

After 7 months of stonewalling, denying and refusing to cooperate, the superintendent is then forced to admit that, No. 1, the relationship did take place; No. 2, he has been lying through the 7 months; and, No. 3, there has been a smearing of the reputation of people of high integrity.

I would not want, under that circumstance, to have the superintendent then approach the Department of Defense with a poll showing that 58 percent of the cadets were happy under his superintendency at West Point and say, "Since the Commander in Chief did something like this 5 years ago and no reprimand of any kind came out of the Congress, why cannot I do exactly the same thing under these circumstances and not have it affect my career?"

I wish the precedent to be laid down that says that this kind of activity, whether it constitutes impeachable offenses or not, cannot go uncommented on in an official way. And just because I have decided that I will not offer this resolution in this Congress at this time for the two reasons I have outlined, I do make it clear, Mr. President, that should the voters of Utah send me back here to serve in the 106th Congress, I will do what I can to give Members of Congress a clear opportunity, regardless of impeachment proceedings, to express their opinion on the behavior of the President of the United States in this circumstance.

I yield the floor.

#### TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT CONSENT ACT—CONFERENCE REPORT

The PRESIDING OFFICER (Mr. ASHCROFT). The Senate will proceed to the conference report to accompany H.R. 629, which the clerk will now report.

The assistant legislative clerk read as follows:

A conference report to accompany H.R. 629, an act to grant consent of Congress to the Texas Low-Level Radioactive Waste Disposal Compact.

The Senate resumed consideration of the conference report.

The PRESIDING OFFICER. The time on this conference report is limited to 40 minutes to be equally divided.

Who yields time?

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I am now pleased to yield to my colleague from Maine, Senator COLLINS.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Thank you, Mr. President.

Mr. President, I rise to join the senior Senator from Maine, Senator SNOWE, in urging my colleagues to approve the conference report on H.R. 629, legislation that would ratify the Low-Level Radioactive Waste Disposal

Compact, known as the Texas Compact.

In entering into an agreement for the disposal of low-level radioactive waste, the States of Maine, Texas, and Vermont followed the direction established by the Congress in the Low-Level Radioactive Waste Policy Act and its 1985 amendments. That legislation contemplated that States would form agreements of this nature for the disposal of low-level waste, and thus, by ratifying the compact, Congress will be completing a process that it set in motion.

Since 1985, Congress has ratified 9 compacts involving 41 States. Put differently, 82 of the 100 Members of this body live in States with compacts that have already been ratified by the Senate, and with the approval of the Texas Compact, that number will rise to 88. In short, what Maine, Texas, and Vermont are seeking today has already been routinely granted in the vast majority of States.

While the disposal of radioactive waste is bound to generate controversy, this agreement has been overwhelmingly approved by the legislatures of the three compacting States, signed by their Governors, and, in the case of the State of Maine, endorsed by voters in a referendum. This is consistent with the congressional determination that the States bear responsibility for the disposal of low-level radioactive waste and that, in the interest of limiting the number of disposal sites, they work together to carry out this responsibility. Indeed, ratification by Congress is necessitated only because State-imposed limitations on the importation of waste would otherwise violate the commerce clause.

Mr. President, the Senator from Minnesota, whom I enjoy serving with on the Committee on Labor and Human Resources, has criticized the disposal site that is under consideration by the State of Texas. Apart from the fact that the location of the site is a matter for Texas to determine and is not a component of this bill, that criticism is unsupported by the facts.

In making the decision to consider the proposed site in Hudspeth County, TX, there has been extensive public involvement as well as a thorough environmental and technical review. The county was found to have two critical characteristics for a disposal site; namely, very little rainfall and very low population density. Indeed, the county is the size of the State of Connecticut and has a population of only 2,800 people, and it must be remembered, Mr. President, that this is only a proposed site. Final approval will not be forthcoming unless all of the standards established by Texas law are satisfied.

The decision to consider the site in Texas has nothing to do with who lives there. It has everything to do with the fact that very few people live there.

This body has been presented with nine low-level radioactive waste com-

pacts. It has not imposed changes on any one of those agreements. In keeping with congressionally established policy for the disposal of low-level waste, Maine, Texas, and Vermont are simply seeking the same treatment.

I commend my colleague from Maine, Senator SNOWE, for her leadership on this issue, and I urge my colleagues to support the conference report. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. WELLSTONE. Mr. President, I rise again this morning to speak against the conference report to H.R. 629. This is the Texas-Maine-Vermont Compact which will result in the dumping of low-level radioactive waste from Texas, Maine, and Vermont, and potentially other States, at a dump located in Texas. The dump is expected to be built in the town of Sierra Blanca in Hudspeth County where 66 percent of the residents are Latino, and 39 percent live below the poverty line.

Mr. President, the construction of this dump site in this community raises important questions of environmental justice. This is not just about the people in Hudspeth County or about the people in Sierra Blanca, or about west Texas for that matter. This is a fight for communities all across the country who do not have the political clout to keep this pollution out. This is a fight for minority communities who are burdened with a disproportionate share of these sites.

It seems to be a pattern in our country, whenever we decide where we are going to build a power line or where we are going to build a nuclear waste dump site or where we are going to put an incinerator, it never is located in communities where people who live in those communities have political clout. It is not located where the heavy hitters and the well-connected and the people who give the big contributions live. It is almost always located in communities of color.

Mr. President, there is an article today that I recommend for my colleagues in the New York Times entitled, "For Some, Texas Town Is Too Popular as Waste Disposal Site." This is all about what we are debating today. I just read the conclusion. Maria Mendez, a retired school aide from Allamore, who lives in the community, is quoted as saying:

I think Sierra Blanca was chosen for all this dumping because we don't have any political clout. I think it's a racism thing; I really do. Here we are, the hugest dump in the whole world. First sludge, now nuclear waste. Our home has been taken over as the nation's dumping ground.

Mr. President and colleagues, environmental justice is a difficult issue. Too often we hide behind excuses. We say, "These are private sector decisions. This is a matter of State and

local responsibility. It is too hard to prove." But this is pretty easy. The dump will not be built if we reject this compact. We have direct responsibility, we have a Federal role, a direct Federal role. We cannot wash our hands of this. We cannot walk away and pretend we are not to blame. We are all responsible. And it is important to take a stand.

This compact raises troubling issues of environmental justice. In this case, the Texas Legislature selected Hudspeth County. They already selected Hudspeth County. And the Texas Waste Authority selected the Sierra Blanca site after the Authority's scoping study had already ruled out Sierra Blanca as scientifically unsuitable. The Waste Authority selected the site after the Authority's own scoping study had ruled Sierra Blanca out as scientifically unsuitable; that is to say a geologically active area; that is to say an earthquake area.

Communities near the preferred site have had enough political clout to keep the dump out, but Sierra Blanca—already the site of the largest sewage sludge project in our country—was not so fortunate. The Waste Authority does a scoping study. The scoping study says this is not scientifically suitable, but the Waste Authority goes ahead and chooses this community. Why not? Disproportionately poor, disproportionately Latino. This is an issue of environmental justice.

The residents of Sierra Blanca, Hudspeth County and west Texas do not want this dump. Last night, some of my colleagues talked about the election of one official, and they said the people want this dump. This candidate was elected, and he was for it. But twenty surrounding counties and 13 nearby cities have passed resolutions against it. And no city or county in west Texas supports it.

Nor would any Senator in this Chamber want this waste dump site built in their backyard. I doubt whether any Senator in this Chamber has ever been faced with this. These waste dump sites are not put where Senators live. They are put in the communities disproportionately of color, disproportionately low-income. This is a debate about environmental justice in our country.

Over 800 adult residents of Sierra Blanca have signed petitions opposing the dump. A 1992 poll, commissioned by the Texas Waste Authority, showed 64 percent opposition in Hudspeth and Culberson Counties. Republican Congressman BONILLA, who represents Hudspeth County, and Democratic Congressmen REYES and RODRIGUEZ, who represent neighboring El Paso and San Antonio, have all actively opposed the dump site.

In an October 1994 statewide poll, 82 percent of Texans said they were against it. Local residents have had no say over whether the waste dump site will be constructed in Sierra Blanca. They were never consulted at any stage in the decision-making process.

As a matter of fact, Mr. President, a 1984 public opinion survey commissioned by the Texas Waste Authority provides some useful context for what is going on. Let me just quote from what their consultant said. This is the report:

One population that may benefit from [a public information] campaign is Hispanics, particularly those with little formal education and low incomes. This group is the least informed of all segments of the population. . . . The Authority should be aware, however, that increasing the level of knowledge of Hispanics may simply increase opposition to the [radioactive dump] site, inasmuch as we have discovered a strong relationship in the total sample between increased perceived knowledge and increased opposition.

The concern is that if this poor Hispanic community finds out more about this, they will be opposed to it. Indeed, people in the community are opposed. And they should be.

Mr. President, my colleague, with all due respect, last night said we need to have the compact to protect the people in Hudspeth County from becoming a national repository of nuclear waste. That is not the way it works.

The conference report on H.R. 629 would allow appointed compact commissioners to import radioactive waste from any State or territory. And both the State of Texas and nuclear utilities across the country will have an economic incentive to bring as much waste as possible to make this site economically viable and to reduce their disposal costs.

Section 3.05, paragraph 6 of the compact provides that the Compact Commission may enter into an agreement with any person, State, regional body, or group of States for importation of low-level radioactive waste. All it requires is a majority vote of the eight unelected compact commissioners.

