who pay their utility bills, because those costs will be passed on from the utility to the ratepayers, $65 million a year more. Over a 25-year life—and it is a minimum of 25 years—it is $1.6 billion.

Let me tell you, Long Island already has the highest energy cost in the Nation. We are going to add another $30 to $35 million a year to that? We have jobs that are fleeing, industries that cannot compete, people who cannot use their air-conditioning in the summer because the rates are so high, the highest rates in the Nation.

So it was not an idle threat when this Senator and my distinguished colleague, Senator MOYNIHAN, indicated to the committee and to the chairman that this provision was not one that was acceptable. As a matter of fact, I assumed, given the promises that were made to us that it was taken care of, that it was dealt with in a way that would not create that burden, and that is what we were promised. That is not the case.

Mr. MOYNIHAN. Will my distinguished friend yield for a question?

Mr. D'AMATO. Certainly.

Mr. MOYNIHAN. He used the word ''threat,'' but then said ''promise.'' The point here is that we had an understanding. Would he not agree we had an understanding?

Mr. D'AMATO. That is correct.

Mr. MOYNIHAN. Would he not agree that this can be changed, but that if the bill is to go to conference, since we cannot bring it back up, it is possible for it to go to conference with an understanding on the part of the conferees that they will not return without a correction having been made?

Mr. D'AMATO. I believe that would be the only way in which we could handle this matter.

Mr. MOYNIHAN. We would not be able to agree to conferees.

Mr. D'AMATO. That is correct.

Mr. REID. Will the Senator from New York yield for a question?

Mr. D'AMATO. Certainly.

Mr. MOYNIHAN. We have two here.

Mr. REID. Whichever New York Senator has the floor. It appears this is a bipartisan statement. I want to make sure it is a nonregional statement, and covers the whole United States. We in Nevada have utilities extremely hindered by the result of what we did to you yesterday.

Mr. MOYNIHAN. We would welcome associates and—I do not presume to speak for my colleague, I just think I can say that we would like to be of help to anybody on this question.

Mr. D'AMATO. Let me assure my colleague from Nevada that it would not be my intent to have this deal just with New York. Indeed, all of those utilities that would be impaired and the ratepayers should not suffer regardless of what State they are in.

Indeed, if your utilities have used tax-exempt bonds—and I imagine they have—they would find themselves in a similar position we find ourselves in.

Mr. REID. I appreciate the answer of the Senator. Nevada Power is the utility that handles the power generation for 67 percent of the people in the State of Nevada and is affected very badly. Therefore, we stand by the New York delegation to assist you in whatever way we can.

Mr. MOYNIHAN. If I may just say, with one last question, does the Senator agree we should speak with our distinguished friend, the chairman of the committee, and see if we cannot work out instructions to the conferees at the time they are appointed?

Mr. D'AMATO. I agree with my colleague and friend, the distinguished senior Senator and ranking member of the committee. That is why I have a great deal of confidence in the Senator's suggestion that this would be a way in which we could work it out.

I am sorry that we had to come to the floor. Let me say, this matter is now one that has been outstanding for approximately a week—more than a week—in which we have been attempting at the staff level to work it out. Then when we find that it has not been done, it gives me great cause for concern, because unless we can get that agreement prior to going to conference, I think we would be foolish to move to conference.

So I hope we can get this agreement worked out. But, failing that, notwithstanding there are some magnificent provisions in this bill—just take a look: giving to employers the educational expenses that my colleague and I have worked to restore, and I am very proud of the fact we worked to restore that. Our graduate students, our nurses who are required to get additional education, right now if the hospitals reimburse them, they have to pay income tax on their tuition. That is silly. We want to encourage education.

The spousal IRA is a wonderful thing. We want nonworking spouses to be able to contribute to an IRA.

Having said that, I do not believe that it is fair to the ratepayers of New York to be stuck with this onerous provision that does little in the way of raising revenue but creates a $1.6 billion hit on our ratepayers.

Mr. President, I thank my distinguished colleague for joining with me, and I certainly hope we can resolve this matter, because I think the legislation is good, it is important, I want to see it passed, and I certainly hope we can work this out before this matter goes to conference.

I yield the floor. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I ask unanimous consent that the brief statement that I made will not consist of a second speech on the same issue. I am going to talk now on the underlying bill.

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

NUCLEAR WASTE POLICY ACT

Mr. REID. Mr. President, I advised my colleagues, Senator STEVENS and Senator INOUYE, that I have been very patient here, but I think it would be to their interest if they went back to their offices and spent the afternoon doing something more profitable. I am going to talk here for as long as I am able to do so, which may take 4 or 5 hours. I may get tired after that.

But I have been over here. I told my friends I would not object to the defense appropriations bill being brought up, which I will not do. But I have been listening to what has gone on here this afternoon, and I think that we should talk about things that are important to talk about.

