

A's, I would like to see what the curve is in that classroom.

The Senate Health Committee intends to mark up a reauthorization of the Elementary and Secondary Education Act in the next few weeks. I am concerned to learn that the bill currently includes a block grant for teacher quality and professional development, programs to reduce class size and Goals 2000. Yes, we need qualified teachers and smaller classes. They produce the best results for children. But with the committee bill, there is no guarantee that class size reduction or teacher development will be done well, or even done at all.

I ask my colleagues to look at the proposal that Senator KENNEDY is putting together. His leadership on this issue has been extraordinary. His proposal does not intend to dictate to localities what they must do or impose new mandates on localities. Rather, it says, here are our Federal priorities; do you want to be part of them? They include smaller class size and new school construction. Fine. You are going to match our dollars. If you don't want to be part of them, keep doing the same old thing, but not with Federal dollars, Federal taxpayer money, which gives you a free ride.

I hope my colleagues will look at Senator KENNEDY's proposal and will examine the folly of block grants. I look forward to the debate that may come on education in the near future.

I thank the Chair and yield the floor. The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent to speak for 3 minutes, and in the normal routine to return to Senator MURKOWSKI from Alaska.

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

#### NUCLEAR WASTE POLICY AMENDMENTS ACT

Mr. DOMENICI. Mr. President, yesterday, I commented on the Nuclear Waste Policy Act amendments. I thought then, and I think today, there are a few remarks that I probably ought to make aside from complimenting the distinguished Senator for his untiring efforts to address nuclear waste in a logical and sensible way.

Mr. President, I rise to compliment Senator MURKOWSKI's leadership on the Nuclear Waste Policy Amendments Act. I appreciate his efforts to enable progress on the nation's need for concrete action on spent nuclear fuel.

I find it amazing how fear of anything in this country with "nuclear" in its title, like "nuclear waste", seems to paralyze our ability to act decisively. Nuclear issues are immediately faced with immense political challenges.

There are many great examples of how nuclear technologies impact our daily lives. Yet few of our citizens know enough about the benefits we've

gained from harnessing the nucleus to support actions focused on reducing the remaining risks.

Just one example that should be better understood and appreciated involves our nuclear navy. Their experience has important lessons for better understanding of these technologies.

The *Nautilus*, our first nuclear powered submarine, was launched in 1954. Since then, the Navy has launched over 200 nuclear powered ships, and about 85 are currently in operation. Recently, the Navy was operating slightly over 100 reactors, about the same number as those operating in civilian power stations across the country.

The Navy's safety record is exemplary. Our nuclear ships are welcomed into over 150 ports in over 50 countries. A 1999 review of their safety record was conducted by the General Accounting Office. That report stated: "No significant accident—one resulting in fuel degradation—has ever occurred." For an Office like GAO, that identifies and publicizes problems with government programs, that's a pretty impressive statement.

Our nuclear powered ships have traveled over 117 million miles without serious incidents. Further, the Navy has commissioned 33 new reactors in the 1990s, that puts them ahead of civilian power by a score of 33 to zero. And Navy reactors have more than twice the operational hours of our civilian systems.

The nuclear navy story is a great American success story, one that is completely enabled by appropriate and careful use of nuclear power. It's contributed to the freedoms we so cherish.

Nuclear energy is another great American success story. It now supplies about 20 percent of our nation's electricity, it is not a supply that we can afford to lose. It's done it without release of greenhouse gases, with a superlative safety record over the last decade. The efficiency of nuclear plants has risen consistently and their operating costs are among the lowest of all energy sources.

I've repeatedly emphasized that the United States must maintain nuclear energy as a viable option for future energy requirements. And without some near-term waste solution, like interim storage or an early receipt facility, we are killing this option. We may be depriving future generations of a reliable power source that they may desperately need.

There is no excuse for the years that the issue of nuclear waste has been with us. Near-term credible solutions are not technically difficult. We absolutely must progress towards early receipt of spent fuel at a central location, at least faster than the 2010 estimates for opening Yucca Mountain that we now face or risk losing nuclear power in this country.

Senator MURKOWSKI's bill is a significant step toward breaking the deadlock which threatens to threaten the future of nuclear energy in the U.S. I appreciate

that he made some very tough decisions in crafting this bill that blends ideas from many sources to seek compromise in this difficult area.

One concession involves tying the issuance of a license for the "early receipt facility" to construction authorization for the permanent repository. I'd much prefer that we simply moved ahead with interim storage. An interim storage facility can proceed on its own merits, quite independent of decisions surrounding a permanent repository. Such an interim storage facility could be operational well before the "early receipt facility" authorized in this Act.

There are absolutely no technical issues associated with interim storage in dry casks, other countries certainly use it. Nevertheless, in the interests of seeking a compromise on this issue, I will support this Act's approach with the early receipt facility.