Mr. President, the Texas Observer, March 28, 1997, had it right:

More than two or three national dumps will drive fees so low that profit margins anticipated by states (and now private investors) will be threatened. This economic reality—and growing public resistance to the dumps—has raised the very real possibility that the next dump permitted will be the nuclear waste depository for the whole nation, for decades to come.

Of these nine compacts, I want to point out to my colleagues that not one compact has built a nuclear waste dump site.

Mr. President, here is what is so egregious about what has happened here. To avoid turning this low-income, Mexican-American community into a national repository for radioactive waste, I offered two amendments. Colleagues, this is really what the vote is about. Twice you have been on record. The Senate has unanimously said, A, "We support an amendment which makes it clear that the waste can only come from Maine, Vermont, and Texas. We support an amendment that puts in the language what we say this is about." That was passed twice by the unanimous vote of the U.S. Senate.

The second amendment said that the people in Hudspeth County would have a chance to prove local discrimination in court, that if they could show they have been unfairly targeted then they could go to court to challenge this.

My colleagues, Democrats and Republicans, we have gone on record twice supporting these amendments. In the dark of night—no wonder people get so disillusioned about this process—the conference committee stripped out both amendments, took both amendments out.

Would it be such a crime if we passed this compact with an amendment that made it clear that the waste could only come from Texas, Maine, and Vermont? That is what they say the compact is about. Would it be such a crime if this Hispanic community had some way of seeking redress of grievance and could challenge discrimination in court? That amendment was taken out. That is why this compact is flawed. That is why we should vote against it.

Environmental justice is a national responsibility. We have a national responsibility to remedy this injustice because if we do not, the Congress will be complicit in the construction of this dump.

This is not purely a State or local issue. We have to vote on it. We have to vote up or down. That is what our constitutional system is all about. This compact requires congressional consent. The Texas Compact cannot take effect without Federal legislation, since all 50 States—not just the compact States—will be asked to give their consent.

Construction of the Sierra Blanca dump depends upon enactment of this conference report. If we reject it today, Texas will not build a dump in Sierra Blanca. But within 60 days of enactment, if you vote for this, Maine and Vermont will pay Texas \$25 million to begin construction.

Let me point out this is different from all the other compacts because it is crystal clear where the site is going to be. The Texas Legislature already selected Hudspeth County, and the Texas Waste Authority already identified a dump site near Sierra Blanca. That is what is at issue here.

Our consent ought to be conditional. We ought to make it clear that the compact can take effect only if the waste comes from these three States only. But the conference committee knocked that amendment out—the utility companies didn't want that.

We ought to make it clear the people of Hudspeth County at least have a right to appeal this site selection. I think people in Maine and Vermont agree with that idea, but we took that amendment out.

This is not a debate about State or local rights. The conference committee

followed the wishes of the nuclear utilities, not the local residents—the utilities who were going to benefit from cheap disposal of nuclear waste. They supported this legislation with no amendments. That is why this legislation is so flawed.

On July 7, 1998, two administrative hearing officers recommended that the license for the Sierra Blanca dump be denied. They made a good decision. What they said was that this is a tectonically active area. We have a very real danger of earthquakes. This does not make sense from the point of view of science. And they were right.

But the problem is that the Texas Environmental Agency, the TNRCC, made up of officials appointed by the Governor, are not bound by what these hearing officers have recommended. The executive director has gone on record saying that he doesn't agree. And the Governor has gone on record saying that Hudspeth County and Sierra Blanca is the right place for this dump to be.

I say to my colleagues that we really have two choices here. We can say, look, if we don't know where the site is going to be, then let's put off the vote. But, no, that is not what we are doing. The idea here is to just ram this through. As soon as we do, believe me, it will go in Hudspeth County, Sierra Blanca. That will be a travesty.

I want to just cite for colleagues the broad coalition of religious, environmental, social justice and public interest groups that oppose this: The League of United Latin American Citizens, LULAC; Greenpeace; the Texas NAACP; the Mexican American Legislative Caucus of the Texas House of Representatives; the Sierra Club; the House Hispanic Caucus; the Bishop and the Catholic Diocese of El Paso; the United Methodist Church General Board of Church and Society; Friends of the Earth; Physicians for Social Responsibility; the League of Conservation Voters; and 100 other local and national civic organizations.

I ask unanimous consent to have printed in the RECORD a letter from Robert Bullard, a professor at Clark Atlanta University, a leading expert on environmental justice.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CLARK ATLANTA UNIVERSITY,  
Atlanta, GA, September 1, 1998.

Vice President AL GORE,

*The White House,  
Washington, DC.*

DEAR VICE PRESIDENT GORE: We are pleased to have an administration that cares about people, the environment, and justice. This letter is to express my concern about the Texas/Maine/Vermont Compact and its environmental justice implications. The issue is plain and simple. To allow the compact to go forward would be an act of environmental racism. For this administration to stand silent does not show a commitment to environmental justice that follows a national pattern of siting waste facilities and other locally unwanted land uses or LULUS in people of color and low-income communities.

Having written several books and researched environmental problems in commu-

nities of color for more than two decades, it is very clear to me that the Sierra Blanca case is a classic case of environmental racism. For this administration to stand silent does not show a commitment to environmental justice or a commitment to protect the civil rights of the residents in Sierra Blanca, Texas. Many grassroots community leaders I have talked to want to see the Clinton Administration come out with a strong, bold, and powerful public statement in opposition to the Texas/Maine/Vermont Compact.

The people in Texas and across the nation need your help and support.

Sincerely,

ROBERT D. BULLARD,  
*Ware Professor and Director.*

Mr. WELLSTONE. Mr. President, let me read a portion of the letter.

This letter is to express my concern about the Texas/Maine/Vermont Compact and its environmental justice implications. The issue is plain and simple. To allow the compact to go forward would be an act of environmental injustice that follows a national pattern of siting waste facilities and other LULUs [locally unwanted land uses] in people of color and low-income communities. Having . . . researched environmental problems in communities of color for more than two decades, it is very clear to me that the Sierra Blanca case is a classic case of environmental racism.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. SNOWE. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Maine has 15 minutes 50 seconds remaining and the Senator from Minnesota has 3 minutes 59 seconds remaining.

Ms. SNOWE. May I be informed when I have consumed 10 minutes?

The PRESIDING OFFICER. The Chair will inform the Senator when she has consumed 10 minutes.

Ms. SNOWE. Mr. President, I think it is important this morning to review some of the facts regarding this conference report before the Senate that creates this Texas Compact, because I do think that some of the facts have been lightly regarded during the course of this debate.

This is nothing that hasn't been done before. This conference report will ratify a compact between the States of Texas, Maine and Vermont for the disposal of low-level radioactive waste, as has been done on nine previous occasions by the U.S. Congress in response to a mandate by the Congress in both 1980 and 1985 that required the States to accept responsibility for the disposal of low-level radioactive waste.

Mr. President, 41 States—including the State of Minnesota, the State which the Senator represents and who opposes this compact—have entered into a compact over the last 20 years in response to the mandate that was issued by the U.S. Congress. There are nine such compacts.

This compact in this conference report does not deviate from the previous compacts. The fact of the matter is this compact gives greater control to the State of Texas in terms of the determination of the siting and all of the other factors to repeatedly and safely dispose of low-level radioactive waste.

This compact allows the State of Texas, the State of Vermont and the State of Maine to do what 41 other States, including Senator WELLSTONE's own State of Minnesota, do—to dispose of this low-level radioactive waste. The States are responsible for making this determination, whether it is in their State or out of their State, for the waste that is generated within their borders.

There are other factors that have to be clarified here today. The Senator from Minnesota said no other States in these compacts have determined or designated other sites—which is incorrect—at the time of the ratification. In fact, three other compacts—the Northwest, the Rocky Mountain and the Southeast, which passed by the Congress in 1985—had operating facilities that were intentionally designated as the compact's regional facility.

As has been said, the failure of this Congress to ratify this conference report to create this compact will result in no facility being built in Texas.

As this chart illustrates, there are 684 such storage sites in the State of Texas. They are temporary. They are interim storage facilities. What does that mean? It means that they don't have to meet all the same strict requirements that a permanent storage facility will have to meet. So if this conference report is ratified by the Congress, that means the State of Texas can consolidate into one permanent facility to meet all of the State, local and Federal requirements.

It is not, as the Senator from Minnesota has suggested, that we are running roughshod, we are going to override all of the strict Federal, State and local regulatory requirements with respect to safety and health regulations, and of course environmental regulations. This issue isn't going to go away. The waste has already been generated. In fact, even the administrative law judge wants the commission to go back to review essential factors to indicate that the process is working so that all of the requirements under Federal, State and local law are examined very carefully, in terms of the site, so that it is environmentally and geologically safe and sound. But even the administrative law judge determined on July 7 that, indeed, the State of Texas is in need of a low-level waste disposal site.

Congress did not put conditions on the nine other compacts that were ratified by Congress on previous occasions. So this compact should not be dealt with any differently. We are going to adhere to all of the safe requirements that have been established in law. So the siting in Texas is not being done in a vacuum. To the contrary.

