an inner-city reading program called the ''Third and Long Foundation.'' As part of it, he read to children at local libraries on Saturdays when he was home in Kansas City during the season.

He was No. 832 among President George Bush's celebrated ''Thousand Points of Light.'' He was named the NFL's Man of the Year in 1993. Two years later, he received the Byron ''Whizzer'' White Humanitarian Award from the NFL Players Association for his service to the community. In addition, he received the Genuine Heroes Award from Trinity College in Chicago.

But more important than accolades from several foundations was the love and respect directed toward Derrick by the people of Kansas City. They understood that Derrick helped bring an invigorated sense of civic pride and community and togetherness to Kansas City, and the Chiefs fans were inspired by his sunny smile, his giving heart, and his winning ways. The arrival of Carl Peterson and Derrick Thomas to Kansas City marked the resurrection of Lamar Hunt's historic franchise. The people of Kansas City loved Derrick Thomas—as a Chief and as a person. Carl Peterson, at yesterday's news conference, clearly communicated his deep respect and profound joy in his association with Derrick.

Others expressed themselves eloquently as Kansas City Chiefs fans who, visiting the Web site on the Sports Illustrated chat room, left remarks about this great football player. The first remark I would like to call to your attention is from a fan who calls himself ''Frank L.'' In a frank evaluation, perhaps, he put it this way:

Thanks for everything, D.T. [Derrick Thomas]. You helped bring our city to life and gave us a common cause. While doing that you helped a lot of those less fortunate. Now you are with your father that you always talked about and never knew. Back here in the land of the free and the home of the Chiefs we will never forget you. God bless your soul.

That line back there, ''in the land of the free and the home of the Chiefs,'' is the way they sing the anthem at the stadium. They didn't want to say the ''brave,'' so they said the ''Chiefs.'' Derrick knew that and enjoyed it.

Listen to what a fan, called Big58, says. And, of course, we all know Derrick was No. 58. He wore that number on his jersey. A fan who identified himself as Big58 said:

I can't believe that Derrick is gone. He was one of my heroes for more than a decade now. Derrick did so much for the Kansas City community and the people here. He wasn't loved in KC because he was such a great athlete. He was loved in KC because of the person he was. The time and money he gave to help the kids of the Kansas City community was enormous. And who can forget his Veterans Day performances dedicated to his father who was killed in Vietnam? They were always D.T. at his best. At least D.T. will have some great company along with our Lord in Heaven. I'll bet he's chasing around Walter Payton right now. And ya know what, Derrick will finally get to spend time with his Dad. We love you and will miss you Derrick. Rest in Peace.

And finally, not only are Chiefs fans saddened, but others who recognized his talents as well. Listen to what Lance Reynolds had to say:

I have been a Raider fan for over 20 years. Derrick Thomas single handedly ruined at least a dozen Sunday afternoons for me; destroying O-tackles, tight-ends and quarterbacks of the Silver & Black. The Raiders-Chiefs rivalry runs deep. Even though, I have found myself pacing the Chiefs sidelines the past couple of weeks avidly cheering for Derrick Thomas' quick recovery. Today I find myself amongst the millions mourning his death. Derrick Thomas, you wickedly ruthless foe, God Bless You! You are already missed!

From time to time, we are compelled to pause and consider the real and lasting value of the things we hold dear. For Missouri football fans like me, today is a reminder that, as much as we love the game, it is just a game.

To those to whom we look for examples, we extend our thanks, and we give our thanks to Derrick, for he was one who excelled not just on the field but inspired us by an example and called us to our highest and best.

Friends such as Derrick Thomas are a rare and special gift to each of us. We will miss him. Our prayers are with his family his friends and each other as we, his fans, across the Nation and certainly across Missouri and Kansas City are saddened by this very substantial loss.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. ALLARD). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRAMS. 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. GRAMS. Mr. President, I ask unanimous consent that I be allowed to speak for such time as I may consume despite the order.

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

Mr. GRAMS. I thank the Chair.

NUCLEAR WASTE POLICY ACT AMENDMENTS

Mr. GRAMS. Mr. President, I want to take some time today to express my outrage with the way the federal government has handled its responsibility to remove and store nuclear waste from 41 states across the country and to outline my thoughts on the bill before us. I'm also going to speak about my expectations for the future of nuclear energy and the future of nuclear waste storage in the State of Minnesota.

First, I hope the Senate will indulge me while I review the process that has brought all of us here today.

As everyone in this chamber knows, Washington's involvement in nuclear power isn't new. Since the 1950's ''Atoms for Peace'' program, the federal government has promoted nuclear energy, in part, by promising to remove radioactive waste from power plants.

