border security of the United States, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

(1) Strike section 205.

(2) In the table of contents of the bill, strike the item relating to section 205.

The SPEAKER pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

YUCCA MOUNTAIN REPOSITORY SITE APPROVAL ACT

Mr. TAUZIN. Madam Speaker, pursuant to section 115(e)(4) of the Nuclear Waste Policy Act of 1982, I call up the joint resolution (H.J. Res. 87) approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Waste Policy Act of 1982.

The SPEAKER pro tempore. The Clerk will report the joint resolution.

The Clerk read the joint resolution, as follows:

H.J. RES. 87

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there hereby is approved the site at Yucca Mountain, Nevada, for a repository, with respect to which a notice of disapproval was submitted by the Governor of the State of Nevada on April 8, 2002.

UNFUNDED MANDATES POINT OF ORDER

Mr. GIBBONS. Madam Speaker, I rise to make a point of order against consideration of H.J. Res. 87.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. GIBBONS. Madam Speaker, pursuant to section 425 of the Congressional Budget Act and Impoundment Control Act of 1974, I make a point of order against consideration of H.J. Res. 87.

Section 425 states that a point of order lies against legislation which either imposes an unfunded mandate in excess of $58 million against State and local governments or when the committee chairman does not publish, prior to floor consideration, a CBO cost mandate of any unfunded mandate in excess of $58 million against State and local entities.

H.J. Res. 87 will in effect set the Nuclear Waste Policy Act as amended in 1987 into action. The bill reads in part, ''Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that there hereby is approved the site at Yucca Mountain, Nevada for a repository.''

In other words, Madam Speaker, passage of this resolution will green-light the Yucca Mountain project, thus allowing for shipment of high level nuclear waste beginning in the year 2010 and continuing for the next 38 years. Thus, passage of H.J. Res. 87 clearly places an unfunded mandate on our taxpayers.

The SPEAKER pro tempore. The gentleman from Nevada (Mr. GIBBONS) makes a point of order that the joint resolution violates section 425(a) of the Congressional Budget Act of 1974.

In accordance with section 426(b)(2) of the Act, the gentleman has met his threshold burden to identify the specific language in the joint resolution on which he predicates the point of order.

Under section 426(b)(4) of the Act, the gentleman from Nevada (Mr. GIBBONS) and a Member opposed each will control 10 minutes of debate on the question of consideration.

Pursuant to section 426(b)(3) of the Act, after that debate the Chair will put the question of consideration, to wit: ''Will the House now consider the joint resolution?''

The gentleman from Nevada (Mr. GIBBONS) will be recognized for 10 minutes and the gentleman from Louisiana (Mr. TAUZIN) will be recognized for 10 minutes.

The Chair recognizes the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, passage of H.J. Res. 87 will undoubtedly put a process in place that will exceed the $58 million threshold outlined in section 425 of the act. Instead of looking at what the CBO score tells us, let us look at what it does not tell us. What the CBO is unable to tell us is how much it will cost our local community to implement the Nuclear Waste Management Act, as far as preparing our State and local governments for the enormous cost of safety monitoring these tens of thousands of high level nuclear waste shipments that are going to occur throughout our community.

Madam Speaker, by the CBO's inability to score the total cost of this project, again a project receives a green light upon passage of the legislation currently before us, there might as well not even be a CBO score. The chairman of the committee has fulfilled his obligation to publish a cost estimate for H.J. Res. 87; however, the CBO cost only gives the House the recommended 5-year cost projection. As we know, under the Nuclear Waste Policy Act, shipments of high level nuclear waste to Nevada will not even begin until the year 2010, about 8 years from now. With the CBO unable to give a cost estimate on the Yucca Mountain project's total price tag, passage of H.J. Res. 87 provides the Federal government a blank check to proceed with this project.

In the end, the Federal Government will demand that our State and local governments spend billions of dollars over the next four decades to prepare for those shipments that will traverse their respective States and districts. Neither the Department of Energy nor Congress has anticipated or provided for the massive costs that will be incurred by States and local governments if we pass this legislation.

The paltry $17 million budgeted by the Department of Energy in its fiscal year 2003 budget will not come close to covering these costs. States and local governments will be left with billions of dollars in unfunded expenses which would not be incurred except for the Federal high level radioactive waste program. Some may counter this argument by saying that we can recommend on the Nuclear Waste Fund, established by Congress, to pay for the cost of Yucca Mountain.

Well, consider this argument: Current estimates put the Nuclear Waste Fund at about $17 billion. That balance pales in the comparison to the total construction and compliance costs at Yucca Mountain of almost $60 billion.

What is more, the nuclear power industry faces an uncertain economic future. Let me point out a few of the problems facing the industry. The industry is supposed to be responsible for paying the costs associated with the nuclear waste disposal. No nuclear power plants have been built since 1978. More than 100 reactors have been canceled, including all ordered after 1973. The nuclear power industry's troubles include nuclear high power plant construction costs, relatively low costs for competing fuel, public concern about nuclear safety and waste disposal, as well as regulatory compliance costs.

Electric utility restructuring, which is currently under way in several States, could also increase the competition faced by existing nuclear plants.

High operating costs have resulted during the past decades in the shutdown of nearly 20 U.S. commercial reactors before the completion of their 40-year license operating period.

Madam Speaker, the viability of the Nuclear Waste Fund is directly related to the continued viability of the nuclear utility industry. Taxpayers are not supposed to fund the program. The program is supposed to be funded by the nuclear energy industry and the ratepayers who purchase and benefit from their electricity.

The price tag of this project will be tremendous. Not in the next 5 years, as outlined by the CBO score, but in 8 years, and the subsequent 4 decades beyond that.

Madam Speaker, 8 years from now the Department of Energy will begin filling your roads and highways and railways with high level nuclear waste. The cost to even begin preparing our first responders will be staggering, let alone the cost of any clean-up associated with one of 400 accidents the Department of Energy tells us that we are to prepare for when they begin these shipments.

I ask that delegates call their State governors and ask does room exist in their budget to meet these needs and these expensive costs? Ask your local

county commissioners can they afford the increased costs of protecting these shipments? Ask city council members in your district will they have room to budget in their budget for these increased costs? Ask your local fire fighters, police officers, State troopers, your emergency response teams, EMTs and haz-mat crews, will they be able to afford such costs?

Again, the DOE tells us that accidents happen. This is not spilled milk. An accident involving shipments of high level nuclear waste requires more than a mop and bucket of water to clean up. Imagine the cost of the training just to prepare for a potential response to one of these accidents.

Madam Speaker, H.J. Res. 87 is an unfunded mandate. The CBO cannot tell us whether or not carrying out the Nuclear Waste Policy Act by passing this resolution will exceed the $58 million threshold. And because CBO cannot give us this information, we must assume that the threshold can and will be exceeded.

Now some tell us not to worry, that DOE and Congress will ensure the necessary funding will be provided at the right time. If this is the case, Madam Speaker, where are we going to get the money? What programs will have to be cut to pay for this irresponsible policy? Will we cut the Department of Defense budget as we carry out this long, protracted war against terrorism? Will we cut out Medicare or any possibility of implementing a prescription drug benefit for our seniors? Or will we allow ourselves to drive the Social Security trust fund at the same time our baby boomer generation sits on the brink of retirement?

Assuming the DOE begins shipment in 2010 as planned, Congress would have to budget $3.6 billion per year beginning with this year's budget in order to provide adequate funding for States. The fact is, Madam Speaker, as with every other issue we debate in this body, the money has to come from somewhere and somewhere always leads to the taxpayers in this great country.

Madam Speaker, I urge my colleagues to vote against this unfunded mandate and support the point of order I just made.

Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. Is the gentleman from Louisiana (Mr. TAUZIN) opposed to the point of order?

Mr. TAUZIN. Yes, Madam Speaker, I am.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana for 10 minutes.

Mr. TAUZIN. Madam Speaker, I yield myself such time as I may consume. I rise in strong opposition to this effort to block consideration of this very bipartisan consideration.

Madam Speaker, I know the gentleman well and he is my friend and I know his intentions are good. He is doing everything that he thinks is in the best interest of his State. And I think we all can respect that. But, very frankly, this point of order is completely without foundation and it is clearly just an effort to obstruct consideration of House Joint Resolution 87, a resolution that was reported out of the Committee on Energy and Commerce by a vote of 41 to 6, an incredibly bipartisan vote.

When my committee filed its report on House Joint Resolution 87, it included a cost estimate from the Congressional Budget Office. This is it here. And the Congressional Budget Office report literally satisfies one of the requirements under the Unfunded Mandate Reform Act. This CBO cost estimate thoroughly reviewed the budget impacts of this resolution, and it did not identify any new mandates in this resolution that would fall under the Unfunded Mandates Reform Act.

The CBO cost estimate, in fact, further clarified that even if some minor costs of State and local governments did fall under the Unfunded Mandates Reform Act, these costs would not exceed the thresholds established under UMRA.

Let me quote from the CBO estimate directly: ''H.J. Res. 87 could increase the costs that Nevada and some local governments would incur to comply with certain existing Federal requirements. The Unfunded Mandate Reform Act, UMRA, is unclear about whether such costs would count as new mandates under UMRA. In any event, CBO estimates that the annual direct costs incurred by State and local governments over the next 5 years would total significantly less than the threshold established in the law ($58 million in 2002, adjusted annually for inflation).''

□ 1215

In other words, CBO is saying we are not sure we even count those costs; but if we did, they do not meet the threshold of the Unfunded Mandates Reform Act.

Finally, CBO notes that H.J. Res. 87 contains no new private sector mandates as defined in the Unfunded Mandates Reform Act. Madam Speaker, the CBO report speaks for itself. It is very, very clear.

We may hear that the real costs that should be considered are those that occur after the 5-year period that CBO has looked at. Well, for better or worse, whether we like it or not, whether we think the law ought to be different, our rules only require CBO to look at 5 years and not into the indefinite future; and what CBO has told us in this report is that there are simply no costs that cross the Unfunded Mandates Reform Act limits, the thresholds for those 5 years.

The law is satisfied. Our rules are satisfied. We ought to proceed with the consideration of this important resolution.

The Chair will put the question when this debate is over on this point of order, and the question will be whether we should proceed or not. I will ask all Members who support this resolution to vote ''yes.'' We should proceed because this point of order is completely without foundation.

Madam Speaker, I reserve the balance of my time.

Mr. GIBBONS. Madam Speaker, I yield myself such time as I may consume.

I will remind my good friend and colleague, the chairman of the committee, that shipments will not begin until 8 years from today, not the 5 years as recommended in the CBO score.

Madam Speaker, I yield the balance of my time to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Madam Speaker, I thank the gentleman from Nevada (Mr. GIBBONS) for yielding me the time.

I find it very ironic that this Congress is willing to put nuclear waste in a hole in the Nevada desert for 10,000 years, yet we are talking about a 5-year unfunded mandate.

