

that without some type of interim storage, then called away-from-reactor storage, that nuclear reactors around America would have to close down. In fact, their prediction was by 1983, 13 years ago. Well, the Congress wisely rejected the overture by the nuclear power industry more than a decade ago, and not a single reactor has closed because of the absence of storage for the spent nuclear fuel rods.

It is, in my judgment, a wiser policy and a more sensible policy that we make a determination only after we have a judgment as to the location of a permanent repository. That is what the language currently says, Mr. President, that there will be no decision to force a State or any jurisdiction to accept an interim storage until after the permanent repository program has made its own judgment. That, Mr. President, has not yet been done.

This sensible approach, accepted by those who have independent judgment and are members of the scientific community, endorsed by this administration and by many others, does not satisfy the nuclear power industry. They are furious that their bluff has been called, that its scare tactics over the years have been sufficiently transparent, that most have been able to see through them, and they have been frustrated in their goal of establishing an interim storage facility.

The risk that would be created by caving in to these special interest demands are substantial. In addition to creating overwhelming risk for those of us in Nevada, particularly because of its geographical proximity to the metropolitan area of Las Vegas, which is now home to 1 million people, this legislation would result in over 16,000 shipments of dangerous high-level nuclear waste to 43 States.

Mr. President, I apologize to my colleagues and staff who are watching this issue and I apologize to America that we do not have the resources to have full-page ads in major newspapers across America and all of the various bulletins and pieces of literature issued covering and commenting on the operation of the Congress. I see the very able and distinguished Senator from Kansas, and I assure her I will not be long in my comments. I take the occasion to make her aware, as I do the distinguished occupant of the chair, we are talking about 43 different States that will be affected, 16,000 shipments. Much of that is located in the Midwest. The State of Kansas, if I might cite for my colleague's edification since she is on the floor, is a major transshipment corridor. The red indicates highway. The blue indicates rail. We have one, two, three, four major shipment routes to the State of Kansas, exposing communities—we will talk more about this when this issue comes to the floor—exposing communities to a great deal of risk if indeed an accident happens.

We all hope that an accident does not happen. But most pencils in America are still made with an eraser. Mistakes

occur—human error. We know that. Whether it is Three-Mile Island, Chernobyl, or whatever the nuclear disasters have been in recent years, there are human failures, mistakes, neglect, all of those things, and they are not likely to change as a result of anything that we have done or are likely to do on the floor of the Senate.

I know that the chairman of the Energy Committee spoke yesterday at some length about that. I can understand why he does not share the concerns. Alaska is not a transshipment corridor, so that none of his constituents would be exposed to the risk, as 43 States and some 50 million of us that live along one of these transportation routes might be affected.

I might say—and I believe the occupant of the chair served at the municipal level of government—there is no assurance in this legislation that any financial assistance is provided to communities who are placed at risk. None. No assurance whatsoever. So these communities exposed to this risk will have to bear that responsibility on their own.

Let me just say that for some of us—and the occupant of the chair and I are from two States that have no nuclear reactors at all; yet, we will bear the burden of those transshipments—all unnecessary, all unnecessary because our States will be affected. In the great State of Oklahoma, there are at least three rail shipment routes that will pass through that great State. I can cite State after State, and I will have occasion to do so later.

The chairman of the Energy Committee, in addressing this yesterday, tended to dismiss any concerns about safety. "Nothing to worry about. This is all under control." Mr. President, I have said many times on the floor that I was in the eighth grade in early 1951 when the first nuclear atmospheric test was conducted at Frenchman Flats in Nevada, about 60 to 70 miles from my hometown of Las Vegas. We were assured at the time, "There are no risks. There is nothing to worry about. The scientific community has this under control." Indeed, people were invited to go up to observe this great scientific phenomenon. Benches were established so you could go up, if you were part of the press corps. Those of us who were in school, as part of science programs, were invited to rise early in the morning and see the great flash from the nuclear detonation, see the cloud, and wait for the seismic shock to hit us, and calculate with some precision how far from ground zero we were from the place where the shot took place. Community reaction was overwhelming. Stores, retail establishments, all embraced this new nuclear phenomenon.

