

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under the previous order, the Senate, having received H.R. 2267, the House companion bill to S. 1022, will now proceed to its immediate consideration. All after the enacting clause is stricken, the text of S. 1022, as amended, is inserted. The House bill is read a third time and passed. The Senate insists on its amendment and requests a conference with the House.

The bill (H.R. 2267), as amended, was passed.

The PRESIDING OFFICER (Mr. ROBERTS) appointed Mr. GREGG, Mr. STEVENS, Mr. DOMENICI, Mr. MCCONNELL, Mrs. HUTCHISON, Mr. CAMPBELL, Mr. COCHRAN, Mr. HOLLINGS, Mr. BYRD, Mr. INOUE, Mr. BUMPERS, Mr. LAUTENBERG, and Ms. MIKULSKI conferees on the part of the Senate.

The PRESIDING OFFICER. Under the previous order, S. 1022 is indefinitely postponed.

Who seeks time?

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The Senator from Nevada.

Mr. BRYAN. Mr. President, I want to advise the floor leaders it is my intention to request approximately 12 minutes as in morning business to discuss another issue. I don't want to interrupt their flow on the floor, but it looks like this may be an appropriate time to do so.

Mr. FAIRCLOTH. We have no objection whatsoever.

Mr. BRYAN. I ask unanimous consent I might speak as in morning business for a period up to 12 minutes.

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

#### RADIATION EFFECTS

Mr. BRYAN. Mr. President, earlier today the Labor Subcommittee of the Senate Appropriations Committee held a hearing on a report prepared by the National Cancer Institute regarding the health effects of fallout from atmospheric testing of nuclear weapons in the 1950's and 1960's.

Today, 35 years after the last atmospheric test, we are just beginning to get a clear picture of the effects of the radioactive fallout from these tests.

While we should obviously continue to do everything we can to help the victims of these tests, I hope we can also learn something from our mistakes in the past.

This August, the National Cancer Institute released the results of its nationwide study of radioactive fallout from atmospheric nuclear tests conducted at the Nevada Test Site in the 1950's and 1960's.

In 1982, Congress directed the Department of Health and Human Services to develop methods to estimate radioactive iodine-131 exposure, to assess thyroid I-131 doses, and to assess risks for thyroid cancer from the exposures.

Ninety atmospheric tests were conducted at the test site mainly in the years 1952, 1953, 1955, and 1957.

All 48 contiguous States received some degree of exposure to radioactive iodine-131 fallout from these atmospheric nuclear bomb tests.

Everyone in those States was exposed.

Let me repeat that—everyone was exposed.

People living hundreds of miles to the north and east of the Nevada Test Site in Montana, Idaho, Utah, South Dakota, and Colorado were exposed.

Within these 5 States, 25 counties had particularly high fall-out exposure ranging from 12.0 to 9.0 rads.

A "rad" is a radiation absorbed dose, which is the amount of radiation absorbed by the tissues in the body.

The tragic conclusion of this study is that children, who lived in these high exposure areas, and who were aged between 3 months and 5 years at the time of the tests were at the greatest risk for iodine-131 exposure.

Since children's thyroids are so small, their exposure was disproportionately higher than adults.

Children who drank contaminated milk—particularly from cows maintained for family use—and which ate pasture vegetation, have an even greater exposure.

The children in this age group exceeded the average per capita thyroid dose by a factor of about 3.7 following the tests because of their greater milk consumption and their smaller thyroids.

After each of the 90 tests, people living in these States were exposed to varying levels of iodine-131—for about 2 months following each test.

This means the air, milk, and other dairy products, eggs and leafy vegetables were all contaminated, and that contamination lingered for a significant period of time after each test.

The National Cancer Institute has concluded from the limited data available on people who were exposed, as children, to iodine-131 from the nuclear tests' fallout that this exposure is linked to thyroid cancer.

NCI estimates between 10,000 to 75,000 people who were exposed as children may develop fallout-associated thyroid cancer during their lifetime.

Nearly all were under 15 years of age at the time of exposure, and 75 percent were under 5 years of age.

NCI is currently working with scientists in Belarus and Ukraine to study thyroid cancer following the Chernobyl nuclear accident in 1986.

Thousands of children exposed to the accident's fallout received radiation doses to their thyroids.

These doses ranged from comparatively small to 10 times higher than U.S. residents received from the Nevada tests in the 1950's and 1960's.

There was a clear increase in thyroid cancer from the Chernobyl accident in this population.

