

(The remarks of Mr. BYRD and Mr. DASCHLE pertaining to the introduction of S. 1833 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

# DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2000—CONFERENCE REPORT

Mr. DURBIN. Mr. President, earlier we were discussing the District of Columbia appropriations bill. It is a bill that I have taken an interest in as the ranking Democrat on the subcommittee. One of the smaller spending bills, it has now become one of the largest. You might wonder what has happened.

It turns out that the District of Columbia appropriations bill has become a vehicle in the closing hours of this session for a lot of legislative attempts at spending. In fact, the largest non-defense budget to be considered by the Congress each year is for the Departments of Labor, Health and Human Services, Education, and related agencies. It is the largest bill. It passed the Senate in one form a few weeks ago. But the bill in its original form never has passed the House of Representatives. In fact, they went the entire session debating about whether or not there would be enough money to fund critical programs for education and health. The House could not muster a majority to pass that bill during its regular session. It had to wait for a conference committee which involved the District of Columbia to finally bring it to the floor just a few hours ago where it passed with a very close vote. It now is headed to the President's desk for his consideration after we vote on Tuesday. It is my guess that the rollcall will be by and large a partisan rollcall, but that the bill will pass the Senate and head down to the White House.

It is also fairly certain that bill will be vetoed by the President. In fact, the D.C. appropriations bill, as I mentioned earlier, has bought a ticket on the Titanic. This bill is going to sink, as it should, and let me tell you why it should.

I can't understand why we wait until the closing days of the session to address the issue of education. It is the last priority in Federal spending from the congressional perspective. It is the first priority of every American family. We just don't get it. We don't connect with people who time and time again, when asked in opinion polls for the major concern we face as a nation, identify education.

Yet in this congressional session it is an afterthought. We have done everything else; now let's look at education. I don't think the American people expect that kind of conduct from Congress. They don't expect Members in the closing hours of any session to finally get around to talking about schools, kids, and education. That is exactly what we have done.

This bill, which the President should veto and send back to Congress to work on more, guts the class size reduction initiative, an initiative which allows hiring more than 100,000 teachers nationwide so that first and second grade classrooms have fewer kids. Every teacher and parent knows the wisdom of that decision. Yet the Republican majority resists. They voted for it last year; now they don't want it.

They ought to come to Wheaton, IL, and the schools I visited there. This is considered to be a fairly conservative area politically. They are for the President's initiative. They have seen it work. Why this bill wants to kill that initiative, I don't know. They are not listening to teachers or parents when the Republican majority insists on that. The Republican bill funds 3,400 fewer afterschool centers. Almost a million kids in America are denied afterschool programs, a million who would have received it if the President's request had gone through. The kids will be out of school at 3 in the afternoon with little or no adult supervision and nothing constructive to do. The Republican majority says that's fine; that is the way it has to be. I don't think so. I think our vision of America should be broader. We know kids going home to an empty house or hanging around a mall or street corner are not engaging themselves in learning. I think the President's proposal was far better.

There are many other areas of concern, including denying title I reading and math teachers. Think about that. At a time when we need more scientists and computer engineers, we are going to eliminate 5,400 title I teachers who would have been included in the President's budget to teach reading and mathematics. Cut reading instruction for 100,000 kids, and they fall behind in their classes.

Is this the kind of bill we want to kick off the new century? Does this define our priority in education? I think not. I think it is a bad political decision. I hope the President wastes no time in vetoing it and sending it back to the Republican majority to address.

The worst part of the bill, if that isn't bad enough, has to do with medical research. Every administration tries in some way, shape, or form to find something to do legally with the budget which will allow them to get away from some tough decisions. Democrats have done it; the Republicans have done it. What we have done with the National Institutes of Health is tragic. The National Institutes of Health—and I am sure most Americans are familiar with that name—is the agency we assign the responsibility of finding cures for the diseases that plague Americans and people across the world.

When one of my former colleagues in the House of Representatives, Bill Natcher of Kentucky, who passed away several years ago, used to bring this bill to the floor, he would say: This is

the people's bill, the one that everyone can identify with because we are all interested in schools, education, and safety in the workplace.

The people's bill isn't being treated very well when it comes to medical research. I had a chance to look at comments made in the House of Representatives during this debate by my friend and former colleague, Congresswoman NANCY PELOSI of San Francisco, CA. I think she hit the nail on the head when she said our former Speaker, Tip O'Neill, said all politics is local. But in this bill all politics is personal. It is as personal as the woman with breast cancer, the man with prostate cancer, or people with AIDS who look to us for hope.