Well, it is now 45 years later. Nobody buys that argument anymore. No scientist worthy of his or her degree would ever suggest with absolute certainty that we can detonate a nuclear blast in a 70-mile range of a major community. Nobody will assert that.

Do you know what the consequences of that trust us is? Today, every Member of this Congress, every taxpayer in America is paying for those poor, innocent victims downwind of where those atmospheric shots occurred, who suffer from cancer and other genetic effects as a result of those experiments. Trust us, you need not worry. We are talking about something that is lethal. And those of us who would bear the burden of this do not have the same sense of safety and assurance that the chairman of the Energy Committee has.

Mr. President, I know that this debate has been framed largely as a result of the special interests of the nuclear power lobby. Many of my colleagues, I am sure, have not heard from their constituents. Today, I take the opportunity to acquaint Americans and my colleagues and staff, who are watching our discussion, that this is not just a Nevada issue. Obviously, we feel powerfully aggrieved at this outrageous conduct that suggests that not only are we to be studied for a permanent repository, but an interim facility will be placed there as well.

My point is that ours is a lonely voice, a small State of 1.6 million people and 4 Members of Congress. We cannot match the nuclear power industries' finances, the phalanx of lobbyists that they have from one end of Capitol Hill to the other. But there is much at risk. It is not just Nevada; it is 43 States, 50 million people. I urge my colleagues to get engaged in this debate and understand what is at risk.

I thank the Chair and the Senator from Kansas for allowing me to extend my remarks.

I yield the floor.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, a lot of folks don't have the slightest idea about the enormity of the Federal debt. Ever so often, I ask groups of friends, how many millions of dollars are there in a trillion? They think about it, voice some estimates, most of them wrong.

One thing they do know is that it was the U.S. Congress that ran up the enormous Federal debt that is now over \$5 trillion.

To be exact, as of the close of business yesterday, May 8, 1996, the total Federal debt—down to the penny—stood at \$5,094,597,203,341.08. Another sad statistic is that on a per capita basis, every man, woman, and child in America owes \$19,238.98.

So, Mr. President, how many million are there in a trillion? There are a million million in a trillion, which means that the Federal Government owes more than \$5 million million.

Sort of boggles the mind, doesn't it?

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

# WHITE HOUSE TRAVEL OFFICE LEGISLATION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of H.R. 2937, which the clerk will report.

The clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2937) for the reimbursement of attorney fees and costs incurred by former employees of the White House Travel Office with respect to the termination of their employment in that office on May 19, 1993.

The Senate resumed consideration of the bill.

Pending:

Dole amendment No. 3952, in the nature of a substitute.

Dole amendment No. 3953 (to amendment No. 3952), to provide for an effective date for the settlement of certain claims against the United States.

Dole amendment No. 3954 (to amendment No. 3953), to provide for an effective date for the settlement of certain claims against the United States.

Dole motion to refer the bill to the Committee on the Judiciary with instructions to report back forthwith.

Dole amendment No. 3955 (to the instructions to the motion to refer), to provide for an effective date for the settlement of certain claims against the United States.

Dole amendment No. 3960 (to amendment No. 3955), to provide for the repeal of the 4.3 cent increase in fuel tax rates enacted by the Omnibus Budget Reconciliation Act of 1993, to clarify that an employer may establish and participate in worker-management cooperative organizations to address matters of mutual interest to employers and employees, and to provide for an increase in the minimum wage rate.

Mrs. KASSEBAUM addressed the Chair.

The PRESIDING OFFICER. The Senator from Kansas is recognized.

## AMENDMENT NO. 3960

Mrs. KASSEBAUM. Mr. President, I rise to discuss, again, legislation that has been before us, which is support for the Teamwork for Employees and Management Act, the TEAM Act.

During the past couple of days, we have had some lengthy debate on this legislation, as well as, of course, repeal of the 4.3-cent gas tax, and raising the minimum wage. I thought it might be useful at this point to review some of the debate back and forth on the TEAM Act, what it does and does not do, and dispel some of the myths that have surfaced over the course of the debate.