The wide range of radioactive fallout exposures to such a large number of people that resulted in an increase in thyroid cancer will be most helpful in assessing the impact of the Nevada tests on those exposed.

Additionally, the Centers for Disease Control and Prevention researchers are studying the health effects of radioactive iodine released from the Hanford, WA nuclear weapons plant in the 1940's and 1950's.

The Hanford study results are to be available in 1998.

The Institute of Medicine [IOM] is currently also working with the Department of Health and Human Services to review the data from the National Cancer Institute's study to assess the risk to the exposed individuals.

The IOM will also develop recommendations for physicians regarding how to treat people who might be at risk of disease because of their I-131 exposure.

These recommendations should be available within 6 to 9 months.

What child growing up in the 1950's and early 1960's was not encouraged to drink as much milk as possible to build strong and healthy bodies? In the 1950's and 1960's, health experts advocated each youngster should consume four glasses of milk each day. No one in those years expected young children living hundreds of miles to the north and east of the Nevada Test Site drinking their milk were going to face a possible increase in thyroid cancer incidence.

But that is the consequence being faced by those exposed.

In addition, it is becoming increasingly clear that some of the scientists and engineers associated with atmospheric testing knew, or at least suspected, that there were health and safety consequences to the fallout.

Some of the Government personnel working on the testing program actually sent their families away from the area during and immediately after tests to protect them from the fallout.

A story reported yesterday in the New York Times is even worse, the Atomic Energy Commission apparently warned the Eastman Kodak Co. and other film companies of planned tests, so that the film companies could take steps to protect their film stocks from being damaged.

Somehow, the AEC decided it was more important to protect photographic film, than the health and safety of tens of thousands of citizens who were exposed and who, today, we know will suffer thyroid and other genetic

problems as a consequence of that exposure.

The last atmospheric test took place 35 years ago, but signs of atmospheric testing are still present in many areas, including southern Nevada.

Recently, in fact, scientists discovered the presence of radioactive contamination in dust in some attics in Las Vegas.

Nevadans have had plenty of experience with the Department of Energy.

During the cold war, we were proud to do our patriotic duty, and host the Nevada Test Site, the United States' major continental nuclear weapons testing facility.

We were all very proud of our participation in what we expected to be an exciting new age, we thought we were at the center of a new technology that would dominate the 21st century.

Of course, as these recent studies have shown pretty clearly, we were all completely ignorant of the tremendous dangers and costs of the nuclear age, and most of the captivating ideas of the 1950's never developed. In point of fact, nuclear power is on the decline.

Nuclear plants close regularly, due either to serious safety related problems, or dismal economic performance.

The legacy of the nuclear age, however, is still with us, the tens of thousands metric tons of commercial high-level nuclear waste, and an incomprehensible volume of defense related waste generated by the production of nuclear weapons.

Over Nevada's vigorous objections, our State has been targeted as the final resting place for these dangerous, poisonous wastes.

The Department of Energy, and the nuclear power industry, have spent millions of dollars attempting to convince Nevadans that they have nothing to fear, that this waste is perfectly safe, and poses no threat to our health and safety.

Unfortunately, Nevadans have had enough experience with the Department of Energy and its scientists to hold a certain amount of skepticism regarding these claims.

The report being reviewed by the committee today is yet another confirmation that the Department has historically cultivated a culture where concerns for public health and safety are subsumed to the pressure to reach the agencies ultimate goals, whether it is the development of nuclear weapons, or the disposal of commercial high-level nuclear waste.

The Yucca Mountain project is no exception.

In the 15 years Nevada has fought being designated as the repository for commercial high-level nuclear waste, we have seen repeated instances of the Department ignoring or explaining away scientific findings that do not conform to its repository program.

Signs of water percolating through the repository site were repeatedly ignored.

Seismic activity in the area, including an earthquake that did serious

damage to the buildings housing project offices, were dismissed.

For every objection that has been raised, the Department has been quick to assure us that they are meaningless, and that even if there were problems, the engineers can design around them.

Recently, several new discoveries have added to the uncertainty about the suitability of Yucca Mountain as a repository site, and called into question the models and assumptions Yucca Mountain scientists have relied upon for more than a decade.

For example, analysis of material removed from the exploratory tunnel at Yucca Mountain have shown pockets of unusually high concentrations of chlorine 136, a radioactive isotope generated by nuclear detonations.

The presence of high levels of chlorine 136 at the proposed repository level is assumed to result from penetration of water from the surface, where it picked up chlorine 136 fallout from atmospheric testing at the NTS 50 years ago.

