

said it in interviews: The whole system is inappropriate. The whole system is inappropriate. It needs to be turned not upside down—it is upside down right now—but right side up.

If we are going to talk about any kind of corruption, it is not the wrongdoing of individual officeholders. We are talking about something far more serious. It is systemic corruption. By systemic corruption, I mean we now have reached the point where too few people have way too much wealth, power and say, too much access, too much say by virtue of their economic resources and their big contributions, and the vast majority of people feel left out of the loop.

That is the fundamental issue. To most people in the country, the vast majority of people in the country, it is really clear:

First, too much money is spent in these campaigns;

Second, there is too much special interest access and influence as a result of the money spent;

Third, too much time is spent by all of us—all of us—in what can be described as a money chase, trying to raise money because you are running for office; and

Fourth, regular people, ordinary citizens, which I do not use in a pejorative sense but in a positive way, do not feel they can run for office.

Mr. President, we are talking about nothing less than the question of whether or not we are going to have a real representative democracy. We have now really gotten to the point—and I am not going to use all the terms such as “independent expenditures” and “soft money” and “hard money.” Let me just make a more basic point. We are talking much more about auctions than elections. We are not even talking about authentic democracy anymore. It is a minidemocracy at best. If you believe that each person should count as one and no more than one, and you believe in equality and you believe in fair and open elections, people in the country know this is all trumped by big money.

It is time for reform. It is time for reform. It is time to get big money out of politics. There are a lot of proposals. Some of us really believe you ought not to have any private money in the system and that ultimately, absolutely is the way to go. Some focus on other legislation. Some focus on soft money.

I just want to make this clear, that we are going to be making a huge mistake, all of us are going to be making a huge mistake if we do not pass a major reform bill this Congress. We are going to make a huge mistake if the only thing this boils down to is just sort of piling acquisitions on accusations and people going after one another. If this becomes a kind of slash-and-burn politics, search-and-destroy politics, we are going to get absolutely nowhere.

I will say this. I am only speaking for myself. I do not know how the Chair

feels. Actually, I believe, even though the argument is made often that the problem is that those in office do not really want to change the system because the system is wired toward incumbents, because we are able to raise more money than our challengers—the statistics bear that out—I think it has come to the point where all of us should hate the system, because when you are raising money and you are running for office and you have to be on television and you are trying to figure out how you are going to go after your opponent and destroy your opponent—that is the way some people view politics; they should not but they do—or you are figuring out how to raise millions of dollars so you do not get ripped up into shreds, the fact is even if you are absolutely sure in your head and your heart that not one time has the compelling need to raise money ever affected any position you have ever taken on any issue, it certainly does not look that way to the public.

I am convinced that all the good things that could happen here are trumped by money in politics. I am convinced that one of the reasons we are not responding to the very real concerns of citizens across this country, which have to do with affordable education and good jobs and the standard of living and reducing violence in communities and all the rest of it, is because of this influence of money in politics.

This is the core issue. There is too much access for the big givers and the heavy hitters and the well connected, and the vast majority of people feel left out of the loop and they are right. What concerns me is I have heard some colleagues say, “But the fact of the matter is, the polls do not show this. The polls do not show that the people seem to consider this a burning issue.”

I think what is sad is that people's expectations are so low in the country right now that they are not at all sure there is anything we are going to do about this. But we better prove ourselves to the people we are asked to represent. We better pass a reform bill. We better make sure that we dramatically reduce the amount of money that is spent in these campaigns. We better make sure we try to lessen—if you cannot eliminate it, at least lessen—special-interest access. We better make sure we do something about this constant money chase. We better make sure our elections do look like elections and not like auctions. We better make sure that people in the country, whether they are Democrats or Republicans or independents, feel like they can run for office. We better do that, because this is all about democracy.

We keep spending more and more money every election cycle, and participation goes down, down, down. So I am hopeful, even though this is a tough time in the Senate. We have major divisions. People are drawing the line. It seems to be an all-out battle. By the way, I am all for good debate. I do not

like to hate but I like debate. But I am telling you, every single one of my colleagues, Democrats and Republicans alike, are making a big mistake if we do not line up behind major reform.

