

For all their propaganda, and all their complaining to Congress, the nuclear utilities find a way to handle their waste, and keep reactors open and running.

The CEO of Northern States Power, John Howard, has said "Resolution of interim storage for spent nuclear fuel from our country's commercial power plants has reached crisis proportions."

Mr. Howard's assessment—that interim storage of nuclear waste is an impending crisis, and, thus, Congress must act to move this waste to Nevada as soon as possible—is a common theme in the nuclear power industry.

As the Prairie Island situation demonstrates, however, the crisis scenario is simply not true from a technical or scientific perspective.

Of course, I do not expect many of my colleagues will hear much about the resolution of the supposed crisis at Prairie Island.

The resolution of the Prairie Island waste situation simply does not track with the contrived crisis scenario developed by the nuclear power industry and its lobbyists.

To admit that nuclear utilities can find ways to take care of their own waste would shatter the carefully constructed fiction that interim storage in Nevada is the only possible alternative to shutting down the reactors.

It should be acknowledged that Northern States Power paid a price for the approval of additional storage at Prairie Island.

The debate over increased storage was intense, and many are still not happy.

NSP was forced to make concessions, such as building more renewable energy sources.

Other utilities are not anxious to go through what NSP went through.

The unfortunate fact for nuclear utilities is that nuclear power, and nuclear waste, are not popular.

The public relations and political problems associated with expanding storage capacity at reactors is an inescapable cost of nuclear power.

Northern States Power also paid a financial price for expanding storage at Prairie Island.

As other utilities do the same, especially after the 1998 goal for operation of a permanent repository included in the 1982 Nuclear Waste Policy Act, some action ought to be taken to provide some relief to the ratepayers who have paid in the first instance into the nuclear waste fund and who are not receiving the storage at that fund which they contemplated would be operational by the year 1998.

I might say parenthetically, as the distinguished occupant of the chair knows, under no scenario, under absolutely none, will a facility be opened by the year 1998.

So I believe as a matter of fairness that ratepayers are entitled to some relief in terms of payment into the nuclear waste fund.

I have reintroduced in this Congress, as I have on previous occasions, legisla-

tion which this year bears the number of S. 429 which will provide a credit against nuclear waste fund contributions for utilities forced to build on-site storage after 1998.

Under S. 429, ratepayers will not be financially penalized for the misguided and mismanaged efforts of the nuclear power industry and the Department of Energy to build a permanent repository in Nevada.

I urge my colleagues to reject the nuclear power industry's newest assault on the people of Nevada, and support S. 429.

I yield the floor.

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

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

The bill clerk proceeded to call the roll.

Mr. COCHRAN. 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. COCHRAN. Mr. President, I understand there are two bills due their second reading.

MEASURE PLACED ON THE CALENDAR—S. 761

The PRESIDING OFFICER. The clerk will read the first bill by title.

The assistant legislative clerk read as follows:

A bill (S. 761) to improve the ability of the United States to respond to the international terrorist threat.

Mr. COCHRAN. Mr. President, I object to further proceedings on this matter at this time.

The PRESIDING OFFICER. That bill will be placed on the calendar.

MEASURE PLACED ON THE CALENDAR—S. 790

The PRESIDING OFFICER. The clerk will report the second bill by title.

The assistant legislative clerk read as follows:

A bill (S. 790) to provide for the modification or elimination of Federal reporting requirements.

Mr. COCHRAN. Mr. President, I object to further proceedings on this matter at this time.

The PRESIDING OFFICER. The bill will be placed on the calendar.

DISASTERS

Mr. COCHRAN. Mr. President, last Friday, President Clinton declared a major disaster for the State of Mississippi, due to damage resulting from severe storms, flooding, and related problems, weather problems that occurred on May 8 and during the days following. This declaration is deeply appreciated by the people of Mississippi and the State of Mississippi be-

cause very severe damage has occurred in our State as all of us know who had an opportunity to watch television and read about the devastating floods that occurred all across the gulf coast, from New Orleans to Mobile and beyond. Included in this area of severe weather damage was my State of Mississippi. All of the coast counties and some of those counties that are more inland received severe damage.

This declaration makes it possible now for the Federal Emergency Management Agency, led by James Lee Witt, to provide private, individual assistance to those disaster victims who qualify under Federal legislation. The letter also states that additional public assistance may be added at a later date.

