

as the Six Day War. Since then, Jerusalem has been a united city in which the rights of all faiths have been respected and protected, and persons of all religious faiths have been guaranteed full access to holy sites within the city.

In 1990, I sponsored Senate Concurrent Resolution 106, which was overwhelmingly adopted by the United States Senate, while a similar resolution (H. Con. Res. 290) was adopted by the House of Representatives. These resolutions declared that Jerusalem, the capital of Israel, "must remain an undivided city" and called on the Israelis and the Palestinians to undertake negotiations to resolve their differences. The late Prime Minister Yitzhak Rabin credited S. Con. Res. 106 with "[helping] our neighbors reach the negotiating table" to produce the historic Declaration of Principles signed in Washington on September 13, 1993.

In the fall of 1995, I joined with Senator Dole to introduce "The Jerusalem Embassy Act of 1995" (Public Law 104-45) which states as a matter of United States policy that Jerusalem should remain the undivided capital of Israel. I firmly believe that Jerusalem must remain an undivided city in which the rights of every ethnic and religious group are protected, as they have been by Israel during the past thirty years.

I congratulate the people of Israel on the approaching thirtieth anniversary of the reunification of their historic capital. When the Senate reconvenes next month, I will introduce a resolution to commemorate this event, as I have done on previous anniversaries. ●

THE NUCLEAR WASTE POLICY ACT OF 1997

● Mr. MURKOWSKI. Mr. President, high-level nuclear waste and highly radioactive used nuclear fuel is piling up at 80 sites in 41 States. It is stored in populated areas, near neighborhoods and schools, in the backyards of people across America.

An example is the Palisades Plant in Michigan, which is within 100 feet of Lake Michigan. Another is the Haddam Neck Plant, in Connecticut. A U.S. Senator has observed that he can see it from his house.

Without objection, I would like to place in the RECORD an editorial from today's Hartford Courant that observes that "with the closing of the Connecticut Yankee Plant at Haddam Neck, the issue of what to do with the State's high-level nuclear waste has moved from the theoretical to the here and now. . . . Experts say Connecticut Yankee's spent fuel could be stored at Haddam Neck for another 30 years if Congress fails to approve a temporary facility. Unfortunately, the hands of the clock can't be turned back to a time when nuclear waste didn't exist. In terms of its disposal, a remote desert site in Nevada is the lesser of two evils."

The waste was supposed to be taken by the Federal Government for safer,

central storage by 1998. Will that happen? The answer is "no."

Even though \$12 billion has been collected from Americans to pay for storage—and even though a Federal court reaffirmed the Government's legal obligation to take the waste by 1998—there is no plan for action.

By 1998, 23 reactors in 14 States will be full. By 2010, 65 reactors in 29 States will be full.

A conservative estimate is that 25 percent of our nuclear plants will not be able to build onsite storage and will be forced to shut down. That would mean the loss of over 5 percent of our Nation's total electricity generating capacity.

But Yucca Mountain won't be ready until at least 2015. Therefore, the Nation needs a temporary solution.

That solution—S. 104—passed the Energy and Natural Resources Committee with a solid, bipartisan vote (15-5). Almost half the minority members and all majority members voted in favor of the bill.

Americans have waited too long for a solution to this environmental and public safety challenge—we must not wait any longer. There is a critical need to construct a safe, central storage facility to eliminate the growing threat to the environment and to the American people.

I have worked with Members on both sides of the aisle to solve any problems they have with this bill. We accepted several amendments from the democrat side.

We continue to meet with Democrat Members and the administration to resolve remaining concerns. We will continue to work with new Secretary Pena and his staff at the Energy Department, now that the Secretary has the portfolio to resolve this pressing problem.

Over the recess, committee staff will be available to work on proposed compromises which can be considered in April. Senator BINGAMAN has been very constructive in this regard.

Much of what he is proposing appears acceptable. However, the bottom line is the need for a predictable path to interim and permanent waste storage. We simply cannot leave trap doors that allow central storage to be delayed for decades.

We now have an opportunity for bipartisan action. Let's seize that opportunity.

It is no secret both Nevada Senators will do what they feel they need to to derail this important bill. They consider it a political necessity to oppose it.

There will be allegations that the science is bad and try to scare us with references to mobile chernobyl. They will imply that if this bill doesn't pass, nuclear waste will not be transported through this country. That is not true. The fact is that there have been 2,500 shipments of used fuel across this country in the last 20 years.

This is not just history—it is happening today. Doe is transporting spent

fuel from nuclear reactors all over the world into the United States, virtually as we speak—by truck, by train, by barge, by boat.