I appreciate that Senator MURKOWSKI has included Title III in the new bill with my proposal to create a new DOE Office of Spent Nuclear Fuel Research. This new Office would organize a research program to explore new, improved national strategies for spent nuclear fuel.

Spent fuel has immense energy potential—that we are simply tossing away with our focus only on a permanent repository. We could be recycling that spent fuel back into civilian fuel and extracting additional energy. We could follow the examples of France, the U.K., and Japan in reprocessing the fuel to not only extract more energy, but also to reduce the volume and toxicity of the final waste forms.

Now, I'm well aware that reprocessing is not viewed as economically desirable now, because of today's very low uranium prices. Furthermore, it must only be done with careful attention to proliferation issues. But I submit that the U.S. should be prepared for a future evaluation that may determine that we are too hasty today to treat this spent fuel as waste, and that instead we should have been viewing it as an energy resource for future generations.

We do not have the knowledge today to make that decision. Title III establishes a research program to evaluate options to provide real data for such a future decision.

This research program would have other benefits. We may want to reduce the toxicity of materials in any repository to address public concerns. Or we may find we need another repository in the future, and want to incorporate advanced technologies into the final waste products at that time. We could, for example, decide that we want to maximize the storage potential of a future repository, and that would require some treatment of the spent fuel before final disposition.

Title III requires that a range of advanced approaches for spent fuel be studied with the new Office of Spent Nuclear Fuel Research. As we do this,

I'll encourage the Department to seek international cooperation. I know, based on personal contacts, that France, Russia, and Japan are eager to join with us in an international study of spent fuel options.

Title III requires that we focus on research programs that minimize proliferation and health risks from the spent fuel. And it requires that we study the economic implications of each technology.

With Title III, the United States will be prepared, some years in the future, to make the most intelligent decision regarding the future of nuclear energy as one of our major power sources. Maybe at that time, we'll have other better energy alternatives and decide that we can move away from nuclear power. Or we may find that we need nuclear energy to continue and even expand its current contribution to our nation's power grid. In any case, this research will provide the framework to guide Congress in these future decisions.

Mr. President, I want to specifically discuss one of the compromises that Senator MURKOWSKI has developed in his manager's amendment. In my view, his largest compromise involves the choice between the Environmental Protection Agency or the Nuclear Regulatory Commission to set the radiation-protection standards for Yucca Mountain and for the "early release facility."

The NRC has the technical expertise to set these standards. Furthermore, the NRC is a non-political organization, in sharp contrast to the political nature of the EPA. We need unbiased technical knowledge in setting these standards, there should be no place for politics at all. The EPA has proposed a draft standard already, that has been widely criticized for its inconsistency and lack of scientific rigor—events that do not enhance their credibility for this role.

I appreciate, however, the care that Senator MURKOWSKI has demonstrated in providing the ultimate authority to the EPA. His new language requires both the NRC and the National Academy of Sciences to comment on the EPA's draft standard. And he provides a period of time, until mid-2001, for the EPA to assess concerns with their standard and issue a valid standard.

These additions have the effect of providing a strong role for both the NRC and NAS to share their scientific knowledge with the EPA and help guide the EPA toward a credible standard.

The NRC should be complimented for their courageous stand against the EPA in this issue. Their issuance of a scientifically appropriate standard stands in stark contrast to the first effort from the EPA. Thanks to the actions of the NRC, the EPA can be guided toward reasonable standards.

Certainly, my preference is to have the NRC issue the final standard. But I appreciate the effort that Senator

MURKOWSKI has expended in seeking compromise in this difficult area.

By following the procedures in the manager's amendment, we can allow the EPA to set the final standard, guided by the inputs from the NRC and NAS. Thus, I will support the manager's amendment.

Mr. President, I want to thank Senator MURKOWSKI for his superb leadership in preparing this new act. We need to pass this manager's amendment with a veto-proof majority, to ensure that we finally attain some movement in the nation's ability to deal with high level nuclear waste.

We hear so much in the United States about how dangerous nuclear power is, how dangerous these fuel rods are that come out of the reactors, how dangerous nuclear reactors are, and I thought I might share with whomever is interested a bit of information about how safe nuclear powerplants are.

In this country, when we talk about moving some of the nuclear waste from one State to another, people get up in arms and they want to march down the streets because they are frightened to death that something is going to happen if this nuclear waste moves down the streets, the roads, the highways, or whatever. I thought I might share a series of facts with you that might make you think a little bit.