The TEAM Act responds to a series of decisions by the National Labor Relations Board that invalidated numerous employee involvement programs. The NLRB decisions that have been made regarding employee-employer relationships have been very broad. They found that the National Labor Relations Act of 1935 prohibited supervisors from meeting with workers in committees to discuss workplace issues like health and safety, working conditions, family leave, and other important areas of mutual concern.

The TEAM Act simply establishes a safe harbor in Federal labor law to per-

mit these types of employee involvement programs, where workers meet with supervisors to discuss issues of mutual concern, to continue to exist without running afoul of Federal labor law. Under the TEAM Act, workers may discuss quality, productivity, efficiency, health and safety, or any other issues that are important to them.

It seems to make so much sense, Mr. President, and it is very hard for me to understand why this is being so vigorously challenged and fought by the unions in this country, particularly the chairman of the NLRB, William Gould, who does not support the TEAM Act, but does say that we need a clarification of the law so that there can be the ability of employers and employees to come together with a clearer understanding of what is within the parameters of the law.

I believe that workers have important contributions to make to improve the quality of their work life and the quality of the product or service their company delivers. America needs to harness workers' ideas and put them to good use. They are the ones who are there making the day-to-day effort, who best know the whole condition of workplace health and the safety of the atmosphere—on the line, perhaps, in a factory—and can come up with innovative suggestions.

The legislation also has important worker protections. For instance, teams may not have, claim, or seek authority to negotiate collective-bargaining agreements, or amend existing collective-bargaining agreements, and the TEAM Act also clearly prohibits employers from bypassing an existing union if the workers have chosen to be represented by a union.

I do not fault the NLRB for the breadth of their decisions invalidating employee involvement. I think they did the best job they could under the circumstances. Our Federal labor laws were written in the 1930's at a time when employers had used company unions to avoid recognizing and bargaining with unions after workers had selected union representation. So the Congress wrote our Federal labor laws very broadly to prohibit that type of activity.

In fact, the law was written so broadly that it invalidated the legitimate employee-involvement programs that we see today. So the TEAM Act permits these legitimate employee-involvement programs to move forward, while requiring firms to recognize and negotiate with independent unions if that is what the workers want.

Why do we need the TEAM Act? This has been mentioned many times. Because it has worked very successfully in the union businesses where the union shops exist. There have been many times effective employee-management teamwork. But we have, I think, also heard compelling cases of why there is great uncertainty.

During the debate over the last 2 days, some of my colleagues have

asked, if there are so many employee-involvement programs going on right now, why then is it necessary and why do we need the TEAM Act? I will respond to my colleagues that the NLRB interpreted the law so broadly that it has cast great uncertainty on the legality of all employee-involvement programs. Some companies have disbanded their teams, either by order of the NLRB or because they are concerned with whether they are legal and fearing they might not feel it is worth the effort to even try, and other companies are not expanding their existing teams.

For example, during our committee hearings on the TEAM Act, we heard from David Wellins, a senior vice president of a human resource consulting firm in Pittsburgh, PA. Mr. Wellins' firm assists clients, from Fortune 500 companies to small nonprofits, to establish high-performance work organizations.

Mr. Wellins testified:

On manufacturing plant floors and in corporate offices across this country, work teams are making employees and their companies more productive than at any other time in the history of this country. . . . The second point I want to make [is that the NLRB decisions] have dramatically dampened the enthusiasm for teams. Many of the Nation's leading companies, both union and nonunion, are confused about which aspects of teams are allowable and correspondingly reluctant to proceed with team initiatives.

Mr. Wellins then cited several examples, including a large Midwest bank, a major beverage manufacturer, and a consumer product packaging plant that eliminated their employer involvement program due to the uncertainty which has been caused by the NLRB's interpretation of Federal labor law. It is clear from Mr. Wellins' testimony that we need a legislative solution to this problem.