As a Senator, one of the more emotional things I have to go through each year is a visit from different groups interested in the National Institutes of Health funding. They come to me in desperation. They are the mothers and fathers of children with juvenile diabetes; they are the mothers and fathers of autistic children; they are people who are suffering from cancer and heart disease and rare diseases with names that one might never have heard. They say: Senator, do something; make sure the National Institutes of Health have the money they need to look into medical research to save our children's lives and to give them some hope.

That is a tough responsibility for anyone to face. Doctors face it every day, but politicians and Senators face it rarely. When we do, it is not a comfortable situation. I always assure them I will do everything I can, I will pass every bill I can to put money in medical research.

For the last several years, we have increased the amount of medical research. That is good. My colleague in the House, JOHN PORTER, a Republican from Illinois, has been a leader in that. I salute him for that. I think we should continue on that track. This bill, unfortunately, takes a giant step backwards because this bill, as it is drafted and being sent to the President, says the National Institutes of Health must postpone the awarding of medical research grants until the closing weeks of next year. It means that universities and medical researchers all across America are put on hold. They won't be given the money to research diabetes, cancer, heart disease, AIDS and all the other things we are concerned about. They have to wait.

What do their official organizations say about that? The American Council on Education says of this approach in the Republican bill to delay medical research in America:

... research programs cannot be stopped and started up again without considerable, often irretrievable loss to research progress.

The Association of American Medical Colleges says of this Republican idea:

The cumulative impact of these effects will slow the overall pace of research.

The Coalition for Health Funding says:

The net effect would be a significant slowing of biomedical research endeavors.

This isn't just a budget gimmick. This isn't a way to save face. This is, frankly, something that should alarm every American family. If there is not someone in your household who is ill, you are blessed, but tomorrow that can change.

For those who sit patiently in doctors' waiting rooms, in hospitals, praying for a miracle for help from Washington when it comes to medical research, this bill is no hope at all. This bill takes a step backwards. The President should veto this bill. Basically, it says to the National Institutes of Health, we will give you more money but wait 8 months. Let's let medical research stand on hold for 8 months. Mr. President, 40 percent of their spending, 60 percent of their grants will be delayed until the closing days of the next fiscal year. This is beyond budget gimmickry. This is unfair. It is inhumane. If for no other reason, President Clinton should veto this bill.

What it does to the Centers for Disease Control is also awful.

Mr. REID. Will the Senator yield?

Mr. DURBIN. I am happy to yield to the Senator.

Mr. REID. Isn't it true that in addition to the so-called forward-funding, they are also talking about an across-the-board cut that would also affect the programs at the National Institutes of Health in addition to what the Senator has spoken about?

Mr. DURBIN. That is true. I concede the overall spending is moving up, but they are slicing it back as part of the 1-percent, across-the-board cut.

As we learned from the Congressional Budget Office yesterday, if the Republican leadership is to keep their hands out of the Social Security trust fund to accomplish this, 1 percent won't be enough. They will need to cut back 5.8 percent, which means less money for medical research than otherwise would have been there.

By failing to make the necessary, tough, hard choices about where to spend money and where not to respond, they have tried to spread this. And by doing so, they have hit areas such as medical research.

Mr. REID. Isn't it true, also, when they talk about 1 percent—which we know has to be 6 percent—isn't there that much waste in government? The Senator knows they are talking not about looking at pockets of waste, fraud, and abuse. But these are indiscriminate, across-the-board cuts; is that not true?

Mr. DURBIN. The Senator is correct. As a member of the Appropriations Committee, he has had the responsibility of putting together a budget. We are supposed to make choices. Some programs are worth investing in and some are not. Instead of making the choice, the Republican leadership says let's take a cut across-the-board on all of these projects and programs.

I am not going to stand here and say there is waste, fraud, and abuse when it

comes to medical research. We fund at the current time fewer than half of the requests. People come to NIH and say: We have an idea for a cure for diabetes, or something to do with asthma, arthritis. These people are vetted, the professionals look at them, the money is given.

This approach is not only going to cut a percentage off the money for medical research, it is going to delay 40 percent of the funds until the closing days of the year. So all the researchers are put on hold, and all the people out in America, worried about these medical conditions for themselves and their families, frankly, are going to be faced with that same delay.

Mr. REID. I ask one last question to the Senator from Illinois. I think the Senator has done a good job of indicating these cuts are related to real people, people who get sick. They are not numbers. They are not statistics.