We should want to do this. If we want people to at least have more confidence in the political process than they have now, if we want people to begin to believe in us, if we want people to believe in the legislation that we pass, which is a product of this process, then people have to believe that politics in Washington, DC, is not dominated by big money. People have to believe the Congress belongs to them, that the Capitol belongs to them, that all of us, Democrats and Republicans, belong to them.

I know I may sound melodramatic on the floor of the Senate, especially since today there is no one to debate. But I came to the floor to speak because I am absolutely convinced that this is the priority. There is nothing that we could do that would be more important than to try to move forward on a reform agenda. I am hoping that, in this Congress, we will do that.

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

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

Mr. GRAMS. Mr. President, I ask unanimous consent that I may speak for up to 15 minutes as in morning business.

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

THE NOMINATION OF FEDERICO PEÑA TO SERVE AS U.S. SECRETARY OF ENERGY

Mr. GRAMS. Mr. President, I rise today on behalf of our Nation's taxpayers and ratepayers in seeking to reaffirm the promises made to them by the Federal Government well over a decade and a half ago. Given that the Energy and Natural Resources Committee this morning reported out the nomination of Federico Peña to be the new Secretary of Energy and that full consideration by the Senate on his nomination is likely to occur soon, I find it both necessary and timely to reignite today the debate on our Nation's nuclear waste storage problem.

Since 1982, our nuclear energy ratepayers have been required to pay over 12 billion of their hard-earned dollars to the Federal Government. And that was in exchange for the promise to transport and store commercially generated nuclear waste in a centralized Federal facility by January 31, 1998.

Unfortunately, this obligation has never been met by the DOE, which has already spent over 6 billion of those ratepayer dollars, yet has little to show in exchange for that massive investment. Today, our ratepayers continue to pay into the Nuclear Waste

Fund, as well as for on-site storage at commercial nuclear facilities across the Nation, including the one at Prairie Island in southeastern Minnesota.

So now ratepayers are being asked to pay twice for the storage of nuclear waste.

Even as 41 States wait for the Department of Energy to fulfill its promise to begin accepting domestic nuclear waste, the Federal Government continues to accept, transport, and store spent nuclear fuel from Federal facilities and foreign research reactors. For national security reasons, the Federal Government is even helping to pay for an interim storage facility in Russia.

Yet, Mr. President, despite the strides we are making toward interim storage of foreign and Federal waste, the situation has grown critical for our own nuclear utilities and ratepayers.

For example, even though the Federal courts have ruled that the DOE will be liable if it does not accept commercial nuclear waste by January 31, 1998—thereby putting taxpayers at risk for the Federal Government's inaction—the DOE has shrugged off this legal mandate, claiming that it will not be able to meet the deadline. Even worse, the DOE has yet to recommend the specific action it would take in order to accept any of our commercial nuclear waste.

So again, it can accept foreign or Federal nuclear waste, transport and even pay for interim storage in Russia, but yet our Government says it cannot handle what it is under contract and obligation to do for our nuclear waste.

I find this very troubling, particularly for my fellow Minnesotans, who stand to lose up to 30 percent of their energy resources if a solution is not found soon. Mr. President, the clock is ticking.

In 1994, the Federal Government's failure to live up to its promise of accepting nuclear waste sparked a prolonged and controversial debate in the Minnesota State Legislature over whether to continue on-site storage at Prairie Island. While the legislature eventually voted to extend storage capacity until 2002, it would not have been forced to do so had the DOE met its legal obligation to begin accepting waste from Minnesota.

At every turn, the DOE's response to this growing problem has been one of sheer arrogance and inaction. For example, when asked by me at an Energy Committee hearing how the DOE expected to resolve the situation facing Minnesota, DOE Undersecretary Thomas Grumbly argued that the problem was a State issue, in spite of the fact that the Federal government signed a contractual, legally binding agreement with utilities and the States to accept their waste by January 31, 1998.

He said, take that back to the States. That is your problem, not theirs.