Some of my colleagues have also asked whether the TEAM Act permits employers to establish company or sham unions. The answer is absolutely not. This is very clear, and has been very misleading in the debate so far that has gone back and forth for a couple of days.

The TEAM Act permits workers to choose independent union representation at any time. The TEAM Act does not replace traditional unions, and once workers select union representation, the employer must recognize and then negotiate with the union.

Moreover, the Team Act specifically states that employee teams may not "have, claim, or seek authority to negotiate or enter into collective bargaining agreements with the employer or to amend existing collective bargaining agreements." It does not in any way interfere with the collective bargaining agreements that are in place and working and clearly understood. So the TEAM Act does not permit employers to create company or sham unions.

Mr. President, one of the other issues that has come forth also during the debate is who selects team members?

This has been debated in our committee hearings as well. Some of the colleagues have asked whether the TEAM Act promotes true employee involvement because the legislation does not mandate that workers select all team members. I respond to my colleagues who have questioned this that the TEAM Act avoids mandating a one-size-fits-all for the employee-involvement program. Instead, it recognizes that there are a variety of worker teams that exist and would encourage workers and managers to develop flexible teams that best suit their needs.

Sometimes workers select team members, sometimes the team members volunteer, and sometimes the whole company is run on the team concept. So the question of team member selection is moot. At other times, particularly if a worker has a necessary job skill required by the team, such as appointing an EMT to a safety team, the employer may choose team members.

Focusing on team member selection really misses the point because the real issue is management commitment to employee involvement. Workers are not stupid. They know when management values employee involvement, and workers quickly tire of making suggestions if management will not follow through on them; therefore, it is not going to succeed. It really has to be a management commitment even more than a worker commitment. So it would be useless for managers to limit teams to their favorite workers, because the value of those employee ideas would be limited. It really has to be a commitment that is on both sides, recognizing the changes that are taking place in our work force today, not in an attempt to undermine the unions but in an attempt to strengthen the initiative, the productivity, and the constructive environment instead of a suspicious, adversarial environment that can occur in the workplace. I think it has a very positive benefit.

Ironically, the whole idea of team member selection reveals how narrowly critics are viewing employee involvement. They are assuming that there should be only one type of program, where the employees select their team representative. But many times, team members do not represent their coworkers on teams. Many times, the whole plant is run by self-directed work teams. So there are no employee representatives since everyone serves on a team.

We cannot categorize every type of team in America, and we should not try. Instead, we should give workers and supervisors the flexibility to craft their workplace needs and craft how they can best be met.

I ask my colleagues to support this important legislation. I think, Mr. President, it offers us an opportunity, that we have not had before, to clarify a situation that will allow us to move forward to meet the needs of a workplace, that will allow us to be ever

more competitive, ever more imaginative, ever more inventive, and create an employee involvement that I think will add a lot of vitality in our workplace today.

I yield the floor.

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

The PRESIDING OFFICER (Mrs. KASSEBAUM). Without objection, it is so ordered.

Mr. INHOFE. Madam President, as I was sitting in the chair presiding and I was listening to several people try to justify an argument against repealing the tax increase, a tax increase that was sold to the American people that it only affected the fat cats in this country, we are talking about the gasoline tax at 4.3 cents as if 4.3 cents is not a significant amount.

I remind these people that this was part of a package in 1993, when Bill Clinton had control of both Houses of Congress, and they passed what was characterized by then the chairman of the Senate Finance Committee, Senator DANIEL PATRICK MOYNIHAN, as "the largest single tax increase in the history of public finance, in America or any nation in the world."

I think it needs to be in the RECORD after these statements justifying continuing these taxes that if anyone was opposed to "the largest single tax increase in the history of public finance, in America or any place in the world" back in 1993, they would be supportive of repealing any portion of that tax increase today. It was not just a gasoline tax. It was many other taxes which included a 50 percent tax on Social Security for thousands and thousands of senior citizens in America.

So I think that those individuals who believe as the chief financial adviser to the President believes, that there is no relationship between the level of taxation in a country and its economic production, have lost the argument because truly that is not the case.