This rapid penetration of water through the welded tuff of Yucca Mountain contradicts the Department of Energy's assumptions about the nature of the geology at the site, and calls into question the validity and accuracy of much of the characterization effort.

Despite repeated assurances by the Department of Energy and the nuclear power industry that the nature and behavior of radioactivity and radionuclides are well understood and predictable, and thus nothing for Nevadans to worry about, evidence continues to mount that the scientific community actually knows little about this field.

Just 1 month ago, scientists studying the Nevada Test Site, an area adjacent to Yucca Mountain, discovered that plutonium resulting from underground nuclear testing have migrated underground far faster and further than previously expected—nearly a mile in less than 30 years.

The empirical data collected at the site contradicts the models that are being relied on by the Department to evaluate the environmental impacts of underground testing at the Nevada Test Site.

The cumulative effect of these, and other, scientific assurances that later prove to be inaccurate, misleading, or even outright dishonest has been to seriously damage the credibility of the Department of Energy and the nuclear industry in Nevada, and elsewhere across the Nation.

Nevadans, and many others, will continue to suffer the consequences of our failure to properly understand the nature and effects of radioactivity in the past.

Despite these historical lessons, however, the proponents of nuclear energy continue to press forward with their misguided efforts to bolster the industry at the expense of the health and safety of the public.

The most recent incarnation of the industry's avarice is the nuclear waste legislation currently working its way through this Congress. In a misguided attempt to remove waste from reactor sites, where it can be, according to the industry itself, safely stored for the next 100 years, the industry has proposed shipping 80,000 metric tons of its waste on 16,000 shipments through 43 States to Nevada where it will be stored in exactly the same type of storage currently available and, in some instances, currently in use at existing reactor sites. This unprecedented shipping campaign will bring shipments of high-level nuclear waste within 1 mile of the homes of more than 50 million Americans, creating potential public health and environmental consequences of staggering proportions.

The nuclear power industry's attempt to ship its waste to above-ground storage in Nevada is corporate welfare at its worst. In a desperate attempt to rejuvenate a dying industry, the nuclear power industry is willing to sacrifice the health and safety of millions of Americans to improve its bottom line.

Mr. President, there is simply no need to move this dangerous, poisonous waste at this time. The Nuclear Regulatory Commission and the industry itself concedes the storage of the waste at reactor sites is safe. The Nuclear Waste Technical Review Board, an independent oversight board created by Congress, has said that centralized interim storage is presently not needed.

The nuclear power industry's waste legislation has passed the Senate and I fear will likely pass the House in the near future. Fortunately, President Clinton has committed to veto this ill-advised piece of legislation, and we are fortunate to have the votes in the Senate to sustain the veto.

It is time for the nuclear utilities to give up their efforts to establish interim storage in Nevada and enter into serious negotiations with the Department of Energy regarding support for the continued storage of high-level nuclear waste at reactor sites until an objective, defensible characterization of Yucca Mountain can be completed.

In the 1950's and 1960's, most public policymakers could not understand the terrible consequences that would result from atmospheric testing. Today, more than 40 years later, every taxpayer is contributing to compensate those downwind victims for the cancer, genetic, and other health effects from the fallout of those tests. It would be inexcusable for us, with what we know today, to create yet another situation where future legislators, our successors, 50, 100, or even 150 years from now will need to make similar arrangements for new generations of victims of the legislation the nuclear power industry is asking us to approve in this Congress.

Mr. President, I yield the floor, and if there is any time remaining, I yield back the remainder of the time.

The PRESIDING OFFICER. Who seeks time? The Senator from North Carolina.

#### MORNING BUSINESS

Mr. FAIRCLOTH. Mr. President, I ask unanimous consent that there be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

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

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

#### VA-HUD APPROPRIATIONS

Mr. BOND. Mr. President, one of the pleasures and honors I have in this body is to serve as the chairman of the appropriations subcommittee that funds veterans' programs, housing, as well as environment, space, science, and emergency management.

On the veterans side, we have a very heavy responsibility to the people who, in my State and throughout the country, have been willing to put their lives on the line to protect our freedoms, and I think they deserve the best that we can give them. That is why in past years, I have been very disappointed and troubled at this administration's approach to funding for veterans' medical care. Quite frankly, they were willing to sacrifice these important programs, at least on paper, in order to pretend that they were reaching a balanced budget. I think that is just plain wrong.

I was also disappointed earlier this spring when the President and the congressional leadership proposed to take \$300 million out of veterans' medical care as a part of the budget agreement. I said at the time that we would not let that happen.

