

Democratic leader and trying to identify the serious amendments and see if we can get an agreement and deal with those in a reasonable period of time.

The Department of Defense appropriations bill is very important for the country. We need to get that done in a reasonable time tomorrow. So Senators should be on notice that a late session is expected in order to complete action on the Department of Defense appropriations bill tomorrow.

#### IRAN OIL SANCTIONS ACT OF 1996

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar 450, H.R. 3107.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 3107) to impose sanctions on persons exporting certain goods or technology that would enhance Iran's ability to explore for, extract, refine, or transport by pipeline petroleum resources, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

AMENDMENT NO. 4588

(Purpose: To make sanctions against investments that contribute to the development of Libya's petroleum resources mandatory rather than discretionary)

Mr. LOTT. Mr. President, I understand that there is an amendment at the desk offered by Senators KENNEDY and D'AMATO. I ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] for Mr. KENNEDY, for himself and Mr. D'AMATO, proposes an amendment numbered 4588.

Mr. LOTT. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 7, line 8, strike all through page 8, line 20 and insert:

(b) MANDATORY SANCTIONS WITH RESPECT TO LIBYA.—

(1) VIOLATIONS OF PROHIBITED TRANSACTIONS.—Except as provided in subsection (f), the President shall impose 2 or more of the sanctions described in paragraphs (1) through (6) of section 6 if the President determines that a person has, with actual knowledge, on or after the date of the enactment of this Act, exported, transferred, or otherwise provided to Libya any goods, services, technology, or other items the provision of which is prohibited under paragraph 4(b) or 5 of Resolution 748 of the Security Council of the United Nations, adopted March 31, 1992, or under paragraph 5 or 6 of Resolution 883 of the Security Council of the United Nations, adopted November 11, 1993, if the provision of such items significantly and materially—

(A) contributed to Libya's ability to acquire chemical, biological, or nuclear weapons or destabilizing numbers and types of ad-

vanced conventional weapons or enhanced Libya's military or paramilitary capabilities;

(B) contributed to Libya's ability to develop its petroleum resources; or

(C) contributed to Libya's ability to maintain its aviation capabilities.

(2) INVESTMENTS THAT CONTRIBUTE TO THE DEVELOPMENT OF PETROLEUM RESOURCES.—Except as provided in subsection (f), the President shall impose 2 or more of the sanctions described in paragraphs (1) through (6) of section 6 if the President determines that a person has, with actual knowledge, on or after the date of the enactment of this Act, made an investment of \$40,000,000 or more (or any combination of investments of at least \$10,000,000 each, which in the aggregate equals or exceeds \$40,000,000 in any 12-month period), that directly and significantly contributed to the enhancement of Libya's ability to develop its petroleum resources.

Mr. KENNEDY. Mr. President, I welcome the Senate's action to approve the amendment that Senator D'AMATO and I offered to restore mandatory sanctions against Libya.

The Government of Libya continues to harbor the suspects indicted for the terrorist bombing of PanAm flight 103 over Lockerbie, Scotland, in 1988, in which 270 people were killed, including 189 Americans. Colonel Qadhafi, the Libyan dictator, continues to defy the world community by refusing to surrender the suspects for trial.

Congress should not compromise with terrorism. The same sanctions that apply to Iran should apply to Libya too. I urge the House to join the Senate in standing firm for this fundamental principle. Foreign oil companies that traffic with terrorists should not expect subsidies from the United States to help them produce oil in Libya. Oil industry profits are not more important than justice for the victims of that atrocity.

Mr. LOTT. Mr. President, I ask unanimous consent that the amendment be agreed to.

The amendment (No. 4588) was agreed to.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed, as amended, the motion to reconsider be laid upon the table; further, that the Senate insist on its amendment and request a conference with the House, and the Chair be authorized to appoint conferees on the part of the Senate and, finally, that any statements relating to the Senate's action be inserted at the appropriate place in the RECORD.

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

The bill (H.R. 3107), as amended, was deemed read the third time and passed.

The Chair appointed the following conferees from the Committee on Banking, Housing and Urban Affairs: Mr. D'AMATO, Mr. MACK, and Mr. SARBANES; from the Committee on Finance, Mr. ROTH and Mr. MOYNIHAN.