Just to name a few of the regulatory requirements that have to be reviewed and have to be satisfied and have to be adhered to and are being done, as included in this book right here that goes through the entirety of the process

that has been implemented in the State of Texas for a siting of a facility, there is the Civil Rights Act, which has to be adhered to; title VI of the Civil Rights Act has to be regarded; the Clean Water Act; the Clean Air Act; the Toxic Substances Control Act; the Atomic Energy Act; the 1980 Low-Level Radioactive Waste Policy Act; the 1985 Amendments; the Texas Radiation Control Act, and the Texas Health and Safety Code. They all must be adhered to.

So there is a process. The Senator from Minnesota suggests that there has not been a process, or public participation. To the contrary, there has been extensive public participation, and the process is not over. This compact is site neutral. That doesn't mean to say that the State of Texas hasn't been examining the site in Sierra Blanca, but the process has not been completed. It is being examined very carefully. There has been public participation. There have been numerous hearings within Hudspeth County and Sierra Blanca specifically about this issue. The Texas Legislature overwhelmingly has supported it in both the house and senate, as have the Governors, Governor Richards and Governor Bush; the State of Vermont, both legislatures, and the State of Maine, on a bipartisan basis. In fact, 24 of the 30 members of the Texas congressional delegation are all in support of this conference report. So it has been regarded.

I want to read to my colleagues an open letter to the people of the State of Texas from 100 residents of Sierra Blanca and Hudspeth County. I ask unanimous consent to have a letter from Judge Peace, the county judge, printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HUDSPETH COUNTY COURTHOUSE,  
Sierra Blanca, TX, August 25, 1998.

Hon. KAY BAILEY HUTCHISON,  
Russell Office Building,  
Washington, DC.

DEAR SENATOR HUTCHISON: It is my understanding that the United States Senate will be considering the Texas/Maine/Vermont Compact soon. I want to thank you for supporting this important measure. Its passage will bring needed revenue and opportunity to our area. Sierra Blanca has already benefited greatly from the presence of the Texas Low-Level Radioactive Waste Disposal Authority in the area. The benefits (jobs and infrastructure improvement) will increase during construction and operation of the low-level radioactive waste disposal facility. The truth is the socioeconomic benefits for the residents of Sierra Blanca are enormous and overwhelmingly positive. Continued economic benefits are absolutely critical to the future development of Hudspeth County.

I want you to know that the majority of citizens favor the development of such a facility. I have enclosed an advertisement that recently ran in the Austin American Statesman, paid for by donations and community funds. The people of Sierra Blanca and Hudspeth County voiced their support for a better future and tangible real life advances that will make our communities more liv-

able. The advertisement reflects the widespread support in our area for this project; the support runs across the business community to elected officials. During the recent primary elections, this issue was openly debated in the County Judge, Commissioners Court, and County Democratic Chairmanship races; those who supported the project won, while those who opposed it lost.

Thank you for your continued support. If you have further questions or if I can help you in any other way, please feel free to call.

Sincerely,

Judge JAMES A. PEACE.

Ms. SNOWE. I want to read this open letter that was placed as an advertisement in a local newspaper:

We support the approval of the license for the proposed radioactive waste disposal facility near our town. It offers hope for a better future and tangible, real-life advances that will make Sierra Blanca and Hudspeth County more livable. The overwhelming majority of residents support this project near our town for the following reasons:

A halt to exporting our children to other areas for employment; a larger job market for all residents of Sierra Blanca and Hudspeth County; the ripple effect seen from additional businesses and services to support the facility; improved medical care; increased property values; a broader tax base; enhanced infrastructure; disposal fees paid to the county; upward mobility, and an improved standard of living; a better perception of our community by ourselves and others.

The critics—almost all of whom live outside the community—say the proposed site is not a reasonable road to economic development for Sierra Blanca. We say that these people do not speak for us and that this is our only road in sight.

I believe the people of Hudspeth County have spoken. I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[From the Austin American-Statesman, July 22, 1998]

AN OPEN LETTER TO THE PEOPLE OF THE STATE OF TEXAS FROM RESIDENTS OF SIERRA BLANCA, TEXAS AND HUDSPETH COUNTY

We support the approval of the license for the proposed radioactive waste disposal facility near our town. It offers hope for a better future and tangible, real life advances that will make Sierra Blanca and Hudspeth County more livable. The overwhelming majority of residents support this project near our town for the following reasons:

A halt to exporting our children to other areas for employment,

A larger job market for all the residents of Sierra Blanca and Hudspeth County,

The ripple effect seen from additional businesses and services to support the facility,

Improved medical care,

A broader tax base,

Enhanced infrastructure,

Disposal fees paid to the County,

Upward mobility and an improved standard of living, and

A better perception of our community by ourselves and others.

Until the proposed project, the only method of upward mobility and economic development for the residents of Sierra Blanca was a bus ticket out of town. There was little hope for economic progress. Sierra Blanca was destined to be a small, remote, dying community.

The critics—almost all of whom live outside the community—say the proposed site is

not a reasonable road to economic development for Sierra Blanca. We say that these people do not speak for us and that this is the only road in sight.

After four years of intensive review, TNRCC issued a favorable Environmental Assessment. We are totally satisfied that the project will be safe and the residents of Sierra Blanca want it to be licensed. It is a sign of hope and a brighter future.

The only negative socio-economic impact would be the denial of the license and the decision to site the facility elsewhere.

Ms. SNOWE. The fact of the matter is that there has been extensive public participation, and it has not been completed. In fact, there were local elections in Hudspeth County, and all of the candidates who were in support of this facility were elected or reelected. I think that speaks volumes. This was an issue in those campaigns. I will also submit for the RECORD the list of supporters of the compact and the following letters; a letter from nine Texas Members of the House of Representatives; the Governors of Maine, Texas and Vermont; a letter from the National Governors' Association; the National Conference of State Legislatures; the Nuclear Regulatory Commission; a "Dear Colleague" by two members of the Texas House of Representatives. All of them are in support of the Texas Compact before us here today.

I ask unanimous consent that the list and these letters be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUPPORT FOR TEXAS COMPACT CONSENT ACT  
ORGANIZATIONAL SUPPORT (8 NATIONAL  
ORGANIZATIONS, 11 REGIONAL ORGANIZATIONS)

Organizations United (American Association of Physicists in Medicine, American College of Nuclear Physicians, American Council on Education, American Heart Association, American Medical Association, American Nuclear Society, American Society of Nuclear Cardiology, Appalachian Compact Users of Radioactive Isotopes Association, Association of American Medical Colleges, California Radioactive Materials Management Forum, Council on Radionuclides and Radiopharmaceuticals, Edison Electrical Institute, Health Physics Society, International Isotope Society, Michigan Coalition of Radioactive Material Users, National Association of Cancer Patients, National Electrical Manufacturers Association, Nuclear Energy Institute, Pharmaceutical Research and Manufacturers of America, Society of Nuclear Medicine, Society of Prospective Medicine); Robert Carretta, Chair, Organizations United.—March 16, 1998; May 1, 1996.

Society of Nuclear Medicine, Southwestern Chapter; Resolution. Southwestern Chapter of the Society of Nuclear Medicine.—April 1997.

Texas Radiological Society; Resolution. Texas Radiological Society.—April 4, 1997.

Texas Medical Association; Resolution. Texas Medical Association.—April 4, 1997.

Texas Radiation Advisory Board; Resolution. Texas Radiation Advisory Board.—March 16, 1996.

Health Physics Society; Resolution. South Texas Chapter of the Health Physics Society.—February 24, 1996. Resolution. North Texas Chapter of the Health Physics Society.—February 22, 1996.

Radiation Safety Officers; Resolution. Radiation Safety Officers Advisory Group of

the University of Texas System.—February 12, 1996.

Texas Society of Professional Engineers; Resolution. Texas Society of Professional Engineers.—January 26, 1996.

California Radioactive Materials Management Forum; Alan Pasternak, Technical Director, California Radioactive Materials Management Forum.—October 6, 1997.

WASHINGTON, DC,  
March 13, 1998.

Hon. PAUL WELLSTONE,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR WELLSTONE: As members of the Texas delegation, we urge you to lift your hold on H.R. 629/ S. 270, the Texas Low-Level Radioactive Waste Disposal Compact.

This bill follows the guidelines set forth by Congress in 1985, setting up a compact for the disposal of low-level radioactive waste. The legislation is strongly supported by the three states affected—Texas, Maine, and Vermont—and H.R. 629 passed the House by an overwhelming vote of 309-107.

We appreciate the concerns that have been expressed about radioactive waste, and the impact that it could have on our environment if not properly handled. We agree that these are important issues which must be fully and completely examined—a process that is currently under way in Texas through an intense administrative hearing process.

But ultimately, low-level radioactive waste exists and all parties are better served if there are safe and secure disposal facilities. While this may not be the best solution for all states—such as Minnesota—the Texas State Legislature, in conjunction with the state leadership of Vermont and Maine, has come to agreement for the waste generated in those states.

Finally, concerns have been raised regarding the location of the proposed disposal site in Texas. This site was not selected by the U.S. Congress, and the bill before us does not reference a specific site.

We urge you to lift your hold on this Texas bill so that the process may move forward and this agreement may be implemented.

Chet Edwards, Martin Frost, Max Sandlin, Eddie Bernice Johnson, Ralph Hall, Charles W. Stenholm, Ken Bentsen, Gene Green, Jim Turner.

STATE OF TEXAS,  
OFFICE OF THE GOVERNOR,  
Austin, TX, July 15, 1997.

DEAR SENATOR: As the Governors of the member states, we strongly urge passage by the U.S. Senate of S. 270, the Texas Low-Level Radioactive Waste Disposal Compact Consent Act.