I rise in strong support of the gentleman's point of order. It is bad enough that we are set to vote on a resolution that will approve the Yucca Mountain project that has costs ranging from $56 billion to $308 billion. Nobody knows exactly how much this project will cost. This money is supposed to come from the nuclear waste fund, but the fund only has $17 billion in it. Where is the rest of this money going to come from? Are the proponents of this foolhardy project proposing to raise taxes, dip into the Social Security trust fund? This proposal only gets worse.

If we approve Yucca Mountain, more than 108,000 shipments of deadly nuclear waste will be rolling across our Nation's highways and railroads, through 43 States for the next 38 years on its way to Yucca Mountain. As it passes through each of the 703 counties along the proposed transportation routes, local law enforcement and first responders must be prepared for the worst. And if the worst happens, where is the money going to come from to clean up the mess, the destruction, the devastation?

I see no provision in the budget to cover these enormous costs. This is an unfunded mandate to our local governments. We know from the DOE's own assessment that we can expect anywhere from 50 to over 300 accidents. Our firefighters and first responders must be specially trained to deal with these nuclear waste shipments and the accidents that will occur.

The nuclear waste fund does not have the money to pay for this, so the unknown costs are going to have to be made up by local government and the American taxpayers. We will be asking citizens who have no part in creating nuclear waste and have no benefits from nuclear energy to fund the nuclear industry so they can move dangerous nuclear waste through their own backyards.

If we approve this resolution, the American taxpayer will once again be

asked to foot the bill for nuclear energy. There is not enough money in the nuclear waste fund to cover the costs. So sometime in the next 10 years we will be either cutting corners when it comes to safety, raising taxes, or raiding Social Security.

None of these alternatives are acceptable to me, and I doubt outside the nuclear industry and the nuclear industry's friends here in the United States Congress that these alternatives would not be acceptable to anyone else in our country.

Yucca Mountain is a financial boondoggle that flies in the face of fiscal responsibility. I urge my colleagues to support this point of order.

Mr. TAUZIN. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. BARTON), the chairman of the Subcommittee on Energy and Air Quality.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Madam Speaker, I thank the gentleman from Louisiana (Mr. TAUZIN) for yielding me the time.

Obviously, I rise against this point of order of my good friend from Nevada. I am shocked, shocked and amazed, that he would think that the gentleman from Virginia (Mr. BOUCHER) and I would present a bill on the floor that had an unfunded mandate.

I am one of the most conservative Members of this body, and I am joined by one of the most distinguished conservative Members, he would say moderate, progressive, Members on the other side of the aisle; and for us to bring forward an unfunded, an unfunded mandate is just beyond the pale.

I would point out that since we passed a Nuclear Waste Policy Act in 1982, we have collected over $15 billion in the nuclear waste fund. Every time a nuclear plant generates a kilowatt of electricity, one mil, which is 1/10 of a cent, goes into this fund; and we are collecting about $750 million a year as we speak into this fund. So this is far from being an unfunded mandate. This is the most overfunded, unmet, unobligated, unconstructed thing that we could have ever done in Federal Government.

I would also point out, as my good friend, the full committee chairman, has already pointed out, that when we passed this resolution on a bipartisan basis out of the committee, we sent it to the Congressional Budget Office; and they have given us the requisite report that the chairman has a copy of that says quite clearly that the costs of this for the next 5 years are well under the threshold of the Unfunded Mandate Act.

There are a number of reasons for people to be opposed to the underlying resolution. My good friend from Nevada is certainly entitled to oppose it, but there is no reason to support the point of order that it is an unfunded mandate. Nothing, Madam Speaker, could be further from the truth.

When it comes to the end of the debate, I certainly hope that the Speaker will throw out this scurrilous point of order so that we can get on with the debate, have a debate on the underlying bill and then hopefully support the underlying bill that the gentleman from Virginia (Mr. BOUCHER) and myself have put to the body.

Mr. TAUZIN. Madam Speaker, I yield myself the remaining time and ask that we put the question with the request that all Members who support this resolution vote ''yes'' when the Speaker puts the question.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is: Will the House now consider House Joint Resolution 87.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. GIBBONS. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 308, nays 105, not voting 21, as follows:

[Roll No. 132]

YEAS—308

Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Bonilla
Bono
Boozman
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
Delahunt
DeLay
DeMint
Deutsch
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Evans
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Ganske
Gekas
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kerns
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
McKeon
Meek (FL)
Meeks (NY)
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Mollohan
Moran (KS)
Morella
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Osborne
Otter
Oxley
Pascrell
Pastor
Paul
Payne
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Ramstad
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sandlin
Saxton
Schaffer
Schrock
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Skeen
Skelton
Smith (MI)
Smith (NJ)
Snyder
Spratt
Stearns
Stenholm
Strickland
Stump
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (FL)

NAYS—105

Abercrombie
Ackerman
Baca
Baldwin
Becerra
Berkley
Berman
Blumenauer
Bonior
Boswell
Capps
Capuano
Condit
Conyers
Davis (CA)
Davis, Tom
DeFazio
DeGette
DeLauro
Diaz-Balart
Doggett
Eshoo
Farr
Filner
Gallegly
Gephardt
Gibbons
Gilchrest
Gonzalez
Harman
Hinchey
Holt
Honda
Hooley
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jones (NC)
Kelly
Kennedy (RI)
Kucinich
Langevin
Lantos
Lee
Lewis (GA)
Lofgren
Lowey
Luther
Lynch
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Napolitano
Oberstar
Ortiz
Owens
Pallone
Pelosi
Pence
Pombo
Radanovich
Rahall
Rangel
Reyes
Rivers
Rodriguez
Roemer
Rothman
Roybal-Allard
Sabo
Sanchez
Sanders
Schiff
Serrano
Sherman
Slaughter
Smith (WA)
Solis
Souder
Stark
Thompson (CA)
Thompson (MS)
Tierney
Udall (CO)
Udall (NM)
Velazquez
Waters
Watson (CA)
Weiner
Woolsey
Young (AK)

NOT VOTING—21

Boehner
Burton
Buyer
Carson (IN)
Coyne
Crane
Hall (OH)
Jones (OH)
Kind (WI)

Kleczka	Riley	Smith (TX)
Moran (VA)	Sawyer	Stupak
Nadler	Schakowsky	Traficant
Ose	Simpson	Waxman

□ 1247

Messrs. McNULTY, GALLEGLY, KUCINICH, INSLEE, UDALL of Colorado, STARK, Ms. JACKSON-LEE of Texas, and Mrs. KELLY changed their vote from ''yea'' to ''nay.''

Messrs. CALVERT, HINOJOSA, and HERGER changed their vote from ''nay'' to ''yea.''

So the question of consideration was decided in the affirmative.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REQUEST TO TABLE H.J. RES. 87

Ms. BERKLEY. Mr. Speaker, I ask unanimous consent that H.J. Res. 87, the Yucca Mountain Repository Site Approval Act, be tabled.

The SPEAKER pro tempore (Mr. HASTINGS of Washington). Is there objection to the request of the gentlewoman from Nevada?

Mr. TAUZIN. Reserving the right to object, Mr. Speaker, I yield to the gentlewoman under my reservation to explain her unanimous consent request.

Ms. BERKLEY. Mr. Speaker, the General Accounting Office, the independent investigative arm of Congress, recently recommended that the Yucca Mountain project not be approved at this time. The GAO recommended that the government solve 293 outstanding scientific problems before the project be approved. After careful examination of these scientific problems, the GAO estimated that the Department of Energy would need at least 4 more years, until 2006, to resolve these problems. The report concluded, ''We question the prudence and practicality of making such a recommendation at this time given the express statutory time frames for a license application and the significant amount of work remaining to be done.''

In addition, there are still enormous and serious questions regarding the transportation of nuclear waste. The casks that will transport the waste have not yet even been created, and no cask has been tested full scale. In light of 9/11, several government agencies have begun a review of the safety and security of nuclear waste transport. The result of these reviews is not yet complete. It is clear that we are moving ahead on this resolution prematurely. It is not in the best interest of the public, and it does not reflect sound public policy.

Mr. Speaker, I ask unanimous consent that the Yucca Mountain Repository Site Approval Act be tabled until 2006 when the scientific studies are completed.

Mr. TAUZIN. Mr. Speaker, I insist on my objection.

The SPEAKER pro tempore. Objection is heard.

Pursuant to section 15(e)(4) of the Nuclear Waste Policy Act of 1982, the gentleman from Louisiana (Mr. TAUZIN) and a Member opposed each will control 1 hour.

Mr. MARKEY. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. Is the gentleman opposed?

Mr. MARKEY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Massachusetts will control 1 hour.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN) for 1 hour.

Mr. TAUZIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today the Chair will consider one of the most important public health and safety issues facing the Nation, the development of a centralized and permanent geologic disposal site for our country's nuclear waste, wastes that are laying around all over the country in temporary storage at nuclear facilities.

At present, high level nuclear wastes are stored in 77 sites in more than 30 States in every region of the country. Most of these waste sites are located near a nuclear power plant where spent nuclear fuel is carefully stored, and nuclear waste storage sites are also located at former DOE weapons production facilities like the Hanford site, where liquid radioactive waste is stored in tanks.

Every one of these waste sites shares one common aspect: They were all designed for temporary storage of these dangerous wastes, not for long-term storage.

The Yucca Mountain site is located 90 miles away from Las Vegas. It is isolated on remote Federal land of the Nevada test site, 14 miles away from the closest residence, and it is safe and secure. The waste will be stored more than 600 feet underground, and more than 500 feet above the water table. The waste will be held in steel containers, and the containers will be placed under a titanium shield.

Further, not only is the air space around Yucca already restricted, but an existing security force at the Nevada test site will protect the area. This is a comprehensive defense-in-depth approach.

The Committee on Energy and Commerce held an exhaustive hearing on this issue last month. We heard from witnesses representing all sides of the Yucca Mountain debate, including scientists, politicians, regulators, and public interest groups. Not a single witness identified a significant scientific or technical reason not to move forward with this important project.

They also gave me an opportunity to clarify some of the concerns frequently expressed by the opponents of the Yucca Mountain site, and the hearing was very good for that purpose. For example, opponents of Yucca Mountain want us to stop this important project because the Nuclear Regulatory Commission has identified certain unresolved technical issues. However, the NRC had testified and the DOE has agreed that the DOE is on a path toward resolving every single one of those technical issues, and the Secretary of Energy committed to answer every one before licensing is possibly complete or approved. In fact, 60 of those issues should be resolved this year.

Further, the NRC will not approve the construction license for Yucca Mountain unless every single one of those issues are thoroughly and properly addressed. The opponents of Yucca Mountain will argue that we should stop the project because the Nuclear Waste Technical Review Board believes the science of Yucca Mountain is weak to moderate. However, at the hearing the board pointed out that no individual technical issue would automatically eliminate Yucca Mountain. The Nuclear Waste Board also testified that confidence in DOE science estimates can be increased.

