

Alaska and brother Harry also received a Ph.D from Yale. Sister Alice married Roland Snodgrass who later served as Director of the Division of Agriculture in Gov. Walter Hickel's first administration. Their son Jack is an attorney in Palmer. Mary's youngest sister, Flora Mikami Newcomb lives in Vancouver, B.C. Her brother, Harry, is deceased.

The elder Mikamis sold the tailor shop and retired to Los Angeles just before World War II. Instead of the surcease they sought in retirement, they were moved to a Japanese internment camp in Arizona—a fate the four children escaped. In honor of their parents, the four Mikami children established the Mikami Scholarship at the University of Alaska Fairbanks, and it is available today to any sophomore or junior student.

Mary and Irving Rouse were the parents of two boys, Peter M. Rouse of Washington, D.C. and David C. Rouse of Philadelphia. David is a landscape architect and urban designer. In this body, we are most familiar with Pete Rouse, who many of you will recognize as the Chief of Staff to our esteemed Minority Leader TOM DASCHLE. Mary may have been as stern about studies as was her mother because Pete has a B. A. from Colby College, an M.A. from the London School of Economics and an M. A. from Harvard University. In the mid-1970s, Pete and TOM DASCHLE were both legislative assistants to Sen. James Abourezk, D-S.D. While at the Kennedy School at Harvard, Pete became friends with an Alaskan named Terry Miller, who was to become an Alaskan Lt. Governor. In 1979, Miller asked Pete to come to Alaska and work for him in the State House, reestablishing Pete's family ties with the state.

The winds of political fortune soon brought him back to Capitol Hill and Chief-of-Staff positions with Representative RICHARD DURBIN, Representative THOMAS DASCHLE and then Senator DASCHLE. But Pete never forgot Alaska and his many friends there. His continuing efforts and interest in our State are greatly appreciated.

Mary Mikami's life was an American success story. Hers was an example of achievement against great odds. She honored both of her cultures and her family. She was a combination of Samurai pride, Alaskan fortitude and New England grit. Mary was her own woman before anyone had heard the term "women's liberation". She was also a lifelong Democrat, and I'm sure was always very proud of the path her son has followed. Today, I join my colleagues in expressing condolences to the family and friends of Mary Mikami Rouse. Alaska is proud to claim her as one of its pioneers.

Mr. DASCHLE. Mr. President, I join the Senator from Alaska in remembering Mary Mikami Rouse. Mary Rouse recently passed away, at the age of 87, leaving behind an accomplished family and a legacy of academic achievement.

She was born in the United States in 1912, the daughter of Japanese immigrants who had come to the United States to seek their fortune. Growing up in Alaska, Mary Mikami excelled academically and graduated with the highest honors from Alaska Agricultural College and the School of Mines, which later became the University of Alaska.

After completing her college work in Alaska, she traveled to New Haven, CT, where she attended Yale University, where she met and married Irving Rouse and earned her Ph.D. Throughout her life she continued living in New Haven, working as lecturer, translator, and instructor at Yale's Institute for Oriental Languages.

With her husband Irving, Mary had two sons, David Rouse, an urban landscape architect in Philadelphia, and Peter Rouse, my chief of staff and a man who has been my friend and closest adviser for now more than 15 years.

All of us who know and work with Pete are aware of the enormous influence his mother Mary had on him. His success in life stems from the legacy of his mother—a keen intelligence, unparalleled integrity and judgment, and basic human kindness.

The values he brings to this institution each day are, no doubt, the product of his upbringing and his mother's influence. In fact, it is her character we have the privilege of seeing reflected in her son each and every day.

For those of us who have the good fortune to work with Pete Rouse, there is no way we can thank his mother Mary for all that she has done to influence his life, for all that she did to ensure we have the good fortune to call Pete Rouse our friend, to call him, now, our coworker, and for me to rely upon him each and every moment of every day to the extent that I do.

I, and all who know Pete, share his loss now. We are grateful that she has had the good life, the successful life, the extraordinary life that she has had, and we all wish Pete and his family well under these circumstances.

#### IT CAME FROM SEATTLE: TRUE HORROR STORIES OF THE EPA

Mr. MURKOWSKI. Mr. President, there is a letter in your mailbox from the Internal Revenue Service. Your pulse quickens. Beads of perspiration break out on your brow as you tear open the envelope to see what the most feared agency in Washington has in store for you.