The 1980 Low-Level Radioactive Waste Policy Act and its 1985 amendments make each state "responsible for providing, either by itself or in cooperation with other states," for disposal of its own commercial low-level radioactive waste. In compliance with this federal legislation, the states of Texas, Maine and Vermont have arranged to manage their waste through the terms of the Texas Compact. This compact passed the legislatures of the states involved and is supported by all three Governors. Texas, Maine and Vermont have complied with all federal and state laws and regulations in forming this compact. For the Congress to deny ratification of the Texas Compact would be a serious breach of states' rights and a rejection of Congress' previous mandate to the states.

It is important to remember that S. 270 is site neutral—a vote on S. 270 is neither a vote to endorse nor oppose the proposed site in Texas. Federal legislation leaves the siting of a facility to state governments and should be resolved during formal licensing

proceedings. Currently, the Texas Natural Resource Conservation Commission is conducting the appropriate hearings.

Please vote to supply the member states of the Texas Compact with the same protections that you have already given 42 states in the nine previously approved compacts. Thank you for your time and attention on this very important matter. We appreciate all efforts made on behalf of states' rights.

Sincerely,

GEORGE W. BUSH.  
HOWARD DEAN, M.D.  
ANGUS S. KING, JR.

NATIONAL GOVERNORS ASSOCIATION,  
March 2, 1998.

DEAR MEMBER OF CONGRESS: On behalf of the National Governors' Association, we urge you to adopt S. 270 without amendment. This bill provides congressional consent to the Texas-Maine-Vermont Low-Level Radioactive Waste Compact. The National Governors' Association (NGA) policy in support of this compact is attached. We are convinced that this voluntary compact provides for the safe and responsible disposal of low-level waste produced in the three member states.

As you know, under the Low-Level Radioactive Waste Policy Act (LLRWPA) of 1980, Congress mandated that states assume responsibility for disposal of low level radioactive waste, and created a compact system that provides states with the legal authority to restrict, dispose of, and manage waste. Since 1995, forty-one states have entered into nine congressional approved compacts without amendments or objections. The Texas-Maine-Vermont Compact deserves to be the tenth.

Your support for this bipartisan measure, which has the full support and cooperation of the Governors and legislatures of the three participant states, will be crucial.

If you have any questions concerning this matter, please don't hesitate to contact Tom Curtis of the NGA staff at (202) 624-5389.

Sincerely,

GOVERNOR GEORGE V.  
VEINOVICH,  
Chairman, National  
Governors' Association.  
GOVERNOR TOM CARPER,  
Vice Chairman, National  
Governors' Association.

NATIONAL CONFERENCE  
OF STATE LEGISLATURES,  
Washington, DC, March 11, 1998.

Re: S. 270, the Texas Low-Level Radioactive Waste Disposal Compact Consent Act

NCSL URGES YOU TO SUPPORT THIS BILL  
WITHOUT AMENDMENT

Hon. TRENT LOTT,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR LOTT: The National Conference of State Legislatures (NCSL) urges you to support S. 270, the Texas Low-Level Radioactive Waste Disposal Compact Consent Act, which will allow the states of Maine, Texas, and Vermont to continue to work together to develop a facility in Hudspeth County, Texas for the disposal of the low-level radioactive waste produced in those three states. NCSL has consistently reiterated its firm belief that states must be allowed to exercise their authority over the storage and disposal of low-level radioactive waste, authority that was granted to them by Congress in the Low-Level Radioactive Waste Policy Act of 1980 and the Low-Level Waste Policy Act Amendments of 1985.

NCSL is concerned about H.R. 629, the version of the Texas Low-Level Radioactive

Waste Disposal Compact Consent Act which passed through the House of Representatives last October. H.R. 629 was amended with language that was not in the compact as approved by the Maine, Texas and Vermont state legislatures. No low-level radioactive waste compact between states has ever been amended by Congress. We believe that the amendments to H.R. 629 would establish an unfortunate precedent for Congressional tinkering with agreements that have already been passed by their relevant state legislatures.

The states of Maine, Texas, and Vermont have already expended significant time and resources in order to negotiate an agreement on the Hudspeth County facility. It would be inappropriate for Congress to attempt to alter a valid effort by the Compact states to meet their responsibilities under the Low-Level Radioactive Waste Policy Act. We urge you to support S. 270 without amendment.

Sincerely,

CRAIG PETERSON,  
Utah State Senate,  
Chair, NCSL Environment  
Committee.

CAROL S. PETZOLD,  
Maryland House of  
Delegates, Chair,  
NCSL Energy &  
Transportation Committee

NUCLEAR REGULATORY COMMISSION,  
Washington, DC, March 20, 1998.

Hon. OLYMPIA J. SNOWE,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR SNOWE: In response to the request from your staff, here are the views of the Nuclear Regulatory Commission (NRC) on two proposed amendments to S. 270, a bill to provide the consent of Congress to the Texas Low-Level Radioactive Waste (LLW) Disposal Compact. The proposed amendments would add two new conditions to the conditions of consent to the compact: (1) that no LLW may be brought into Texas for disposal at a compact facility from any State other than Maine or Vermont (referred to below as the "exclusion" amendment); and (2) that "the compact not be implemented . . . in any way that discriminates against any community (through disparate treatment or disparate impact) by reason of the composition of the community in terms of race, color, national origin, or income level" (referred to below as the "discrimination clause"). These amendments raise some significant questions of concern to the NRC.

First, no other Congressional compact ratification legislation has included such conditions to Congress' consent. Making the Congressional consent for this compact different from that for other compacts would create an asymmetrical system and could lead to conflicts among regions. In the past, Congress has set a high priority on establishing a consistent set of rules under which the interstate compact system for LLW disposal would operate.

With respect to the exclusion condition, while the Low-Level Radioactive Waste Policy Act of 1980 and the Low-Level Radioactive Waste Policy Amendments Act of 1985 authorize compact States to exclude LLW from outside their compact region, the terms of doing so are left to the States. This is consistent with the intent of these statutes to make LLW disposal the responsibility of the States and to leave the implementation of that responsibility largely to the States' discretion. Thus, the addition of the exclusion condition to the compact would deprive the party States of the ability to make their own choices as to how to handle this important area. In addition, restriction on importation of LLW into Texas to waste coming

from Maine or Vermont could prevent other compacts (or non-compact States) from contracting with the Texas compact for disposal of their waste (such as has occurred between the Rocky Mountain and Northwest compacts). This type of arrangement with existing LLW disposal facilities may well become a preferred economical method of LLW disposal. It is also important to note that the exclusion condition may hamper NRC emergency access to the Texas facility pursuant to section 8 of the Low-Level Radioactive Waste Policy Amendments Act of 1985.

With respect to the discrimination clause, the Commission supports the general objectives of efforts to address discrimination involving "race, color, national origin, or income level." However, it is unclear how a condition containing broad language of the type contained in the proposed amendment would be applied in a specific case involving a compact. This lack of clarity is likely to create confusion and uncertainty for all parties involved, and could lead to costly, time-consuming litigation. Including such a provision in binding legislation may have broad significance for the affected States and other parties and would appear to warrant extensive Congressional review of its implications.

In light of the above, the NRC opposes the approval of amendments to S. 270 that would incorporate the exclusion condition or an undefined discrimination clause into the Texas compact bill.

Sincerely,

SHIRLEY ANN JACKSON.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR CBC MEMBER: We are writing to ask you to vote for H.R. 629, a bill we both are cosponsoring to ratify the Texas-Maine-Vermont Low-Level Radioactive Waste Compact.

Although H.R. 629 specifically provides Congressional consent for the Texas, Maine, and Vermont Compact which provides for the safe, responsible disposal of low-level waste produced in those three states, every state has a stake in the success of this compact. The Low-Level Radioactive Waste Policy Act (LLRWPA) of 1980 requires states to manage the disposal of low-level waste. The compact system provides a mechanism for states to ensure their control over the origin of the waste and allows the individual host state—with input from interested citizens—to determine the appropriate location for the disposal site.

Your state may or may not be one of the 41 states that have entered into the 9 compacts previously ratified by congress. Either way, passage of H.R. 629 will reaffirm your State's right both to control local land use and, subject to federal and state health, safety, and environmental laws, to determine the best and safest location for disposing of your State's waste.

Through bipartisan cooperation, the Governors and Legislatures of Texas, Vermont, and Maine negotiated and ratified this Compact in full compliance with all federal and state laws. Since 1985, nine other compacts comprising 41 states have been ratified by congress without amendment or objection. Please join us in helping all of our States to protect the health and safety of our citizens by co-sponsoring and voting for the Texas-Maine-Vermont Low-Level Radioactive Waste Compact ratification bill.

In the last Congress, some members of the Texas delegation opposed ratification of the Compact because of concerns over the location for the proposed site in Texas. We are satisfied that all appropriate health, safety, and environmental concerns are being addressed in a responsible manner by the Texas state government.

The Commerce Committee reported H.R. 629 on June 25th. The bill will be coming to the floor soon. We strongly urge you to vote for this bill.

EDDIE BERNICE JOHNSON,  
Member of Congress.  
SHEILA JACKSON LEE,  
Member of Congress.

Ms. SNOWE. The fact of the matter is that there has been a public process. There has been very careful evaluation and concern about the views of the constituents in the local area of Hudspeth County, of Sierra Blanca, of the State of Texas. The fact is, the Senator from Minnesota wants to treat the States of Texas, Vermont, and Maine differently from 41 other States, including the Senator's own State of Minnesota.