If the Nevada Senators do not tell you about this, there's a reason. Its because these shipments have been, and will continue to be, completely uneventful. In short, these spent fuel shipments are safe, and they aren't news.

At our hearing in February, all four members of the Nevada delegation admitted there was no process and no level of scientific proof that would decrease their opposition. This is about politics, and little about science.

Senator BRYAN was once in favor of sending high-level materials to the Nevada test site. As a State legislator, he voted for A.J.R 15, which was signed by the Nevada Governor in May 1975, which asked the Federal Government to do just that.

I think he was right the first time. It is safer, smarter, and cheaper to contain these materials at one location in the remote Nevada desert.

The Nevada test site was used for decades to explode nuclear bombs. It helped win the cold war—now it can help us win the war on radioactive waste disposal. High-level nuclear waste is our legacy: Now it's our obligation to dispose of it.

It is irresponsible to let this situation continue. It is unsafe to let dangerous radioactive materials pile up at 80 sites in 41 States. It is unwise to block safe storage in a remote area when the alternative is to simply leave it in 41 States. This is a national problem that requires a national solution. We need to pass S. 104.

So far, the administration's attitude toward nuclear waste storage has been to simply ignore the problem and disregard the Governments contractual obligation to take this waste. The American people deserve better.

Safe nuclear storage should not be a political issue. It is a scientific and an environmental issue—and we need a solution now. Sadly, the administration has turned a blind eye and a deaf ear. In addition to threats to the environment and safety, 22 percent of our electric capacity is at risk—22 percent.

Starting in January 1998, taxpayers may have to pay billions of dollars in liability payments because the Government has not met its obligation to take waste. Estimates of taxpayers' liability under a recent lawsuit brought by States run as high as \$80 billion. That's as much as \$1,300 per American family. Here's how the damages break down:

Cost of storage of spent nuclear fuel: \$19.6 billion.

Return of nuclear waste fees: \$8.5 billion.

Interest on nuclear waste fees: \$15 to \$27.8 billion (depending on the interest rate used).

Consequential damages for shutdown of 25 percent of nuclear plants due to insufficient storage (power replacement cost): \$24 billion.

Inaction is not an option. Inaction is irresponsible.

Many of the opponents claims are also irresponsible: Interim storage at the Nevada test site will not delay construction of Yucca Mountain. A viability assessment will occur before the interim site is built. The President will have a choice of interim sites after the viability assessment.

This Nation faces a major decision: either continue storing high-level radioactive materials at 80 locations in 41 States indefinitely, or more safely contain them at one, centralized facility.

The option is clear—it's safer and cheaper. The time for action is now.

The editorial follows:

[From the Hartford Courant, Mar. 20, 1997]

THE LESSER OF TWO EVILS

With the closing of the Connecticut Yankee plant at Haddam Neck, the issue of what to do with the state's high-level nuclear waste has moved from the theoretical to the here and now.

The dilemma for Connecticut—and for other states that are home to any of 109 nuclear reactors—is whether to continue to store the spent nuclear rods on site or. . . Or What?

Or begin shipping the radioactive waste to a temporary repository in the Nevada desert, but only if Congress approves such a facility. Senate action is expected shortly.

Already, utility ratepayers have contributed \$13 billion nationally, and \$500 million in Connecticut, for the purpose of disposing spent nuclear fuel at a central repository. But the federal government is more than a dozen years behind in developing a permanent underground vault at Yucca Mountain, Nev., thus heightening the need for a temporary holding place.

To be sure, concerns about transporting 85,000 tons of waste in 15,000 shipments over 30 years should in no way be minimized. Any leak, accident or terrorist attack would have disastrous consequences for the 75 percent of the nation's population who live along the designated truck and rail routes.

But nuclear engineers have done everything humanly possible to ensure the integrity of the operation. The casks that contain the radioactive material have been dropped 30 feet onto hard surfaces, engulfed in 1,475-degree fires, submerged under three feet of water and crashed at 80 mph into a 700-ton concrete wall. In every test, the casks survived intact. In the seven transportation accidents that have occurred, no radioactivity was ever released.

Although the risk will never be eliminated, the alternative is unacceptable. High-level nuclear waste cannot continue to be stockpiled at the 73 existing sites. Many reactor sites either have been decommissioned or are running out of room. Experts say Connecticut Yankee's spent fuel could be stored at Haddam Neck for another 30 years if Congress fails to approve a temporary facility.

