

One of the things that I think we should identify is something that I had been under the impression the Secretary of Energy was addressing; that was the concern of a number of Governors. I will read the names of those Governors. They include Governor Jeb Bush of Florida; Governor Howard Dean of Vermont; Governor Angus King, an independent, from Maine; Governor John Kitzhaber of Oregon; Governor Jeanne Shaheen of New Hampshire; Governor Jesse Ventura of Minnesota; and Governor Tom Vilsack of Iowa. Let me share with my friends what those Governors have said:

We Governors from states hosting commercial nuclear power plants and from affected states express our opposition to the plan proposed by Energy Secretary Richardson in his February 1999 testimony before the Senate Energy and Natural Resources committee. Secretary Richardson proposes that the Department of Energy take title, assume management responsibility, and pay costs at nuclear plant sites for used nuclear fuel it was legally and contractually obliged to begin removing in January 1998. This proposed plan would create semipermanent, federally controlled, used nuclear fuel facilities in each of our States.

I think it is rather ironic that the whole argument we previously had the last time we took up this legislation was whether or not to site a temporary repository in Nevada. The fear of the Nevadans is, if we started to move this waste out there, Nevada would be the proclaimed site for the waste because it had already moved out there, even though the process of licensing was to continue. Here we have the States expressing the same concern Nevada had when the Nevadans argued against putting a temporary repository in their State and shipping the fuel out before Yucca Mountain was licensed.

Here are the Governors saying:

This proposed plan would create semi-permanent, federally controlled, used nuclear fuel facilities in each of our States.

They have the same fear. The fear is that if the Government takes title, the waste will sit there in their States. Now, there is some rationale in that fear because the Government certainly hasn't been upfront in addressing its responsibility, in contractual terms, to take the waste in 1998. It seems as if the Government is prepared to leave the waste wherever it might be rather than accept it. That is the only conclusion you can come to, as evidenced by the reluctance to take it in 1998, the reluctance to support previous legislation that would put that waste in a temporary repository at Yucca Mountain until Yucca Mountain was determined to be licensed. So now the fear is that these States are going to be stuck with that waste because the Federal Government is going to take control of it in their State, and it will sit there.

Let me cite the specific reasons for the opposition of these Governors. Again, they are Jeb Bush, Republican from Florida; Howard Dean, Democrat from Vermont; Angus King, Independent from Maine; John Kitzhaber,

Democrat from Oregon; Jeanne Shaheen, Democrat from New Hampshire; Jesse Ventura, the Reform Governor from Minnesota; Tom Vilsack, Democrat from Iowa. That is a pretty broad bipartisan group. In the letter, it says:

Specific reasons for our opposition are:

The plan proposes to use our electric consumer monies which were paid to the Federal Government for creating a final disposal repository for used nuclear fuel. Such funds cannot [in their opinion] legally be used for any other purpose than a Federal repository.

Well, if that is correct, then that is correct, they can't be used to store the fuel in those States next to the reactors.

Further, it states:

This plan abridges States' rights. . . .

I think we need to hear a little bit more about States' rights around here.

[I]t constitutes Federal takings and establishes new nuclear waste facilities outside of State authority and control.

Yet within their very States.

These new Federal nuclear waste facilities would be on river fronts, lakes and seashores [where the plants are] which would never be chosen for permanent disposal of used nuclear fuel and in a site selection process.

The plan constitutes a major Federal action—

I think it does—

which has not gone through the National Environmental Policy Act (NEPA) review process.

So the administration is circumventing NEPA.

Further:

The new waste facilities would likely become de facto permanent [waste] disposal sites.

This is the crux of it, Mr. President. They say:

Federal action over the last 50 years has not been able to solve the political problems associated with developing disposal for used nuclear fuel. Establishing these Federal sites will remove the political motivation to complete a final disposal site.

The letter to the President concludes with:

We urge you to retract Secretary Richardson's proposed plan and instead support establishing centralized interim storage at an appropriate site. This concept has strong, bipartisan support and results in the environmentally preferable, least-cost solution to the used nuclear fuel dilemma.

The PRESIDING OFFICER. The Senator has used all his time.

Mr. MURKOWSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mr. MURKOWSKI. On behalf of the leader, I ask consent there be a period

for the transaction of routine morning business, with Senators permitted to speak for up to 10 minutes each.

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

THE LATE SENATOR CARL T. CURTIS

Mr. THURMOND. Mr. President, we begin the new session of the 106th Congress on a sad note, marking the passing of a good friend and former colleague, Senator Carl T. Curtis of Nebraska, who died recently at the age of 94.

For those of you who are new to the Senate, Carl was a great man who rendered a valuable service to his state and our nation throughout his career. First elected to the United States House of Representatives in 1938 and the United States Senate in 1954, Carl holds the record for being the Nebraskan to serve the longest in the United States Congress. In total, he spent almost forty-one years on Capitol Hill before retiring from the Senate in 1979.

During his tenure as a Federal legislator, he earned a well deserved reputation for fiscal conservatism, limited government, and was known as a champion of farmers and agricultural issues. He was party loyalist and a true conservative who never sacrificed personal convictions for the sake of public opinion. Among other issues, he was steadfast in his backing of President Nixon and our fight against communism in Southeast Asia even though these were highly unpopular positions at that time. An indication of his commitment to the conservative cause was the close alliance between he and Barry Goldwater, as a matter of fact, Carl managed the floor during the 1964 Republican Presidential Convention in San Francisco when Senator Goldwater was seeking the nomination of the party. Perhaps most importantly, Carl was known for his commitment to his constituents, nothing was more important to him than helping the people of Nebraska. Such dedication to helping others is truly the hallmark of an individual devoted to public service.

During the course of our time in the Senate together, I came to know Carl quite well as we had much in common, as a matter of fact, he and I both entered the Senate in 1954 and that was not the least of our similarities. Beyond being like-minded on so many issues, we were essentially contemporaries, having grown-up on farms, read for the law instead of going to law school, and preferring to be out meeting with our constituents. It was always a pleasure to work with Carl on any number of issues and I valued his assistance as a Senator and his friendship as an individual. It was a high honor to be asked to serve as an honorary pall bearer by the Curtis family, though I hate to say "goodbye" to my old friend.

Carl Curtis was the embodiment of a public-minded citizen who dedicated