I understand that this issue is of great concern to the elected leaders of Nevada, and I sympathize with their plight. I hope that the debate today can focus on a discussion of the facts rather than an effort to manufacture unrealistic and implausible fears in the minds of the public regarding this project.

A vote in favor of H.J. Res. 87 will simply move the Yucca Mountain project forward to the next stage of review; but even with congressional approval of this resolution today, construction will not proceed at Yucca Mountain unless it passes strict health and safety requirements set up by EPA and the Nuclear Regulatory Commission.

On February 15, 2002, the President recommended on the advice of DOE Secretary Spencer Abraham that Congress approve the Yucca Mountain site even if the State of Nevada disapproves. Based upon our review and understanding of DOE's extensive scientific work, I am prepared to support this important policy decision, and I hope Members do, too.

Mr. Speaker, I commend the gentleman from Texas (Mr. BARTON), the chairman of the subcommittee, for his extraordinary work on this, and the ranking member, the gentleman from Virginia (Mr. BOUCHER) for their cooperation, and the gentleman from Michigan (Mr. DINGELL) for his support for our effort. I want all Members of this House to know this bill came out of our committee by a 41–6 bipartisan vote. It is sponsored and cosponsored in a bipartisan way. It is supported in a bipartisan way.

This is the right thing for America. And we stand as Americans united to get this important resolution passed so that we can set our nuclear industry back on a current safe path; and, indeed, make room for future improvements in the nuclear industry in this country, as well as the environmental cleanup of sites that demand early rather than late attention.

Mr. Speaker, I ask unanimous consent to yield 20 minutes to the gentleman from Virginia (Mr. BOUCHER), the ranking member of the Subcommittee on Energy and Air Quality for purposes of control.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. TAUZIN. Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself 4 minutes.

Mr. Speaker, this is a historic occasion. Twenty years ago on this floor we passed the Nuclear Waste Policy Act. In that bill there was a decision made by Congress that there would be 5 geologic repositories that would be studied, and ultimately 2 would be selected, 1 on the east of the Mississippi and 1 to the west of the Mississippi.

But between 1982 and 1987, two factors raised their heads: One, parochialism. The States of Texas, of Washington, of Louisiana, of Tennessee, of New Hampshire, in other words, all of the States that were being considered that had powerful political delegations, said take our States off the list. And the search was begun by this body to find one State that had just two Members of Congress and two Senators because that is the way ultimately in 1987 when the Congress revisited the issue that it was resolved; not on scientific grounds, not on the basis of finding the best geologic repositories east and west of the Mississippi, but rather selecting the smallest State with the smallest number of elected representatives, and that turns out to be the State of Nevada, which was delivered the nuclear queen of spades by every other State that did not want it in their State.

Now, what happens? Well, then ultimately any Member who opposes science being trumped by politics is called anti-nuclear by the States that do not want it in their States, even though in most of those States they have nuclear power plants. We wind up in this Alice-in-Wonderland debate where the poor State of Nevada is here now raising the point that the Nuclear Regulatory Commission has identified the fact that there are still 293 unresolved environmental health and safety issues, and asking the Congress and asking the administration to wait until those issues are resolved until any movement forward is made on the issue.

But because of a second major issue, special interest, that is the nuclear power industry, the Congress, as they did in 1982, as they did in 1987, says no, we cannot wait. We must now continue forward. It is this indifference to the very legitimate concerns that are being raised by the State of Nevada which should be most troubling to Members here today.

The nuclear power industry may want this. Other States that could have been considered for the repository, and might have been better long term 10,000-year locations for the waste, may want this. States that have 6 or 8 nuclear reactors in them but do not want the nuclear repository and want the waste out of their State may want this, but it is wrong for us to move forward today when we can move forward next year or the year after if the 293 environmental health and safety questions have not been resolved, because the decision we make today creates an inexorable pressure on investments already made, decisions already made that will buy us those environmental health and safety decisions over the next 2 and 3 years, and ultimately bad decisions will be made that will compromise the environment.

□ 1300

Mr. BOUCHER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BOUCHER asked and was given permission to revise and extend his remarks.)

Mr. BOUCHER. Mr. Speaker, I rise in support of the pending measure and urge its approval by the House. The legislation takes the next necessary step in a statutorily prescribed process for establishing a site for the permanent disposal of high level nuclear waste. I want to begin these remarks by commending Chairman TAUZIN of the full Committee on Energy and Commerce, subcommittee Chairman BARTON, and also the gentleman from Michigan (Mr. DINGELL), the ranking member of our full committee, for their diligence and their persistence in taking this necessary step. I am a cosponsor with them of the legislation which is pending that will move the process forward.

A permanent secure site for the disposal of high level waste must be established. Forty-five thousand metric tons of waste now reside on-site at nuclear reactors in 72 locations across the Nation. This temporary siting of spent fuel at reactor sites poses both a security threat and an environmental threat. In my view, arguments that previously had been made that the permanent disposal of waste in dry cask storage at these 72 reactor sites as an alternative to the establishment of a secure central repository for the waste hold far less credence today after September 11 than they did before. I think we really have no alternative to the development of a central, secure disposal site. The passage of the measure that is now before the House is essential to the development of that site.

While arguments will be made that more could be learned about the proposed Yucca Mountain site, I would note that the recommendation of the Secretary of Energy in January of this year that Yucca Mountain be chosen for permanent waste disposal is based on fully 20 years of scientific investigation. The site characterization work required under section 113 of the Nuclear Waste Policy Act has been carried out. The public hearings focusing on the Yucca Mountain site required by section 114 of the act have been held. If Congress passes the legislation now pending before the House, which overrides the disapproval of the President's site designation that was issued by Governor Guinn of Nevada on April 8, construction activities could not commence at the site until the Nuclear Regulatory Commission completes a full technical and scientific review of the site and also a review of the proposed disposal methods at the site and then issues a license for site construction.

No site will ever be found to be perfect for the disposal of high level nuclear waste, but I am persuaded that the studies which have already been conducted and the Nuclear Regulatory Commission review that is still to come provides sufficient assurances that the appropriate nature of the Yucca Mountain site has been established and will justify approval of the legislation now before us.

Mr. Speaker, I also want to take this opportunity to note that the Committee on Energy and Commerce has a long tradition of addressing many of our Nation's most important public policy challenges in a thoughtful and a bipartisan manner. With the Subcommittee on Energy and Air Quality having approved this resolution by a vote of 24–2 and the full Committee on Energy and Commerce having approved it by a majority of 41–6, nowhere has our committee's bipartisan tradition and cooperation been more in evidence than in our efforts to resolve the Nation's nuclear waste disposal problems. For that bipartisan cooperation, I again want to commend the committee's leadership on both sides of the aisle for moving expeditiously on this matter.

Mr. Speaker, I urge approval of this resolution by the House.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield 7 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. Mr. Speaker, let me begin by expressing the outrage felt throughout Nevada about this ill-advised proposal. Eighty-three percent of the people I represent vehemently oppose Yucca Mountain. Nevada does not use nuclear energy. Nevada does not produce one ounce of nuclear waste. Yet Nevada is being asked to carry the weight of a burden we have had no part in creating.

I grew up in Las Vegas. Long before I came to serve in Congress, I have been fighting against this proposal to transport 77,000 tons of toxic nuclear waste across 43 States to be stored for 10,000 years in a hole in the Nevada desert.

The original Nuclear Waste Policy Act charged the Department of Energy with the task of studying multiple potential repository sites to determine which would be the best to provide geologic containment of nuclear waste.

But in 1987, without the benefit of any completed scientific study, Congress passed the so-called ''Screw Nevada'' bill which made the most political of decisions. It singled out Yucca Mountain, Nevada as the only site to be studied. There was no science, there was no reason, except that Nevada was a small State with a small congressional delegation.

Almost immediately, it became apparent that Yucca Mountain could not contain the waste by natural geologic barriers as required by law, so the DOE simply changed the rules. The waste would be stored in man-made canisters for 10,000 years. Then it was discovered that those canisters would quickly corrode, so they added titanium drip shields. Even with all of these man-made barriers, there still had to be gerrymandering groundwater regulations to set up contamination zones.

We have deviated so far from the original intent of the proposal. We have allowed the DOE and the EPA to set standards that endanger the environment and human health. Yet no one seems to be willing to pull the plug on this foolhardy idea.

This Nation has a serious waste problem. Every year our reactors create 2,000 tons of toxic nuclear waste. The only method of disposal this country has ever seriously studied is shipping the waste across the country and dumping it 90 miles outside of my hometown of Las Vegas, the fastest growing city in the country.

But there are major problems with this plan. A central repository would not mean, let me emphasize, not mean that reactor sites around the country would be cleaned out. That is a myth. According to the government's shipping plans, in the year 2036, when Yucca Mountain is filled to capacity, there would still be 44,000 tons of nuclear waste stored at the reactor sites. That means that after 38 years of shipping high level waste through our cities and our towns, we will have reduced on-site storage of nuclear waste by a mere 4 percent. Why would we want to risk shipping nuclear waste across 43 States for 38 years if it makes no difference in the amount of waste stored on-site throughout the country?

There are also very serious scientific concerns with the proposed dump. Yucca Mountain is located in an earthquake and volcanic eruption zone. Studies have shown that groundwater can travel through fissures in the mountain in a very short time frame, dissolve the waste and contaminate groundwater supplies, releasing deadly toxins into the environment of the Southwest. Recently an independent investigation by the General Accounting Office found that there were 293 unresolved scientific questions that the government had failed to address, and the Nuclear Waste Technical Review Board expressed limited confidence in the DOE's work, calling it ''weak to moderate.''

Would any of us get on an airplane if the FAA said it had only limited confidence in the pilot's ability to take off and land? Would any of us drive across a bridge if its structure was described as weak to moderate? Would any of us take medication if the FDA said there were still 293 unresolved questions about its safety? The answer is obvious. The answer is no. Yet with Yucca Mountain, that is exactly what we are going to do. The nerve of this administration to pretend that this decision is based on sound science.

If Congress approves this project, as many as 108,000 shipments of nuclear waste will travel through 43 States en route to Yucca Mountain. The government's own statistical models show that we can expect between 50 and 300 accidents involving nuclear waste. People make mistakes. Accidents happen. But an accident involving nuclear waste would be catastrophic, exposing whole communities to radiation and destroying the environment for thousands of years. The cost of evacuation and remediation would be astronomic, not to mention the unspeakable cost of human suffering.

An even more devastating scenario would be a terrorist attack. We already know that al Qaeda and other terrorist groups are looking for the material to go in a dirty bomb. These waste transports are exactly the type of target rich environment they are looking for. In the wake of 9/11, we cannot afford to be naive and believe that we are safe from people who would give up their own lives to end ours.