It is my understanding that the Governor's office and his staff are working with Federal agents at this time in Mississippi, to try to ensure that all possible assistance, emergency and otherwise, is made available to these disaster victims. I commend the Governor and his staff for the fine work they are doing.

Mr. President, I ask unanimous consent a copy of the President's letter to our Governor, Kirk Fordice, be printed at this point in the RECORD.

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

THE WHITE HOUSE,
Washington, May 12, 1995.

Hon. KIRK FORDICE,
Governor of Mississippi,
State Capitol, Jackson, MS.

DEAR GOVERNOR FORDICE: As requested, I have declared a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Stafford Act) for the State of Mississippi due to damage resulting from severe storms, tornadoes, and flooding on May 8, 1995, and continuing. I have authorized Federal relief and recovery assistance in the affected area.

Individual Assistance will be provided. Public Assistance may be added at a later date, if warranted. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance will be limited to 75 percent of the total eligible costs in the designated areas.

The Federal Emergency Management Agency (FEMA) will coordinate Federal assistance efforts and designate specific areas eligible for such assistance. The Federal Coordinating Officer will be Mr. Michael J. Polny of FEMA. He will consult with you and assist in the execution of the FEMA-State Disaster Assistance Agreement governing the expenditure of Federal funds.

Sincerely,

BILL CLINTON.

Mr. COCHRAN. Mr. President, this also brings to mind legislation that I introduced recently to bring under the purview of the Public Safety Officers Benefits Act the employees of FEMA, the Federal Emergency Management Agency, as well as employees of State and local emergency management and civil defense agencies.

Senators may not realize this, but State and local police officers, firefighters, State and local rescue squads

and ambulance crews, Federal law enforcement officers and firefighters, are all covered under the Public Safety Officers Benefits Act, which provides death benefits and permanent disability benefits for those who are injured with some traumatic injury while in the line of duty.

Excluded under this act are those who work for civil defense agencies and the employees of the Federal Emergency Management Agency. This had been brought to my attention a few years ago, and during the confirmation hearings in our Governmental Affairs Committee of James Lee Witt, the current FEMA Director, I asked him his reaction to legislation that would expand coverage of this act and his responses were very favorable.

I introduced the legislation. It was not adopted in the last Congress, but I have recently reintroduced the bill and it is now pending in the Senate as S. 791. I hope Senators will take a look at this bill and consider cosponsoring the legislation, or supporting its passage.

I am today sending a letter to all Senators, inviting their attention to this legislation and the circumstances of it. The enactment of this bill will provide these civil defense employees and emergency management employees with the same kind of assurance that others who are similarly employed will have, should death or disabling injury result from the performance of their duty. Their families would receive survivor benefits, and they could be made eligible for disability benefits.

Mr. President, I ask unanimous consent a copy of my "Dear Colleague" letter to which I have referred be printed at this point in the RECORD.

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

U.S. SENATE,

Washington, DC, May 15, 1995.

DEAR COLLEAGUE: I recently introduced S. 791, a bill to extend coverage under the Public Safety Officers Benefits Act to employees of the Federal Emergency Management Agency (FEMA) and employees of State and local emergency management and civil defense agencies.

The Public Safety Officers Benefits Act provides benefits to the eligible survivors of a public safety officer whose death is the direct result of a traumatic injury sustained in the line of duty. The Act also provides benefits to those officers who are permanently and totally disabled as the direct result of a catastrophic personal injury sustained in the line of duty.

The Act now covers State and local law enforcement officers and fire fighters, Federal law enforcement officers and fire fighters, and Federal, State, and local rescue squads and ambulance crews. However, an employee of a State or local emergency management or civil defense agency, or an employee of FEMA who is killed or permanently disabled performing his or her duty in responding to a disaster is not covered under the Act.

Enactment of S. 791 will remedy this situation by extending the Act to those employees. This will ensure that the survivors and family members of an employee killed in the line of duty will receive benefits and that an employee permanently and totally disabled as a result of injury sustained in the line of

duty will also receive disability benefits of the Act.

During his confirmation hearing in the last Congress, FEMA Director James Lee Witt said that emergency management and civil defense employees put their lives on the line just about every time they respond to an event. Enactment of this legislation will provide them with some assurance that, should death or disabling injury result from the performance of their duty, their families will receive survivor benefits or they will receive disability benefits.

If you would like to cosponsor this bill, please have your staff contact Michael Loesch at 4-7412.

Sincerely,

THAD COCHRAN,
U.S. Senator.