Unfortunately, the hands of the clock can't be turned back to a time when nuclear waste didn't exist. In terms of its disposal, a remote desert site in Nevada is the lesser of two evils.●

THE NUCLEAR WASTE POLICY ACT OF 1997

● Mr. CRAIG. Mr. President, I am very pleased that the Senate is now prepared to take up the Nuclear Waste Policy Act of 1997. It is time that this

Congress clarify its intentions for the disposal of spent nuclear fuel and nuclear waste. It is for this reason that I introduced the Nuclear Waste Policy Act of 1996, which passed successfully in this body last year, and it is why I am a sponsor of S. 104 this year. We must resolve the problem that this Nation faces with disposing of nuclear material. Congress must recognize its responsibility to set a clear and definitive nuclear disposal policy. With the passage of this legislation in the last Congress, the Senate expressed its will that Government fulfill its responsibilities.

One major provision of this legislation directs that an interim storage facility be constructed at Area 25 at the Nevada Test Site and that the interim facility be prepared to accept materials by November 30, 1999. The first phase of this two-phase facility will be of a sufficient size to accept spent fuel from commercial reactors, shut down reactors and the Department of Energy.

As reported out of Committee, S. 104 includes a provision which I introduced. This provision clarifies Congress' intent to provide for the timely removal of spent nuclear fuel and high-level radioactive waste from the Government's national laboratories and defense programs. Under this provision, the Department of Energy is required to remove Government nuclear waste and spent nuclear fuel from our national laboratory sites in an amount equal to at least 5 percent of the total waste DOE accepts into the interim storage facility every year.

In addition to the billions of dollars that utility ratepayers have contributed to the disposal fund, taxpayers have contributed hundreds of millions of dollars to the disposal program for the removal of spent fuel and nuclear waste from the Nation's national laboratory sites. The provision I have sponsored makes good on the Government's commitment to clean up these sites and shows a return on the taxpayer money committed to this disposal program.

This provision assures that the spent fuel from the U.S. Navy reactors currently stored at the Idaho National Engineering and Environmental Laboratory will begin to be sent to the interim storage facility beginning in 1999. This is good news for both the DOE and for Idaho. Spent nuclear fuel will be moved out of Idaho well before the agreed date of 2035 called for in the agreement between Idaho Governor Batt, the DOE and the Navy. The fuel that is now temporarily stored in Idaho will be at the designated facility designed for long term disposal.

In my opinion, this legislation is important because it closes off the "escape routes" that exist in past legislation on this issue and have stymied the opening of a facility that actually accepts spent nuclear fuel and stores or disposes of it at a permanent facility. S. 104 closes these escape routes by specifying an interim facility location

and a date for the opening of that facility.

Congress must own up to its responsibilities for the disposal of nuclear materials that it assumed through statute in 1982; a responsibility that 40 utilities and other organizations from 23 States are suing the Federal Government right now in the U.S. Court of Appeals to fulfill. The passage of S. 104 will take a major step in that direction and stem the Government's potential liability for failure to fulfill its contractual commitments—a potential hemorrhage of billions of dollars in judgments against the Department of Energy. By this action, spent nuclear fuel that is currently stored at nearly 100 different sites around the country—sites that were never designed for long-term storage—will be move to one central location: A location that is specially designed for such storage.

In the course of this debate, we will hear a lot of discussion from those on both sides of this issue about transportation. Those who don't want to address the nuclear waste issue are likely to raise the specter of a "mobile Chernobyl." This scaremongering is simply not supported by the facts.

The fact is that there have been over 2,500 commercial shipments of spent fuel in the United States, and that there has not been a single death or injury from the radioactive nature of the cargo. Let me add to these statistics by noting that in my State there have been over 600 shipments of Navy fuel and over 4,000 other shipments of radioactive material. Again, there have been no injuries related to the radioactive nature of these shipments. This is an exemplary safety record—a product of the care and rigorous attention with which these materials are transported.

I know that many people would prefer not to address the problem of spent nuclear fuel disposal. But for this Congress not to address the problem would be irresponsible. As the legislative body that sets policy for the Nation, Congress cannot sit by and watch while a key component of the energy security of this Nation, and the source of 20 percent of our country's electricity, nuclear power, drowns in its own waste.

The Nuclear Waste Policy Act of 1997 will do what neither the 1982 nor the 1987 act accomplished, and that is to definitively resolve the question of what to do with spent nuclear fuel in a timely manner. I look forward to its successful passage.●

APPOINTMENTS BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, in accordance with Public Law 99-498, Section 1505(a)(1)(B)(ii), appoints the Senator from Colorado [Mr. CAMPBELL] to the Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development.