In other words, now that the DOE has elected not to meet its responsibility, it has simply buried its head in the sand in a brazen attempt to avoid ac-

countability. Instead of taking action, the Clinton-Gore administration is making excuses—trying once again to take a national policy problem and turn it into a crassly political debate. Unfortunately, the losers of this cynical gamesmanship are the American people.

Maybe that is why 46 State agencies and 36 utilities recently sued the Department of Energy to stop requiring future payments into the Nuclear Waste Fund and to escrow over \$600 million in current payments. If the Clinton-Gore administration does not wake up and take action, this lawsuit will mark only the beginning of a costly legal process to force the Federal Government to own up to its responsibilities.

Because obviously, if a solution is not reached now, taxpayers, consumers, and those who care about the environment will be left stranded. That is the reality—and some of those who once argued the loudest against resolving this issue have come to the very same conclusion.

For example, last month, former Department of Energy Secretary Hazel O'Leary contradicted Vice President GORE's longstanding objection to meaningful action on this issue. Her comments on the need to move forward with a temporary nuclear waste storage site after the completion of a viability assessment at Yucca Mountain reflected the national will to resolve this issue.

Although I am disappointed that Mrs. O'Leary's honest assessment came after her tenure as Secretary, I strongly believe the next Department of Energy Secretary must provide the commitment, the leadership necessary to immediately resolve this critical situation.

Again, it is not a technical problem. It is not a problem of science. It is a problem of political will to be able to make that political decision within the administration to accept this responsibility and to provide the answers.

With that in mind, I, like many of my colleagues on the Energy and Natural Resources Committee, took the time to ask Secretary-designate Peña his views on resolving this issue. Unfortunately, he failed to give specific and definitive answers to our questions during his confirmation hearing.

Because I do not believe the Senate should confirm Mr. Peña's nomination before we have received specific answers, I sent a letter asking Mr. Peña for a detailed response outlining the exact steps the department plans to take in order to meet the January 31, 1998, deadline.

Yesterday, I received a letter from Mr. Peña that failed to articulate any specific solution. So in response, I again sent him another letter reiterating my question, and I hope to hear back from him today.

Mr. President, I ask unanimous consent that our correspondence be printed in the RECORD.

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

U.S. SENATE,

Washington, DC, March 4, 1997.

Mr. FEDERICO PEÑA,

Secretary-designate, Department of Energy, Washington, DC.

DEAR MR. PEÑA: As the Senate Energy and Natural Resources Committee further deliberates on your nomination as Secretary of the Department of Energy (DOE), I'm writing to solicit your views on recent comments made concerning our nation's failed commercial nuclear waste disposal program.

As you know, the DOE has announced that it will be unable to meet its legal deadline of January 31, 1998 to begin accepting commercial nuclear waste despite a mandate by a federal court and the collection of over \$12 billion in ratepayer's funds. As a result of this failure, the Court of Appeals will decide the appropriate amount of liability owed by the DOE to certain utilities, possibly putting taxpayers at risk because of the Department's lack of measurable action. Meanwhile, the federal government continues to collect and transport foreign-generated spent fuel for interim storage without any apparent technical or environmental risks.

In light of these activities, it was no surprise that former DOE Secretary Hazel O'Leary recently contradicted the Clinton Administration's longstanding objection to resolving the centralized interim-storage impasse for our ratepayers and, ultimately, our taxpayers. Her comments on the need to move forward with a temporary waste storage site upon completion of the viability assessment at Yucca Mountain reflect the bipartisan, common-sense reforms contained in S. 104, the Nuclear Waste Policy Act of 1997. Unfortunately, the Clinton Administration has ignored this reality by failing to become a constructive player in this process.

Although I am disappointed that Mrs. O'Leary's comments came after her tenure as Secretary, I applaud her courage in expressing her views honestly and thoroughly. I strongly believe that the next DOE Secretary must provide the committed leadership necessary to resolve this critical situation while in office. With this in mind, I want to know your specific thoughts on Mrs. O'Leary's comments that the DOE should move forward on a temporary nuclear waste storage site next year at Yucca Mountain if a viability assessment is completed at the permanent site. If you disagree with Mrs. O'Leary, I want to know what specific alternatives you would propose to meet the federal government's legal obligation to accept nuclear waste by January 31, 1998.