Congress decisively committed the federal government to take and dispose of civilian radioactive waste beginning in 1998 through the Nuclear Waste Policy Act of 1982, and its amendments in 1987.

This is nothing new. Eighteen years ago Congress decided that the Federal Government was going to take this waste beginning in 1998, and also by amendments in 1987 reestablish those facts.

These acts established the DOE Office of Civilian Radioactive Waste Management to conduct the program, selected Yucca Mountain, Nevada as the site to assess for the permanent disposal facility, established fees of a tenth of a cent per kilowatt hour on nuclear-generated electricity—and provided that these fees would be deposited in the Nuclear Waste Fund. Furthermore, it authorized appropriations from this fund for a number of activities, including development of a nuclear waste repository.

Eventually, publication of the Standard Contract addressed how radioactive waste would be taken, stored, and disposed of. The DOE then signed individual contracts with all civilian nuclear utilities promising to take and dispose of civilian high-level waste beginning January 31, 1998—over two years ago. Other administrative proceedings, such as the Nuclear Regulatory Commission's Waste Confidence Rule, told the American public that they should literally bank on the federal government's promise.

In other words, take this promise to the bank.

I think this point needs to be clearly understood by the Members of this body.

Our nation's nuclear utilities didn't go out and invest in nuclear power in spite of federal government warnings of future difficulties. Instead, they were encouraged by the federal government to turn to nuclear power to meet increasing energy demands.

Utilities and states were told to move forward with investments in nuclear technologies because it's a sound source of energy production.

And the federal government's support for nuclear power was based on some very sound considerations.

First, nuclear power is environmentally friendly. Nothing is burned in a nuclear reactor, so there are no emissions in the atmosphere. In fact, nuclear energy is responsible for over 90 percent of the reductions in greenhouse gas emissions that have come out of the energy industry since 1973. Between

1973 and 1996, nuclear power accounted for emissions reductions of 34.6 million tons of nitrogen oxide and another 80.2 million tons of sulfur dioxide.

Second, nuclear power is a reliable base load source of power. Families, farmers, businesses, and individuals who are served by nuclear power are served by one of the most reliable sources of electricity.

Third, nuclear energy is a homegrown technology, and the United States led the way in its development. We have long been the world leader in nuclear technology and continue to be the largest nuclear-producing country in the world. Using nuclear power increases our energy security.

Finally, much of the world recognizes those same values and promotes the use of nuclear power because of its reliability, its environmental benefits, and its value to energy independence.

Because of those reasons, the Federal Government threw one more bone to our Nation's utilities. It said if you build nuclear power, we will take care of your nuclear waste, we will build a repository, and we will take it out of your State.

In response to those promises—again, those promises the Federal Government said you can take to the bank—over 30 States took the Federal Government at its word and allowed civilian nuclear energy production to move forward.

As I mentioned earlier, ratepayers agreed to share some of the responsibilities but again were promised some things in return. They agreed to pay a fee, attached to their energy bill, to pay for the proper handling of the spent nuclear fuel, in exchange for assurances that the Federal Government meet its responsibility to manage any waste storage challenge. Again, contracts were made, contracts were signed.

Because of these procedures and measures taken by the Federal Government, ratepayers have now paid over $15 billion, including interest, into the nuclear waste fund. Today these payments continue, exceeding $1 billion dollars annually, or about $70,000 for every hour of every day of the year.

In summary, the Federal Government promoted nuclear power, utilities agreed to invest in nuclear power, States agreed to host nuclear powerplants, and ratepayers assumed the responsibility of investing in long-term storage of nuclear waste.

Still, nuclear waste is stranded on the banks of the Mississippi River in Minnesota and on countless other sites across the country because the Department of Energy has a very short-term memory, and this administration has virtually no sense of responsibility. We can all argue all day long on the floor of this Chamber on the merit of nuclear power, but we cannot stand here today and deny that the Federal Government promoted nuclear power and promised to take care of nuclear waste and that there is nuclear waste piled up around the country.

The Clinton administration, however, would have you believe that they do not have a responsibility to deal with nuclear power. I have been working with Senator MURKOWSKI and many other Members over the roughly 5 years I have been in the Senate to establish an interim repository for nuclear waste and to be able to move forward with the development of a permanent repository. We have brought a bill to the floor that accomplishes those objectives in each of the past two Congresses. Each time, we passed the bill in both the House and the Senate with overwhelming bipartisan support. Just over 2 years ago, we passed by a vote of 65–34 a bill that would have removed nuclear waste from States, and the House passed the bill with 307 supporters—a veto-proof majority in the House.