At least that's how it used to be. Now the Environmental Protection Agency appears determined to replace the IRS as the government agency you really don't want to hear from. Consider the following true stories from my office case files:

A small land owner in Ketchikan recently opened a letter from the EPA to learn that he had been assessed a \$40,000 fine for a wetlands violation. He knew he had problems with the EPA,

but he had been meeting with EPA officials and had been encouraged that an acceptable mitigation plan might be negotiated. The \$40,000 fine hit him like a bolt of lightning out of a clear blue sky.

Meanwhile, in Anchorage the commanding general of the United States Army in Alaska received a letter from the EPA. The General knew he had a problem with the powerplant at Fort Wainwright that was not in full compliance with the Clear Air Act, but he and his staff had been working diligently to bring the plant into compliance. With the help of the Alaska Congressional Delegation, he had received a \$15.9 million appropriation for new pollution control measures. He had budgeted another \$22 million for additional upgrades next year. The Army had, of course, informed EPA of these efforts to bring the plant into compliance, and the EPA seemed satisfied. But the letter the General now held in his hand said that EPA was assessing the U.S. Army with a \$16 million fine—a fine greater than the combined value of all EPA fines ever assessed against the U.S. Army nationwide. Another bolt of lightning out of a clear blue sky.

These stories suggest that the EPA hasn't learned a fundamental lesson understood by every decent cop—good law enforcement requires discretion. When you're pulled over by a trooper for going a few miles per hour over the speed limit and are calmly discussing the matter with the officer, you have every right to expect that you will not be beaten senseless with a nightstick. And when a small businessman, residential landowner, or U.S. Army general finds himself engaged with the EPA over an alleged violation and is making an effort to find a resolution, he should not be slammed with unprecedented, punitive fines.

We need laws to protect the environment, but the interpretation and enforcement of law must be blended with common sense and judgment. Take wetlands protection, for instance. Some wetlands perform critical roles in protecting water supplies and providing important wildlife habitat. Other wetlands are lower value muskeg. The letter of the law may not make the distinction, but human beings with the responsibility of enforcing the law should understand the difference.

These "bolt from the blue" letters that Alaskans are getting in their mailbox are postmarked Seattle. The EPA regional office "in charge" of Alaska is in Seattle. What the EPA folks in Seattle know of Alaska they get from their brief visits, or from their small staff in Anchorage. They aren't our neighbors. They aren't Alaskans. I want to change that.

At the risk of enticing the mad dog from an adjacent neighborhood to our own backyard, I am renewing my efforts to force EPA to create a separate region for Alaska. That way, the EPA

officials writing these letters will at least have a chance to better understand the environment in which we live. They would live in our neighborhoods, and send their kids to school with ours. If you're going to get fined, they'll have to look us in the eye. There would be no more scary certified letters from distant bureaucrats in Seattle.

In the meantime, I'm inviting the Regional Administrator of the EPA to come and stand with me on Gravina Island, across from Ketchikan, where 13 feet of rain falls each year. As the rain from a driving rainstorm fills his wingtips and rivulets of water cascade down the hill into the Tongass Narrows, I'll ask him to point out where the wetlands end and the uplands begin. I'll also ask him to describe the irreplaceable environmental value of the muskeg that the EPA wants us to keep undisturbed. If I'm not satisfied with his answers I'll advise him to start looking at real estate in Alaska, and suggest he hold a garage sale in preparation for a move out of Seattle. Meanwhile, be afraid. Be very afraid.

#### NUCLEAR TROJAN HORSE

Mr. MURKOWSKI. Mr. President, physicians use a specially engineered radioactive molecule as sort of a nuclear Trojan horse in the battle against pancreatic cancer. The molecule is absorbed by the cancer cells and only by the cancer cells. Once inside, the radiation breaks up the DNA and kills the tumor cell—another amazing tool in the war on cancer.

The physicians, technicians and even clean-up crews must carefully dispose of the medium that stored the radioactive molecule and other items that may have come in contact with the radioactive materials. There are strict procedures for disposing of such wastes by hospitals, universities, power plants and research facilities.

But, in a way, that waste itself is a Trojan horse, sitting innocently in garages or closets in sites all over the country, waiting to be opened up and released on the public by an act of terrorism or of nature like the recent floods the East sustained, or the earthquakes and wildfires more common to the West coast. Most dangerous would be fire which would put the radioactive materials into smoke that could be breathed by anyone near the fire.