I have had the good fortune, since I came to the Senate, to be able to serve on the Appropriations Committee with my friend from Alaska, the senior Senator from Alaska, and the senior Senator from Hawaii. I have only the greatest respect for them and the work that they have done all the time I have served with them on the Appropriations Committee.

I think they have rendered great service to the country in the way that they have handled the appropriations bills every year that I have been on the committee. I am sure that will be the same this year. I am sure when the appropriations bill comes up, that I will support that appropriations bill. I am not on the subcommittee, but I have watched with interest and sometimes in awe at the way they have handled the bill.

But, Mr. President, there comes a time in the life of a Senator when you have to talk about principle. Even though I have the deepest respect for Senator STEVENS and Senator INOUYE, I am going to have to take a little time with my colleague, Senator BRYAN, and talk about what is happening to the State of Nevada.

We have heard some lectures here this afternoon about moving to important things. We talked about something dealing with the Travelgate and Billy Dale. I am sure that is important, and I think we should spend some time debating that issue. I am willing to do that at the right time.

Mr. President, we have a matter that we have been told is going to be brought up, S. 1936, the Nuclear Waste Policy Act of 1996, which is a fancy name for putting, without any regulation or control or safeguards, nuclear waste in Nevada. In effect, what they will do is pour a cement pad and start dumping nuclear waste on top of the ground. That is about it. We cannot allow that to happen without putting up a fight.

I regret that the Senate has decided to take its limited and valuable time

to consider this needless and reckless bill. That is what it is. It is needless because the President of the United States, Bill Clinton, said he is going to veto the bill. He said so in writing and he said so publicly. The last time he said it publicly was in Las Vegas, NV. But we are in some political season here where chits are being exchanged or whatever.

Give me a reason why you would bring up a nuclear waste bill that the President said he is going to veto when we have 12 appropriations bills to do? According to an hour-long speech I have listened to here today, we have Billy Dale we are concerned about. We have not done anything with health care reform, and should do that sometime, should take a couple days debating that.

Mr. President, we have more important issues that deserve our attention. I wish we would spend a little time here debating organ transplantation. I wish we would take a day here and tell the American public how important that is. The Chair understands how important it is. I was in the House of Representatives, served on the Science and Technology Committee. AL GORE, now the Vice President of the United States, was a Member of the House from Tennessee, and he was chairman of the subcommittee called Investigations and Oversight.

We held a hearing that lasted several days on organ transplantation. I will never forget as long as I live a little girl by the name of Jamie Fiske, a girl that came to see us. She was yellow. Her color was so bad because she needed a liver. As a result of the publicity from that hearing, Jamie Fiske was a lucky little girl. She got a new liver. As a result of that, her color changed. She became a healthy little girl.

We have not traveled that far since those hearings 12 years ago. I would like to be here debating what this body can do about organ transplantation. We do not have to spend the fortunes of the United States to do that. We just have to make it easier for people to do that.

I carry in my wallet, Mr. President, in case something happens to me, attached to the back of my driver's license, an organ donor card, it reads, ''Pursuant to the Uniform Anatomical Gift Act, I hereby give, effective on my death, any needed organs, tissues, eyes, parts for medical research.'' And, Mr. President, they can have anything they want.

I wish we would spend a little time talking about that, rather than a bill that is going nowhere except take up time here and embarrass the Senators from Nevada and take up our time and that of the President. There will have to be a conference if, in fact, it passes.

S. 1936 is being offered as a replacement for the 1982 Nuclear Waste Policy Act, as amended. The 1982 act says that the State that gets the permanent repository is not going to jump with joy, but the thought was we will go through some scientific observations and experimentations and determine if it is safe to have a permanent repository in a State.

In 1986, the law was changed where previously we were going to have three sites that would be chosen; the first site, second site, and third site. The President would be able to observe these three sites, and when it came time to put nuclear waste in one of these containment areas, he would choose between the three. It would not be as political. If one proved not to be scientifically proper, he would still have two others.

In 1986, for a lot of reasons, most of which were political—everyone acknowledges that now—two sites were eliminated. Texas was eliminated and the State of Washington was eliminated. Nevada now is the State. The law said—and was not changed in 1986—it said you cannot have the permanent repository and the temporary repository in the same State. It seems fair. But what this bill is going to do is take away what limited fairness we have. It is going to say you can put them both in Nevada.

It is a replacement. S. 1936 is a replacement that guts the existing law of its environmental and safety provisions and forces the Government to take responsibility for the waste and liabilities of the nuclear power industry.

Mr. BRYAN. Will the Senator yield for a question?

Mr. REID. I will yield to the Senator for a question, with the understanding that it would not violate the two-speech rule and when the Senator's question is asked and answered I would retain the floor.

