

do in this particular case for all of those who were indicted by a Federal grand jury?

Mr. HATCH. Of course not. The fact of the matter is this is a case that everybody agrees is an egregious example of excessive use of power, and greedy power at that, of the White House, and this is a case where the President himself said we should reimburse them with legal fees.

Mrs. BOXER. The reason I ask the question, I want to make the point that when we set precedence around here—

Mr. HATCH. I ask, Who has the floor?

Let me say to my distinguished friend and colleague, let me finish making my explanation, and then I will be glad to yield for another question.

The fact of the matter is we have an injustice here, a gross injustice, which the Democrats and the Republicans admit is a gross injustice, caused by White House personnel and outside people who were greedy. The President wants this to be done and says he will sign the bill. It is not comparable to everybody who is indicted.

Second, I said yesterday that if people are indicted who are unjustly treated like this because of the same circumstances, I would be the first to come to the floor and try to help them. But not everyone who is indicted fits that category. In fact, very few do. I do not know of many White Houses that have shabbily treated former White House staff like this one has.

Now, when we find something similar to that, I am happy to fight for it, regardless of their politics or regardless of who they are, regardless of whether I like them or do not. I am willing to go beyond that. I would like to right all injustices and wrongs, but the mere fact that somebody is indicted does not say we should spend taxpayer dollars to help them. We have to look at them as individual cases. As chairman of the Judiciary Committee, I can say that this is what we have done in the past, what we will do in the future. As I view my job as chairman, it is to right wrongs and to solve injustices.

Now, we have the distinguished Senator from Arkansas here yesterday saying we should reimburse all of the people who have appeared before the Whitewater committee. Well, we are not giving Billy Dale reimbursement for attorney's fees in appearing before Congress. Frankly, I do not think you do that until you find out what is the end result of Whitewater, and then maybe we can look at it and see if there are some injustices. I think you will be hard pressed to say there is some injustice that comes even close to what has happened to Billy Dale and his companions. And if we put it to a test and have a vote on it, I think you would find that 100 percent of the people here will vote for it. I think that will be the test.

Mrs. BOXER. If the Senator will yield for a final question and observa-

tion, the reason I raise the question is, I think it is important when we do take action around here, that we let the taxpayers know what they are paying for. Actually, when this first came up, I say to my friend, it did not come into my mind until it was raised by another Senator, who said that there are many people who are indicted by a Federal grand jury and then the guilt is not proven.

We have to be careful what we are doing here. I think the fact that my friend responded in the way he did, that he is open to looking at this in a larger context, is important because I think whatever we do here will have ramifications. That was the purpose of my question, and I thank my friend for answering.

Mr. HATCH. I thank my colleague. She makes the very good point that we should not just be an open pocket for people who get indicted.

In this particular case, I think almost everybody admits we have to right this wrong. It is the appropriate thing to do. There may be others that we will have to treat similarly. I will be at the forefront in trying to do so.

With that, I yield the floor.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska [Mr. MURKOWSKI] is recognized.

Mr. MURKOWSKI. Mr. President, let me recognize and thank my friend, Senator HARKIN, who was kind enough to allow me to proceed out of order to accommodate my schedule. I ask unanimous consent that he may be recognized next.

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

#### NUCLEAR WASTE STORAGE

Mr. MURKOWSKI. Mr. President, very soon, we must make an important decision which will lead us to a safer future for all Americans. Mr. President, today we have highly radioactive nuclear waste and used nuclear fuel that is accumulating at over 80 sites in 41 States, including waste stored at DOE weapon facilities.

Here is a chart showing the locations of used nuclear fuel and radioactive waste destined for geologic disposal. Each Member can see where used nuclear fuel is stored in his or her own State. Out at Pearl Harbor, we have naval reactor fuel. In Illinois and New Jersey, for example, we have commercial reactors. In many States, particularly on the east and west coasts, we have shut down reactors with spent fuel on site. We have non-Department of Energy research reactors, as indicated by the green, in various States. We have DOE-owned spent fuel and high-level radioactive waste scattered in across the country.

The purpose of this chart is to show each Member that used fuel is stored in populated areas. It is near neighborhoods, it is near schools, it is on the

shores of our lakes and rivers, and in the backyards of our constituents young and old all across our land.