The States of Texas, Vermont, and Maine are doing just what the Congress required them to do—enter into a compact. The failure of this Congress to approve this conference report and ratify this compact would mean that the State of Texas could not create one safe permanent disposal for low-level radioactive waste; that they would have to maintain 684 temporary storage facilities that do not meet the strict Federal, State and local requirements that this permanent facility would be required to meet.

So, Mr. President, I urge my colleagues to adopt this conference report. I reserve the balance of my time.

The PRESIDING OFFICER (Mr. INHOFE). The Senator has 9 minutes remaining.

Mr. WELLSTONE. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

Mr. WELLSTONE. Mr. President, would the Chair please notify me when I have 2 minutes remaining?

The PRESIDING OFFICER. The Senator will be so notified.

Mr. WELLSTONE. Mr. President, A, this is the only compact the Senate has considered where we have a site identified for construction of a compact dump. In this particular case, 90 percent or more of that waste is going to come from nuclear power plants.

B, with all due respect to my colleague, the argument that the people in Sierra Blanca and Hudspeth County want this is an argument that just cannot be accepted on the floor of the U.S. Senate. Eight hundred adult residents of this town of Sierra Blanca signed petitions in opposition. A 1992 poll commissioned by the Texas Waste Authority showed 64 percent in opposition. In a poll in 1994, 82 percent of Texans were against it. It just doesn't wash.

Third, as colleagues follow this debate, again, the Texas legislature selected Hudspeth County. The Texas Waste Authority selected the Sierra Blanca site after the Authority's own scoping study said it is not scientifically suitable. But this was the path of least political resistance. This is an issue of environmental justice. This is being put on the back of a community that is disproportionately Hispanic and poor. That is what today's article in the New York Times is all about.

Finally, let me name some of the members of a coalition of religious, environmental, social justice and public interest groups who oppose the compact. I cite the League of United Latin American Citizens, LULAC. The Latino community should make us accountable on this vote. This is an issue of environmental justice. Then there is GreenPeace, the Texas NAACP, the Texas House of Representatives Mexican-American Legislative Caucus, the Sierra Club, the House Hispanic Caucus, and the League of Conservation Voters. I reserve my final 2 minutes, the balance of my time.

Mr. LEAHY. Mr. President, let me go back to the basic reason we are debating this Compact today. This Compact is before the Senate today because we shifted the responsibility to manage low-level nuclear waste to the states almost a decade ago. Congress encouraged the states to enter into compacts to share this responsibility. Forty-one states have already followed our direction by entering into compacts very similar to the one we have before us today. With the expectation that Congress would ratify their compact, just like we have nine other times, the states of Texas, Vermont and Maine entered into this Compact.

That was more than four years ago. We have delayed this Compact long enough. The amendments that Senator WELLSTONE offered to the Compact when it passed the Senate earlier this year would delay implementation of this Compact even further. When the Conference Committee considered these amendments, we not only heard opposition to the amendments from the National Governors' Association and the Nuclear Regulatory Commission, but also from each of the governors of Texas, Maine and Vermont.

Their letter urges Congress to pass the Compact without amendments. The letter makes it clear that the governors believe that the amendments would require re-ratification by the states and would undoubtedly lead to costly and time-consuming litigation. But their letter raises what I think is the most important question: what is our role in ratifying this Compact? Congress has passed nine other compacts without any amendments. In fact, we passed them by unanimous consent. So why is this Compact so different? Contrary to Senator WELLSTONE's statement, the Compact makes no mention of a site. Nowhere in this legislation will you find a mention of Sierra Blanca, Texas. The people of Texas will make a decision for themselves. The Compact will not.

We are not here to select the site for them. We are not here to write the Compact agreement for them. We are not here to decide how much waste should be deposited at the facility or where that waste should come from. The states have already made those decisions for themselves. As the governors pointed out, the Wellstone amendments would have been an "infringement on state sovereignty." It

would have been the first time Congress amended an original contract negotiated by the states. Inclusion of these amendments in the Compact would deny the states the right Congress gave them to make their own choices as to how to handle disposal of low-level nuclear waste.

The amendments offered to the Compact by Senator WELLSTONE were inappropriate. I can understand Senator WELLSTONE's concern that too many sources of pollution and waste facilities are targeted to minority and low-income areas, but one of his amendments would have created new opportunities for litigation that go far beyond the "environmental justice" guidance recently proposed by the Environmental Protection Agency. The amendment would also apply federal environmental justice standards to states for the first time. Congress should address the issue of environmental justice. But we should take the time to do it right, not through amendments to an agreement between three states that are following the lead of nine other similar agreements.

The second amendment attached by Senator WELLSTONE also expands the role of Congress in approving these compacts. This Compact is the result of years of negotiation among the three states and approved by the legislatures of those states. Senator WELLSTONE argues that his amendment would give Texas protection from having to accept waste from states other than Maine and Vermont. However, the Compact already gives Texas the majority vote in deciding if and from whom additional waste may come. This amendment is unnecessary and would only lead to further delay of the Compact since it will likely require re-ratification by the member states. In fact, under the Wellstone amendment, Texas may be more open to accepting waste from other states because it would not have the protection of the exclusionary provisions of the Compact.

The States of Texas, Maine and Vermont have done their job. They have negotiated a compact among them to provide for the responsible disposal of low-level radioactive waste and submitted it to this body as required under Federal statute, for the consent of the Congress. Now, we need to do our job. Those Senators who support the basic premise that we agreed to in 1980, that states should have the responsibility to dispose of their waste, should vote for this bill. It is the responsibility of Congress to follow through on the direction we gave to states in 1980 and ratify this Compact.

Ms. SNOWE addressed the Chair.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I am very pleased to be able to yield 4 minutes to my colleague from the State of Texas, Senator HUTCHISON.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Thank you, Mr. President. I thank the Senator from Maine.

Mr. President, I think it should be noted that all six Senators from three affected States are supportive of this legislation.

I want to begin my remarks with the most important thing I can possibly say, and that is, I would never support a hazardous waste site in my State that wasn't in full compliance with Federal and Texas environmental laws and regulations. This is the most important of all of the things that I could possibly say.

This compact came about because of Federal legislation—the Low-Level Radioactive Waste Policy Act and its 1985 amendments. They allowed States to come together, and encouraged States to come together, to find waste disposal facilities that would meet the needs of our country.

In fact, all of us would love not to have any waste that would be put anywhere. But if we didn't have waste, we wouldn't have medical remedies, we wouldn't have the cures for people's diseases. That is what this waste is. It is not nuclear waste. It is not high-level hazardous waste. It is low-level medical waste.

The law has created 41 States that have formed 9 low-level radioactive waste compacts. Minnesota is a member of one such compact ratified by Congress in 1985. Nine compacts have been formed. And the compact that Texas, Maine, and Vermont have created is no different from these, and it seeks to provide the citizens of our three States the same protections enjoyed by the State of Minnesota and the other 40 States that have formed compacts.

I think it is very important that we address the issue of how this came about.

A compact agreement was negotiated by former Governor Ann Richards with the Governors of Maine and Vermont. The compact was overwhelmingly approved by the Texas State Legislature and signed by Governor Richards in 1993. That compact now enjoys the support of our current Governor, George Bush, and our Lieutenant Governor, Bob Bullock.

Maine's compact was passed by their legislature and signed in 1993. It also passed a State-wide referendum. In Vermont, legislation was passed by the legislature and signed by the Governor in 1994. I don't think the Federal Government has a mandate to nullify a contract among three State Governors and ratified by their legislatures.

I think it is also important that we address the local issue that has been addressed by the Senator from Minnesota.

We have not yet—the three States together, nor the State of Texas—decided on a place for this radioactive waste. However, there is careful consideration being given to Hudspeth County, which is the focus of where they are looking

for the site of this low-level waste compact as a place where they are going to put the waste.

Hudspeth County is the third largest county in Texas, with 4,566 square miles. It has a population of 3,200 people.

I want my colleagues to know that the vast majority of the county's leadership support locating this facility in Hudspeth County as long as it is done in an environmentally safe way, which the Governor has promised will happen or it will not be created.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. SNOWE. Mr. President, I ask unanimous consent that the Senator from Texas have 2 additional minutes.

The PRESIDING OFFICER. The Senator from Maine has only 1 additional minute remaining.

Ms. SNOWE. Mr. President, I was informed earlier that I had 9 minutes remaining.

I ask unanimous consent for 1 additional minute and the Senator from Minnesota to have an additional minute.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, I certainly will not object. My understanding is that the Senator from Texas needed additional time.

If additional time is added on your side and then added to my side as well, that will be fine with me.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. There is one other addition I would like to have, and that is that the Senator from Minnesota have an additional 1 minute as well.

The PRESIDING OFFICER. Is there objection?

Mr. WELLSTONE. Mr. President, reserving the right to object, what is the agreement?

The PRESIDING OFFICER. I think this side would have 4 additional minutes remaining, of which the Senator from Texas would use 1, and you would have 3 additional minutes remaining.

Mr. WELLSTONE. So the additional minutes added to the side in favor of this would be the same as the amount of time added to the opposition. Is that correct?

The PRESIDING OFFICER. That is not correct.

Mr. WELLSTONE. That is not correct?

The PRESIDING OFFICER. There would be 2 additional minutes remaining, and you would be getting 1 additional minute.