We have had extensive debate with the opportunity for anyone to offer amendments. We have thoroughly addressed most issues related to nuclear waste storage, including the transportation of waste across the United States. Yet every time we have passed a bill that fulfills the Federal Government's commitments, President Clinton has issued his veto threat and he has stopped our efforts in their tracks.

After years of trying to establish an interim storage site, we are now left with only the ability to make some smaller changes to the nuclear waste program and condition the date for removal of waste on the authorization for construction of the permanent repository.

I want to tell my colleagues that I am not overly joyous about the bill before the Senate today. In fact, I don't think this bill does enough. But I don't blame those who support the bill for what the bill does not do, and neither should anyone else across the Nation or anyone here in Congress. If anyone is at fault for the lack of a definite action and definitive action on this issue, it is the Clinton administration.

As my colleagues are very well aware, my main concerns with the nuclear waste storage issue have centered on two major issues. First, the ratepayers of Minnesota have paid countless millions into the nuclear waste fund, and they expect nuclear waste to leave Minnesota at a reasonable date. More specifically, Minnesota ratepayers expect nuclear waste to leave our State no later than beginning on January 31, 1998. We all know that it didn't, and we all have known it won't be leaving anytime soon no matter what we do this week in the Senate.

Second, because the State of Minnesota recognized in the early 1990s the Federal Government would not meet its obligation to remove spent nuclear fuel from the State by January 1998, it placed a limit on the amount of onsite waste storage at Northern States Power Company's Prairie Island Facility. Northern States Power agreed to that limit. But it now appears the State-imposed limit for this onsite storage will be reached sometime in the year 2007, and then two nuclear reactors that produced 20 percent of Minnesota's electricity will be forced to shut down.

At a time when we are trying to reduce carbon dioxide, sulfur dioxide, and other emissions across the country, Minnesota will be losing 20 percent of its emissions-free electricity generation, and it will be replaced with fossil fuels. The loss of those two reactors also means increased costs to ratepayers, as Minnesotans will continue to pay in their rates for the operation of the nuclear facility even after it is shut down. Security will be needed, people will have to remain onsite to monitor both the waste in casks and the spent rods and the storage pool.

Water systems will have to remain working, as will any emergency response teams. In fact, the costs of operations may not reduce much at all. The ratepayers will pay the bill and they will get nothing for it. So there are some big problems that need to be addressed in my State, and it will require the participation and also the leadership of the Federal Government.

While this bill does not immediately fix either of these concerns, it does make some progress that I believe is important to move forward. First, while this legislation doesn't move waste from Minnesota or any other State on a specific date, it does advance the removal date by allowing the construction of an early acceptance facility upon approval of construction for the permanent repository. Right now, that would mean sometime in late 2006 or sometime early 2007.

Under the current situation, we won't move waste until the permanent repository is built and operating—and no one is quite sure when that will be. We thought we had a date certain for the removal of waste—again, going back to the old contracts, bills passed in 1982, that it would begin no later than January 31, 1998. Again, the Department of Energy ignored it as if it didn't exist, that the contracts they signed didn't matter, and had no bearings. They continue to do the same yet today.

This bill tries to establish a reasonable threshold for the construction of an early receipt facility. I think that is something that is achievable. The bill protects ratepayers by requiring that only Congress can undertake actions which would raise the fee paid by energy consumers into the nuclear waste fund. The Secretary of Energy will not be able to act unilaterally to raise that rate.

He says he would like to take control, or take title to the nuclear waste, and they would pay for the facility and all the storage. But the only way they would do that is to go back to the ratepayers, or the taxpayers, for more money to take care of a problem they have ignored.

Third, this bill will put in place transportation provisions for nuclear waste that are similar to those now in the place for the transport of low-level waste to the Waste Isolation Pilot Project in New Mexico.

Fourth, this bill tries to establish a mechanism by which we can avoid unreachable regulations governing the radiation standard for the permanent repository. The EPA should not be allowed to unilaterally set an unreasonable radiation standard aimed solely at ensuring the permanent repository is never built.

The radiation standard should protect long-term human health and should be based on the best science available—but it should not be a bullet aimed at the heart of the permanent repository.

Fifth, this bill addresses the problems just across the Minnesota border with Dairyland Power Cooperative. They have been requesting and needing some relief from their specific problem and have tremendous support in Minnesota.

In fact, the Minnesota Rural Electric Association strongly supports this bill for that very reason.

Sixth, I believe this bill is a step forward for nuclear power. There are provisions in the bill that allow for additional research into the transmutation of nuclear waste and the viability of reprocessing. Senator DOMENICI and I traveled to France and examined their waste program and reprocessing facilities.