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

Mr. BRYAN. As I understand what the Senator is indicating, in the 1982 Nuclear Waste Policy Act, we would have an attempt to find a suitable location, we would canvass America. We would look for the best location, wherever it would be, whether the formation would be granite in the Northeast or the salt dome formations in the South, or whether it would be tuff in Nevada, and that after that search was made, that there would be three sites that would be studied and referred to the President of the United States, and that one of those sites would ultimately be chosen.

If I understand what the Senator from Nevada is saying, that the 1986, 1987 changes to the law in effect said no longer do we search the country for the best site. Forget those criteria. We will just study, in terms of a permanent repository, the State of Nevada, and that at that time we had some assurance and some protection in the sense of equity or fairness that a State could not be studied for a permanent site, as I understood the Senator to say, that No. 1, you could not locate a temporary facility until after the permanent site was sited, and that, second, a State could not be both a permanent and a temporary site. I believe that is what I understood the Senator to say. The Senator can perhaps enlighten me if I misstated that case.

Mr. REID. The Senator is absolutely right. No one in this world who knows the nuclear waste issue has worked harder on the issue for the people of the State of Nevada in this country than the former Governor of Nevada and the present junior Senator from Nevada. He is a wealth of wisdom and knowledge on this issue, and he understands as much, if not more, than anyone else how the State of Nevada has been put upon.

Now, we do not like it, but we have accepted the characterization of going forward with the permanent repository. There is a tunnel, Mr. President, that is in that mountain, as large as this room and 2 miles deep, right into the side of a mountain, dug with a machine like a large auger. Now, we do not like it, but they are doing it. It is being done scientifically.

Now, I do not especially like how the DOE has conducted itself, but the truth of the matter is the Department of Energy has gotten all kinds of mixed signals from the Congress. We cannot blame it all on them.

As it will be developed during my remarks here this evening, Mr. President, you cannot fix important problems when you do not give individuals, organizations, and institutions enough time to fix them.

This proposal in S. 1936 is corporate welfare at its worst. It will needlessly expose people across the America—not Nevada, but across America—to the risk of nuclear accidents, I say in the plural. It is a replacement that guts existing law of its environmental and safety provisions and forces the Government to take responsibility for the waste and liability of the nuclear power industry.

Now, we are trying to get Government out of things. But not here; we are putting Government back in things. The existing Nuclear Waste Policy Act need not be changed or replaced.

As I have indicated, Mr. President, we do not like the permanent repository going forward in Nevada, but it is going forward. But not fast enough for the corporate giants. They want it to happen yesterday. They want it to happen without adequate safety, environmental, and science checks. Let it go forward and do not short-circuit it with this interim storage fiasco.

The present law is providing an adequate framework for the current program plan. It is being implemented by the Department of Energy to provide for the long-term disposition of nuclear waste.

Mr. President, as I have indicated, progress is being made on the scientific investigation of a permanent repository at Yucca Mountain. The exploratory tunnel is already, as I indicated, miles into the mountain.

Our Nation's nuclear powerplants are operating and have the capability to manage their spent fuel for many decades. There is no emergency, and there will be no interim storage problem for decades.

The current law has health, safety, and environmental safeguards to protect our citizenry from the risks involved in moving and disposing of a high-level nuclear waste. S. 1936 would effectively end the work on a permanent repository and abandon the health, safety, and environmental protection the citizens of Nevada and this country deserve.

Mr. President, as we talk about this today, we are going to find it is not only Nevada citizens that should be concerned, but they are going to be transporting tens of thousands of tons of nuclear waste across this country. They are going to be transporting the most poisonous substance known to man. How are they going to transport it? On trucks and railroad cars.

Mr. CONRAD. Will the Senator yield?

Mr. REID. I yield as long as there is an agreement it would not violate the two-speech rule, and that I would retain the floor.

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

Mr. CONRAD. I have been following this issue with some interest and note the strong interest of the Senator and his colleague, Senator BRYAN, with respect to this issue. Obviously, you have a very strong State interest.

I have been attempting to understand the full dimensions of this controversy. I notice on my schedule that I have individuals from the utility in my region coming in to see me tomorrow or the day thereafter with respect to this question. I wanted to have the opportunity to be able to ask a few questions in preparation for that meeting, if you do not mind.

The issue, as I understand it, is the question of an immediate storage capacity, and the question of whether or not you take the steps now to have that capacity located in the State of Nevada. Is that basically the question before the Senate?

Mr. REID. Yes, that is absolutely the case. I say to my friend from North Dakota, I have only been to North Dakota once in my life. That was to meet with a number of people in North Dakota. Some of the people with whom I met were people from the power industry. I was very impressed with the State of North Dakota and how it helped supply power for much more than the State of North Dakota. It was quite impressive, to be quite frank.

I say to my friend from North Dakota, and I hope he would convey this to the people that he is going to meet with tomorrow, having said that, I have been to North Dakota, been to Beulah. Right outside Beulah, they have this large power-generating facility. We in Nevada are not happy that they are putting the permanent repository there. They are characterizing it. But we have come to accept that. It is going forward. They are characterizing it.