Madam President, I yield the floor. 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. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BYRD. Mr. President, we have before the Senate a proposal to repeal the 4.3-cent-per-gallon Federal excise tax on gasoline enacted in 1993 as part of a comprehensive deficit-reduction package. That legislation—the Omnibus Budget and Reconciliation Act of 1993 [OBRA]—has been largely respon-

sible for cutting the Federal deficit nearly in half since its enactment. The 4.3-cent tax on gasoline that was included in that legislation has contributed more than \$10 billion to this deficit reduction. Though we have not yet completed the difficult task of balancing the Federal budget, in the middle of a Presidential election year we are suddenly being lured by a politically inspired proposal to repeal that very same 4.3-cent tax for the remainder of 1996 to combat a recent increase in gasoline prices across the country. Our colleagues in the majority would have us believe that the 4.3-cent gasoline tax is the primary culprit for the current high level of gas prices. The American people are being asked to believe that a simple repeal of the 1993 tax for the balance of one year will cure the pain at the pump. And this is utter folly. It is not true.

Mr. President, the current Federal excise tax on gasoline stands at 18.3 cents per gallon—approximately 14 percent of the current average price of a gallon of unleaded regular gasoline. The 4.3-cent tax that this proposal would repeal represents less than 3.5 percent of the current cost of a gallon of gasoline. Are we to believe that 4.3 cents of this tax enacted in 1993 has had any really significant effect on the price of gasoline? Or, conversely, are we to believe that a repeal of this tax will substantially reduce the price of a gallon of gas?

Simply put, gas prices have risen because of forces unrelated to the Federal excise tax on gasoline. They have risen because of factors associated with the basic economic principles of supply and demand. The reduced supply of world crude oil and the higher gasoline consumption in the United States and Europe as a result of a lengthy, cold winter have undoubtedly played a much larger role in the higher price of gasoline than has the much-demonized 4.3-cent gas tax approved in 1993. In fact, Mr. President, the repeal of the national speed limit by this Congress has probably contributed more to the price of gasoline than the 1993 tax.

Is it not somewhat contradictory to first give drivers a green light to drive faster and then blame the recent surge in the cost of gas on a tax enacted 3 years ago. After all, it is no secret that cars use more gas when they are traveling at higher speeds. More gas means higher demand. Higher demand means higher prices. While rising gas prices do inflict financial burdens on some segments of the society, let us remember also that the current increases in gas prices has come after a prolonged period of low prices at the pump. According to the American Petroleum Institute, gasoline prices last year, adjusted for inflation and including Federal and State taxes, were at their lowest level since data were first collected in 1918. Thus, Mr. President, we may view the recent escalation in the price of gasoline not as a dramatic increase above its historical cost, but as an upward adjustment from unusually low

prices. It certainly stretches the imagination, however, to place the blame for the recent gas price increase solely on the shoulders of the 4.3-cent tax enacted to reduce the Federal deficit.

Contrary to what one might think in listening to the rhetoric surrounding this so-called Clinton gas tax increase, the 1993 deficit reduction package was not the first time that gasoline taxes have been increased for the purpose of deficit reduction. The fact is that the 1990 Summit Agreement, which was negotiated by Congress and the Bush administration, contained a gasoline tax increase of 5 cents per gallon which went into effect on December 1, 1990. Of that amount, two-and-one-half cents per gallon of that gasoline tax increase went to deficit reduction. This fact is set forth in a report of the Congressional Budget Office to the Congress dated January 1991, in the following statement relating to the 1990 Summit Agreement:

For the first time since the Highway Trust Fund was established in 1956, not all highway tax receipts will be deposited in the trust fund. Revenue from 2.5 cents of the 5-cents-per-gallon increase in the motor fuel taxes will remain in the general fund. The baseline assumes that this portion of the tax expires on schedule at the end of fiscal year 1995.

Ultimately, as Senators are aware, the 1990 Summit Agreement as negotiated with President Bush and which contained the gasoline tax I have just described, passed the Senate by a vote of 54-45. And, of the 54 yeas votes, 19 were Republican Senators—19.