Yucca Mountain will do nothing to fix the nuclear waste problem in our country. It will greatly exacerbate our vulnerabilities to terrorist attacks. With every truck, rail and barge shipment, our homeland security becomes more and more difficult to defend. The Yucca Mountain project will put us all at risk by transporting ''mobile Chernobyls'' through our communities, small towns and cities. If we cannot move the waste safely, then we should not be moving it at all.

Many of my colleagues ask if there is an alternative. The PECO utility in Philadelphia has reached an agreement with the government in which the Department of Energy will take title to the waste, allowing the government to protect it in reinforced secure facilities without moving it around the country, and at the same time allowing the utility to lower its tax payments and its bottom line.

In the long term, our country needs to invest its resources into emerging technologies seeking solutions to reduce volume, toxicity and half-life of nuclear waste. We also need to develop alternative renewable energy sources to relieve our dependence on foreign oil and nuclear power.

Almost 50 years ago, the Department of Energy came to Nevada and asked us to bear the brunt of atomic testing. They assured Nevada test site workers and other citizens in my State that sound science demonstrated these tests were not harmful. Many of these workers are now dead, their families devastated, and this government can never clean up that legacy. Now the Department of Energy is coming to Nevada yet again and asking us to put trust in them like they did our parents and our grandparents. Well, this Congresswoman and mother of two is going to stand up to the Federal Government and say, no, I will not let my children become the cancerous legacy of the DOE's disingenuous promise of safety and sound science.

I urge Members to vote ''no'' on this resolution. It is a bad one. It is a bad one for our families. It is a bad one for our country.

Mr. TAUZIN. Mr. Speaker, I am honored to yield 3 minutes to the gentleman from Illinois (Mr. SHIMKUS), a distinguished member of our committee and a lieutenant colonel of the Army Reserves.

(Mr. SHIMKUS asked and was given permission to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, I rise today in support of this joint resolution. I am also proud to be an original cosponsor of this legislation. The vote that Congress will be taking today says that after 20 years of exhaustive scientific analysis the government is ready to designate Yucca Mountain—a barren, windswept desert ridge 90 miles northwest of Las Vegas—a safe site and move to the licensing phase for the development of an underground disposal facility. The industry, environmental, labor, consumer and business groups have applauded the President and Secretary Abraham for making this decision on sound science.

The administration is acting responsibly to fulfill the Federal Government's longstanding obligation to the American people to safely isolate and dispose of used nuclear fuel and defense waste. Now Congress must act to affirm President Bush's decision and advance the Nation's energy, economic and environmental security.

There has been and will be a lot of discussion today on transporting of nuclear waste. Numerous Members have come before this body and have expressed concerns about the safety of transporting spent nuclear fuel. The truth is their concerns are misguided. You cannot argue with the fact that almost 3,000 safe shipments of used nuclear fuel have taken place without any release of radioactive material. That is right. On some 3,000 occasions, used fuel has traveled by truck or rail across the country, including almost 500 in my home State of Illinois. The reason you probably have not heard about this is because not one of these shipments has threatened the environment or public safety.

States like Illinois, which currently has 11 nuclear reactors and gets almost half of our electricity from nuclear power, have gone to great lengths to set up a system that will ensure safe transportation of nuclear waste through the State and across State lines.

□ 1315

They inspect the trucks and trains; they inspect the roads, the rail lines. They have set up emergency response systems with local governments. They coordinate all routes with the Federal Government; and most of all, they ensure that the citizens of Illinois remain safe.

Transporting spent nuclear material is safe. It has been proven to be safe, and there is no reason to doubt that it will remain safe.

The State of Nevada has a tremendous nuclear legacy, as identified by this recently approved Nevada State license plate. The State of Nevada can again fulfill their nuclear legacy and continue to aid this Nation and our citizens by safely storing high-level nuclear waste for our country. I ask all of my colleagues to support this legislation.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, the transportation of this waste will require over 96,000 truck shipments over 4 decades. Almost every major east-west interstate highway and mainland railroad in the country will experience high-level waste shipments. More highly-radioactive waste will be shipped in the first full year of repository operations than has been transported in the entire 5-decade history of spent fuel shipments in the United States.

The Department of Energy proposes to directly impact 44 States and many of the major metropolitan areas in the Nation. At least 109 cities with populations exceeding 100,000, including my constituents in Cleveland, Ohio, will be subjected to repeated shipments with minimal safeguards. Highway shipments alone will impact at least 703 counties with a combined population of 123 million people. Nationally, 11 million people reside within one-half mile of a truck or rail route.

This never-before-attempted radioactive materials transportation effort will bring with it many risks, including potentially serious economic damage and property value losses in cities and communities along shipping routes. The poorly tested transportation casks may be vulnerable to highway accidents and security breaches.

Because of a lack of rail facilities to several reactors, the Department of Energy will use barge shipments to move this waste to a port capable of transferring the 120-ton cask to a train. Some of these shipments will occur on the Great Lakes, the world's largest source of fresh water. Over 35 million people living in the Great Lakes basin use it for drinking water.

The Federal Government must radically improve the safety and security of these shipments, and that is the purpose of the Nuclear Waste Transportation Protection Amendments Act of 2002 which I have introduced.

Mr. Speaker, this legislation would, one, require comprehensive nuclear waste transportation safety programs; two, protect populated communities; three, establish that the oldest fuel first should be shipped; four, require full-scale cask testing; five, require State and local route consultations; six, private carrier prohibitions; seven, advanced notification; and, eight, safety precautions.

Vote against this legislation.

Mr. WYNN. Mr. Speaker, I yield myself such time as I may consume.

Let me begin by recognizing the outstanding efforts the gentleman from Louisiana (Mr. TAUZIN), our committee chairman; the gentleman from Michigan (Mr. DINGELL), our ranking member; the gentleman from Texas (Mr. BARTON), our subcommittee chairman; and the gentleman from Virginia (Mr. BOUCHER), our ranking subcommittee member. They have done an excellent job on a very important piece of legislation.

As an original cosponsor, I rise to wholeheartedly support this legislation. As we discuss energy self-sufficiency and national security, we must keep in mind that nuclear energy is an important part of a balanced energy portfolio. This Nation has 103 reactors that have a unique ability to power economic growth without polluting our air. This is the only expandable, large-scale electricity source that avoids emissions. Nuclear power is reliable and affordable, with production costs lower than coal and natural gas plants.

Today, nuclear energy produces 20 percent of our electricity and is essential to our national security. However, it is important to recognize that there must be permanent disposal of nuclear waste. This is a reality which must be addressed and which we are trying to deal with here today.

Electricity consumers under the National Nuclear Waste Policy Act have committed $18 billion since 1983 to pay for the disposal and storage of nuclear waste. The Federal Government has spent $7 billion in this same period to study Yucca Mountain, and we are right now overdue in fulfilling our commitment to electricity consumers. In my own State of Maryland, consumers have paid $237 million into the Nuclear Waste Disposal Fund since 1983. We in the State of Maryland are expecting the Federal Government to reach a conclusion. I believe the rest of the country feels the same.

Yucca Mountain is a safe site for all Americans. Currently, spent nuclear fuel and high-level radioactive waste is temporarily stored in 131 above-ground facilities in 39 States. Mr. Speaker, 161 million Americans live within 75 miles of these sites. One central site provides more protection for this material than do the existing 131 sites. After 20 years of research, billions of dollars of carefully planned and reviewed scientific field work, the Department of Energy has concluded that the repository at Yucca Mountain brings together the location, the natural barriers, and the design elements most likely to protect the health and safety of the public, including those Americans living in the immediate vicinity.

Used nuclear fuel storage in current power plants is safe, but nuclear power plants are not designed for long-term disposal. Permanent disposal, permanent long-term disposal will be managed by the Federal Government under this bill. The fuel will be stored 1,000 feet underground where it will be more secure.

Now, many people today have talked about transportation issues. We have empirical experience. After 45 years of experience and 3,000 shipments of used nuclear fuel by rail and by truck, no radiation releases, no fatalities, injuries or environmental damage have occurred because of the radioactivity of the cargo. The Department of Energy will coordinate transportation routes with local and State officials so local communities will not be excluded from this process. When operational, there will only be one or two shipments per day.

This is the reality. This is the challenge that Congress has been asked to address. With 20 percent of our electricity produced by nuclear power plants, how do we dispose of it? We have studied it for 20 years. The American taxpayers have paid billions of dollars to have it disposed of. We have a site and we have sound science. I urge us to pass this resolution and dispose of nuclear waste.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. RIVERS).

(Ms. RIVERS asked and was given permission to revise and extend her remarks.)

Ms. RIVERS. Mr. Speaker, I stand in opposition to this proposal. Under this particular plan, over 100,000 train, truck, and barge shipments, each carrying deadly, high-level nuclear waste, would have to go through 45 States, over 300 congressional districts, and hundreds of cities and towns; and 77,000 tons of nuclear waste would have to be relocated, which would require up to 108,000, 108,000 truck, rail, and barge shipments over 38 years.

Based on the Department of Energy estimates, a nuclear waste shipment would have to leave a site somewhere in the United States every 4 hours for 24 years. Three thousand barge shipments may be necessary, including shipments on the world's largest fresh water source, the Great Lakes, which surround my beautiful State, to reach this plant.

So far, over 16 million Americans would be projected to live within a half mile of proposed nuclear transportation routes. The shipping containers now available cannot resist explosives or fires associated with truck and rail accidents.

Proponents speak with a confidence belied by actual experience. The entire history of nuclear shipments to date

comprised less than 1 percent of the total to be shipped to Yucca Mountain. This waste is so radioactive that direct exposure quickly causes death and even a minute particle ingested or inhaled will cause cancer.

We will hear from other speakers that legitimate doubts exist as to the safety of the proposed site and that even if approved, the Yucca Mountain solution does not come close to solving the Nation's nuclear waste problem. After 30 to 40 years of continuous shipping of nuclear waste through our cities and towns, so much more waste will have been produced, but there will be hardly a dent in today's problem.

Additionally, the cost of the Yucca Mountain project is spiraling out of control. A few years ago, the Energy Department said it would cost hundreds of millions of dollars. Now they say it is $56 billion. Independent estimates of the costs soar into the hundreds of billions, some up to $309 billion. The nuclear waste trust fund has only $11 billion in it. Where is the money going to come from? More taxes? Social Security? How will we pay the cost of this proposal?

Taxpayers should not end up footing the bill for the power industry's spent fuel. ''No'' is the right vote.

Mr. BARTON of Texas. Mr. Speaker, I yield myself 6 minutes.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, before I begin my prepared remarks, I want to apologize to the gentleman from Nevada (Mr. GIBBONS). In the motion on the point of order, I was trying to be humorous and if I offended the gentleman in any way, I am prepared to ask that my own words be taken down, because the last thing in the world I want this body or the country to feel is that I do not have the utmost and total respect for the gentleman from Nevada and the fine work that he has done on behalf of his constituents.

Mr. GIBBONS. Mr. Speaker, will the gentleman yield?