What I say to the people from the power interests that are coming to see the Senator, why do they not let that move ahead, move ahead the way it is scheduled, not try to rush things? That is what has messed up this whole program. Everyone is trying to put science behind time schedules. You cannot do that.

As I have indicated, they have a hole as large as this room, 2 miles into the side of the mountain. They moved a great way in making progress, but let me ask my friend from North Dakota to explain to those people that they are going to ruin everything that they have worked for by trying to short-circuit this.

The President of the United States, who has no dog in this fight, said he will veto this bill. This is unfair to do it to a State, any State, but particularly Nevada, because we have the permanent repository.

Also, with the permanent repository, there are certain scientific guidelines that have been established. I say to my friend from North Dakota, let me show my friend what this bill does. Radiation exposure under this bill, anything you look at in millirems per year, are real low. Safe drinking water is way down here at 4; low-level nuclear waste, 25; also EPA and independent spent nuclear fuel storage—until we get to interim storage—100 millirems per year, four times what anybody else is asked to bear.

Mr. CONRAD. Can I ask the Senator if there are any scientific bases for that 100-millirem provision in this equation?

Mr. REID. I make a parliamentary inquiry.

Mr. President, when the Senator from Nevada is asked a question, is it necessary, as I already have received unanimous consent on one occasion, that I would not violate the two-speech rule by answering the question, and I retain the floor following the question to be answered? Do I need to repeat that each time that a question is asked?

The PRESIDING OFFICER (Mr. THOMPSON). That request is not necessary so long as you yield only for the question.

Mr. REID. As long as I yield only for a question.

Mr. CONRAD. I stipulate for the RECORD that I would like to engage the Senator from Nevada in a series of questions and responses, and we would stipulate that they would yield a response to questions. Is that appropriate, so that we do not have any question that these are questions that are being posed by the Senator from North Dakota to the Senator from Nevada?

I ask unanimous consent that we just have an understanding that these be all understood to be questions posed by the Senator from North Dakota to the Senator from Nevada.

The PRESIDING OFFICER. Is there objection?

So long as they are questions, without objection, it is so ordered.

Mr. CONRAD. I thank the Chair. As I indicated before, I am going to have this meeting, and I want to be certain that I understand this issue very well before I have that meeting. I want to thank my colleague from Nevada for indulging the Senator from North Dakota so I can get these questions answered.

Is there any scientific basis to this 100-millirem level that is provided for in this legislation?

Mr. REID. Absolutely none. There has been no evidence produced at hearings that this is adequate. There have been no scientific documents submitted. Everything is quite to the contrary. But I do not know anyone in the scientific community that would ever suggest that.

Mr. CONRAD. So we do not have anything from the National Academy of Sciences, for example, or anything from the National Institutes of Health? We do not have anything from any of the relevant agencies or departments that would say to us that this 100-millirem standard is one that meets some scientific test; is that correct?

Mr. REID. Absolutely true. During the time that the Senator was asking the question, I wanted to make sure that I was confident that the answer was correct. So I leaned over my shoulder to my colleague from Nevada, and he nodded that I was absolutely right. I have never seen anything to suggest that 100 millirems is appropriate in any way.

Mr. CONRAD. If I might further inquire, do either of the Senators from Nevada—the Senator who currently has the floor—know what would the cost be of this interim storage facility?

Mr. REID. This is interesting. Each site—and we have a little over 100 nuclear waste generating facilities in the United States—it would cost about $6 million per site to store nuclear waste where it now exists.

Mr. CONRAD. That would be a dry cask storage?

Mr. REID. Yes. Now, the dry cask storage container would cost—in addition to making that acceptable for temporary storage, but as I will develop during my remarks, you do not have the transportation problems. I also say to my friend that the National Academy of Sciences recommends for this 10 to 30 millirems, which is right here on the chart.

Mr. CONRAD. They have made a specific recommendation with respect to the potential risk, and they have asserted that a 10- to 30-millirem standard is appropriate. But this legislation has a 100-millirem standard; is that right?

Mr. REID. The Senator from North Dakota is absolutely right. The answer is still the same. Nobody ever suggested that 100 is appropriate. The National Academy of Sciences has suggested 10 to 30 millirems.

Mr. CONRAD. Again, I would like to go back to the question of cost, if I could, because I think that is an important consideration in anything we do around here to anybody who appreciates, as the Senator from Nevada does, the intense budget pressure that we are under. The first question I always ask my staff on any legislation that is brought to me is, ''What does it cost?'' Could the Senator from Nevada tell me what the estimated cost is of this temporary storage facility?

Mr. REID. I am happy to. The operating cost for on-site dry cask storage amounts to about $1 million per year per site. It is $6 million to establish it and, after that, $1 million per year.