Mr. WELLSTONE. I will say what would be fair would be 2 additional minutes on each side.

Ms. SNOWE. I agree with that.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. SNOWE. Mr. President, I yield 2 minutes to the Senator from Texas.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Thank you, Mr. President.

It is very important that the people of our country know that the people of Hudspeth County want this low-level waste authority. They in fact had an election this past May in the primaries. The county elections were held. And every opponent of the Low-Level Radioactive Waste Compact who sought office in Hudspeth County lost.

I ask unanimous consent to have printed in the RECORD a letter of support from the Hudspeth County judge, James Peace, and 300 community leaders in the county in support of the compact; and, furthermore, letters from the National Governors' Association, the Western Governors' Association, the National Conference of State Legislatures, the Nuclear Regulatory Commission of the United States, the M.D. Anderson Cancer Center in Houston, the University of Texas System, the Texas Tech University Health Sciences Center in El Paso, and the University of Texas Health Science Center at San Antonio.

There being no obligation, the material was ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS ASSOCIATION,  
*Washington, DC, March 2, 1998.*

DEAR MEMBER OF CONGRESS: On behalf of the National Governors' Association, we urge you to adopt S. 270 without amendment. This bill provides congressional consent to the Texas-Maine-Vermont Low-Level Radioactive Waste Compact. The National Governor's Association (NGA) policy in support of this compact is attached. We are convinced that this voluntary compact provides for the safe and responsible disposal of low-level waste produced in the three member states.

As you know, under the Low-Level Radioactive Waste Policy Act (LLRWPA) of 1980, Congress mandated that states assume responsibility for disposal of low level radioactive waste, and created a compact system that provided states with the legal authority to restrict, dispose of, and manage waste. Since 1995, forty-one states have entered into nine congressional approved compacts without amendments or objections. The Texas-Maine-Vermont Compact deserves to be the tenth.

Your support for this bipartisan measure, which has the full support and cooperation of the Governors and legislatures of the three participant states, will be crucial.

If you have any questions concerning this matter, please don't hesitate to contact Tom Curtis of the NGA staff at (202) 624-5389.

Sincerely,

Gov. GEORGE V. VOINOVICH,  
*Chairman.*  
Gov. TOM CARPER,  
*Vice Chairman.*

WESTERN GOVERNORS' ASSOCIATION,  
*Washington, DC, March 12, 1998.*

DEAR SENATOR: The Western Governors' Association urges you and your fellow Senators to pass S. 270, without amendment. This legislation would ratify the Texas-Maine-Vermont Low Level Radioactive Waste Compact. Congress envisioned this type of compact when it passed the Low Level Radioactive Waste Policy Act (LLRWA) of 1980. This Compact is a voluntary group of states which joined together to identify and operate a site for the disposal of low level radioactive waste. The site and

management program is fully supported by the Governor of Texas, the host state.

As you know, Congress requires the states to take responsibility for the proper disposal of the low level radioactive waste generated within their borders, and created the compact system to allow states to join together to meet this mandate. The Western Governors support such compacts particularly when the states join voluntarily and when the host governor supports the location and operation of the disposal site.

Your vote for adoption of S. 270, without amendment, is critical to its ratification. This will allow the three states to move towards complying with the LLRWA.

If you have questions please contact me or Rich Bechtel, Director of the WGA Washington Office.

Sincerely,

JAMES M. SOUBY.

NATIONAL CONFERENCE OF  
STATE LEGISLATURES,

*Washington, DC, March 11, 1998.*

Re S. 270, the Texas Low-Level Radioactive Waste Disposal Compact Consent Act NCSL urges you to support this bill without amendment.

HON. TRENT LOTT,

*U.S. Senate, Washington, DC.*

DEAR SENATOR LOTT: The National Conference of State Legislatures (NCSL) urges you to support S. 270, the Texas Low-Level Radioactive Waste Disposal Compact Consent Act, which will allow the states of Maine, Texas, and Vermont to continue to work together to develop a facility in Hudspeth County, Texas for the disposal of the low-level radioactive waste produced in those three states. NCSL has consistently reiterated its firm belief that states must be allowed to exercise their authority over the storage and disposal of low-level radioactive waste, authority that was granted to them by Congress in the Low-Level Radioactive Waste Policy Act of 1980 and the Low-Level Waste Policy Act Amendments of 1985.

NCSL is concerned about H.R. 629, the version of the Texas Low-Level Radioactive Waste Disposal Compact Consent Act which passed through the House of Representatives last October. H.R. 629 was amended with language that was not in the compact as approved by the Maine, Texas and Vermont state legislatures. No low-level radioactive waste compact between states has ever been amended by Congress. We believe that the amendments to H.R. 629 would establish an unfortunate precedent for Congressional tinkering with agreements that have already been passed by their relevant state legislatures.

The states of Maine, Texas, and Vermont have already expended significant time and resources in order to negotiate an agreement on the Hudspeth County facility. It would be inappropriate for Congress to attempt to alter a valid effort by the Compact states to meet their responsibilities under the Low-Level Radioactive Waste Policy Act. We urge you to support S. 270 without amendment.

Sincerely,

CRAIG PETERSON,  
*Utah State Senate,*  
*Chair, NCSL Environment Committee.*

CAROL S. PETZOLD,  
*Maryland House of Delegates, Chair,*  
*NCSL Energy & Transportation Committee.*

U.S. NUCLEAR  
REGULATORY COMMISSION,  
*Washington, DC, March 20, 1998.*

Hon. OLYMPIA J. SNOWE,  
*U.S. Senate,*  
*Washington, DC.*

DEAR SENATOR SNOWE: In response to the request from your staff, here are the views of the Nuclear Regulatory Commission (NRC) on two proposed amendments to S. 270, a bill to provide the consent of Congress to the Texas Low-Level Radioactive Waste (LLW) Disposal Compact. The proposed amendments would add two new conditions to the conditions of consent to the compact: (1) that no LLW may be brought into Texas for disposal at a compact facility from any State other than Maine or Vermont (referred to below as the "exclusion" amendment); and (2) that "the compact not be implemented . . . in any way that discriminates against any community (through disparate treatment or disparate impact) by reason of the composition of the community in terms of race, color, national origin, or income level" (referred to below as the "discrimination clause"). These amendments raise some significant questions of concern to the NRC.

First, no other Congressional compact ratification legislation has included such conditions to Congress' consent. Making the Congressional consent for this compact different from that for other compacts would create an asymmetrical system and could lead to conflicts among regions. In the past, Congress has set a high priority on establishing a consistent set of rules under which the interstate compact system for LLW disposal would operate.

With respect to the exclusion condition, while the Low-Level Radioactive Waste Policy Act of 1980 and the Low-Level Radioactive Waste Policy Amendments Act of 1985 authorize compact States to exclude LLW from outside their compact region, the terms of doing so are left to the States. This is consistent with the intent of these statutes to make LLW disposal the responsibility of the States and to leave the implementation of that responsibility largely to the States' discretion. Thus, the addition of the exclusion condition to the compact would deprive the party States of the ability to make their own choices as to how to handle this important area. In addition, restriction on importation of LLW into Texas to waste coming from Maine or Vermont could prevent other compacts (or non-compact States) from contracting with the Texas compact for disposal of their waste (such as has occurred between the Rocky Mountain and Northwest compacts). This type of arrangement with existing LLW disposal facilities may well become a preferred economical method of LLW disposal. It is also important to note that the exclusion condition may hamper NRC emergency access to the Texas facility pursuant to section 8 of the Low-Level Radioactive Waste Policy Amendments Act of 1985.

With respect to the discrimination clause, the Commission supports the general objectives of efforts to address discrimination involving "race, color, national origin, or income level." However, it is unclear how a condition containing broad language of the type contained in the proposed amendment would be applied in a specific case involving a compact. This lack of clarity is likely to create confusion and uncertainty for all parties involved, and could lead to costly, time-consuming litigation. Including such a provision in binding legislation may have broad significance for the affected States and other parties and would appear to warrant extensive Congressional review of its implications.

In light of the above, the NRC opposes the approval of amendments to S. 270 that would

incorporate the exclusion condition or an undefined discrimination clause into the Texas compact bill.

Sincerely,

SHIRLEY ANN JACKSON.

HUDSPETH COUNTY JUDGE,

Sierra Blanca, TX, August 25, 1998.

Hon. KAY BAILEY HUTCHISON,  
Russell Office Building,  
Washington, DC.

DEAR SENATOR HUTCHISON: It is my understanding that the United States Senate will be considering the Texas/Maine/Vermont Compact soon. I want to thank you for supporting this important measure. Its passage will bring needed revenue and opportunity to our area. Sierra Blanca has already benefited greatly from the presence of the Texas Low-Level Radioactive Waste Disposal Authority in the area. The benefits (jobs and infrastructure improvement) will increase during construction and operation of the low-level radioactive waste disposal facility. The truth is the socioeconomic benefits for the residents of Sierra Blanca are enormous and overwhelmingly positive. Continued economic benefits are absolutely critical to the future development of Hudspeth County.

I want you to know that the majority of citizens favor the development of such a facility. I have enclosed an advertisement that recently ran in the Austin American Statesman, paid for by donations and community funds. The people of Sierra Blanca and Hudspeth County voiced their support for a better future and tangible real life advances that will make our communities more livable. The advertisement reflects the widespread support in our area for this project; the support runs across the business community to elected officials. During the recent primary elections, this issue was openly debated in the County Judge, Commissioners Court, and County Democratic Chairmanship races; those who supported the project won, while those who opposed it lost.