Mr. BARTON of Texas. I yield to the gentleman from Nevada.

Mr. GIBBONS. Mr. Speaker, I want to thank the gentleman for the opportunity. Certainly I appreciate the gentleman's remarks and his words are very serious to me. I want the gentleman to know that we take this debate very seriously. I appreciate the gentleman's concern and his remarks, and certainly no offense was taken.

Mr. BARTON of Texas. Mr. Speaker, we are here today to move a resolution that would move forward the process that would ultimately result in a site being selected to store high-level nuclear waste that has been generated primarily by our civilian nuclear reactors in this country. Those reactors have been generating electricity for the American people for the last approximately 40 years. Today, 20 percent of our Nation's electricity is generated by nuclear power generators. At the time those power plants were put into operation, there was not a plan on where to store the high-level nuclear waste, because at that time it was assumed that the Congress and the industry and the various advocacy and stakeholder groups would mutually agree on a plan and a site, or sites. That has not happened for a number of reasons.

Nuclear power has become very controversial. The issue of where to store the waste has been used as a surrogate on whether one was for or against nuclear power, which brings us to today. In 1987, we passed a series of amendments in an appropriations bill that said we are going to store this waste at Yucca Mountain in Nevada. Since that time, we have spent approximately $7 billion trying to determine whether, in fact, that was a wise decision. There have been hundreds of thousands of studies, hundreds of thousands of man-hours spent conducting studies, costing hundreds of millions of dollars, to determine whether it is safe to store the high-level nuclear waste out at Yucca Mountain.

The Department of Energy submitted a recommendation to the President; the recommendation to the President said that they think it is safe. The outside policy review board that has the watchdog opportunity has said that that recommendation is weak to moderate, but the technical issues that are outstanding can be resolved in the next several years.

So this resolution simply says the Governor's objection to that decision, the Governor of Nevada, the State in which the repository would be located, not withstanding that the Congress goes on record telling the Department of Energy that it can go ahead and go forward with the licensing application process to the Nuclear Regulatory Commission.

Now, I would point out that there is nothing absolutely certain in life except death. We are all going to die. In the interim, we want to make our lives as positive and as constructive as possible; and in the modern era we want energy sources that are safe and efficient and reliable to make our lives as constructive as possible. Those that oppose the repository at Yucca Mountain because it is not 100 percent certain that over the next 400,000 years there is absolutely no way that something wrong can go wrong are asking for the impossible.

□ 1330

I cannot guarantee that when I walk out of this Chamber to go back to my office, if I cross the street, that a car will not hit me. I do not think it will, but I cannot guarantee that I will not have some sort of an accident just walking from here back to the Rayburn Office Building. The probabilities are that I will not.

If we look at all the scientific evidence that has been prepared on Yucca Mountain, it shows that to the degree that men and women can provide certainty, we are certain that for the next 10,000 years the repository at Yucca Mountain will be safe.

So I would ask when it comes time to have this vote that we vote to send this resolution to the other body and we say that we believe that we need to make a decision to have a repository, and that repository should be at Yucca Mountain. Then we will work together in a bipartisan fashion to guarantee the transportation issues, to guarantee the safety and scientific issues so that the repository can be built and maintained in a safe and effective fashion.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield 2½ minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, I have to admit, the first time I heard about the concept of placing this waste at Yucca Mountain a few years ago, I thought it was a very good idea. I thought so for one reason: Nevada is not Texas. I think that is the main reason why so many people approve of the Yucca Mountain site today, because Nevada is not South Carolina, it is not Maine, and it is not California.

But as one of my neighbors, Molly Ivins, pointed out recently in a column, ''putting the nuclear waste in Yucca Mountain is Nevada's problem. Getting it there is ours.'' These transportation routes will affect not just Nevada, but families in most every State in the country.

Indeed, one of the routes the Energy Department had on its list until recently, consistent with some of the comments that we do not need to worry about transportation, was within sight of the United States Capitol. They were proposing to run this nuclear waste through Washington.

To the gentleman who came and said that we have never had a problem hauling nuclear waste, I submit that his statement is about as persuasive as someone who stood on this floor last year and said an airplane has never been used as a bomb. Things are different after September 11, and are we increasing the risk to the American people, increasing the exposure, by having these ''mobile Chernobyls'' crossing the country back and forth, affecting millions and millions of United States citizens. Or would we be better off looking for alternatives to nuclear power and looking for long-term alternatives to Yucca Mountain?

The truth of the matter is that if we really recognize how long this waste is going to be dangerous, the NIMBY approach, not in my backyard, one needs to recognize that Nevada is in the backyard of everyone in this country. It cannot be isolated from everyone else.

The other big issue is not just the length of the time, the question is whether we want to have an incentive for more and more of this waste to be generated. They say, ''If you build it

they will come.'' But this isn't a ''Field of Dreams,'' it is a ''mountain of nightmares.'' If this facility is established, there will be more and more nuclear waste generated.

Finally, I have to say that I particularly want to applaud the leadership of the gentlewoman from Nevada (Ms. BERKLEY). She has been unceasing in bringing to our attention all of the implications of this very serious mistake that has been proposed.

I know there is some bipartisan support for it, but it is troubling that a Republican President and a House Republican leadership would so aggressively promote this unfortunate resolution, and that we would be told by Republican leaders during debate that this is ''Nevada's legacy.'' It is a legacy we will all be stuck with if this measure is approved.

Mr. WYNN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. STENHOLM).

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Speaker, few issues could be more important to the future security of the United States than passage of House Joint Resolution 87. For over two decades, scientists have subjected the suitability of Yucca Mountain to intense scrutiny, at a cost of more than $7 billion. It has been concluded that radioactive material can be safely stored deep underground in this area.

Today, this material is located at 131 different sites around the country in temporary above-ground storage. As a result, almost 162 million people live within 75 miles of one of these temporary storage facilities. Consolidating this material in one safe, secure underground location is the rational answer to the waste disposal question.

Furthermore, by moving excess waste from commercial and decommissioned plants, we will remove 131 targets from a potential terrorist attack.

Some would make an issue of transportation. The Department of Transportation, in conjunction with the Nuclear Regulatory Commission, has ensured that many precautions are taken when transporting nuclear materials relating to routing, security, tracking of progress via satellite on a 24-hour basis, and coordination with State officials. To date, we have transported more than 2,700 shipments of spent nuclear fuel over the last 30 years, traveling over 1.6 million miles without any harmful release of radiation.

Preliminary route selection and detailed planning will begin at least 5 years before the first shipment takes place.

Nothing is perfect, but I would say, as a rural electric cooperative manager, I worked to promote alternative energy sources 9 years before coming to Congress. Our membership thought it important to invest in alternative energy sources such as nuclear as a means to balance our energy budget. This was in 1970.

The 103 operating nuclear power plants in the United States are providing 20 percent of the Nation's electricity. In fact, nuclear power supplies 10 percent of the electricity generated in Texas, including that produced by TXU's Comanche Peak plant in my district.

Please join me in supporting the Federal Government's commitment to safely store nuclear fuel by voting for House Joint Resolution 87.

Mr. BARTON of Texas. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Michigan (Mr. UPTON), chairman of the Subcommittee on Telecommunications and the Internet of the Committee on Energy and Commerce.

Mr. UPTON. Mr. Speaker, I thank the gentleman for yielding time to me.

I, too, would like to compliment my friends and colleagues, the gentleman from Nevada (Mr. GIBBONS) and the gentleman from Massachusetts (Mr. MARKEY). They have been good adversaries on this issue from the start.

Let me read the President's signing statement when he signed the Nuclear Waste Policy Act:

''The Nuclear Waste Policy Act which I am signing today provides the long overdue assurance that we now have a safe and effective solution to the nuclear waste problem. It allows the Federal Government to fulfill its responsibilities concerning nuclear waste in a timely and responsible manner.'' The President was Ronald Reagan. The date was January 7, 1983, nearly 20 years ago.

The other side, the opponents of this legislation, say that we have not had enough study. We have not spent enough money. Well, we have spent nearly $15 billion getting this site ready, decades in time.

Where is this site, Yucca Mountain? Well, it is on Federal land. It is close, if not contiguous, to where we have done nuclear testing for decades. It will never be a vacation spot.

Many of the detractors that have spoken today and will speak have always been against nuclear power, which, by the way, provides nearly 20 percent of our Nation's power. Mr. Speaker, I do not know where the gentleman was when the nuclear power decision was made. I do know where I was, elementary school, a long, long time ago.

When the decision was made, the Federal Government said it would take care of the long-term safety and storage of high-level nuclear waste. This was confirmed by the courts.

For my district we have two nuclear plants, both on the shores of Lake Michigan. These two are among 103 throughout the country. Every single one of these facilities is an environmentally sensitive area. Many have run out of room for the storage of high-level nuclear waste. I have seen the lead-lined cement silos in the dunes of Lake Michigan. Yes, they are safe for now, but I do not know that they are safe for 1,000 years, let alone 10,000 years, as will be certified in Nevada before it will accept nuclear waste, still more than a decade away.

The process for safe storage started nearly 40 years ago. We need to finish the job today. Safe storage and safe transportation of high-level nuclear waste in one safe place is essential, particularly with the events of 9/11. We have shipped more than 1,700 shipments of high-level nuclear waste more than 1 million miles across this country without a single release of radioactivity.

I know that that track record can continue. I would urge all of my colleagues to support this legislation and send it to the other body.

Mr. BARTON of Texas. Mr. Speaker, could I ask how much time remains controlled by the gentleman from Louisiana (Mr. TAUZIN)?

The SPEAKER pro tempore (Mr. ISAKSON). Twenty-four and one-half minutes.

Mr. MARKEY. Would it be possible, Mr. Speaker, for us to get a review of the time that each of us has at this point?

The SPEAKER pro tempore. The gentleman from Massachusetts (Mr. MARKEY) has 42½ minutes.

Mr. MARKEY. And the gentleman from Maryland (Mr. WYNN)?

The SPEAKER pro tempore. The gentleman from Maryland has 9½ minutes.

Mr. MARKEY. I think it would be appropriate, if the gentleman would not mind, for me to recognize a few of our Members right now so that the time would come down.

Mr. BARTON of Texas. Did the Speaker say that the gentleman from Massachusetts (Mr. MARKEY) had 42½ minutes?

The SPEAKER pro tempore. That is what the Chair was advised. That is correct.

PARLIAMENTARY INQUIRY

Mr. BARTON of Texas. Parliamentary inquiry, Mr. Speaker. When the total time was only 40 minutes, how does he get 42½ minutes?

The SPEAKER pro tempore. No, the time controlled originally was 1 hour on each side, 2 hours total between proponents and opponents.

There is 24½ minutes remaining for the gentleman from Texas (Mr. BARTON), 42½ minutes for the gentleman from Massachusetts (Mr. MARKEY), and 9½ minutes for the gentleman from Maryland (Mr. WYNN).