Mr. CONRAD. So that would be the sites that would be at some 100 locations where we have nuclear power facilities around the country; is that correct?

Mr. REID. Yes, in cooling ponds. Some of them are saying, ''We are getting to capacity, so what should we do?'' What we and the scientists say is, ''If you want to leave it on-site, you can establish a site for dry cask storage containment for $6 million, and after you get it in the cask, it will cost $1 million a year to keep an eye on it.''

Mr. CONRAD. Then the question is, what is the alternative? If we go to a temporary storage in the State of Nevada, what would the cost of that approach be? Do you have an estimate of that?

Mr. REID. We do not have an estimate. The reason is that the cost of transportation is significant. We have here another chart. This is a sign of nuclear—do you understand what I am saying?

Mr. CONRAD. Yes.

Mr. REID. If we eliminate those, we have to transport these, probably now about 50-some-odd thousand metric tons of nuclear waste. This is how we would transport it. The cost is very significant, because what they have decided is that they would have to move most of it by rail. But to get it to rail, they have to go by trucks to get it to some of the rail sites. My staff just tells me that the information we have been given is that the interim site would cost $1.3 billion, plus the transportation.

Mr. CONRAD. It would cost $1.3 billion for the interim site itself?

Mr. REID. That is right, plus transportation.

Mr. CONRAD. The transportation would be in addition. So it would cost $1.3 billion, and the alternative, as you have outlined, would be $6 million per site, plus $1 million a year.

Mr. REID. That is right.

Mr. CONRAD. Well, do we have any estimate of once you have established this site—which would cost $1.3 billion initially, and have on top of that the transportation cost—what the annual operating cost of that facility would be?

Mr. REID. It would be around $30 million a year.

Mr. CONRAD. About $30 million a year. We are talking about, obviously, a very substantial expenditure. Is this an expenditure by the Federal Government, out of the Federal coffers, the $1.3 billion?

Mr. REID. Yes, because they have asked the Federal Government to take over the project. Up to this time, much of the expense has been borne by ratepayers at so much per kilowatt per electricity into this fund. The fund has been used to repair the nuclear repository. I tell the Senator some interesting statistics. This will make the people shudder, and the Senator from North Dakota is one of our budget experts here, so he probably will not shudder as much because he has gotten used to things like this.

When the 1982 act passed, everyone was told that characterization would cost about $200 million.

Mr. CONRAD. That is with an ''M,'' not a ''B''?

Mr. REID. That is right. But now the estimate is about $7 billion.

Mr. CONRAD. So it is loaded by a factor of 35.

Mr. REID. They were a little off. They are now approaching $3 billion for what they have done at Yucca Mountain. I say, without placing all the blame on the Department of Energy, a lot of it has been, I repeat, trying to put time ahead of science. They get mixed signals to do this and do that. It has made it an impossible situation. But its move forward has been two steps forward and one step back. But they have made tremendous progress in the deserts of Nevada to determine if Yucca Mountain is scientifically proper for geological burial of nuclear waste.

Mr. CONRAD. The question that I have is this. The Federal Government is going to take on this expenditure, the $1.3 billion; is that financed by the ratepayers, or does this come out of the Federal Treasury, the $1.3 billion?

Mr. REID. Mr. President, that is a debatable issue. There are some who say that the ratepayers should continue and it should not be appropriated money of the United States. But there are others who are saying we are going to sue you, the Federal Government, because you do not have a place to put nuclear waste like you told us you would. So we are going to sue you and make the Federal taxpayers pay for it because the timeline for having a repository first in Washington, Texas, and Nevada has slipped.

Mr. CONRAD. So what we may have here is another lawsuit, or series of lawsuits, endless litigation no doubt with respect to the question of who pays?

Mr. REID. Yes. I also say to my friend from North Dakota that there are many who say that there is no problem the way things now stand. The Nuclear Waste Technical Reviewing Board clearly stated:

> The board sees no compelling technical or safety reason to move spent fuel to a centralized storage facility for the next few years.

This a statement they just made:

> The methods now used to store spent fuel at reactor sites are safe and will remain safe for decades to come.

Mr. CONRAD. Let me ask this question. We do not have any nuclear facility in North Dakota. We have some customers in North Dakota who are part of the NSP. NSP has a nuclear plant in Minnesota. So some of our customers in North Dakota have been paying into a fund for some period of time to handle their spent fuel. But as I am hearing the Senator, we could have here a transfer of costs to other taxpayers in North Dakota to take on what would be a Federal facility. In other words, the taxpayers of North Dakota, most of whom have not been benefited by nuclear power, would be asked to pay as Federal taxpayers the Federal share of this facility that would be located in Nevada.

So would I be correct in assuming that North Dakota taxpayers would be asked to take on this burden which has been created by an industry that has been benefiting folks largely not in the State of North Dakota?

