

Estrada Chávez and to always remember his great rallying cry, “¡Sí, se puede!”, which is Spanish for “Yes we can!”.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1977. Mr. GRAHAM (for himself, Mr. DEMINT, Mr. JOHNSON of Wisconsin, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table.

SA 1978. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1979. Mr. CARPER (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1980. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1981. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1982. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1983. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1984. Mr. HOEVEN (for himself, Mr. LUGAR, Mr. VITTER, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1985. Ms. MURKOWSKI (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1986. Ms. MURKOWSKI (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed by her to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1987. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1988. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1989. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1990. Mr. CASEY submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1991. Mr. BENNET submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1992. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1993. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1994. Mr. SESSIONS (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1995. Mr. SESSIONS (for himself and Mr. INHOFE) submitted an amendment in-

tended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1996. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

SA 1997. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2204, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1977. Mr. GRAHAM (for himself, Mr. DEMINT, Mr. JOHNSON of Wisconsin, and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 2204, to eliminate unnecessary tax subsidies and promote renewable energy and energy conservation; which was ordered to lie on the table; as follows:

On page 22, between lines 3 and 4, insert the following:

TITLE III—NUCLEAR WASTE FUND RELIEF AND REBATES

SECTION 301. SHORT TITLE.

This Act may be cited as the “Nuclear Waste Fund Relief and Rebate Act”.

SEC. 302. CERTIFICATION OF COMMITMENT TO YUCCA MOUNTAIN.

(a) IN GENERAL.—Subtitle E of title I of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10172 et seq.) is amended by adding at the end the following:

“SEC. 162. CERTIFICATION OF COMMITMENT TO YUCCA MOUNTAIN SITE.

“(a) DEFINITION OF DEFENSE WASTE.—In this section, the term ‘defense waste’ means—

- “(1) transuranic waste;
- “(2) high-level radioactive waste;
- “(3) spent nuclear fuel;
- “(4) special nuclear materials;
- “(5) greater-than-class C, low-level radioactive waste; and
- “(6) any other waste arising from the production, storage, or maintenance of nuclear weapons (including components of nuclear weapons).

“(b) CERTIFICATION OF COMMITMENT.—Not later than 30 days after the date of enactment of this section, the President shall publish in the Federal Register a notice that the President certifies that the Yucca Mountain site is the selected site for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, in accordance with section 160.

“(c) FAILURE TO PUBLISH CERTIFICATION; REVOCATION OF CERTIFICATION.—If the President fails to publish the certification of the President in accordance with subsection (b), or if the President revokes the certification of the President after the date described in that subsection, not later than 1 year after the date described in subsection (b), or the date of revocation, as appropriate, and in accordance with subsection (d)—

“(1) each entity that is required under section 302 to make a payment to the Secretary shall not be required to make any additional payment; and

“(2) each entity that has made a payment under section 302 shall receive from the Secretary of the Treasury, from amounts available in the Nuclear Waste Fund, an amount equal to the aggregate amount of the payments made by the entity (including interest on the aggregate amount of the payments) to the Secretary for deposit in the Nuclear Waste Fund.

“(d) USE OF RETURNED PAYMENTS.—

“(1) IN GENERAL.—Subject to paragraph (2), of the aggregate amount of payments re-

turned to an entity described in subsection (c)(2)—

“(A) 75 percent shall be used by the entity to provide rebates to ratepayers of the entity; and

“(B) 25 percent shall be used by the entity to carry out upgrades to nuclear power facilities of the entity to enhance the storage and security of materials used to generate nuclear power.

“(2) DEFENSE WASTE.—In the case of a payment required to be paid to an entity for the storage of defense waste, the Secretary shall use the amount required to be paid to the entity to meet the penalty payment obligation of the Secretary under subsection (e)(2) to the State in which the entity is located.

“(e) DISPOSITION OF DEFENSE WASTE.—

“(1) IN GENERAL.—Not later than January 1, 2017, the Secretary shall initiate the transportation of defense waste from each State in which defense waste is located to the Yucca Mountain site.

“(2) PENALTY.—

“(A) IN GENERAL.—Subject to subparagraph (B), if the Secretary fails to initiate the transportation of defense waste in accordance with paragraph (1), the Secretary shall pay to each State in which defense waste is located \$1,000,000 for each day that the defense waste is located in the State until the date on which the Secretary initiates the transportation of the defense waste under paragraph (1).

“(B) MAXIMUM AMOUNT.—Subject to subsection (c)(2), for each calendar year, the Secretary shall not pay to any State described in subparagraph (A) an amount greater than \$100,000,000.

“(C) REQUIRED USE OF PAYMENTS.—A State that receives amounts through a payment from the Secretary under this paragraph shall use the amounts—

- “(i) to help offset the loss in community investments that results from the continued storage of defense waste in the State; and
- “(ii) to help mitigate the public health risks that result from the continued storage of defense waste in the State.

“(f) DETERMINATION BY COMMISSION TO GRANT OR AMEND LICENSES.—In determining whether to grant or amend any license to operate any civilian nuclear power reactor, or high-level radioactive waste or spent fuel storage or treatment facility, under the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.), the responsibilities of the President and the Secretary described in this subtitle shall be considered to be sufficient and independent grounds for the Commission to determine the existence of reasonable assurances that spent nuclear fuel and high-level radioactive waste would be disposed of safely and in a timely manner by the entity that is the subject of the determination.

“(g) EFFECTS.—

“(1) TERMINATION OF PAYMENT REQUIREMENT; ACCEPTANCE OF RETURNED PAYMENTS.—With respect to an entity that receives a benefit under paragraph (1) or (2) of subsection (c)—

“(A) the entity shall not be considered by the Commission to be in violation under section 302(b); and

“(B) the Commission shall not refuse to take any action with respect to a current or prospective license of the entity on the grounds that the entity has cancelled or rescinded a contract to which the entity is a party as the result of—

“(i) the failure by the entity to make a payment to the Secretary under section 302; or

“(ii) the acceptance by the entity of amounts described in subsection (c)(2).

“(2) DISPOSITION OF WASTE.—Nothing in this section affects the responsibility of the