Mr. MARKEY. If I may at this point, there was an hour divided evenly between opponents and proponents, and generously, the majority has relinquished 20 of its 60 minutes to the minority that shares the same views in support of Yucca Mountain.

The SPEAKER pro tempore. Does the gentleman from Texas (Mr. BARTON) object to the gentleman from Massachusetts' suggestion to have two or three speakers in sequence due to the imbalance?

Mr. BARTON of Texas. I am sorry, I did not know that he had a pending request. What was the request?

Mr. MARKEY. The request was that I be allowed to recognize——

Mr. BARTON of Texas. I would generously allow the gentleman from Massachusetts be allowed to recognize two or three of his speakers in sequence.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentleman from Utah (Mr. MATHESON).

Mr. MATHESON. Mr. Speaker, I am from the West. This is not the first time the West has been asked to shoulder the nuclear burden of our country. Dozens of atom bombs were detonated at the Nevada test site between 1951 and 1963. The West was chosen because as long as the winds were blowing east, the fallout avoided big cities and traveled over sparsely populated Nevada and Utah towns.

I remember my father telling me how people in southern Utah would watch the sky light up, and how southern Utahans supported the program because they were strong patriots who believed in their country and they trusted their government.

In the 1970s, my father, then the Governor of Utah, was puzzled over an alarming number of cancer deaths among our family and friends in southern Utah. Over and over he read ''cancer'' on death certificates of family members, more than 50 aunts, uncles, and cousins.

The Federal Government told us we were safe, but the Federal Government knew we were at risk. On October 7, 1990, my father died at age 61 from a cancer called multiple myeloma. Thousands of citizens throughout the West continue to get sick and die from radiation exposure-caused illnesses.

We saw a picture of a license plate talking about the nuclear legacy of Nevada. That is a legacy of which we should be ashamed.

Why are we moving this waste at this time? We are not running out of storage space at existing sites, and in the coming years, technological advancements in reprocessing and recycling may very well take care of much of the waste.

That brings us to the real fallacy of this entire exercise. If Members think a vote for Yucca Mountain gets rid of the waste in Members' backyards, they are wrong. As long as power plants are operating, new waste will need to stay put on-site for up to 10 years to cool down before it can be shipped.

I can tell the Members as son of a downwinder and a Congressman who represents thousands of sick, dying, and widowed victims of our nuclear testing that the Federal record on this issue has been appalling. Our Nation is one of shared responsibility. By opposing the transcontinental shipment of nuclear waste, we take care of all those millions of people who live along the roads and tracks to Yucca Mountain. We protect their future from what is an unfortunate legacy of my own State.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from Massachusetts for his kindness in yielding me time.

I think the very passionate words of our good friend, the gentleman from Utah, should really speak to the concerns that we bring to the floor of the House today.

Let me acknowledge the leadership of the gentlewoman from Nevada (Ms. Berkeley) for the passion that she has given to this issue. But I really think that we are here today to begin a discussion on whether or not nuclear energy should be at the forefront of the policies of the United States of America, whether or not we need to begin looking at conservation and other issues, because let me tell the Members what is bad about this particular proposal: It is bad science.

As a member of the Committee on Science, let me tell the Members that we are not complying with the Nuclear Waste Policy Act passed by this Congress 20 years ago. We are not adhering to good science.

Just recently, the General Accounting Office found 293 defects in the research and advised the Bush administration to hold off on passing this resolution until 2006. If my math serves me right, I believe we are in 2002. This is the concern that those of us who live in communities who have nuclear waste and have nuclear power plants have.

I would imagine those individuals are now looking at the gentlewoman from Texas (Ms. JACKSON-LEE) on the floor of the House and asking, why are you speaking against your own neighborhood?

□ 1345

I am speaking for America and what is going to happen to the thousands of neighborhoods and schools which this waste will be traveling by and endangering the lives of those who are seeking only to live in this country with a great quality of life. My friend from Utah (Mr. MATHESON) said it all. People are dying of cancer. People are dying because they have been exposed to radiation with no good science.

Let us not make the same mistakes. Let us implement a process of good science. Let us wait until 2006. Let us get rid of 293 defects. Let us not have the children of America looking outside their window, and rather than saying hello to the choo-choo train, they are looking at a deadly disaster that may happen in their neighborhoods.

I do not mind standing up with the few and the brave, recognizing that someone has to speak out. We have to change our attitude, and I would say we have to reject $40 million in lobbying for the Yucca Mountain. I oppose H.J. Res. 87 and I ask my colleagues to do so.

Mr. MARKEY. Mr. Speaker, I yield 2½ minutes to the gentleman from California (Mr. BACA).

(Mr. BACA asked and was given permission to revise and extend his remarks.)

Mr. BACA. Mr. Speaker, I stand in opposition to H.J. Res. 87. We need a coherent national strategy dealing with nuclear waste, but this decision is about local control. It is inappropriate for us to be micromanaging Nevada on something that is so important. We should allow the governor to do his job. He has decided that the Yucca Mountain proposal is too dangerous to pursue any further and we should not intervene in what is a State and local decision.

I am also concerned about the issue, not just about the Members of Congress, but as neighbors of hundreds of thousands of people who could be harmed by the transportation of this through an accident that could occur. The Department of Energy may be way too tightlipped about the transportation routes that waste would travel across the country on its way to Yucca Mountain, but two things are certain. One, a very large percentage of the waste would travel through my district, the Inland Empire. Two, accidents will happen while transporting the spent nuclear fuel.

If you look at the map, virtually all the rails and routes would be used through San Bernardino County, California, my home. Half of the country saw Spiderman this weekend. Well, we are in the center of a nuclear transportation web. The thought of it makes me angry. The thought of it scares me, and it should scare my colleagues on both sides of the aisle from the Inland Empire. I call on all the Members from Inland Empire and Southern California to come together and oppose Yucca Mountain.

Why should our constituents be forced to face so much more of a risk of danger and other activities that may affect them?

Even the most conservative Energy Department studies say that many accidents will occur and it is more likely it will occur in transportation hubs like my district where we had recently a derailment of a train that caused a lot of the homes in the areas to start burning in the immediate area.

With this proposal, we will create thousands of moving targets for terrorists. We know what happened on September 11 with the airplanes crashing in the World Trade Center. Terrorists would not need a dirty bomb because we will have thousands of them crawling across the Nation just waiting for a fuse to ignite them, killing hundreds and thousands of people.

People are already living in fear. We do not need to put additional people in fear. I ask all Members to oppose this resolution.

The SPEAKER pro tempore. The Chair will recognize one additional speaker of the gentleman from Massachusetts (Mr. MARKEY) and then will go back to the rotation.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. MCDERMOTT).

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, I feel a little like Yogi Berra when he said, ''This is deja vu all over again.''

I was in the State of Washington in 1980 when we had exactly this, they were going to put all this in Hanford. We had a governor who said, bring it all in. Bring it all in. Dixie Lee Ray. And we got an initiative. We have collected the signatures and 75 percent of the people in the State voted no, we do not want to accept all the waste from the country. And she was defeated. I knocked her out in the primary of that election.

Now, what you are looking at is this old business about NIMBY. It is not in my back yard. Throw it over the fence. Well, you cannot throw nuclear waste over the fence. And if you try, you will be putting it in trucks and railroads all over this country. And if you did not see what happened in Baltimore just a couple weeks ago where they had a train wreck in that tunnel and two Amtrak train wrecks in the last month, think about what happens in your neighborhoods if that happens.

Now, all Members who are voting yes are thinking thank God it is not going to be in my neighborhood. But the fact is it is going to be in your neighborhood. It is going to be on the roads. It is going to be on the trains. It is going to be going past schools and hospitals. And when that issue comes to you, as it did in the State of Washington, suddenly all of the county sheriffs are saying, we do not know what we are going to do with all these trucks coming by and we do not know if there is a fire. We will need more money.

You will wind up giving yourself one headache because this is being rushed through for one reason: The President has got the September 11 flag and he is waving it around and wrapping himself in it and saying, We got to have nuclear power, and if we do not get rid of the nuclear waste, we cannot have nuclear power. So he sees his chance. He wants to ram this through in spite of the fact that the GAO says there are 293 problems. How can you go home and defend to your people that you just ignored those problems? Vote no.

Mr. BOUCHER. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. DINGELL), the distinguished ranking member of the Committee on Energy and Commerce.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, I have heard a lot of misunderstanding today. I have heard a lot of Members making some rather terrifying speeches. I have heard a lot of important statements, and some of them have been factual. I would ask that you listen to me because I want to tell you what is going on.

First of all, this is not about putting nuclear waste anywhere.

Second of all, it is not about moving nuclear waste anywhere or moving it down any particular road. It is just about a step in a process to move forward to decide ultimately where and how we are going to put all this nuclear waste.

Are there problems with it at this stage? Of course. Somebody said 293. There may be that. There may be more. But we spent $7 billion to characterize Yucca Mountain as a site. Nothing is going to happen when we pass this bill except that about 2 years down the road the NRC is going to commence a licensing process to license a permanent storage repository to receive the nuclear waste. That will be an open process. Everybody will be permitted to have their say. Members of Congress here who are complaining, all of their constituents, any industry, you name it, can all have their say in that process. It is going to be a thoroughly open process.

Now, there are going to be environmental problems whatever course we take. We can leave this nuclear waste where it is. It is in pools. It is in neighborhoods in your districts and mine. We can leave it there, and it is going to create a lot of nuclear problems. We can set up some other alternatives such as dry cask storage, and that is going to make nuclear problems, and they are going to remain in your neighborhoods and in my neighborhood.

Now, I am not an advocate of putting this anywhere. I am not an advocate of putting it in Yucca Mountain or not putting it in Yucca Mountain. I am simply an advocate of this Congress functioning responsibly, to come to a decision on a major problem which we have, a major energy problem, a major environmental problem, a major land use problem, a major concern to the people of this country. We are producing nuclear waste at nuclear power plants and we are producing it in connection with our defense activities. That nuclear waste is going to go somewhere. Right now it is scattered around the country in all kinds of places, and it is a hazard to your constituents and mine.

We have got to have some resolution to this problem of nuclear waste storage, and it has got to be reasonable, intelligent, and we have got to come to the best solution we can.

I mentioned we have already spent $7 billion to characterize this site, and we will have to spend a lot more. I do not know what the licensing process is going to cost, but it is going to be plenty. As I mentioned, it is going to be open. Ultimately, we have to address the problem.

Whatever we do is going to create environmental difficulties. It will be the responsibility of the Committee on Energy and Commerce and of this Congress and of NRC, of the executive department of government, of EPA and all of the other agencies, to see that the process is conducted in a way which is safe, which creates a minimum of hazard, to see that the transportation is done as safely as it can be done with as little risk as possible to the community and the people through which it passes.