Mr. REID. I believe that is absolutely true. I say also to my friend that, first of all, everyone acknowledges that the Federal Government should pay for defense wastes. And the nuclear waste fund—the money we get from the ratepayers—is supposed to take care of the permanent repository. But there are even some who say that is underfunded; that the taxpayers will have to accept responsibility for that.

Finally, I respond to my friend that there is no reason for any of this. I repeat for the third time here today. I do not like the permanent repository in Nevada. It is unpopular. Any place Senator BRYAN or Senator REID goes in the State of Nevada, the seventh-largest State in America, any place we go, whether it is in Elko in northern Nevada, in the far northeast, or Nelson, in the far south, wherever you go the first thing people talk about is nuclear waste.

I am saying there is no need to have this problem. We do not like the permanent repository. But there is no need to compound the problem, not only for the people of Nevada but for the whole country.

I say to my friend from North Dakota, these are not figures that I came up with. These are from the Department of Transportation and the Department of Energy. These are 43 States at risk. This is where the nuclear waste is going to have to go.

Mr. CONRAD. Is North Dakota on that list?

Mr. REID. North Dakota is not on that list.

Mr. CONRAD. I am relieved to find that out.

Mr. REID. You are one of the seven. You are very fortunate. But North Dakota is located in the perimeter of this State. As we have learned, North Dakota produces a lot of things. But one

thing it produces is very good students. We have heard Senator MOYNIHAN lecture about that. For whatever reason, people from North Dakota do very well in school.

Mr. CONRAD. Do especially well in math, I might add.

Mr. REID. I know one Senator from North Dakota who does well in math.

But we have 43 States, and they are at risk because of the truckloads—Arizona, 6,173 truckloads of nuclear waste; 783 trainloads of nuclear waste.

We would go through the list. When you get to Missouri, it has almost 8,000 trainloads. This is unnecessary. We do not need to fill a single truck or a single train with nuclear waste.

Do what the Nuclear Waste Technical Review Board says: Leave it where it is until we get the permanent repository, and then you move it once.

Mr. CONRAD. If I could just wrap up, I appreciate very much the patience of my colleague. Tomorrow or the day thereafter when the people from the utility in my region of the country—not directly from North Dakota—come to see me, I presume that their key message will be, ''Senator, we have a problem developing because our pools are filling with this waste, and we have to move it somewhere. We have to do something with it.'' What would the Senator's answer be to those folks if they presented him with that question?

Mr. REID. I would say that the Nuclear Waste Technical Review Board, which has no interest in this other than to do the right scientific thing, says: ''The board sees no compelling technical or safety reason to move the spent fuel to a centralized storage facility.''

Mr. CONRAD. Their judgment is that it ought to be left in the locations where it is today, and to the extent that the ponds that are the current repository are filling that they move those quantities to dry cask storage.

Is that the essence of their recommendation?

Mr. REID. That is the statement of the Senator. I have read verbatim what they have said. I feel very confident in stating that the board knows—I am talking about the Nuclear Waste Technical Review Board—that of the more than 100 operating nuclear power reactors at 75 sites in 34 States, 23 will require additional storage space probably before the turn of the century. They are saying those 23, just leave them like they are. They have seen them, studied them, do not worry about them. The cooling ponds are fine. But if you have to move them to dry cask storage then do that.

Mr. CONRAD. Then that would be their recommendation. In those places where the ponds have reached their capacity, or about to reach their capacity, those quantities be moved to dry cask storage on the spot, not be transported to an interim facility, but wait for the long-term repository.

Mr. REID. That is right.

Mr. CONRAD. If I could just finish by asking my colleague, what is the schedule for the creation and development of a permanent repository? Is that something that is anticipated to be done in 10 years or 20 years?

Mr. REID. We expect a final decision to be made probably in the year 2009.

Mr. CONRAD. That would be a decision made.

Mr. REID. Yes. But that is when they start moving. That is when they declare the site scientifically safe.

Mr. CONRAD. At that point would it be operational?

Mr. REID. Yes. The dates slip a little bit.

Mr. CONRAD. Thirteen or fourteen years from now.

Mr. REID. Yes.

Mr. CONRAD. I thank my colleague from Nevada for this chance to get some of my questions answered. I appreciate very much the efforts that he and his colleagues have put into this thing.

I must say I have rarely seen two colleagues more determined on an issue than Senator REID and Senator BRYAN. I think it speaks volumes to our colleagues. It speaks volumes to this Senator about the seriousness with which they regard this issue; the time they have taken in our caucus; the time they have taken on the floor; the time they have taken individually to alert colleagues as to the critical nature of this issue for their State.

If I resided in Nevada I would be very proud to have two Senators like Senators REID and BRYAN representing me because one thing you want, whoever you send here, when there is a time to fight for your State that somebody is going to stand up and fight.