France has taken our technology and used it to create an amazingly integrated and well planned program that allows them to derive over 80 percent of their electricity from nuclear power. For them, our fascination with nuclear waste is perplexing. They can deal with their waste.

I stood on the floor under which all of their nuclear waste is now stored. We need to take another look at how we think about both nuclear power and nuclear waste storage and this bill allows for that to happen.

Seventh, this bill does not include everything I believe it should. I have tried to address the situation with Northern States Power but right now we do not have a perfect answer. I believe keeping Prairie Island open and operating will require the cooperation of NSP, the Secretary of Energy, the States of Minnesota, and those of us in Congress.

I will be pushing Secretary Richardson to come to Minnesota to sit down with the state legislature, the Governor's Office, NSP, and me to see if we can find some common ground.

I have also received the assurance of Senator MURKOWSKI that the Energy and Natural Resources Committee will not forget about Minnesota and that he will continue to work with me on this important matter as well.

I am also pleased that Senator MURKOWSKI agreed to include some language I proposed which will aid in the process of addressing Minnesota's situation. My language has two specific components which will aid decision-makers in Washington and in Minnesota throughout the coming months and years.

The first part of my language requires the DOE to report on all alternatives available to NSP and the Federal Government which would allow NSP to operate the Prairie Island Nuclear Generating Plant until the end of the term of its current NRC licenses, assuming existing State and Federal laws remain unchanged.

I want to get the DOE engaged in discussions and cooperation with the State of Minnesota and NSP on this matter. Unfortunately, I have not seen a willingness within federal agencies to work with the State of Minnesota and NSP on what options might exist that would facilitate a resolution of this dispute.

I want to get everyone working together on this problem now, not 6 years from now when a shutdown is imminent.

Additionally, my language will require the General Accounting Office to issue a report on the potential economic impacts to Minnesota ratepayers should the Prairie Island facility cease operations once it has met its state imposed storage limitation—including the costs of new generation, decommissioning costs, and the costs of continued operation of on-site storage of spent nuclear fuel storage.

I am hopeful this information will give both policymakers and ratepayers a clearer indication of exactly what a shutdown of the facility means not only to the reliability of their electric service, but to the checkbooks of Minnesota families as well.

Finally, I believe it was vitally important that we removed the take title provision from this legislation. I do not believe we should give the DOE any further opportunities to leave waste where it now sits. Allowing the DOE to take title to waste is a dangerous proposition for ratepayers.

I was proud to join Senators COLLINS, SNOWE, and JEFFORDS in offering the amendment to delete the take title provision and I am grateful Senator MURKOWSKI deleted the take title provision from the manager's amendment as well.

While these components will certainly be helpful to my State, I know there will be some in Minnesota who'll want me to oppose this bill because it does not go far enough. But I do not believe I would be serving the interests of my constituents by voting against a good bill that might help Minnesota ratepayers because of what is not in it.

I should not vote against a good bill because it is not a perfect bill. And I cannot vote against a bill that might move waste out of Minnesota sooner than under current conditions, because it does not move waste out as soon as I would like. I intend to vote in support of this bill because I believe it is an important bill.

I intend to vote for the bill because I want to remain part of this process and because I do not believe Minnesota can withdraw itself from this debate. And I intend to vote for this bill because I believe this is part of a process in restoring government accountability in the nuclear waste debate.

I may be back asking for more or looking for other opportunities to help my State and my State's ratepayers. I do not consider this matter closed either in Minnesota or in Washington, DC.

I want to take just a moment to thank Senator MURKOWSKI for his willingness to work with me and to continue to explore ways in which we can help my State. His staff have remained open to our concerns and willing to work with my staff.

They have been honest about what they cannot do—and I appreciate that as well.

I also want to issue a warning and a challenge to my colleagues in the Senate. Let us not assume that this is a great victory for ratepayers or for our States.

This legislation does not fulfill the Federal Government's commitment to remove nuclear waste.

Regrettably, this bill is but a shell of the bills we have passed with bipartisan support in each of the last two Congresses. So we should not go home and tell our constituents that this matter is resolved or that our work here is finished.

I am a little biased, but I hope we have a totally new direction in the White House after next year. I hope that translates into a willingness to engage Congress and the States on nuclear waste issues rather than the protracted effort to ignore Congress and the States that this administration has relied upon.

I believe we are going to have that new direction and I am going to be back asking that administration to move forward immediately on interim storage.

If this administration is unwilling to provide the American people with the services for which they have paid, I hope and expect they will make sure the next administration will do that and live up to the promises it made.

I yield the floor.