It will also be our responsibility to see to it that all of the questions which remain to be answered are answered. That will be a part of the licensing process, which is going to go on for something like 4 to 6 years after we conclude this. The probabilities are that the decision will not be made until some time around 2010 or perhaps even later.

I think it makes good sense that this body should exercise ordinary responsibility. We have a duty to the people to resolve this question. We are setting about taking another step towards the conclusion of an open process to arrive at a decision, followed by the licensing process which will take place at NRC and, as I mentioned, that will be fully open. EPA will be participating in that. Every other citizen who has a concern will.

My advice to this body is proceed. We are simply taking a step forward. Let us take that step forward and make the process work in an open fashion for the benefit of all us. Let us resolve the question today. Vote aye.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. NORWOOD), a member of the committee, who is sartorially resplendent.

Mr. NORWOOD. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, as an original co-sponsor of this, I rise in very, very strong support of this resolution. The selection of Yucca Mountain as a permanent nuclear waste repository is probably one of the most important questions that can face this Congress and for years to come. As we all know, and it has been said over and over again, over 45,000 metric tons of spent nuclear fuel are currently scattered across the country in some 70-plus sites across our Nation. Clearly, clearly, it is in the American public's best interest to construct one permanent, highly secured repository for this waste. And, hopefully, one day a lot less of the waste as we get our mixed oxide fuel plants built and we can reduce the volume of this waste, which is where I hope we are going.

Twenty years ago the Nuclear Waste Policy Act set a policy in motion. Twenty years ago. The DOE has now spent over $6.7 billion on characterization and development activities at Yucca Mountain. Now, part of this debate really ought to be why in the world has it taken 20 years to solve this problem after spending $7 billion, not to speak of the millions of dollars that ratepayers have spent?

Having been to Yucca Mountain, I believe the dollars spent have yielded credible research and pretty sound science that justifies this Congress moving to the next step. The vote today does not lock us in forever and

we are not committed forever to Yucca Mountain, as the gentleman from Michigan (Mr. DINGELL) pointed out. Even the Washington Post and the New York Times actually agree with me that now is not the time to jump ship. Granted, that gave me some second thoughts, but they are right. Now is not the time to jump ship.

□ 1400

The development of a permanent, secure repository for spent nuclear fuel is imperative for this country. It is important to my constituents at both the Savannah River site and Plant Vogle, but it is absolutely vital to the national energy policy and to our homeland security.

I urge our Members, vote ''yes'' on this today.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I oppose authorizing Yucca Mountain as the permanent site for our Nation's nuclear waste at this point, and I will tell my colleagues why. Politics are driving this process and not science. I realize that the proponents of this site say that the nuclear industry and the Department of Energy have already studied the issue; but frankly, it is the final grade that matters, not how much we study, and at this point, Yucca Mountain still gets a failing grade for many in the scientific community.

Scientists both at the GAO and elsewhere have stated, we have heard that, that there are still issues to be addressed. There are still serious issues at the site, the seismic activity and ground water migration. The studies on those issues will not be completed till 2006. That does not mean that Yucca will never achieve a passing grade. Maybe future studies will determine this is the best and only place for America's nuclear waste, but this is supposed to be the site where we put our Nation's radioactive waste for the next 10,000 years.

I do not oppose Yucca Mountain as a potential site outright. I just do not think that the designation is timely. How about completing the scientific studies first? Seems like a no-brainer to me.

I also, frankly, have grave concerns about transporting the waste. A few years ago in Denver, Colorado, where I–70, the major east-west highway, and I–25, the major north-south highway, intersect, a truck with a big missile on it fell over, and I shudder to think what would happen if a truck containing radioactive waste fell over in the Mouse Trap in Denver, Colorado, during rush hour. I do not care how safe people say that is.

So let us make sure that we have the science. Let us make sure that we have real transportation assurances and that local governments are working with us. Let us have that in place before we do this. It only makes sense. Vote ''no'' on the Yucca Mountain resolution.

Mr. MARKEY. Mr. Speaker, I yield 2½ minutes to the gentleman from American Samoa (Mr. FALEOMAVAEGA).

(Mr. FALEOMAVAEGA asked and was given permission to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, I want to thank the gentleman from Massachusetts (Mr. MARKEY) and the gentlewoman from Nevada (Ms. BERKLEY) for their leadership roles in this debate.

Mr. Speaker, why are we so bent on storing nuclear waste at Yucca Mountain? Is it because the U.S. has already conducted more than 1,000 underground nuclear bombs in the deserts of Nevada? How fair is it to ask the good people of Nevada to also be the sole keeper of our Nation's highly radioactive nuclear waste? How fair is it to transport nuclear waste across America's farm lands, which are easier targets for terrorists to attack?

The fact of the matter is the largest concentration of nuclear reactors lies east of the Mississippi, and the risk of transporting highly radioactive spent fuel from these nuclear plants is a risk this Nation just cannot afford to take.

Mr. Speaker, highly radioactive spent fuel or nuclear waste is one of the most toxic and dangerous substances known to mankind. For 10,000 years, highly radioactive spent fuel is dangerous to human life. Visit the Marshall Islands if my colleagues want to see the residual effects of some 66 nuclear bombs that were exploded in Micronesia. The reason why we discontinued testing in the Marshalls is because we found strontium 90 in milk products in Minnesota and Wisconsin.

Visit the islands of Moruroa and Fangataufa in the South Pacific and ask the French Government if after detonating 220 nuclear bombs, that nuclear contamination is now leaking into the ocean in the Pacific Ocean, despite assurances from the French Government officials that this process is okay and is good for 1,000 years. Give me a break, Mr. Speaker.

I fear the good people of Nevada are going to experience the same thing. If the Congress approves this project, the Department of Energy suggests there will be as many 108,500 surface shipments of nuclear waste making its way across the heartland of America. Another 3,000 shipments will make their way by barge across our waters.

Mr. Speaker, whether we spend $1 or $100 billion to clean up our Nation's nuclear waste, any amount of money can never be equal to the life of any human being.

Mr. BOUCHER. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Texas (Mr. HALL).

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Speaker, I rise today, of course, in support of H.J. Res. 87, a bill, as all of my colleagues know, that provides for the development of Yucca Mountain as a permanent repository.

I think, though, first a word to those who oppose this resolution. They have done so honorably, steadfastly, and to be Texas plain with them, they have done so doggedly and working and speaking for the care of their constituents' will. For that, I admire and respect them. To paraphrase Reverend Billy Graham, I hate sin but I love the sinner. I hate the absence of a permanent repository, but I love and respect those who oppose this bill. I simply differ with them, and I differ with them for these reasons:

I think, first, that it has an unparalleled safety record in transporting nuclear fuel. That is necessary. That is first; and, second, the long open public licensing process. More than 45 years of experience and 3,000 successful shipments of used nuclear fuel within the United States demonstrates that this material can be safely transported to Yucca Mountain by rail and/or by truck. No radiation release, no fatalities, no injuries or environmental damage has occurred because of the radioactivity of the cargo.

The containers used to ship nuclear fuel are specially designed, robust steel containers that have undergone rigorous testing and can withstand extreme conditions including long-lasting fires, high-speed crashes, even submersion in water. The maintained integrity of the containers ensures the health and safety of the public and environment during transportation of spent nuclear fuel.

Mr. Speaker, upon site approval, a three step nuclear regulatory commission licensing process will test and verify DOE's scientific work in a highly rigorous public process. The scientific work will continue throughout the licensing period and operation of the repository so that the government will always be governed by the most recent science.

Again, I admire and respect those who defend their constituents. I urge my colleagues, however though, to support H.J. Res. 87. Let us move this bill on and get it behind us.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Virginia (Mr. BOUCHER) has 2 minutes remaining. The gentleman from Massachusetts (Mr. MARKEY) has 30 minutes remaining. The gentleman from Louisiana (Mr. TAUZIN) has 22½ minutes remaining.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from North Carolina (Mr. BURR), the vice chairman of the Committee on Energy and Commerce.

(Mr. BURR of North Carolina asked and was given permission to revise and extend his remarks.)

Mr. BURR of North Carolina. Mr. Speaker, I thank the chairman of the full committee for yielding me the time.

I was struck earlier when the gentleman from Michigan (Mr. DINGELL) got up to speak because all of the sudden, after my lunch partner today who

was our former colleague, ranking member on the Commerce Committee, Jim Broyhill, I began to realize that between the gentleman from Michigan (Mr. DINGELL) and Mr. Broyhill and our current chairman, they were here in 1985 when the energy policy act was, in fact, passed; and they shepherded it through, and it really did start the process rolling.

For 20 years from then we are now here today trying to make sure that a process continues to move forward, and I found it striking that Senator Broyhill looked at me and said we envisioned that this would only take 10 years. Well, it has taken 20 now; and the question, as the gentleman from Michigan (Mr. DINGELL) so appropriately raised, are we going to allow it to go to the next step?

This is not about shipping waste tomorrow. This is about allowing a process to go to the next step where in the licensing phase we may learn more. To stand up and suggest that science has not been applied to this project is only to say that under the definition in Webster's there is one area that we have not covered, whether it is applicable or not, but every study that people have suggested has been done on this site.

The gentleman from Michigan (Mr. DINGELL) strongly worded across this country today we store in our communities, in our backyards waste today, waste that eventually we are committed, as the Federal Government and as stewards of the trust fund with the rate payer money, to make sure that it has been used in a way that is effective long term.

To my colleagues today I would urge them, this has been studied and we will continue to study it; but the way to continue to study it is not to stop the process. It is to let the process go forward. It is to make sure, in fact, that we are a little further down the road in the licensing process as well as our understanding of the transportation challenges that we will be faced with.

I am confident that the 400 trillion Btus that North Carolina receives in low-cost energy from nuclear is something we have to have in the future. Do not cut this out by making sure nuclear is cut out because we have nowhere to store it. I urge passage.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in strong opposition to this bill. The environmental questions surrounding the Yucca Mountain site have not been adequately answered and a decision with a 1,000-year impact should not be made with questions hanging.

Our Nevada colleagues and the constituents they represent have spoken about the hundreds of questions regarding the safety of a site which is in their backyard. They deserve an answer to these questions.

Of course, Yucca's supporters claim that if the licensing process indicates that testing and environmental problems may occur, plans could be changed or reevaluated; but we all know this is Washington, and a project like Yucca takes on a life of its own, and I have grave concerns about transportation plans for all this nuclear waste.

The recent terrorist attacks raise questions about security at nuclear power plants and DOE facilities across the country. In my district, local power plant officials and the nuclear regulatory commission spent days issuing conflicting statements about how vulnerable Diablo Canyon nuclear power plant is to an attack. My constituents were understandably unsettled by the obvious lack of coordination and planning for this facility in their own backyard.

Against this backdrop we add the problem of protecting shipments of dangerous nuclear waste. This scenario of thousands of nuclear waste-laden trucks and barges careening across our roads and waterways should give us all pause. In my district, DOE wants to load tons of nuclear waste on barges and bring the barges through the Santa Barbara Channel, but I question some of the planning here. Let me cite just one example.