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

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

ALASKA POWER ADMINISTRATION ASSET SALE AND TERMINATION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of S. 395, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 395) to authorize and direct the Secretary of Energy to sell the Alaska Power Marketing Administration, and for other purposes.

The Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources, with amendments; as follows:

(The parts of the bill intended to be stricken are shown in boldface brackets and the parts of the bill intended to be inserted are shown in italic.)

S. 395

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[TITLE I]

[SECTION 101. SHORT TITLE.

[This title may be cited as the "Alaska Power Administration Sale Act".

[SEC. 102. SALE OF SNETTISHAM AND EKLUTNA HYDROELECTRIC PROJECTS.

[(a) The Secretary of Energy is authorized and directed to sell the Snettisham Hydroelectric Project (referred to in this Act as "Snettisham") to the State of Alaska in accordance with the terms of this Act and the February 10, 1989, Snettisham Purchase Agreement, as amended, between the Alaska Power Administration of the Department of Energy and the Alaska Power Authority.

[(b) The Secretary of Energy is authorized and directed to sell the Eklutna Hydroelectric Project (referred to in this Act as "Eklutna") to the Municipality of Anchorage doing business as Municipal Light and Power, the Chugach Electric Association, Inc., and the Matanuska Electric Association, Inc. (referred to in this Act as "Eklutna Purchasers"), in accordance with the terms of this Act and the August 2, 1989,

Eklutna Purchase Agreement, as amended, between the Department of Energy and the Eklutna Purchasers.

[(c) The heads of other Federal departments and agencies, including the Secretary of the Interior, shall assist the Secretary of Energy in implementing the sales authorized and directed by this Act.

[(d) The Secretary of Energy shall deposit sale proceeds in the Treasury of the United States to the credit of miscellaneous receipts.

[(e) There are authorized to be appropriated such sums as may be necessary to prepare or acquire Eklutna and Snettisham assets for sale and conveyance. Such preparations and acquisitions shall provide sufficient title to ensure the beneficial use, enjoyment, and occupancy to the purchasers of the asset to be sold.

[SEC. 103. EXEMPTION.

[(a)(1) After the sales authorized by this Act occur, Eklutna and Snettisham, including future modifications, shall continue to be exempt from the requirements of the Federal Power Act (16 U.S.C. 791a et. seq.).

[(2) The exemption provided by paragraph (1) does not affect the Memorandum of Agreement entered into between the State of Alaska, the Eklutna Purchasers, the Alaska Energy Authority, and Federal fish and wildlife agencies regarding the protection, mitigation of, damages to, and enhancement of fish and wildlife, dated August 7, 1991, which remains in full force and effect.

[(3) Nothing in this Act or the Federal Power Act preempts the State of Alaska from carrying out the responsibilities and authorities of the Memorandum of Agreement.

[(b)(1) The United States District Court for the District of Alaska has jurisdiction to review decisions made under the Memorandum of Agreement and to enforce the provisions of the Memorandum of Agreement, including the remedy of specific performance.

[(2) An action seeking review of a Fish and Wildlife Program ("Program") of the Governor of Alaska under the Memorandum of Agreement or challenging actions of any of the parties to the Memorandum of Agreement prior to the adoption of the Program shall be brought not later than ninety days after the date of which the Program is adopted by the Governor of Alaska, or be barred.

[(3) An action seeking review of implementation of the Program shall be brought not later than ninety days after the challenged act implementing the program, or be barred.

[(c) With respect to Eklutna lands described in Exhibit A of the Eklutna Purchase Agreement:

[(1) The Secretary of the Interior shall issue rights-of-way to the Alaska Power Administration for subsequent reassignment to the Eklutna Purchasers—

[(A) at no cost to the Eklutna Purchasers;

[(B) to remain effective for a period equal to the life of Eklutna as extended by improvements, repairs, renewals, or replacements; and

[(C) sufficient for the operation, maintenance, repair, and replacement of, and access to, Eklutna facilities located on military lands and lands managed by the Bureau of Land Management, including land selected by the State of Alaska.

[(2) If the Eklutna Purchasers subsequently sell or transfer Eklutna to private ownership, the Bureau of Land Management may assess reasonable and customary fees for continued uses of the rights-of-way on lands managed by the Bureau of Land Management and military lands in accordance with current law.

[(3) Fee title to lands at Anchorage Substation shall be transferred to Eklutna Purchasers at no additional cost if the Secretary