Thank you for your continued support. If you have further questions or if I can help you in any other way, please feel free to call.

Sincerely,

JAMES A. PEACE.

[From the Austin American-Statesman, July 22, 1998]

AN OPEN LETTER TO THE PEOPLE OF THE STATE OF TEXAS FROM RESIDENTS OF SIERRA BLANCA, TEXAS AND HUDSPETH COUNTY

We support the approval of the license for the proposed radioactive waste disposal facility near our town. It offers hope for a better future and tangible, real life advances that will make Sierra Blanca and Hudspeth County more livable. The overwhelming majority of residents support this project near our town for the following reasons:

A halt to exporting our children to other areas for employment

A larger job market for all the residents of Sierra Blanca and Hudspeth County

The ripple effect seen from additional businesses and services to support the facility

Improved medical care  
Increased property values

A broader tax base  
Enhanced infrastructure  
Disposal fees paid to the County

Upward mobility and an improved standard of living

A better perception of our community by ourselves and others

Until the proposed project, the only method of upward mobility and economic development for the residents of Sierra Blanca was a bus ticket out of town. There was little

hope for economic progress. Sierra Blanca was destined to be a small, remote, dying community.

The critics—almost all of whom live outside the community—say the proposed site is not a reasonable road to economic development for Sierra Blanca. We say that these people do not speak for us and that this is the only road in sight.

After four years of intensive review, TNRCC issued a favorable Environmental Assessment. We are totally satisfied that the project will be safe and the residents of Sierra Blanca want it to be licensed. It is a sign of hope and a brighter future.

The only negative socio-economic impact would be the denial of the license and the decision to site the facility elsewhere.

THE UNIVERSITY OF TEXAS  
MD ANDERSON CANCER CENTER,  
Houston, TX, February 20, 1995.

Hon. HENRY BONILLA,  
House of Representatives,  
Washington, DC.

DEAR REPRESENTATIVE BONILLA: Early this session, Congress will have the opportunity to ratify the Texas Compact, an interstate compact entered into by Texas, Maine and Vermont for the disposal of low-level radioactive waste at a joint facility. As President of The University of Texas M.D. Anderson Cancer Center at Houston, I write to tell you of the great importance of this legislation to M.D. Anderson Cancer Center.

Along with five other health related components of The University of Texas System, M.D. Anderson engages in important research and medical activities which require the use of radioactive materials. Such materials are an essential part of biomedical research into illness like cancer, AIDS, and Alzheimer's disease. Radioactive matter is used extensively in the development of new drugs and is critical to the process of diagnosing and treating patients. For example, radioactive tracer elements are used to detect coronary artery disease and lung and bone scans help locate blood clots or cancerous cells. Radiation therapy is also effective in controlling the spread of many types of cancer.

The low-level radioactive waste generated by research and detection and treatment of illnesses must be disposed of in a responsible, permanent manner. Ratification of the compact between Texas, Maine and Vermont will provide Texas with \$25 million, sent by the other two states, to help defray the costs involved with developing a safe facility. This legislation which will be sponsored by Congressman Jack Fields and several co-sponsors from the Texas delegation, finalizes years of negotiations between the states and safeguards Texas against having to accept out-of-compact waste in the future.

Again, I urge your support of the Texas Compact and your consideration to join Congressman Fields as a co-sponsor. Congress gave the states a mandate to manage their low-level radioactive waste. With your vote for ratification, Texas can move forward toward that goal.

Sincerely,

CHARLES A. LEHAISTRE,  
President.

TEXAS TECH UNIVERSITY  
HEALTH SCIENCES CENTER AT EL PASO,  
El Paso, TX, October 17, 1995.

KAY BAILEY HUTCHINSON,  
Russell Senate Bldg.  
Washington, DC.

DEAR SENATOR HUTCHINSON: Enclosed is a review of the Radioactive Waste Disposal Site that I completed on 18 July 1995. Texas needs this radioactive waste disposal site. We have 2,217 users of radioisotopes in Texas.

We know of 684 sites that produce radioactive waste that must be disposed of properly in order to safeguard the health of all Texans.

Medical diagnosis and treatment with radioisotopes is a significant factor at hospitals and cancer treatment centers. Radioisotopes are used at many Texas Universities and teaching institutions. There has to be a site for disposal of their wastes. We can not simply store this material on site at 684 different places.

We have to look to the total disposal of radioactive waste in Texas and do the best possible job so that future generations are not affected by sloppy disposal and contamination of ground water or food chains. The Eagle Flat site at Sierra Blanca meets those needs.

We need your support in approving HR 558 which is the compact between Texas, Maine, and Vermont. Congress has approved 9 compacts which includes 41 states. Please vote for approval of the 10th compact so that Texas can move forward on proper disposal of radioactive wastes with input and monies from Maine and Vermont.

The site selected in Hudspeth County is being reviewed by the Texas Department of Natural Resources. Approval by that state agency will enable Texas to properly dispose of its radioactive waste. The state approval process continues to move forward at this time. Public hearings at the state level are scheduled for Spring 96.

Sincerely,

CHARLES H. WILLIAMS,  
Chairman, Institutional Review Board.

THE UNIVERSITY OF TEXAS HEALTH  
SCIENCE CENTER AT SAN ANTONIO,  
San Antonio, TX, December 5, 1995.

Re passage of H.R. 558/low-level radioactive waste compact.

Hon. LAMAR SMITH,  
U.S. Representative, District 21,  
San Antonio, TX.

DEAR CONGRESSMAN SMITH: It is my understanding that the House of Representative may once again vote on a low-level radioactive waste (LLW) compact among Texas, Maine, and Vermont. As you evaluate this issue, I thought you might be interested in the importance of such compacts to The University of Texas Health Science Center at San Antonio.

As you know, UTHSCSA engages in important research, medical treatment, and diagnosis using radioactive materials. These activities could be curtailed, or even possibly eliminated, if long-term, reliable LLW disposal is not available. Much, if not all, of our research depends on radioisotopes used as "tracers." These isotopes allow researchers to identify cells being studied without using dyes or chemicals which would interfere with the experiment. Virtually all aspects of contemporary biomedical research depends on the use of these radioisotopes.

Currently, at UTHSCSA, the following research is underway using low-level radioactive materials: (1) Cancer research on causes and treatment of different types of cancer; (2) Exploration and mapping of human genomes; (3) Studies on the effects of aging; (4) Diabetes in the Hispanic population; (5) Bone loss, density, growth, and osteoporosis; (6) Genes that suppress tumors; (7) Pathogenicity of various infectious agents; and (8) Studies of neuroendocrinology and pineal physiology.

According to figures from the Texas Low-Level Radioactive Waste Disposal Authority, approximately 23% of the LLW sent to the proposed Texas disposal facility will be generated by medical research and health facilities, including the fifteen academic and health institutions of The University of

Texas System. The University of Texas System and the UTHSCSA rely on Congress to support the State's efforts to provide generators of LLW a safe, secure, and permanent LLW disposal facility.

Thank you for your further consideration of this issue, which is of great concern to this University and its important research and health care goals. We appreciate your interests and support.

Sincerely yours,

JOHN P. HOWE III,  
*President.*

Mrs. HUTCHISON. Mr. President, the issue before us today is whether the citizens of Texas, Maine, and Vermont will enjoy the same protections as 41 other States to ensure safe and environmentally sound disposal of dangerous radioactive material.

The local support is there. The Governor has assured us that there will not be a site selected until all of the scientific data shows that this is where it should go, and we are doing exactly what Congress directed us to do in creating safe places for this low-level radioactive waste.

I hope my colleagues will support this, as all of the six Senators who have a direct interest in this are doing.

Thank you, Mr. President. I thank the Senator from Maine. I yield the floor.

Mr. WELLSTONE addressed the Chair.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Mr. President, will the Chair notify me when I have 1 minute left?

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. I thank the Chair.

Mr. President, I say to my colleagues that the site has been selected. The only remaining question is final licensing. The site in Hudspeth County, Sierra Blanca, is disproportionately Hispanic and disproportionately poor. That is what this debate is all about. This is an injustice. If you vote for this compact, you will be ratifying this injustice. If you vote against this compact, then this will not happen.

That is why LULAC, that is why the League of Conservation Voters, that is why the Sierra Club, that is why the religious community, that is why 100 different organizations from around the country, that is why people came here, as difficult as it was, all the way from Hudspeth County to say please don't do this.

We had two amendments that would have made this fair.

Please, colleagues, listen to this. One amendment that you voted for said that if the people in Hudspeth County can prove that this is discriminatory, they should have a right to do so in court. The other amendment says let's make it clear that the waste can only come from Maine, Vermont, and Texas. Twice the Senate went on record with unanimous votes supporting both those amendments, and in the conference committee those amendments were knocked out. The utility industry

wanted them knocked out. They don't want the people to have any kind of remedy for discrimination. There is no assurance that the waste will come just from Maine, Vermont, and Texas. They want this to be a national repository site.

That is why we should vote against this compact—the first compact ever with a clear site for building a compact nuclear waste dump. This is an environmental injustice.

I reserve the remainder of my time.

Ms. SNOWE. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Ms. SNOWE. Mr. President, let me make a final comment. I think we have had very extensive debate.