For too long, our nation's ratepayers and taxpayers have been held hostage to what has become a political debate. They deserve better and, more importantly, deserve an immediate solution to this issue. For that reason, I expect a specific, constructive response to my questions before the Senate votes to confirm your nomination.

Sincerely,

ROD GRAMS,
U.S. Senator.

MARCH 5, 1997.

Hon. ROD GRAMS,

U.S. Senate, Washington, DC.

DEAR SENATOR GRAMS: Thank you for your letter of March 4, 1997 concerning the Department of Energy's civilian nuclear waste disposal program and the comments made recently by former Secretary Hazel O'Leary. I have not spoken with Secretary O'Leary about her remarks and, therefore, am not in a position to comment on them.

As I stated when I appeared before the Committee on Energy and Natural Resources, I am committed to working with the

Committee and the Congress toward resolving the complex and important issue of nuclear waste storage and disposal in a timely and sensible manner, consistent with the President's policy, which is based upon sound science and the protection of public health, safety, and the environment.

I am very cognizant of the Department's contractual obligation with the utilities concerning the disposal of commercial spent fuel, and, after confirmation, I also expect to meet with representatives of the nuclear industry and other stakeholders to discuss the Department's response to the recent court decision and the consequences of the delay in meeting that contractual obligation.

As Chief of Staff Erskine Bowles emphasized in his February 27 letter to Chairman Murkowski, the Administration believes that the Federal government's long-standing commitment to permanent, geologic disposal should remain the basic goal of high-level radioactive waste policy. Accordingly, the Administration believes that a decision on the siting of an interim storage facility should be based on objective, science-based criteria and should be informed by the viability assessment of Yucca Mountain, expected in 1998. Therefore, as the President has stated, he would veto any legislation that would designate an interim storage facility at a specific site before the viability of the Yucca Mountain site has been determined.

In conclusion, I want to strongly emphasize again that I am committed to working with you and other members of the Committee and the Congress on these difficult issues.

Sincerely,

FEDERICO PEÑA.

U.S. SENATE,

Washington, DC, March 5, 1997.

Mr. FEDERICO PEÑA,
Secretary-designate, U.S. Department of Energy, Washington, DC.

DEAR MR. PEÑA: I received your letter, dated today, in response to my most recent questions on our nation's nuclear waste policy. Although I appreciate the timeliness of your response, I am still concerned about the absence of specific proposals from you on how best to resolve this important issue.

In your letter, you wrote that the Clinton Administration "believes that a decision on the siting of a storage facility should be based on objective, science-based criteria and should be informed by the viability assessment of Yucca Mountain, expected in 1998." Frankly, this response states nothing more than the position you have taken in the past, leaving questions about whether the viability study can be completed in time for the DOE to realistically accept waste by the legal deadline of January 31, 1998 and what can be done to meet the deadline if the permanent site at Yucca Mountain is not determined to be viable.

I certainly hope you can understand my concerns, given that you yourself have publicly admitted that following this track would make it impossible for the DOE to meet the January 31, 1998 deadline.

More importantly, you did not answer my central question regarding what specific, constructive alternatives you would propose in order for the DOE to begin accepting waste from states by January 31, 1998, as outlined in statute and ordered by the courts.

With that in mind, I would again request a specific response from you—prior to the Senate vote on your confirmation—to the following question: given that the current Administration position would result in the failure of the DOE to accept waste from states by January 31, 1998, what specific, constructive alternatives would you propose to guarantee that the DOE will meet this legal, court-imposed deadline?

I look forward to your response.

Sincerely,

ROD GRAMS,
U.S. Senator.

Mr. GRAMS. Today, when the Energy and Natural Resources Committee took up Mr. Peña's nomination, I voted "present," as I had announced I would several weeks ago.