I am pleased to report that last night in a bipartisan, bicameral session, the Senate and House negotiators on both sides, Democrats and Republicans, approved a measure that provides more funding than the President, more funding than the budget agreement for veterans' medical care. The conference agreement that we hope will soon be signed into law provides \$17 billion next year for medical care for veterans. This level of funding ensures that we keep our promise of continued care to all eligible veterans.

We will also be able to continue our efforts to improve the VA medical system, which has been under great stress and which we hope is making progress toward more efficient, more effective, more humane care and treatment for our veterans who need care.

It is sometimes easy during peace and prosperity to forget temporarily the promises that we as a country have made to those veterans who were willing to risk their lives to protect us. I said throughout this budget process I did not intend to let us forget, and I hope we will move quickly to send this bill to the President.

In addition to the tough battles we fought in the veterans' medical care area and the difficult decisions we made, we had to make some tough decisions and take some difficult actions with respect to housing. Over the last several weeks, many elderly residents in public housing complexes in Missouri and I am sure in other States represented in this body, have expressed their deep concern about the possibility of their housing subsidies being ended.

HUD was required by law and did send notices to thousands of senior citizens across the country over the last few months telling them that their rent subsidies were scheduled to expire this fall. That is required by law. But for most of the seniors who received the notices, it is very frightening because it threatens to tell most of them they will no longer be able to afford their homes and will be forced to move.

I visited residences of complexes in St. Louis and Springfield, MO, and listened as the residents described their fears about losing their rent subsidies. I told them I would do everything in my power to help them stay in their homes.

I am pleased to announce once again that last night the House-Senate conference agreed to provisions that we crafted, that I crafted to protect elderly housing. During the years I have spent as a member of the Senate Banking Committee and now as chairman of the VA, HUD, and Independent Agencies Appropriations Subcommittee, I made preservation of affordable, low-income housing, especially for seniors, for the elderly, a top priority and a long-term commitment.

Unlike the administration which, for some reason, continues to emphasize the possibility of vouchers as a one-size-fits-all approach to housing needs of low-income families and the elderly, I believe that elderly housing complexes, which are good, safe places, comfortable for the elderly residents, should be maintained. Frankly, it is terrifying to seniors who may have lived 10 to 15 to 20 years in the same housing complex to tell them suddenly they must move: "Here is a voucher, go out and pound the pavement and try to find housing."

Mr. President, if you have visited these complexes, and I am sure you have them in your State as we have them in all of our States, all you have to do is go into one of those complexes and meet with the residents, many of them in walkers, using canes, in wheelchairs and think just a minute of giving those people vouchers and asking them to go out and look for housing.

What a ridiculous thought that is. We are not going to force them to go out and look for housing.

How many of us who have parents and grandparents or other relatives in elderly housing complexes want to see them torn away from their communities and forced to find new housing? I really believe that seniors should be treated differently from young persons eligible for subsidized housing.

While the trend in recent years has been to provide vouchers for recipients to use for housing of their choice in a variety of neighborhoods, many seniors—most of whom I talked to—prefer to remain in senior-only housing complexes. I think it makes sense for them to remain in communities where they have grown accustomed to living and have made friends and feel comfortable.

As chairman of the Senate appropriations subcommittee, I included language in the HUD-VA bill that was agreed to last night which does allow these seniors to remain in their homes, to remain in their complexes. Specifically, we provided for the renewal of project-based section 8 contracts at a rate affordable to the elderly.

Good, affordable elderly housing, more than just an example of a successful private-public partnership, is a community of people who live together and care about each other. We cannot afford to lose this type of housing. We cannot afford to lose the type of community this housing represents.

Washington sometimes loses sight of people and the importance of local communities. But I do not plan to let Washington lose sight of these elderly housing communities or the people who live in them now or in the future.

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

The PRESIDING OFFICER (Mr. SANTORUM). The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Mr. DASCHLE. 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. DASCHLE. Mr. President, I will use my leader time to make a statement on a couple of issues.

#### TRIBUTE TO GEN. JOHN SHALIKASHVILI

Mr. DASCHLE. Mr. President, I have very mixed feelings about the decision announced yesterday at the White House. After nearly four decades of exemplary service to his adopted Nation, Gen. John Shalikashvili will step down as the top soldier of our Nation's military forces. We understand that by statute he is required to do so, but it does not make the reality any less of a disappointment.

With his 39 years of distinguished service, General Shali, as he has come to be affectionately known, has earned