I must say I have not reached a conclusion on this issue. I have more to learn. I want to hear from both sides before I reach a conclusion. But if there are ever two men who are fighting for their State, I must say it is Senators REID and BRYAN.

I would like to conclude by saying that I admire and respect the effort that you are making on behalf of the citizens of Nevada.

Mr. REID. I appreciate the penetrating questions of the Senator from North Dakota.

I only respond that I have been in this body as long as the Senator from North Dakota. We came at the same time. I think it is important to remind the people of America that the Senator from North Dakota, as far as this Senator is concerned, speaks volumes of what integrity is all about.

I will remind people—and I am sure it is embarrassing to the Senator, but I will say it while he is on the floor—the Senator came to Washington at the same time I came to the Senate, and he said that he felt the No. 1 responsibility was to reduce the deficit. When the deficit was not reduced as much as he thought it should be, he decided not to run for office, and he did not.

I also say that the Senator has been very complimentary to the two Senators from Nevada about the issue about which I address the Senate today, but I say to the people of North Dakota, I have learned a great deal in the 10 years I have served in the Senate with the Senator from North Dakota, because in North Dakota anything dealing with agriculture is a burning issue, and I have watched the Senator, since my colleague has come to the Senate, devour the rest of the Senate on agricultural issues. So I appreciate the nice remarks, but certainly it is mutual admiration.

Mr. President, as I have spoken, we have a lot to do in this body. As I indicated, my good friend from the neighbor State of Utah has spoken about an issue, and he has spoken very fervently. The chairman of the Judiciary Committee has stated that he feels we should do something about the Billy Dale matter, attorney's fees and cost reimbursement.

I think there are some issues that we need to talk about. I would like to talk about some of those issues. That is why I am talking here today. We should be talking about issues that the President has said, ''I am not going to veto that.'' You heard the Senator from Utah; he said that the President would accept a Billy Dale bill. He has said, on the matter about which I speak, S. 1936, he will veto it. He has not said it once. He said it many times.

You will note that Senator Dole did not bring up this matter. Why did he not bring it up? I would think that he probably has a pretty good idea about Presidential politics. I think he knows that in Nevada, there are a lot of important issues, but there is nothing that is at the top of people's lists like nuclear waste. He said he is going to veto it. He has said it in Washington. He has said it in Nevada. And he will veto it.

If there is anybody who believes that Clinton will not sweep the State of Nevada if he vetoes this, they have got another think coming. He carried the State 4 years ago. Right now, the polls show Clinton ahead a little bit in Nevada. But if he vetoes this bill, he will be a long ways ahead in Nevada. That is why Senator Dole did not bring it up, because he knew that when November comes, this election is going to be pretty close, even though Nevada is not a real populated State—we now only have two congressional representatives—in the next census, we will probably have three or four, but right now we only have two, meaning we have four electoral votes, and that could make the difference in this election. That is why Senator Dole did not bring up this issue.

It is my understanding, Mr. President, that our colleague from Indiana is present, and that he wishes to recess for a short time so that he can introduce a parliamentary delegation.

I ask unanimous consent that I not lose any privileges of the floor, that I retain the floor as soon as the 10-minute recess is ended, that I lose no rights, privileges, or other matters

that may be at my disposal as a result of this brief 10-minute recess.

Is there agreement to that, Mr. President?

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. REID. I would therefore on those conditions yield to my distinguished colleague from Indiana for the introductions.

The PRESIDING OFFICER. The distinguished Senator from Indiana.

VISIT TO THE SENATE BY MEMBERS OF THE EUROPEAN PARLIAMENTARY GROUP

Mr. LUGAR. Mr. President, I thank the distinguished Senator from Nevada for his cooperation. Likewise, I'd like to thank all Senators who are with us, and staff.

It is my privilege and honor to have the opportunity to welcome on behalf of the entire Senate a distinguished delegation from the European Parliamentary Group who are here for the 44th European Parliament and U.S. Congress Interparliamentary Meeting. This delegation, which is led by Mr. Alan Donnelly, from the United Kingdom, and Mrs. Karla Peijs, from the Netherlands, is here to meet with Members of the Congress and other American officials to discuss a wide range of issues of mutual concern.

The European Parliament plays an increasingly important role in shaping the new Europe. Parliament's authority has been expanded recently. It will continue to play a central role in the many challenges and opportunities facing Europe as European nations build upon free market economics, as they deepen the roots of democracy, as they define their relationships with Russia and the former Warsaw Pact countries and reach out to the rest of the world to forge viable economic, political, and security linkages.

Continued contact with and strong relations between the European Parliament and the U.S. Congress are essential in developing better economic relations with Europe and in reinforcing the many common goals which bring us together.

I ask all of my colleagues to join me in welcoming individually, by greeting them by hand, each of the distinguished parliamentarians who are here today from the European Parliament.