Now, as you can see, this nuclear fuel is being stored in highly populated areas, near where most Americans live. It may be in your town, my town, your neighborhood, my neighborhood. Unfortunately, used fuel is being stored in pools that were not designed for long-term storage. Mr. President, some of this fuel is already over 30 years old. With each year that goes by, our ability to continue storage of this used fuel at each of these sites in a safe and responsible way diminishes.

It is irresponsible to let this situation continue. It is unsafe to let this dangerous radioactive material continue to accumulate at more than 80 sites all across America. It is unwise to block the safe storage of this used fuel in a remote area, away from high populations. This is a national problem that requires a coordinated national solution.

Senate bill 1271 solves this problem by safely moving this used fuel away from these areas to a safe, monitored facility in the remote Nevada desert. This is a facility designed to safely store the fuel. It is the very best that nuclear experts can build—certified safe by the Nuclear Regulatory Commission.

Senate bill 1271 will end the practice of storing used fuel on a long-term basis in pools such as Illinois, Ohio, Minnesota, California, New York, New Jersey, and 35 other States across the country. And Senate bill 1271, Mr. President—make no mistake about it—will solve an environmental problem. That is why I was so dismayed to receive the statement of administration policy, dated April 23, 1996, which threatened to veto Senate bill 1271 "because it designates an interim storage facility at a specific site."

Mr. President, although the statement claims, "The administration is committed to resolving the complex and important issue of nuclear waste storage in a timely and sensible manner," such words ring hollow in the context of a threat to veto any legislation that does anything but perpetuate the status quo. That is just what a veto of Senate bill 1271 would do.

I hope that it is not true, but I have to ask if the President is playing politics with this issue. If so, it's a political calculation that I do not understand. Perhaps the President is simply getting poor advice.

Are President Clinton and Vice President GORE really telling the voters in Illinois, New Jersey, and all of the other States on this map, that nuclear waste is better stored in their States than out there in the Nevada desert? I challenge Vice President GORE, who feels strongly about the environment—much to his credit—to go to the State of Minnesota, to go to New Jersey, to go to Wisconsin, and tell those voters that they must continue to store nuclear waste in their State.

The administration's approach on this matter is simply business as usual. The administration's strategy is to avoid making a decision. Mr. President, that is no strategy at all. But the approach of Senate bill 1271 is to get the job done, to do what is right for the entire country.

For those who are not familiar with the program, let me describe the status quo. We have struggled in this country with the nuclear waste issue for almost 15 years already, and we have collected \$11 billion from the ratepayers. But the Washington establishment has not delivered on its promise to take and safely dispose of our Nation's nuclear waste by 1998, only 2 years from now. Hard-working Americans have paid for this as part of their monthly electric bill, and they are entitled to have the Government meet its obligation to take the used nuclear fuel away. Those people that have paid their electric bills have not gotten results. The program is broken; it has no future unless it is fixed. We can end this stalemate. We can make the right decisions. The job of fixing this program is ours. The time for fixing the problem is now.

During the debate that will unfold in future days, we will have my good friends, the Senators from Nevada, opposing the bill with all the arguments they can muster, and that is understandable. They are merely doing what Nevadans have asked them to do. Nobody wants nuclear waste in their State. But it simply has to go somewhere.

The Senators from Nevada, both friends of mine, have talked to me about this issue, and I understand that they are doing what they feel they must do to satisfy Nevadans. But as U.S. Senators, Mr. President, we must sometimes take a national perspective. We must do what is best for the country as a whole.

To keep this waste out of Nevada, the Senators from Nevada will use terms like "mobile Chernobyl" to frighten Americans about the safety of moving this used fuel to the Nevada desert where it belongs. They will not tell you that we have already move commercial and naval nuclear fuel today. The commercial industry has shipped over 2,500 shipments of used nuclear fuel over the last 30 years, Mr. President. They will not tell you that an even larger amount of used fuel is transported worldwide. Since 1968, the French alone have safely moved about the same amount of spent fuel as we have accumulated at our nuclear power plants today. They will not tell you that our Nation's best scientists and our best engineers have designed special casks that are safety-certified by the Nuclear Safety Regulatory Commission to transport the used fuel. They will not tell you about the rigorous testing that has been done by the Sandia National Laboratory and others to ensure that the casks will safely contain used fuel in the most severe accidents imaginable.