First, the U.S. Navy launched the first nuclear-powered submarine in 1954. We put a nuclear reactor in a submarine and we sent the submarine all over the oceans of the world, and nothing ever happened to anyone. Since then, the Navy has launched 200 nuclear-powered ships, and about 85 are currently in operation. In other words, 85 of the U.S. Navy's best and biggest warships are on the high seas with a nuclear reactor—in some cases two reactors—on board. Were something to happen, it would permeate and go right through the water. But guess what. Nothing has ever happened to anyone. Guess what else. Every major port in the world accepts America's Navy ships with nuclear reactors on board generating power to run that ship. Nobody seeks to say: You better keep these away from our port because there are a lot of other ships around here.

Why is that, I wonder? Why are we on the floor of the Senate almost whipped up to a lather of fear about moving high-level waste from some State in middle America to some State in western America and we have 85 nuclear-powered U.S. Navy ships, from battle-ships on down, moving around the high seas and docking at various ports everywhere? Nobody has a sign up. Nobody is frightened. Nothing has ever happened. And guess what. Because it was too good to be true, somebody said to go out and find out something about them; they must be hurting people with all these nuclear reactors.

So the GAO went out and did an extensive and exemplary study about what they had done and not done. Guess what they found. This is a 1999

review. "No significant accidents. One resulting in fuel degradation has ever occurred." For an office such as the GAO that identifies public problems with Government programs, that is a pretty impressive statement.

Our nuclear-powered ships, I say to Senator MURKOWSKI, have traveled over 117 million miles on the high seas of the world. Nobody has said we don't want them on the high seas because they have a nuclear powerplant in them because they are safe as safe can be. Yet when it comes to us here in America we wonder whether we can transport some nuclear waste 200 miles. If we aren't technically sound enough, if we are not smart enough, if we are not engineered and qualified to be able to move something such as this 200 or 300 miles when the Navy has been moving reactors on the high seas 117 million miles—they have commissioned 33 new reactors in the 1990s. Just think of that. That puts them ahead of the civilian power by a score of 33 to 0. Because we have frightened ourselves to death, we will not even license a new nuclear powerplant in the United States.

We surely are proud as proud can be when we see a great big American battleship or aircraft carrier floating on those high seas with all those Navy guys on board. What do they have? Some of them have two nuclear powerplants in the hull loaded with the same kind of waste product about which we are so worried. The distinguished Senator from Alaska is saying: Why don't we just move that and put it in a place where it can be stored? No one else in the world who is involved in nuclear power has tied the future of nuclear power and nuclear use to the ultimate disposition of the high-level waste residue in a permanent underground facility from whence it can never be extracted and for which the technical requirements are so severe in terms of making sure it lasts for 100,000 years—or whatever the number is—that we are never going to get it done. It is amazing. It is just amazing.

The country of France gets 87 percent of its electricity from nuclear power. They still do not have a plan to put the nuclear waste away permanently because they are not frightened about it. They trust their intelligent, enlightened leaders, who currently have it in gymnasiums about the size of high schools. That is where it is stored. You can walk on top of it where it is stored and nobody is worried about anything. Here we are debating whether we could have a temporary storage facility—as the country that invented it, as the country that engineered it, as the country whose great nuclear physicists invented the notion and came up with the idea of how to power-generate it, and we sit, except for the U.S. Navy, letting the rest of the world just pass us by.

The Senator from Alaska will never get the credit he deserves for trying to

get this little site, this temporary facility. He will never get the credit. People are thinking we are trying to pull something over on them; we might be hurting people; we are just trying to get it out of one site and hide it someplace else.

There are 85 U.S. Navy ships, I remind everybody one more time, of all sizes, including battleships, aircraft carriers, and some with two nuclear powerplants on them. As we stand right here, they are floating around on the high seas where the water is all fissionable. If you are in this part of the Atlantic, the water will eventually end up over here miles away, and nobody is lodging serious complaints. They may say we don't want the U.S. Navy around for some other reason. And thank God we have them. But they are in ports everywhere. They don't take the nuclear powerplant out before they come into a port. Right? They don't have three kinds of motors around. They may have a couple of auxiliary motors. But the nuclear powerplants are right there on board.

I thought I would just state that part of my statement which I put in the RECORD yesterday because it is so obvious to me that we are being so foolish in tying the ultimate disposition of the high-level waste generated by 20 percent of our electrical powerplants, which are nuclear, to a policy that says unless and until we find a place to put that underground at Yucca—wherever it is in Nevada—forever we will not continue with nuclear power.

I believe it is so shortsighted and based on such an insignificant set of scientific facts that it is almost as if America just wouldn't do something such as that. But we are doing it. There were letters circulating yesterday that the proposal of the Senator from Alaska would not be helpful; in fact, it would hurt people. I don't think I have to repeat. I think I have made the case.