Mr. President, I ask unanimous consent that a list of all of the delegation be printed in the RECORD.

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

EUROPEAN PARLIAMENT DELEGATION FOR RELATIONS WITH THE UNITED STATES, JULY 1996

SOCIALIST GROUP (PSE)

Alan Donnelly (U.K.) Chairman.
Jean Pierre Cot (France).
Mrs. Ilona Graenitz (Austria).
Ms. Irini Lambraki (Greece).
Mrs. Bernie Malone (Ireland).
Gerhard Schmid (Germany).
Erhard Meier (Austria).

EUROPEAN PEOPLE'S PARTY (PPE—CHRISTIAN DEMOCRATS)

Mrs. Karla Peijs (Netherlands) Vice Chairman.
Ms. Mary Banotti (Ireland).
Bryan Cassidy (U.K.).
Reinhard Rack (Austria).
Elmar Brok (Germany).
Giampaolo D'Andrea (Italy).
Paul Rübig (Austria).

UNION FOR EUROPE GROUP

Raul Miguel Rosado Fernandes (Portugal).
Franco E. Malerba (Italy).

Mr. LUGAR. It is, indeed, a privilege to have this delegation with us, and I appreciate the time taken by the Chair and by the Senators so that we may have an opportunity to greet this distinguished delegation. I encourage all of us to do so before we proceed with our debate.

I thank the Chair.

RECESS

Mr. LUGAR. Mr. President, I ask unanimous consent, under the conditions stipulated by the distinguished Senator from Nevada, that the Senate stand in recess for 5 minutes.

There being no objection, the Senate, at 4:37 p.m., recessed until 4:46 p.m.; whereupon, the Senate reassembled when called to order by the Presiding Officer (Mr. THOMPSON).

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. The Senator from Nevada has the floor. I wonder if I can have unanimous consent that I not lose my right to the floor. I want to speak with the majority leader.

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

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

The PRESIDING OFFICER. There is no quorum call in progress.

The Senator from Nevada.

NUCLEAR WASTE POLICY ACT

Mr. REID. Mr. President, as we were discussing before the senior Senator from Indiana asked for a recess for the European Parliamentarians, we have a lot to do in this body. I hope we can do a welfare reform bill. It is part of the Democratic families first agenda. It is something my colleagues on the other side of the aisle have said that they want to pass, and I believe that.

I am a member of the Environment and Public Works Committee. I have responsibilities with my friend from Idaho, Senator KEMPTHORNE. I am the ranking member of a subcommittee, and we passed out of this body, with bipartisan support, a safe drinking water bill. That conference is now ready to meet. We should get a bill back here and debate that conference report and pass, for the people of this country, the Safe Drinking Water Act.

Health care reform: Health care is important. There is no way that we are going to be able to do all that needs to be done with health care, but we need to do what is possible to go with health care. Can we not do the portability of insurance? Can we not handle preexisting disability? We need to finish that important issue.

The only appropriations bill that we have passed is one that is chaired by the junior Senator from Montana, and I am the ranking member of that subcommittee, military construction. It was a bill that passed here on a bipartisan basis. We had very good debate on the underlying issues when the defense authorization bill came up. We had fully exhausted talking about those military construction matters when the military construction appropriations bill came up. When it came up, it passed out of here without a contrary vote.

There are many things that we need to do here that are doable, but the more time we waste on issues like nuclear waste, an issue that the President has said he is going to veto—interim storage—we are taking away from the important matters at hand.

I repeat, we were lectured today by my friend, the senior Senator from Utah, about the situation with the White House Travel Office. Listening to my friend from Utah, I think that is an issue that needs to be debated at length, because there are two sides to every story. Maybe Billy Dale is entitled to be compensated for all of his attorney's fees, but that would set a kind of strange precedent in this body that any time a Federal prosecution goes awry, we reimburse the defendant, who is acquitted, for his attorney's fees? Think about that one as a precedent-setting matter.

I have also seen a letter that was written on Billy Dale's behalf to the Justice Department that he would agree to plead guilty to a felony. I have also seen that one of the reasons that criminal prosecution was considered is he used to take part of the money home with him every night—I do not know about every night—but he would take cash home with him, kept it in his home. I think that would raise some suspicions in some people's minds.

Maybe Billy Dale is entitled to be reimbursed for his expenses. Maybe there are some overwhelming merits on his behalf of which I am not aware. But it is not a slam dunk, as the Senator from Utah would lead us to believe.

So, should that not be something we talk about here? The President has not said he is going to veto that. But, no, what we are being told is we are going to go to S. 1936, a bill that the President of the United States, Bill Clinton, has said he is going to veto. It will take up time of this body and take up time of the other body in conference.

The President said he is going to veto it. Why should he not veto it? It is one of the most irresponsible pieces of legislation that I can even imagine. I am sure there are more, but I do not know what they would be.