Why is this a problem? Because there are only three facilities in the entire country that safely can accept such low-level radioactive waste, LLRW: that is material contaminated as a result of medical and scientific research, nuclear power production, biotechnology and other industrial processes. In 1996, about 7,000 cubic meters of LLRW was produced in the nation.

A study released by the General Accounting Office at the end of September 1999, holds out little hope for the construction of any new low-level radioactive waste disposal sites as en-

visioned under the Low-Level Radioactive Waste Policy Act, signed by President Jimmy Carter in 1980. That legislation resulted from states lobbying through the National Governors' Association (NGA) to control and regulate LLRW disposal. An NGA task force, that included Governor Bill Clinton of Arkansas and was chaired by Governor Bruce Babbitt of Arizona, recommended the states form special compacts to develop shared disposal facilities.

The GAO study, which I requested, states, "By the end of 1998, states, acting alone or in compacts, had collectively spent almost \$600 million attempting to develop new disposal facilities. However, none of these efforts have been successful. Only California successfully licensed a facility, but the federal government did not transfer to the state federal land on which the proposed site is located."

Secretary of the Interior Bruce Babbitt stopped the California facility at Ward Valley from ever becoming reality. National environmental groups and Hollywood activists made Ward Valley a rallying cry, claiming waste would seep through the desert to the water table and into the Colorado River. They claimed to believe this despite two complete environmental impact statements that found no significant environmental impacts associated with a disposal facility at Ward Valley in the Mojave Desert. Secretary Babbitt asked the National Academy of Science to convene an expert panel to determine whether the Colorado River was threatened, and said he would abide by their conclusions. In May 1995, the Academy scientists concluded that the Colorado River was not at risk. Yet, the property was never transferred.

But the importance of this issue extends well beyond the borders of the State of California or the borders of its fellow compact members, Arizona, and North and South Dakota, which thought they had a deal with the federal government. The losers are all Americans who believe the President and the executive branch should uphold federal law, not ignore it and obstruct it for the sake of campaign contributions.

The GAO states that several reasons are behind the rest of the states giving up on siting new waste disposal facilities. Public and political opposition is cited as the strongest prohibiting factor. Another reason is that, for the time being, states have access to a disposal facility at Barnwell in South Carolina, Richland in Washington State and Envirocare in Utah. A very positive reason cited is the reduction in the volume of low-level waste that is being generated, with waste management and treatment practices including compaction and incineration.

However, the report cautions, "Within 10 years, waste generators in the 41 states that do not have access to the Richland disposal facility may once

again be without access to disposal capacity for much of their low-level radioactive wastes." Barnwell could decide to close or curtail access as early as 2000, and, at best, will only be open until 2010. The Utah facility disposes of wastes that are only slightly contaminated with radioactivity and thus is not available for all storage.

In ten years states will be searching for storage as well as disposal. That storage will be near every university, pharmaceutical company, hospital, research facility or nuclear power plant. It may be down the street from you or within your city limits. And we have the Clinton administration to thank for bringing the materials into our communities like a quiet Trojan horse instead of working with states to establish a secure waste facility. Let's hope nothing ever opens the belly of the beast accidentally.

#### TAKEOVER OF THE FISHERIES IN ALASKA

Mr. MURKOWSKI. Mr. President, the Secretary of the Interior today, under the authority of current law, has taken over the management of fisheries in my State of Alaska. Our State legislature has been trying to resolve this problem, along with the Governor and our delegation, for some time. Unfortunately, we were unable to resolve it within the timeframe, so the Feds have officially taken over beginning today.

I have directed a letter to the Secretary of Interior putting him on notice that, as chairman of the committee of oversight, chairman of the Energy Committee, I will be conducting a series of oversight hearings on the implementation of his regulations to ensure there is a cooperative effort and involvement of a public process with the State of Alaska, Department of Fish and Game, and the people of Alaska, as he promulgates his regulations, to ensure we are not taken advantage of by an overzealous effort by the Department of Interior to mandate procedures only in the State of Alaska.

We are the only State in the Union where the Federal Government has taken over the management of fish and game. Many Alaskans are wondering just what statehood is all about if, indeed, we are not given the authority to manage our fish and game.

I will save that for another day. I yield the floor.

#### JUDICIAL NOMINATIONS

Mr. LEAHY. Mr. President, I said Tuesday of last week that the series of votes the Senate took that day, in which we were unable to consider and vote on the nominations of Judge Richard Paez and Marsha Berzon, was unprecedented. I expressed my concern that the Senate not go so far off the tracks of our precedents that we end up creating a problem, not just for this administration, but for any future administration.