#### GAMBLING IMPACT STUDY COMMISSION

Mr. LOTT. Mr. President, for the information of all Senators, I do want to

emphasize my continuing desire to get an agreement on the handling of the gaming commission. I believe we are very close to getting that agreement. I hope we will achieve that tomorrow and that issue can be taken up and dealt with expeditiously, hopefully, either by unanimous consent agreement or perhaps with a vote on the final passage. We are still working on that, and I want all Senators to know while we have not reached an agreement this afternoon, we will be pursuing that very aggressively tomorrow.

#### ORDERS FOR WEDNESDAY, JULY 17, 1996

Mr. LOTT. I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 9:30 a.m. on Wednesday, July 17; further, that following the prayer, the Journal of proceedings be deemed approved to date; the morning hour be deemed to have expired; the time for the two leaders be reserved for their use later in the day, and there then be a period for morning business until the hour of 11:00 a.m. with Senators permitted to speak for up to 5 minutes with the following exceptions: Senator KYL for 10 minutes, Senator ROCKEFELLER for 15 minutes, Senator BYRD or DORGAN for 20 minutes, Senator FAIRCLOTH for 10 minutes, Senator BRADLEY for 15 minutes, and Senator THURMOND for 5 minutes.

I further ask at the hour of 11 a.m. the Senate resume consideration of the Defense appropriations bill.

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

#### PROGRAM

Mr. LOTT. For the information of all Senators, under the previous order, the Senate will resume the consideration of the DOD appropriations bill tomorrow. Amendments will be considered throughout the day, and we would like to reach an agreement with respect to the number of amendments to be offered to that bill. If an agreement cannot be reached on the bill, a cloture vote will occur during tomorrow's session. Senators can anticipate rollcall votes throughout Wednesday's session and the Senate may be asked to consider any other legislative or executive items that can be cleared for action, including the gaming commission measure.

Also, as a reminder to all Members, there will be a cloture vote on the Nuclear Waste Policy Act on Thursday, July 25.

#### ORDER FOR ADJOURNMENT

Mr. LOTT. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order following the remarks of the Senator from Alaska, Senator MURKOWSKI.

The PRESIDING OFFICER (Mr. FRIST). Without objection, it is so ordered.

NUCLEAR WASTE POLICY ACT OF  
1996

The Senate continued with consideration of the bill.

Mr. MURKOWSKI. Mr. President, we had a good discussion today about the status of the proposed Yucca Mountain repository and I think the record should reflect discussion of some points that have been made that require a little further examination.

First of all, we have heard the terminology "millirem" as the standard measure for radioactivity. Much has been said about the 100-millirem standard in protecting the public health and safety. We have that responsibility, but I think we should put it in perspective because the average member of the public really does not know how to relate 100 millirems to his or her everyday life.

The proposed limit in the bill has been set at 100 millirems as a standard. It may interest my colleagues that one receives over 100 millirems extra per year by living in a house, a White House, at 1600 Pennsylvania Avenue. It is a stone building with attendant natural radiation. Now, the Senator from Nevada says 100 extra millirems is too high. Is the Senator suggesting that 100 extra millirems is OK for the White House but not OK for a fence line deep in the Nevada desert; that 100 extra millirems OK for the President of the United States, his family or Socks, the cat, but not OK for jackrabbits or roadrunners out in Nevada?

Mr. President, you also get 100 extra millirems from living in Denver, because of its altitude. Do we prohibit people from living in Denver? Of course not, because 100 millirems do not harm anyone. It is an internationally accepted standard. So the public should keep in perspective these terms.

Today, Mr. President, we got 65 votes for cloture. That was a good vote, but, unfortunately we did not get votes from some of the States where this nuclear waste issue is a legitimate concern. I had hoped we would get votes, say, from our Members from Connecticut. Now, what is the justification for Connecticut, you might wonder. Mr. President, we build naval submarines in Connecticut. These are nuclear submarines. These submarines produce waste. Connecticut gets the jobs. They do not have to keep the waste. Where does the waste go? Well, currently a lot of it is going to Idaho. My point is simple: we all have a responsibility. We all have a share in the question of what to responsibly do with nuclear waste.

Now, another interesting thing, as we look at the voting makeup of this body, Connecticut generates 73.7 percent of its electricity from nuclear power. Connecticut ratepayers have paid \$429 million into the waste fund. What have they got to show for it? Ab-

solutely nothing. I think as we look at the various States and their positions, we have to recognize we all have a share in this. Florida—well, we did not do quite as well as we had hoped, but we did about half-and-half. Florida ratepayers pay more than half a billion into the fund, yet nuclear waste sites at Turkey Point Power Plant right in between two national parks, the Everglades National Park and the Biscayne National Monument.