I believe that the facts have been emphasized and clarified with respect to this issue. The fact of the matter is, this compact adheres to all of the standards that have been applied to previous compacts ratified by the Congress, nine such instances as mandated by the U.S. Congress. The fact is, 82 Senators in this body represent States that have compacts, but the Senator from Minnesota is saying that somehow the States of Texas and Vermont and Maine should be discriminated against, that they should not be allowed to enter into a compact to safely dispose of low-level radioactive waste—waste, yes, that is generated by universities, by medical centers, by defense facilities, by power plants.

The Senator from Minnesota is saying that somehow we should be treated differently from his own State of Minnesota and all of the other 40 States that are included in these compacts. The State of Texas has procedures, has a public process, has a political process to determine where the site should be located. The Senator from Minnesota is somehow suggesting that the State of Texas does not have the trust and the confidence of the people that it serves to make a judgment in adherence to their State environmental and public and health and safety laws as well as the Federal Government, all of which, I might add, have to be adhered to, all of which have been outlined in this process throughout. This has not been something that somehow has materialized out of thin air, overriding and breaching all of the environmental and safety laws in America.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. SNOWE. So I would urge my colleagues to adopt this conference report that allows the States of Texas and Vermont and Maine to do what 41 other States, including the State of Minnesota, have been able to do in the past.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Colleagues, you have never voted for a compact with a specific site for building a compact dump, not with a site in Sierra Blanca, not with a site disproportionately Hispanic and poor.

This is an environmental vote. This is a geologically active area. The science says no, but it is the path of least political resistance. This community is targeted. We will now vote. If you vote for this compact, you vote for an injustice. Do the right thing and vote against this compact.

Twice you have gone on record, colleagues, by unanimous vote: yes, for the compact as long as people have a right to challenge this and have a chance to prove discrimination. Yes, we vote for the compact if we make it clear that this won't become a national repository site and the waste can only come from Maine and Vermont and Texas. And both of those amendments, in the dark of night, were stripped by the conference committee.

That is why so many religious and civil rights organizations have said vote against this. LULAC, the League of Conservation Voters, the Sierra Club, the Catholic diocese, the Methodist Church, so on and so forth. This is a justice vote. We have to vote on this, and once and for all it is important for us to be on the side of justice and vote no on this compact.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. WELLSTONE. Does my colleague have any time remaining?

The PRESIDING OFFICER. Her time has expired.

Mr. WELLSTONE. I then will yield the remainder of my time, and I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested.

Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the conference report. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. NICKLES. I announce that the Senator from Georgia (Mr. COVERDELL), the Senator from New Mexico (Mr. DOMENICI), and the Senator from Alaska (Mr. MURKOWSKI) are necessarily absent.

I also announce that the Senator from North Carolina (Mr. HELMS) is absent because of illness.

I further announce that, if present and voting, the Senator from North Carolina (Mr. HELMS) would vote "yea."

Mr. FORD. I announce that the Senator from New Mexico (Mr. BINGAMAN), the Senator from Ohio (Mr. GLENN), and the Senator from Hawaii (Mr. INOUE) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 78, nays 15, as follows:

[Rollcall Vote No. 255 Leg.]

## YEAS—78

Abraham	Faircloth	Lott
Allard	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Gorton	McConnell
Biden	Graham	Mikulski
Bond	Gramm	Moynihan
Breaux	Grams	Murray
Brownback	Grassley	Nickles
Bumpers	Gregg	Robb
Burns	Hagel	Roberts
Byrd	Hatch	Rockefeller
Campbell	Hollings	Roth
Chafee	Hutchinson	Santorum
Cleland	Hutchison	Sarbanes
Coats	Inhofe	Sessions
Cochran	Jeffords	Shelby
Collins	Johnson	Smith (NH)
Conrad	Kempthorne	Smith (OR)
Craig	Kerrey	Snowe
D'Amato	Kohl	Specter
Daschle	Kyl	Stevens
DeWine	Landrieu	Thomas
Dodd	Leahy	Thompson
Dorgan	Levin	Thurmond
Enzi	Lieberman	Warner

## NAYS—15

Akaka	Harkin	Reed
Boxer	Kennedy	Reid
Bryan	Kerry	Torricelli
Durbin	Lautenberg	Wellstone
Feingold	Moseley-Braun	Wyden

## NOT VOTING—7

Bingaman	Glenn	Murkowski
Coverdell	Helms	
Domenici	Inouye	

The conference report was agreed to. Mr. McCONNELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider the last vote be laid upon the table.

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

Mr. DASCHLE addressed the Chair.

The PRESIDING OFFICER. The minority leader.

UNANIMOUS-CONSENT REQUEST—  
H.R. 2183

Mr. DASCHLE. Mr. President, I think that we want to finish this foreign operations appropriations legislation, and I hope that we can do it. I hope we can do it sometime soon. I note there are a number of amendments that are left to be considered on this important piece of legislation. I commend our ranking member and the chairman for their efforts in resolving this important piece of legislation in a timely way. There are a number of other amendments that must be considered before we can come to closure.

The question then comes as to what we take up next. Yesterday, we discussed on the Senate floor how important it is that one of the bills that we take up next be the Patients' Bill of Rights, managed care reform. The other piece of legislation, Mr. President, that ought to be taken up immediately is legislation that was already passed in the House, the Shays-Meehan bill, H.R. 2183, the campaign finance reform bill.

Mr. President, the House deliberated on that bill for some time. House Mem-

bers worked their will. They did a good job in dealing with all of the controversial aspects of campaign reform this year. They recognize, as many of us recognize, that we are not going to solve the problem with one piece of legislation. But they made a major contribution to solving the problems we face with regard to soft money and independent expenditures and reporting and enforcement.

Whether or not we move this issue forward will be determined by whether or not we are willing to act in the course of the next 6 weeks. Time is running out. I applaud Senators MCCAIN and FEINGOLD for their news conference this week wherein they said they will press for this legislation, they will offer their bill as an amendment to another bill at some point in the future.

Mr. President, whether it is the McCain-Feingold bill or the Shays-Meehan bill, this Senate must not lose the opportunity to complete its work on campaign finance reform this year. We must have the opportunity to address the issue. We must take up that legislation.

I will be propounding a unanimous consent request at some point this morning—in just a few moments—to ask that campaign finance reform be the next order of business, to ask, again as we did yesterday, that it be laid aside for other important appropriations bills simply because we recognize the urgency of passing appropriations legislation on time. We are way past due. We have not passed a budget. We have not passed any of the appropriations bills. Not one has been signed into law.

Mr. President, to the extent we can do all that we can to resolve the remaining procedural and other related problems on appropriations, we must do so. But there is no question that, as we look to what must be completed prior to the end of this year, the two issues that have to be addressed are the campaign finance reform bill and the Patients' Bill of Rights that we discussed yesterday.

We come to the floor this morning simply to focus attention on the need for expeditious consideration of this legislation, on how critical it is that we, as Republicans and Democrats, agree, as did Members in the House, to make it the kind of priority it deserves to be, to address the array of problems that we have.

I cannot think of a more diverse philosophical body than the House today. We have the far left and we have the far right. We have the extremes on both sides. With all of the extreme positions that Members are capable of taking, they came together and passed the Shays-Meehan bill just before we left.

Mr. President, now it is our turn. Now we have an opportunity to do the same thing. Now we can pass the legislation here. We had a debate earlier. We were disappointed that we were not

able to come to closure on it. But now is the time. The House has acted. So must we.

So far this cycle Republicans and Democrats have spent \$37 million more than the last cycle—\$37 million. Campaigns continue to escalate in cost and degrade in quality. More and more, there is a rush for dollars. More and more questions are asked about how money is raised. More and more, the people are turned off and tuned out by a political process that has gone awry. They ask that we react. They ask that we show some leadership. They ask that we take some steps to correct this situation before it gets even worse. The House heard; and the House reacted. The Senate now must do the same.

There is no better time to do it than now. We all are cognizant of the fact that there are only 60 days left before the next election. Within those 60 days, there will be even more money raised, tens of millions of dollars raised, across this country. As we speak, I guarantee you, there are Senators and House Members and candidates in small rooms everywhere dialing for dollars—incessant dollar dialing that has reached an unprecedented threshold. And the implications of all that money become more serious, the implications for the legislative process, the implications for campaigns themselves, the implications for the democracy that we all treasure.

Mr. President, there has to be an end at some point. We have to curtail this incessant effort to raise more and more money at the cost of the credibility of the American people as they view our campaigns in 1998.

Not all of us are on the floor right now, but if we were, I say with unanimity our Democratic caucus wishes to express the hope that we can pass the Shays-Meehan bill this week, next week, or certainly at some point before we leave. If we pass the Shays-Meehan bill as it passed in the House, which I am prepared to do, I will accept it. I will take the language that was passed in the House and I will send it off to the President. He has already indicated he will sign it. We don't have to go to conference. There is nothing we have to do that would complicate our actions once it passes in the Senate.

So let's do it. Let's agree, as Republicans and Democrats, that it is important to do it now. The time is running out. I urge my colleagues—urge my colleagues—to agree.

Mr. President, I ask unanimous consent that upon the disposition of the foreign operations appropriations bill, the Senate proceed to the consideration of H.R. 2183, the House-passed campaign finance reform bill, that only relevant amendments be in order, that it be the regular order, but that the majority leader may lay the bill aside for any appropriations bills and appropriations conference reports.

Mr. McCONNELL. I object.

The PRESIDING OFFICER (Mr. SANTORUM). The objection is heard.