation and unemployment have been at a 40-year low, and economic growth is at a 40-year high, and we have 300,000 fewer Federal employees than we had 4 years ago?

Mr. DASCHLE. That is correct. I thank the Senator.

Mr. REID. Have they led to a general surge in economic viability of this country?

Mr. DASCHLE. There is no question about it.

Mr. CRAIG addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

Mr. CRAIG. Mr. President, regaining my time, we are certainly going to have ample time to debate the budget and budget issues. But I did think it was important to respond to the minority leader as it relates to his overall statement today and what we have done here in the last month that I think was an effort to accommodate this President. Now it is the job of the Congress to get on with their business, and they will, and those priorities will be well spelled out, and we will continue our efforts toward a balanced budget and a reduced deficit which the President did not honor in his commitment of his new budget, although what the Senator from Nevada has said certainly is a valid statement. The Congress has participated jointly in that.

NUCLEAR WASTE POLICY ACT AMENDMENTS—MOTION TO PROCEED

The Senate continued with the consideration of the motion to proceed.

Mr. CRAIG. Mr. President, when it comes to establishing national priorities—and I know what our President is doing in the area that I am about to discuss now—it is a great frustration to many States across our Nation because this President refuses—I repeat, refuses—to take a firm position and establish as a national priority in this country the appropriate handling of spent nuclear fuel and high-level nuclear waste in a way that is acceptable to the American people and commensurate with the public law.

So what I am about to speak to is a piece of Senate legislation that I and the chairman of the Energy and Natural Resources Committee introduced on this floor last year, and that we passed last year in the U.S. Senate with 63 votes—63 bipartisan voices that said that this administration was wrong with their policy, and wrong with their priorities when it came to honoring public law and the 42 States that felt it necessary that this President honor public law. I am talking about the expeditious and timely management of high-level nuclear waste and spent nuclear fuel.

For all the right reasons, our Nation has spent a long time generating radioactive materials—nearly five decades. Most of this material is the byproduct of two principal activities: National defense operations, and commercial nuclear power plants. While it was our national policy for well over five decades that the Federal Government have oversight and primacy in the area of management and control of nuclear materials, it is no longer, tragically enough, a high-level policy of this country that is discernible by administrative position and by the clearness of administrative leadership. That is why

we are here today on the floor of the U.S. Senate debating a timely action that this country must take to be responsible for the five decades of activity in the generation of high-level radioactive waste.

What I am talking about clearly is a national concern. To ignore this responsibility would be unwise, irresponsible, and in some instances, with regard to taking timely action, unsafe.

I am pleased now to rise in support of Senate bill 104, the Nuclear Waste Policy Act of 1997. As I mentioned, last year I and the Senator from Alaska were here on the floor with the Senators from Nevada debating a similar bill, although this year we have changed the bill some by actions in the committee itself and by possible amendments that will be made here on the floor during the course of the debate and the final vote on this legislation.

What we are talking about is the timely storage and disposal of spent nuclear fuel and high-level nuclear waste from our Nation's defense program and from, of course, the commercial nuclear power plants. Senate bill 104 creates an integrated system that will ensure construction of an interim storage facility and permanent repository to manage spent fuel and high-level waste that is currently stored in over 80 sites in 41 States across this country.

I have in the backdrop a map of our country that demonstrates the locations of reactors and storage sites, 80 sites in 41 States. Yet our administration basically has had no policy for nearly two decades on this issue.

We spoke as a Congress and we spoke as a people in 1982: That there needed to be a national policy and a national program. The legislation that we have before us, in my opinion, demonstrates that kind of critical need, and the need also to operate and respond in a timely fashion.

Transferring nuclear waste from the many defense and commercial nuclear sites to a single Federal facility beginning in 1998 was the intent of the Congress and the President of the United States when the Nuclear Waste Policy Act passed in 1982.

It became law. It was signed by the President. It was a national commitment. It was this Nation speaking to the need to handle the kind of waste that I am talking about and to do so in a safe and responsible fashion.

Unbelievably, we are less than one year away—just 9 months—from the date when the Department of Energy is obligated by the law that was passed in 1982 and is obligated under contract, in response to the law signed and honored by our Government, to accept the waste. Now we have to come to the floor in the 11th hour and plead with this administration to come with us in the shaping of national policy to deal with this issue. Just last year the U.S. Court of Appeals reaffirmed the Federal obligation.

The Nevada test site was selected in the early 1970's as one of the sites under consideration for a geologic repository. This site has been under study for now over two decades by scientists and engineers. Here is a photograph of the Nevada test site where the interim storage facility would be located. Scientists and engineers at Yucca Mountain near this site where a permanent geologic repository for these high-level wastes would be placed have conducted the most thorough and comprehensive geological survey ever undertaken on any piece of property on the face of the Earth.

Let me repeat that claim because I believe it to be valid. The site that we are looking at, the Yucca Mountain deep geologic repository, has been studied more thoroughly, more comprehensively, both from a geologic point of view, from a seismic point of view, and from the overall need to meet the certification process for it to be a permanent, safe, high-level waste repository—that site has been more comprehensively studied than any piece of real estate on the face of the Earth. During all of this time and all of the studies, nothing has been discovered which would indicate that this site is unsuitable for use as a repository.

Because of the endless bureaucratic delays that have plagued the program, the Federal Government now says it will not have a repository operating until the year 2010 at the earliest. Remember, this was a Federal Government that in 1982 signed the Nuclear Waste Policy Act committing by contract to take the waste by 1998, 9 months from now. Yet this administration and their representatives at the Department of Energy shrugged their shoulders and said, "Well, gee, the year 2010 will have to do because we just can't get there." Yet the courts last year said "Wrong. Foul ball. Go back to home plate. You have to abide by the law." And the Department of Energy said, "Yes. You are right. We do have to do that. We recognized that."

This is 12 years after the Federal Government is contractually obligated to take title to and remove spent fuel from civilian power plants. Electric consumers and taxpayers have committed approximately \$12 billion solely to study, test and build a radioactive waste management system. So when the Federal Government made its obligation in 1982 to the taxpayer, but most importantly the ratepayer of the utilities that were generating electricity through nuclear power, and the Government owed this commitment by paying out money to build the facility, to do the siting, to do the studies, to do all of the test work and to have a facility ready to operate and receive by 1998. That was a \$12 billion commitment and \$4.5 billion of that money has already been spent. This chart will give you an idea of where the moneys come from.

So, in other words, these were the folks that made the commitments.