Now, there are other States where we did not get a level of support that we might have. My good friends from Hawaii do not have a nuclear power plant, but they do store highly enriched naval fuel. If we can't solve the waste problem this fuel in Hawaii has no place to go. It stays in Hawaii. Also, if we do not pass this bill, I assume we will see more and more pressure to find some site, perhaps in the Pacific. We have seen Palmyra brought up time and time again as a possible dump site. I do not support that at this time but, again, I think we all have a voice in resolving this issue.

There are other States that have an interest in resolving this issue. The State of Delaware imports nuclear power and has paid \$29 million into the fund. New Mexico imports nuclear power and has paid \$32 million into the fund. California, 26.3 percent of its generation is nuclear energy. California has paid \$645 million into this fund that the Federal Government has collected, which now totals nearly \$12 billion.

This was a fund established, if you will, Mr. President, to ensure that the Federal Government had the means in order to take this nuclear waste by 1998. Arkansas, 33 percent of the generation comes from nuclear power. They put \$266 million into the fund.

Colorado has an interest. They are concerned about access of nuclear waste through their State, but they have a reactor that has been shut down, awaiting decommissioning, no place for the fuels to go. So what will happen, Mr. President? Well, nothing will happen. Colorado is going to be stuck with that reactor until such time as Congress authorizes a repository and the fuel can be removed.

Indiana imports nuclear power. It paid \$288 million into the fund. North Dakota relies on nuclear power, it paid \$11 million into the fund. Nebraska, 30 percent generating from nuclear power paid \$136 million into the fund. Wisconsin, 23 percent of Wisconsin generation comes from nuclear energy, and they paid \$336 million into the fund. Kentucky relies on nuclear power and \$81 million has been paid into the fund. Ohio, 7.7 percent of their generation, \$253 million into the fund. Iowa, 13 percent, \$192 million. Massachusetts, 15 percent of the power comes from nuclear power. They paid \$319 million. What do they have to show for it? What did the ratepayers get in Massachusetts? Absolutely nothing. Maryland, next door to us, 24 percent of their

power is nuclear, \$257 million paid in, nothing to show for it. New York, 28 percent of their power is nuclear, they paid in \$734 million. Rhode Island relies on nuclear power, \$8 million paid into the fund.

It is important, Mr. President, that every Senator reflect as he represents his or her own State, the realization that we are all in the nuclear waste situation together, and we all have to get out of it together. Senate bill 1936 is the most important meaningful environmental legislation to come before the Senate because it addresses the health, safety, and environment of the American people who live with this high-level waste in storage sites in 41 States in our Nation.

Senate bill 1936 was well-crafted and developed after years of study and months of discussion and negotiation. It is based on sound science and meets every legitimate concern imaginable. Much of the rhetoric we have heard today is based on fear, and a good deal is based on politics. The bottom line is that somebody has to get it and, unfortunately, the site that has been chosen is a site where we have had nuclear testing for some 50 years out in the desert in Nevada.

The opposition would, in my opinion, attempt to delay this process of addressing health, safety, and environmental issues on behalf of the American people for a short-term political advantage, and it also lacks the responsibility of coming up with viable alternatives. The right decision is to support Senate bill 1936. It is right in terms of health, safety, and the environment.

There are a couple of other points that I think are necessary to make as a consequence of the debate that we have had throughout the day. I compliment my two friends from Nevada because I know how they feel. I know how they are fighting to represent the interests of their State. But, again, somebody has to take this waste. Now, there has been generalization that somehow we are waiving some of the environmental laws. That is not the case, Mr. President. Complaints by environmental groups about the NEPA waivers in Senate bill 1271 have been addressed in S. 1936. We do not waive NEPA for the intermodal transfer facilities, as the previous bill did. Unlike the previous bill, there is no general limitation on NEPA in Senate bill 1936.

During the debate, there was a list of laws that were proposed that would be waived or would not be applicable that were suggested by the Senators from Nevada. I would like to briefly mention that S. 1936 contains a comprehensive regulatory licensing program plan for a permanent facility. This is a unique facility, Mr. President. There is no other facility like it. That is why. Thus, there are no specific environmental laws, other than the Nuclear Waste Policy Act that is designed to regulate permanent geologic repositories for nuclear waste. So it is self-evident. There