Mr. President, this being a Presidential election year, it is clear that this proposal before the Senate is being presented to the Congress for reasons beyond the question of whether or not a repeal of the 4.3-cent gas tax represents sound fiscal policy. It is true that rising gasoline prices have permeated the country, particularly California, a State with a plethora of electoral votes. It is also true that repealing any tax, particularly a tax on gasoline, is politically popular. In addition, it is tempting to remind the electorate of a tax increase approved in the past by a political opponent, even if that tax increase was included in a responsible deficit reduction package. So, when we consider these factors, we may understand, without any unusual clairvoyance, why we are now considering a proposal to temporarily repeal the 4.3-cent gasoline tax until January 1, 1997. While this may be labeled a temporary repeal, I must question the likelihood of the gas tax being reinstated after its repeal. As soon as this tax is repealed, we will hear from countless interests claiming that the 4.3-cent repeal needs to be permanent. Do we expect Members of Congress to ignore those inevitable pleas? The fact is, Mr. President, that if we repeal this gas tax now temporarily, we will have taken a giant step through the one-way door of permanent repeal, and I doubt that we will find the courage to break that door down. And why are we con-

sidering entering this dangerous aperture? Is it anything more than politics? Mr. President, the 4.3-cent gas tax was enacted in 1993 as part of the successful deficit reduction package crafted by President Clinton and enacted by the 103d Congress without one single vote by a Republican Member of Congress. But it was the right thing to do. It took courage for the President and the Congress to enact that bill. Tax increases are not known for their popularity. In fact, some Members of Congress may not be here today because of their vote in 1993. But the fact remains that the 1993 bill nearly halved the Federal budget deficit, and the 4.3-cent tax on gasoline contributed to that effort. And, Mr. President, I voted for it, and I do not regret it.

Mr. President, the politics of this proposal notwithstanding, it is more important to focus on the economics of this proposal. Economics is, after all, often cited by advocates of tax cuts on the grounds that they spur economic growth. The Wall Street Journal, a newspaper frequently cited by my colleagues on the other side of the aisle, ran an interesting story on May 7 about the proposed gas tax repeal. Let me read the title: "Economists Say Gasoline Tax Is Too Low." The title does not read "too high," as some in this body would have us believe. It reads "too low." Economics, Mr. President, is a field where the experts rarely reach agreement on any issue. Yet, the Wall Street Journal reports that "there is widespread agreement in the field [of economics] that the Federal gasoline tax of 18.3 cents a gallon is too low." In fact, according to the article, more than half of the economists surveyed at a recent conference favor a gasoline tax of \$1 a gallon or higher. Further, the article states that "Economists cite various factors to justify a gasoline tax. Chief among them are the environmental and health costs of air pollution, along with the costs of traffic congestion, and road construction and repair." Finally, Mr. President, the Journal article states that the "proponents of an increase [in the gasoline tax] point to foreign producers' control over oil supply, and favor a gasoline tax that is high enough to stem U.S. demand." On the other hand, cutting the gas tax would do just the opposite: It would increase demand for gasoline and drive up the price, thus making the United States more dependent on foreign oil. So, Mr. President, it appears from these statements that, if this gas tax repeal is being proposed on the grounds of economics, it is being proposed on very shaky grounds indeed.

As I have already mentioned, the gas tax stands today at 18.3 cents per gallon, and many would have us believe that this amount is an anomaly in a world where other countries either do not have a gasoline excise tax or have substantially lower gas taxes. But, this is not the case. In fact, if you lived in Germany, France, the Netherlands, or

Italy, you could not purchase a gallon of gasoline for less than \$4. Gas excise taxes per gallon in those nations stood on March 1, 1996, at \$2.92, \$3.05, \$3.09, and \$2.91 respectively. Of course, lower taxes on gasoline could be found in the United Kingdom and Japan, where the tax per gallon stood at \$2.37 and \$1.99 respectively. Even if we combine the Federal excise tax on gas in the United States with a weighted average of the various State taxes, the typical American consumer pays only 37 cents tax per gallon on gasoline. That is quite a disparity, Mr. President. And what is the logical effect of this disparity? Americans drive more and consume more gas than their foreign counterparts. We rely less on public transportation and fuel-efficient automobiles than do citizens of many other industrialized nations. And, Mr. President, we have become very dependent on gasoline—a resource that is nonrenewable. In other words, if we continue to depend on free-flowing fuel from abroad, and do not develop alternative methods of more efficient transportation, we are not placing ourselves in a position to remain competitive throughout the world in the 21st century, and we are endangering our economic independence and our children's future as well.