As the author of legislation to eliminate the Department of Energy—legislation prompted, in part, by the nuclear waste fiasco—I had decided that I could not in good conscience vote for Mr. Peña's nomination to head up a department that should not continue to exist.

Yet, at the same time, I did not want to cast a vote that would be misinterpreted as a vote against Mr. Peña personally.

Since then, I have grown increasingly troubled, however, for the reasons that I have outlined here today, by Mr. Peña's inability to provide specific answers about how he and the Clinton-Gore administration intend to resolve our Nation's nuclear waste storage problem.

Again, he has to get these answers from the administration. And it is Clinton-GORE that have to make these decisions.

We in the Senate have our own proposal, and that is our bill S. 104. That is the Murkowski-Craig-Grams bill, which won the support of 63 Senators last year.

As a Senator representing Minnesota ratepayers who already have paid over \$250 million in exchange for no tangible benefit, representing taxpayers who may be held financially liable for the Federal Government's failure to act, and representing citizens concerned about protecting our environment, I believe that the Senate must not rush ahead in confirming Mr. Peña's nomination before we receive from him a specific and constructive response to our questions.

Now, while I hold out hope that we will receive such answers from Mr. Peña in the immediate future, I am willing to work with my colleagues in ensuring that a final vote is not taken before a specific, constructive response is given. Accordingly, I would object to any unanimous-consent agreement to bring up Mr. Peña's nomination for a vote at this time.

The Senate cannot simply allow itself to be lulled by vague promises to work together on this issue. Fifteen years of unfulfilled promises should have taught us that lesson.

Again, with the January 31, 1998, deadline fast approaching, we have our own responsibility to the American people to ensure that the obligations of the Federal Government are satisfied. We owe them nothing less.

DR. PIERCE BLITCH

Mr. COVERDELL. Mr. President, I rise today and ask my colleagues to join me in extending condolences to

the family and loved ones of Dr. Pierce Blitch, Jr., of Augusta, GA, who passed away on Wednesday, February 12, 1997. Dr. Blitch leaves a proud and indelible legacy for his family, profession, and community. He spent his professional and personal life dedicated to the field of medicine. After completing service to his country in the Navy during World War II, he graduated from the Medical College of Georgia in 1952. Dr. Blitch embarked on his medical career with an internship at University Hospital and a cardiology fellowship at Massachusetts General Hospital in Boston. He was active on staff at University Hospital and St. Joseph Hospital from 1956 until 1996. At University Hospital he served as a member of the executive committee and chief of staff and chairman of the department of medicine from 1976 until 1981. Dr. Blitch then went on to teach at the Medical College of Georgia as an instructor in the department of medicine in 1956, clinical professor of medicine in 1976 and ultimately awarded professor emeritus of medicine in 1992. He was truly a public servant and devoted leader of his field. He will remain a role model to the medical community for generations to come. I am proud of this fellow Georgian, his achievements and his contributions to our State and country. His passing is a great loss for the community.

TRIBUTE TO FDA COMMISSIONER DAVID KESSLER

Mr. KENNEDY. Mr. President, I welcome this opportunity to pay tribute to an outstanding public servant who is leaving office as Commissioner of Food and Drugs, Food and Drug Administration, Dr. David Kessler. In 1991, the Food and Drug Administration was at one of the lowest points in its history. The agency was recovering from the generic drug scandal. It was not consistently enforcing the law. Patients felt they were not receiving the therapies they needed.

The appointment of David Kessler as commissioner changed all that. He launched an extraordinary period of reform and improvement in the agency's effectiveness. He began with the obvious—enforcing the law.

He initiated many other important reforms. He has worked tirelessly to provide improved treatments for cancer and AIDS, and to assure that life-saving drugs move quickly from the laboratory to the marketplace. Because of his leadership, the information supplied with prescription and over-the-counter drugs will soon be more user-friendly. He led the administration's initiative to reduce teenage smoking.

He led the way to many other impressive achievements. The United States is now as fast or faster than any other country in the world in getting new drugs to patients. David Kessler achieved this result without sacrificing the FDA's high standards for safety and effectiveness.