

Basin Pick-Sloan Project to the Crow Creek Sioux Tribe, and for other purposes. The joint hearing will be held at 9:00 a.m. in room 485 of the Russell Senate Office Building.

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

THE SPECIAL COMMITTEE TO INVESTIGATE WHITWATER DEVELOPMENT AND RELATED MATTERS

Mr. SIMPSON. Mr. President, I ask unanimous consent that the Special Committee to investigate Whitewater development and related matters be authorized to meet during the session of the Senate on Thursday, April 25, 1996 to conduct hearings pursuant to Senate Resolution 120.

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

SUBCOMMITTEE ON INTERNATIONAL TRADE

Mr. SIMPSON. Mr. President, I ask unanimous consent that the Caucus on International Narcotics Control be authorized to meet during the session of the Senate on Thursday, April 25 at 19:00 a.m. to receive testimony on the domestic consequences of illegal drug trade.

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

SUBCOMMITTEE ON PARKS, HISTORIC PRESERVATION, AND RECREATION

Mr. SIMPSON. Mr. President, I ask unanimous consent that the Subcommittee on Parks, Historic Preservation, and Recreation of the Committee on Energy and Natural Resources be granted permission to meet during the session of the Senate on Thursday, April 25, 1996, for purposes of conducting a subcommittee hearing which is scheduled to begin at 9:30 a.m. The purpose of this hearing is to consider S. 902, a bill to amend Public Law 100-479 to authorize the Secretary of the Interior to assist in the construction of a building to be used jointly by the Secretary for park purposes and by the city of Natchez as an intermodal transportation center; S. 951, a bill to commemorate the service of First Ladies Jacqueline Kennedy and Patricia Nixon to improving and maintaining the Executive Residence of the President and to authorize grants to the White House Endowment Fund in their memory to continue their work; S. 1098, a bill to establish the Midway Islands as a National Memorial; H.R. 826, a bill to extend the deadline for the completion of certain land exchanges involving the Big Thicket National Preserve in Texas; and H.R. 1163, a bill to authorize the exchange of National Park Service land in the Fire Island National Seashore in the State of New York for land in the Village of Patchogue, Suffolk County, NY.

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

ADDITIONAL STATEMENTS

INTERGOVERNMENTAL MANDATES

• Mr. MURKOWSKI. Mr. President, pursuant to Public Law 104-4, the Com-

mittee on Energy and Natural Resources has requested, and obtained, the opinion of the Congressional Budget Office regarding whether S. 1271, the Nuclear Policy Act of 1996 contains intergovernmental mandates as defined in that act. I ask that the opinion of the Congressional Budget Office be printed in the CONGRESSIONAL RECORD in its entirety.

The opinion follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,

Washington, DC, April 18, 1996.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1271, the Nuclear Waste Policy Act of 1996 as ordered reported by the Senate Committee on Energy and Natural Resources on March 13, 1996, in order to determine whether the bill contains intergovernmental mandates. CBO provided federal and private sector mandates cost estimates for this bill on March 28, 1996. CBO is unsure whether the bill contains intergovernmental mandates, as defined in Public Law 104-4, but we estimate that if there are mandates, they would impose costs on state, local and tribal governments totaling significantly less than the \$50 million threshold established in the law.

S. 1271 would amend the Nuclear Waste Policy Act by directing the Department of Energy (DOE) to:

Begin storing spent nuclear fuel and high-level nuclear waste at an interim storage facility in Nevada, no later than November 30, 1999;

Establish an intermodal transfer facility at Caliente, Nevada, by November 30, 1999, to transfer material from rail facilities to heavy-haul trucks for transport to the interim storage facility;

Enter into a benefits agreement with Lincoln County, Nevada (the site of the transfer facility), and make payments to the county under that agreement as specified in the bill; and

Continue site characterization activities at the proposed permanent repository site at Yucca Mountain, also in Nevada.

In addition, the bill would authorize the appropriation of such sums as are necessary to establish a pilot program to decommission and decontaminate an experimental reactor owned by the University of Arkansas.

While S. 1271 would, by itself, establish no new enforceable duties on state, local, or tribal governments, it is possible that the construction and operation of an interim storage facility as required by the bill would increase the cost to the state of complying with existing federal requirements. CBO has not yet determined whether these costs would be considered the direct costs of a mandate for the purposes of Public Law 104-4.

Interim Storage Facility.—The state of Nevada and its constituent local governments would incur additional costs as a result of the interim storage facility required by this bill. CBO expects that state spending would increase by as much as \$20 million per year until shipments to the facility begin in 1999 and \$5 million per year between that time and the time that the permanent facility at Yucca Mountain begins operations. This additional spending would support a number of activities, including emergency response planning and training, escort of waste shipments, and environmental monitoring. In addition, spending by Nevada counties for similar activities would probably increase, but by much smaller amounts. Not all of this

spending would be for the purpose of complying with federal requirements.

These costs are similar to those that the state would eventually incur under current law as a result of the permanent repository planned for Yucca Mountain. DOE currently does not expect to begin receiving material at a permanent repository until at least 2010, while under S. 1271 it would begin to receive material at an interim facility in 1999. As a result, the state would have to respond to the shipment and storage of waste at least ten years sooner. Further, state costs would increase because it would have to plan for two facilities.

The state could incur substantial additional costs relating to road construction and maintenance as a result of the shipment of waste by heavy-haul truck from the transfer facility in Caliente to the interim storage facility. Based on information provided by DOE, however, CBO expects that the federal government would pay most of these costs.

Federal Payments to State and Local Government.—S. 1271 would authorize payments to Lincoln County, Nevada, of \$2.5 million in each year before waste is shipped to the interim facility and \$5 million annually after shipments begin. In addition, the bill identifies several parcels of land that would be conveyed to Lincoln County by the federal government.

The state government and other governments in Nevada would lose payments from the federal government if S. 1271 is enacted, however. The bill would eliminate section 116 of the Nuclear Waste Policy Act, which authorizes payments to the state of Nevada and to local governments within the state. Section 116 currently authorizes DOE to make grants to the state and to affected local governments to enable them to participate in evaluating and developing a site for a permanent repository and to offset any negative impacts of such a site on those governments. Further, that section authorizes DOE to make payments to the state and to local governments equal to amounts they would have received in taxes if all activities at the repository site were subject to state and local taxes.

In recent years, Congress has appropriated amounts ranging from \$12 million to \$15 million per year under this section for Nevada and for local governments in the state. No funds have been specifically appropriated for these grants in fiscal year 1996, but DOE is authorized to provide funds from other appropriations.

S. 1271 would continue the provision in current law that directs DOE to provide technical assistance and funds to state and local governments and Indian tribes through whose jurisdictions radioactive material would be transported. This assistance would primarily cover training of public safety officials. In addition, DOE would be required to conduct a program of public education in those states. The amount of costs reimbursable under these provisions is very uncertain and would depend largely on the routes selected by DOE for transport of material to the storage sites. Based on information provided by state officials, we believe that states would be unlikely to spend their own funds on these activities unless reimbursed by the federal government.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL, DIRECTOR. ●

THE LINE-ITEM VETO

• Mr. DORGAN. Mr. President, 2 weeks ago President Clinton signed the line item veto into law. I would just like to