There is proof that these safety measures work. Out of the over 2,500 shipments of used fuel that have taken place in the United States over the last 30 years, there have been seven traffic accidents involving spent nuclear fuel shipments. But when the accidents have happened, the casks have never failed to safely contain the used fuel. Mr. President, there has never been an injury caused by a cask, there has never been a fatality, and there has never been damage to the environment.

Can the same be said of gasoline trucks? Of course not.

Still we can expect that our friends from Nevada will try to convince people that transportation will not be safe. But the safety record of nuclear fuel transport, both here and in Europe, speaks for itself.

This issue provides a clear and simple choice. We can choose to have one remote, safe and secure nuclear waste storage facility at the Nevada test site, the area in the Nevada desert used for nuclear weapons testing for some 50 years. Or, through inaction and delay, we can perpetuate the status quo and have 80 such sites spread across the Nation.

Mr. President, it is not morally right to perpetuate the status quo on this matter. To do so would be to shirk our responsibility to protect the environment and the future of our children and our grandchildren. This Nation needs to confront its nuclear waste problem now. The time is now. Nevada is the place. I urge my colleagues to support the passage of Senate bill 1271.

Again, I thank my friend, Senator HARKIN, for allowing me the opportunity to move ahead of him on the Senate schedule.

Mr. President, I see my colleague has stepped out. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ASHCROFT. 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. ASHCROFT. Mr. President, I ask unanimous consent to speak as if in morning business.

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

Mr. ASHCROFT. Mr. President, thank you for recognizing me.

#### THE TEAM ACT

Mr. ASHCROFT. Mr. President, I rise to make some comments on the TEAM Act, which is one of the matters that we have been discussing in the U.S. Senate. The word "team," of course, is a favorable word in the mentality of Americans because we are accustomed to teams. It is an Olympic year when we want to support our team, and we want to do well in the competition between the nations. So "team" has fa-

vorable connotations. I think all of us would want to be in favor of an act called the TEAM Act. But it is far more important that we understand the act itself in that we just have the connotations of the word "team."

As a matter of fact, the need to be operating as a team in the United States is a mutually agreed upon concept. We need to operate as a team because, indeed, we are in competition and the competition is far greater than the competition of the Olympics. We talk about the competition of the Olympics, "going for the gold." It is an award, and it is an honor.

But to be honest with you, the competition between nations is more than just a competition for an award or for an honor. It is the competition between nations. The need for productivity which will allow America to succeed and to continue to be at the top is a competition for existence. It is the competition for the survival of and for the success of our society in the next century. Are we going to prepare for the next century? Are we going to have a framework for work and productivity which allows us to succeed?

You have nations approaching the competitive arena of the workplace, nations like China. You have the Pacific rim all the way from Korea and Japan down through Singapore and Indonesia, hundreds of millions of individuals whose educational levels have skyrocketed, who are poised with the capacity to challenge us for our ability to meet the needs of the world.

We as Americans want to be able to meet the needs of the world. When we meet the needs, we have the jobs. When we do not meet the needs, someone else has the jobs. When we have made the commitment in terms of our own development and our own capacity, we will be the people who are the beneficiaries. If we restrain ourselves, if we hamstring ourselves, if we decide we do not want to do our very best, we will yield the gold, not just the gold medal of the Olympics but the prize of enterprise to other countries.

We would not think of sending our individuals to the Olympics if we did not allow them to train to be their very best. We would not think of taking 9 out of 10 members of the Olympic team and keeping them from being able to discuss ways to improve their performance with their coaches. It would be unthinkable.

Why would a company, or a country, want to restrain its work force, or want to restrain its competitors from being at their very best? Yet, that is the strange argument that we hear from those who oppose the TEAM Act.

Let us just stop for a moment to consider what the TEAM Act authorizes. The TEAM Act authorizes employers to confer with and discuss with employees ways in which to do a number of things: One, to improve productivity. If they think there is a more efficient way to do it, if there is a better way to do it, if there is a better way to