It was a few months ago at the West Front of the Capitol that I was here with Miss America. There has been a new Miss America in the last few weeks. The 1998 Miss America is a diabetic. She was out there because she has hope that what we are doing at the National Institutes of Health will allow her and the millions of other people who are diabetic to be cured.

This will slow up the grants to these people who, we are told, are on the verge of a breakthrough so children and others with diabetes can look forward to the date when they will no longer have to take the insulin shots, sometimes three times a day. Isn't that right?

Mr. DURBIN. The Senator from Nevada is right. Again, let me remind you, this is a budget gimmick. If you delay the spending in an agency until the closing weeks of the year and then when you calculate how much it is going to cost, it won't come out to the same dollar amount. In order to meet some budget guidelines and conform with some regulations and rules, they make this decision to make an across-the-board cut and delay the spending.

If somebody came to the floor and said, I have a great idea, let's delay paying Members of Congress until the last few weeks of the year, I think we might have some resistance here. I think some of my colleagues and my wife and I might see that a little differently. When it comes to medical research, we are prepared to do that. How can you say that to the families you have met and I have met who come and expect us to do our very best to encourage medical research?

Let me tell you another area. The Centers for Disease Control gets \$2.8 billion. What do they do? They try, across the United States, to do things such as reduce the incidence of HIV and AIDS, try to reduce tuberculosis, immunization programs for kids, things that make America healthier. This appropriation the Republicans have brought to us delays until the very end of the fiscal year a third of

that money. Slow down your effort to try to stop the spread of AIDS, this appropriation bill says. I think that is irresponsible.

If there is any reason for the President to veto this bill, it is in the area of health research and disease prevention. I hope the President vetoes it, sends it back up in a hurry, and says to the Republican leadership: Roll up your sleeves and get serious. If you are going to make cuts in order to achieve some budget goals, don't start with medical research, don't start with children who are suffering from diseases where we might find a cure, don't go to the Centers for Disease Control which has an important mission for all Americans to make this a healthier nation. No, go somewhere else.

I have been elected to the Congress, the Senate, now, for 17 years. There are some areas that are really worth a fight. We can talk about roads and bridges. They mean a lot to a lot of people. But when it comes to education and health, I think that is worth a fight. I invite the President's veto as quickly as possible. Send this bill back up here and say to the leadership, on both sides of the Rotunda, that they have a lot more to do. Balancing this budget on the backs of kids who need special tutorial help to learn to deal with reading and math is unconscionable. Balancing this budget on the backs of thousands who receive assistance from the Women, Infants, and Children Program for nutritional assistance, so babies are born healthy, that is unconscionable.

For those of us who next year again will face a steady stream of people—from Illinois, in my case, Nevada in the case of Senator REID—who come to our office and beg us, please do something about medical research so my child might live, I want to be able to look them in the eye and say: We did the right thing. We encouraged the President to veto an irresponsible bill, a bill which would have delayed medical research for a lot of people across America who are depending on it for their survival.

When it comes down to the closing hours of the session, sometimes things move through quickly and people are anxious to get home. I know I speak for myself and I probably do for many others when I say I am prepared to stay as long as it takes to see that the National Institutes of Health and all their medical research responsibilities do not become part of the political gamesmanship of the end of this session.

I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

MEASURE READ THE FIRST  
TIME—S. 1832

Mr. REID. Mr. President, I understand that S. 1832 introduced earlier by Senator KENNEDY is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1832) to amend the Fair Labor Standards Act of 1978 to increase the Federal minimum wage.

Mr. REID. Mr. President, I now ask for its second reading and, in addition thereto, object on behalf of the majority.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Mr. President, I understand this bill will be read the second time on the next legislative day?

The PRESIDING OFFICER. That is correct.

Mr. REID. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

Mr. WARNER. 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. WARNER. The Senator from Virginia understands the parliamentary situation is I can offer a resolution, a sense of the Senate, in morning business.

The PRESIDING OFFICER. The Senate is in morning business.

The Senator from Virginia is recognized.

Mr. WARNER. I thank the Chair.

(The remarks of Mr. WARNER pertaining to the introduction of S. Res. 211 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER (Mrs. HUTCHISON). The Senator from Alaska.

NUCLEAR WASTE POLICY  
AMENDMENTS ACT OF 1999

Mr. MURKOWSKI. Madam President, it is my understanding that it was the leader's intention to lay down the nuclear waste bill, but there has been an objection raised. As a consequence, it is my understanding that we will be discussing the bill, recognizing that there may be procedural action by the leadership at a later date regarding the disposition of this legislation.