So, Mr. President, as we are met with this proposal to reduce the excise tax on gasoline, we must not allow ourselves to be swayed by the winds of the political moment. We all know that tax cuts are popular. There are few easier votes that a Member of Congress can make. But, is that why we are sent here? The American public is tired of this endless political pandering—that is what it is—and the people are not fools. They will see this debate for what it is—a fiscally irresponsible, extremely political initiative brought before the Congress in the middle of an election year. And we talk about a constitutional amendment to balance the budget; a constitutional amendment to balance the budget on the one hand and repeal the gas tax on the other. So we are going in two opposite directions at once. Of course, the gas tax proponents have claimed to offset the lost \$4.8 billion in revenues that will result from this proposal. They intend to pay for this proposal by auctioning the spectrum to the private sector. Why not apply that against the deficit? Why not apply that savings against the deficit? However, it is my understanding, Mr. President, that the actual sale of the spectrum will not occur until 1998, and the reductions for the Department of Energy will occur over the next 6 years, while the loss in revenues from the gas tax will occur right now in fiscal year 1996. Thus, this legislation is subject to a 60-vote point of order—and I hope we will keep that in mind and not waive points of order if unanimous-consent agreements are entered into—under both section 311 of the Congressional Budget Act and the congressionally mandated pay-as-you-go, PAYGO,

requirement. Furthermore, Mr. President, using the spectrum sale now will remove another building block on which to construct a responsible balanced budget. The spectrum auction was, after all, included in last year's budget reconciliation measure. Is not a balanced budget a more lofty goal than a short-term, nonsolution to the recent elevation in the price of gasoline? Well, Mr. President, what I hear from my constituents is a real concern about the deficit and about the economic future of our country. I see a desire among the people to balance the budget in a way that does not undermine our Nation's ability to reinvest in itself or make us more dependent on foreign oil. Mr. President, reducing the gas tax now will make it harder to formulate any responsible plan to balance the budget in the future, and I will not support that effort.

I wish the President would veto the bill instead of saying he will sign it. I wish the President would veto the bill repealing the gas tax, if it is passed by Congress. This is pure political pandering, and both sides are engaging in it.

Mr. GRASSLEY. Mr. President, I rise to speak to the legislation now before this body that is called the TEAM Act, which is an amendment to the Minimum Wage Act, which, in turn, is tied to the legislation to decrease the gas tax. I speak in favor of the TEAM Act. It is a very good piece of legislation.

That position puts me opposite a union that I used to belong to. The union was the International Association of Machinists. I was a member of that union from February 1962 to March 1971, when the factory I worked for closed down and shut its doors. I was an assembly line worker making furnace registers. We were a sheet metal operation.

The International Association of Machinists, along with most other unions, are against passage of the TEAM Act. I am a Republican and I am proud to be a Republican. When I was a union member, I was proud to be a union member, and if I were still working there today I would be proud to be a union member as well.

But unions do not always speak for all workers, and this is an example, where the labor union leaders in Washington, DC, supposedly representing their members back at the grassroots, are not speaking for the rank-and-file members. I remember, even 30 years ago, rank-and-file members wanted to have something to say about the operation of the plant. They did not want it all to be confrontational. They wanted us to have a cooperative working effort, because with a cooperative working effort, we have more productivity, and the more productivity you have, the greater the chances are of preserving jobs and of having better wages, working conditions, and fringe benefits for the employees.