What would the world be doing if in fact nuclear reactors were that unsafe and U.S. Navy ships want to dock to let their Navy men go on shore for a while and then get on with something else? I do not believe they would be saying: Have we found a place to put the nuclear waste that is coming in on that new battleship that you are generating? Have you found a place to put it away forever? I think they would say: Gee, there is no risk at all involved. It is a pretty good venture. We are glad to have you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, let me thank my good friend from New Mexico, the chairman of the Budget Committee. We had a chart that we used in the debate. That chart showed the 40 States that had the accumulated waste—80 sites in 40 States. I wish I would have added the 85 nuclear ships that are traversing the ocean because the Senator from New Mexico is quite correct. That is something we don't

talk much about. It works. The Navy, obviously, has the expertise that has been developed over a long period of time. When those submarines or surface ships are taken out of active duty, reactors are removed. That waste is taken and stored at various areas in the country. Chicken Little was suggested around here today; the world is coming down. It doesn't have to come down. It is the emotional arguments that prevail without any sound science.

I appreciate the input of my good friend and his commitment to the obligation that remains unresolved.

#### HEATING OIL PRICES

Mr. MURKOWSKI. Mr. President, I would like to address very briefly a couple of issues. One is the issue of the high cost of heating oil, particularly in the Northeast corridor at this time. I know my colleagues from the Northeast are looking for relief. Perhaps I could enlighten them to some extent on the reasons behind why prices are high and why stocks are low.

I think it is important to recognize a couple of basic facts that underline the whole question; that is, understanding the crude oil and heating oil relationship.

There are some who suggest we have a shortage of crude. That is the reason we have higher prices for heating oil. Factually, however there is no refinery in this country that has been short of a supply of crude oil during this crisis. The problem is the refineries have been cutting a different mix of product. They cut heating oil. They cut gasoline. They cut diesel fuel as well as other hydrocarbons. They have begun to cut other mixes instead of heating oil. So if they change the mix and reduce gasoline for heating oil, that could give some relief, but it may ultimately result in a shortage of gasoline during peak usage in the coming months.

The basic difficulty is coupled with the fact that the inventories were low. That is perhaps the fault of the industry. But while the inventories were low, the crucial problem is the storage areas for these stocks were reduced dramatically. What do I mean by that? I mean the tanks around the metropolitan areas that are conventionally used to store the heating oils, the gasolines, and so forth.

In the case of New York, petroleum bulk storage capacity has declined 15 percent over the past 5 years. Why? According to testimony the other day from New York State officials on heating oils, this is a consequence of tighter environmental controls that suggest these old storage areas are inadequate or a danger to the environment. That may well be the case. However, the reality is we reduced our storage and as a consequence we don't have the inventory of heating oils that we would have had if we had the storage available.

I am not suggesting that people from New York or anywhere else don't need

strong environmental regulations. They do. But we have to understand how we got into this predicament. That is the reason why the inventories are down.

Some say the answer is to open up SPR, a strategic petroleum reserve in Louisiana. We need to recognize we don't have a shortage of crude oil at the refineries, and if we further understand that in SPR there is no heating oil—it is not refined oil, it is crude oil; therefore, by taking oil out of SPR and take it to the refinery, we will displace what the refinery is already refining to accommodate SPR. So we don't have any net gain.

Most people cannot quite understand that. They think SPR is for heating oil that can be taken out of SPR and distributed, thereby easing the shortage. We cannot do that.

I understand the Secretary of Energy will make an announcement today or very shortly about the administration's efforts regarding high oil prices. Let's look at this because it is important. They will do something more for the Low-Income Housing Energy Assistance Program, which provides money for the low-income areas. That is commendable. However, that does not solve the underlying problem. They will "jawbone" more with the OPEC countries to release more oil. They can release more oil, but will they reduce the price? That is crude oil that had to be refined. They will encourage refiners to make more heating fuels—they might be able to persuade them to do that but it will change the mix and might result in a gasoline shortage this summer.

The interesting thing about the administration's response is, nowhere is there a commitment that we increase our domestic petroleum production to make us less dependent on OPEC pricing policies. That would be contrary to the environmental community who objects to the production domestically of oil and gas. Let me go a step forward. The Vice President said: If I'm elected I will cancel all the OCS leases, oil and gas.

What does he propose we will do? We cannot address what we will do with our nuclear waste. As far as I'm concerned the administration can choke on that waste. That seems to be their only solution.

We have an administration that proposes more new taxes on our domestic oil and gas industry. Think about that. We have a heating oil crisis, we have high prices, there are barges in transit and ships coming over from Europe with heating oil. That may help. We cannot move the crude oil out of SPR fast enough. We cannot get it to refineries that have any unused capacity. And we don't have adequate storage to store the reserves.

If you want to debate that issue, as chairman of the Energy and Natural Resources Committee I will try to work with Members. But let's be realistic and try to understand what the problem is and not fool the public.