It is my intention to simply discuss the merits of the bill for a period that would accommodate the President, as well as my colleagues, recognizing it is Friday afternoon and there are Members who perhaps have other plans.

While it is not my intention to communicate to this body every thought concerning this matter that I have. I do have, through the cooperation of my staff, probably enough material to take 6 or 7 days. Hopefully, it will not take

that long to convince my colleagues that we have a problem in this country with our high-level nuclear waste program.

It is no secret there are not a number of States that are standing in line to take this waste. The fact is, most Members would wish for some type of a magic trick that would make this waste disappear. But the facts are, this waste is with us. It was created by an industry which contributes some 20 to 22 percent of the total electric energy produced in the United States. So it is our obligation to address how we are going to handle that waste.

We have, I think, like the ostrich, put our head in the sand regarding advanced technology addressing high-level nuclear waste that has advanced in other countries, particularly in France, and to a degree Great Britain and Asia.

The technology varies, but the basic premise is that spent fuel coming from our depleted cores within the reactors are taken, and through a chemical process, the plutonium is recovered and returned to the reactors as fuel. This is an oversimplification of the process, but, as a consequence, the proliferation threat of the plutonium is reduced dramatically because it is burned in the reactors. Not every existing reactor can utilize this technology, but technology is clearly available.

What is done with the rest of the waste? It is vitrified. That means the remaining waste is turned into a glass. The lifetime of that material has been reduced dramatically. It still must be stored, but it has a lesser radioactive life.

What we have here is a situation where my good friends on the other side have objected to consideration of this bill.

That objection suggests that they might have some other alternative other than simply delaying a resolution of this problem. If there is another alternative other than delay, I would hope my friends on the other side would bring that to my attention.

For the sake of full disclosure, as the junior Senator from Alaska, I do not have a constituency in my State on this issue. My hands, so to speak, from a self-interest point of view, are pretty clean. Oftentimes we have Members who are trying to foster a particular policy based on an interest in their State. We don't have high-level nuclear waste in Alaska. We have never had a nuclear power reactor, with the exception of a small program back in the early 1960s on one of our military bases. That facility has since been removed. The point is, the obligation I have is one as chairman of the Energy and Natural Resources Committee to try to get my colleagues to recognize that we collectively have a responsibility as to what we are going to do with this waste.

The industry is strangling on its waste. If we don't address it in a responsible way, the industry will de-

cline. It will decline for a couple of reasons. The storage at many reactors is at, or almost at, the maximum limit allowed by their licenses. That means that each reactor is licensed for the amount of waste that can be stored on the site of the reactor. Many of you have been to nuclear reactors. You have seen the blue pools where the spent rods are stored. There is a limit to how much storage is available. As a consequence, we run into a situation where some reactors have reached their maximum limit under the authorization and cannot continue to operate without some relief.

That relief, as I will indicate to my colleagues, was to have been provided by the Federal Government. The Federal Government contracted with the nuclear power industry in the United States to take this waste beginning in 1998. As often is the case, the Government doesn't seem to honor the sanctity of contractual commitments to the level the private sector does. The Government was unprepared to take this waste in 1998, even though there had been a continuing effort to meet the Government's obligation by opening a facility at Yucca Mountain, in Nevada, for the permanent placement of high-level nuclear waste. To date there has been almost \$7 billion expended in that process. That facility is not ready.

So what we have before us is a situation where the Government has violated its contractual commitments. The damages associated with that currently are estimated to be \$40 to \$80 billion. The U.S. taxpayer is going to have to accept the responsibility for these damages as a consequence of the Government's failure to initiate taking of the waste in 1998.

When you look at \$40 to \$80 billion, you must recognize that this obligation arises as a consequence of DOE's failure to perform the contract. This is basically damages. So we have a situation where nobody wants the waste, including the Federal Government that is contracted to take the waste as of 1998. We have a stalemate. We have an effort to ignore this waste as though it didn't exist, that it will go away. Some would even make the generalization that the Clinton administration simply does not want to address this issue on their watch.

There are all kinds of interests here. There are some of the environmental groups that don't want to see this issue resolved. They want to kill the nuclear power industry in this country. They certainly don't want to see it grow. There has not been a new reactor ordered in the United States since 1979. So we are not advancing, and we are not standing still; we are stepping back.

The consequences of this are: What are we going to do? How do we meet our obligation to provide power if, indeed, we lose a portion of our nuclear industry? Some suggest we will just reach out and find more natural gas.