This is even more important today, because we are competing internationally and must focus on productivity in the labor force. Having friendly rela-

tionships between labor and management means more productivity. And we have to be more productive if we are to compete in this global-interdependent market.

So I support the TEAM Act because it would allow employees the privilege to participate in workplace decisions, giving them a greater voice in mutual interests such as quality, productivity, and safety. Current law prohibits this type of participation. This act would, among other things, encourage worker-management cooperation, preserve the balance between labor and management while allowing cooperative efforts by employers and employees, and permit voluntary cooperation between workers and employees to continue.

I also support it because, without this legislation, 85 percent of working folks are not allowed to talk with their employers in employee involvement committees about such things as extension of employees' lunch breaks by 15 minutes; sick leave; flexible work schedules; free coffee; purchase of a table, soda machine, microwave, or a clock for the smoking lounge; tornado warning procedures; safety goggles for fryer and bailer operators; ban on radios and other sound equipment; dress codes; day care services; and non-smoking policies.

The President indicated he was for this type of legislation in his State of the Union Message this year. At least to me it seemed an indication. He said: "When companies and workers work as a team they do better, and so does America."

I happen to agree with the President. Secretary Reich, in a July 1993 feature article in the Washington Post, said:

High-performance workplaces are gradually replacing the factories and offices where Americans used to work, where decisions were made at the top and most employees merely followed instructions. The old top-down workplace doesn't work anymore.

Again, I wholeheartedly agree with the Secretary of Labor. But just a few months ago, at a national union rally in Washington, DC, following a \$35 million campaign pledge made to the Democratic Party and a grand endorsement by the AFL-CIO, Vice President AL GORE promised President Clinton's veto of this TEAM Act that is now before the Senate. This is an act that would legalize workplace cooperation between nonunion employees and management.

Union representatives tell me they fear the TEAM Act would prevent them from organizing union shops. Let me emphasize, this act does not apply to union settings, and would not undermine existing collective-bargaining agreements. Under the TEAM Act, workers retain the right, as they should, to choose an independent union to engage in collective bargaining. Mr. President, I plan to continue my remarks this afternoon.

Mr. President, I yield the floor and suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

Mr. PRESSLER. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

#### LOW-LEVEL RADIOACTIVE WASTE POLICY ACT

Mr. PRESSLER. Mr. President, I want to speak about a matter that affects my State of South Dakota, but also several States, including California. We are part of a compact under the Low-Level Radioactive Waste Policy Act. Governor Wilson of California, and Governor Janklow of my State, have had a very difficult time with the Secretary of the Interior on this matter.

The original Low-Level Radioactive Waste Policy Act gave the States the responsibility of developing permanent repositories for this Nation's low-level nuclear waste. Now the Clinton administration wants to take away that authority.

For 8 years, South Dakota, as a member of the Southwestern Compact, along with North Dakota, Arizona, and California, has worked to fulfill its duties to license a storage site. It did the job.

Ward Valley, CA, is the first low-level waste site to be licensed in the Nation. After countless scientific and environmental studies and tests, the State of California and the Nuclear Regulatory Commission approved Ward Valley as a safe and effective place to store the Southwestern Compact's low-level radioactive waste.

However, there is one problem. Ward Valley is Federal land. It is managed by the Bureau of Land Management. The Southwestern Compact has requested that Ward Valley be transferred to the State of California. The Clinton administration refuses to take action. Instead, it has stalled again and again and again.

I spoke with the chairman of the Energy Committee, Senator MURKOWSKI, about this matter. He has introduced legislation to resolve the matter. But this is a tragic example of where the Secretary of the Interior for some reason is thwarting the intent of Congress and the intent of Governors of the States in the Southwestern Compact.

Mr. President, the reason behind all this is that the extreme environmentalists do not want to store radioactive waste anywhere because of their antinuclear agenda. But strangely enough, this type of low-level radioactive waste has been used in medical treatments and other areas to benefit humanity. I find this a very tragic situation. The Secretary of the Interior is cooperating with the extreme environmentalists against the public interest.

Nobody seems to know what is going on. What has the Secretary of the Interior done? He has stalled. First, he has