The dry cask storage containers that will carry this waste are tested to withstand submersion in water, but I do not believe there has been submersion tests for these casks at anything like the depths found in the Santa Barbara Channel. So what happens if there is an accident and a number of these concrete containers end up at the bottom of the channel? Will they be able to withstand the extreme depths? Can we retrieve them?

If the answer is no to either of these questions, what then happens to the fishing industry, the other ships that use the channel? How safe does this channel and the surrounding area then become?

In closing, I do not believe we should pass this bill. I do not have faith that the studies behind Yucca are safe and complete, and I do not have faith that the project can be carried out safely and effectively.

Mr. MARKEY. Mr. Speaker, I yield 2 minutes to the gentleman from West Virginia (Mr. RAHALL), the ranking member of the Committee on Resources.

Mr. RAHALL. Mr. Speaker, I thank the gentleman from Massachusetts (Mr. MARKEY) for yielding me the time.

I want to commend the leadership of two of our colleagues from the State of Nevada on this important issue, the gentleman from Nevada (Mr. GIBBONS), a member of our Committee on Resources, and the gentlewoman from Nevada (Ms. BERKLEY), who is a very valuable member of our Committee on Transportation and Infrastructure.

There are a number of reasons, Mr. Speaker, for opposing the pending resolution, but it boils down to this. There is no rock-ribbed, iron-clad, copper-riveted guarantee that the interment of high-level nuclear waste at Yucca Mountain would be the safest course of action over both the near- and long-term.

It is no secret that there is a multitude of scientific questions regarding this site, and I am sure all those questions have been gone into by previous speakers, but the GAO report noted that there are about 300 such questions and concluded that this site approval is premature.

□ 1415

There is one very important reason that I would like to mention that I do not believe has been mentioned thus far in this debate as an additional reason for opposing the pending resolution, and that is that Yucca Mountain is located within the aboriginal area of the western Shoshone Indian Nation. The mountain is sacred to them and it holds a powerful spiritual energy for two Indian tribes in particular.

In fact, the Ruby Valley Treaty of 1863 explicitly stated that this area belonged to the Shoshone. Yet in arrogance, and that is what it is, arrogance, this administration has determined that this particular sacred site is a pretty good place to put a nuclear waste repository. That is desecration, plain and simple. It is desecration to the Shoshone Indian Nation. Whether or not my colleagues understand the religion of these people, whether or not my colleagues subscribe to it, know this: Dumping nuclear waste at Yucca Mountain is akin to dumping nuclear waste at your own house of worship.

I urge the defeat of the pending resolution.

Mr. MARKEY. Mr. Speaker, I yield myself such time as I may consume to just tell the gentleman that that was a beautiful statement.

Mr. Speaker, I yield 2 minutes to the gentlewoman from the State of California (Ms. LEE).

Ms. LEE. Mr. Speaker, I thank the gentleman for yielding me this time, and I also want to commend the gentleman from Massachusetts for his leadership, as well as the gentlewoman from Nevada for really raising the very dangerous implications of what we are doing today, and I rise in strong opposition to H. J. Res. 87.

Now, this resolution, as we have heard today, would send 77 tons of nuclear waste across our Nation's highways, through our streets, and past our homes. Every hour of every day for the next three decades, trucks and railcars full of radioactive waste would be rolling past. Every mile along the way they would be exposed to the risk of both terrorists and simple accidents. This is very, very scary. This cannot be the answer.

We must seek out scientifically sound mechanisms to store and treat existing nuclear waste and we must shift to a safer energy technology. We cannot keep producing nuclear waste that we clearly cannot manage safely.

Nuclear waste cannot continue to proliferate. Transporting tons of waste to Yucca Mountain will not eliminate the piles of waste sitting at reactor sites across the country. It will barely make a dent in them for years to come. Instead, it will expand our risk every mile traveled.

Finally, transportation aside, Yucca Mountain is not the solution. With threats of earthquakes and groundwater contamination, it is an environmental disaster waiting to happen. I urge my colleagues to oppose this resolution.

I want to again thank the gentleman from Massachusetts and the gentlewoman from Nevada for making sure that we are fully aware of the implications of what we are doing today.

Mr. MARKEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Minnesota (Mr. OBERSTAR).

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in opposition to the Yucca Mountain Repository Site Approval Act.

Our Committee on Transportation and Infrastructure just recently had a hearing on this issue. It was clear from the hearing there are too many uncertainties, too many unresolved issues, and the risks are too high for us to support this resolution.

This is not the first time, this is the second time around on this issue of transporting nuclear waste. And our committee addressed this issue in 1982 during the consideration of the surface transportation bill when there was an amendment to prohibit the transportation of nuclear waste through major urban areas. What about the folks in the rural areas? They should be exposed because people in the urban areas should not be? We defeated the measure.

In 1987, the same group that is telling us that Yucca Mountain is a great place came to us in northern Minnesota saying it was a great place to locate nuclear waste at the headwaters of the Great Lakes. One-fifth of all the fresh water on the face of the Earth, and they wanted to deposit this most toxic substance known to mankind right there so we could poison one-fifth of the water. It was the worst possible place then, and Yucca Mountain is the second worst possible place.

The General Accounting Office submitted to our committee a report showing that there are 293 scientific issues and technical questions not yet resolved that have to be answered before the DOE could even apply for a license. This is not the time. We have plenty of time. It will not be until 2006 before they are even ready to submit an application. Let us defeat this now and give it more substantive consideration.

Mr. Speaker, I rise in opposition to H.J. Res. 84, the Yucca Mountain Repository Site Approval Act, which authorizes the development of a nuclear waste depository at Yucca Mountain, Nevada. As was made clear during a joint hearing of the Subcommittees on Railroads and Highways and Transit of the Committee on Transportation and Infrastructure, there are too many uncertainties, too many unresolved issues—and the risks are simply too high—for me to support this resolution.

At the hearing, we heard a great deal of evidence about the failures of the Yucca Mountain proposal. We learned that the Department of Energy (''DOE''), which was supposed to study the environmental effects of transporting nuclear waste from 131 sites around the country, included only 77 sites in its final environmental impact statement for Yucca Mountain. In other words, DOE omitted any evaluation of 54 nuclear waste sites—or 41 percent of the nuclear waste sites it was supposed to study—from its analysis.

In addition, the General Accounting Office issued a report just this past December that noted 293 outstanding scientific and technical questions that must be resolved before DOE can even apply for a license for the Yucca Mountain site. Bechtel, DOE's own contractor, has stated that DOE would not be in a position to submit a license application for Yucca Mountain until 2006.

Some of the most troubling aspects of the Yucca Mountain project are the uncertainties surrounding the transportation of nuclear waste across the country. The method and routes for transporting all this spent fuel from 131 sites around the country have not yet been determined. There are proposals; there are ideas about how to best ship the spent nuclear fuel, but there is no definitive plan for its transportation. What we do know is that this highly toxic material will be shipped over our Nation's highways, railways, and waterways, and will most likely travel through more than 40 states and the District of Columbia. And we know that, regardless of the specific routes ultimately chosen, this nuclear waste will be shipped through our communities in close proximity to millions of people.

Yet, we are told simply to accept the fact that by the time this fuel is ready to be shipped, the Administration will have figured out an acceptable plan for shipping it. Mr. Speaker, I submit that such important issues should be explored and decided before we chose a nuclear waste depository—before we agree to ship nuclear waste through out cities and towns and across our lakes and rivers.

Proponents of the Yucca Mountain site point to the safety record in transporting nuclear waste over the past 35 years. But what they don't say is that there have been, on average, just over 90 such shipments each year, mostly by truck. If we were to transport the 46,000 tons of materials now being stored around the Nation, as well as some of the additional nuclear waste that will be generated before the Yucca Mountain site reaches capacity, it would require approximately 2,800 cross-country truck movements each year for 38 years.

The Administration envisions that most of the shipments will be by rail. But there is currently no railroad to the Yucca Mountain site. Further, many of the nuclear sites where waste is currently stored are not directly connected to a railroad. In addition, there are no federal regulations that govern the routing of these shipments by rail.

Tellingly, the railroads disagree with DOE over the safest way to ship this spent nuclear fuel. The railroads believe that dedicated trains are the safest way to move this material. First, dedicated trains do not require any switching of the railcars. Switching increases the handling of railcars and thereby increases the risk of an accident. Second, the disparity between the weight in the railcars carrying the nuclear waste and the railcars carrying other freight in a mixed freight train may cause instabilities that could lead to a derailment. Third, dedicated trains are necessary for the train to be equipped with electronically controlled pneumatic brakes. These brakes provide greater safety through advanced braking capabilities and an advanced communications system that alerts the crew of the condition of the train's wheels.

DOE's regulations, however, call for spent fuel casks to be shipped in mixed general freight trains. Unfortunately, DOE's regulations appear to be ''market driven'' in that mixed freight trains are cheaper than dedicated trains. I would submit that the safe transportation of these highly toxic materials should take precedence over making a buck.

At the subcommittee hearing, many of my colleagues on the Transportation Committee voiced a great deal of concern over the possibility of a train accident similar to the one in the Baltimore rail tunnel last July that burned for three days with temperatures rising above 1,500 degrees F. That is higher than the temperature that the spent fuel casks are designed to withstand. If a single rail cask with spent nuclear fuel had been on-board that train, it could have released enough radiation to contaminate a 32 square mile area. It would have cost nearly $14 billion to clean up such a catastrophic accident if it had involved nuclear waste. What is shocking is that the Nuclear Regulatory Commission (''NRC'') has not done any tests on the stability of the casks in a similar scenario. The tests they have done assumed a fire burning at 1,475 degrees F for 30 minutes. We now know first-hand that fires from such a train accident can extend far beyond the NRC's assumptions.

Terrorism also poses a significant threat to any safe transportation of spent nuclear fuel. Whether transported by truck, rail, or barge, these shipments will be slow moving and could potentially be the target of a terrorist attack. We simply cannot afford to short-change the real and pressing security concerns inherent with the transportation of this fuel. While the casks are designed to withstand a great deal of damage, some of the sophisticated weapons available today could penetrate them.

The subcommittee hearing brought to light a whole host of issues surrounding the transportation of nuclear waste material that should be addressed before we accept any plan to ship spent nuclear fuel across the country. Unfortunately, the Administration has elected to force the issue before all these concerns can be sufficiently addressed. The Nuclear Waste Policy Act states that the President's recommendation starts a process that leads ultimately to the Congress having to accept or override a veto by the Governor of the State of Nevada. I believe we should sustain Governor Guinn's veto.

It may be hard to accept the consequences of sustaining the veto, but not as hard as making the wrong decision on this critical national security and transportation safety issue.

I urge my colleagues to oppose H.J. Res. 84.

Mr. BOUCHER. Mr. Speaker, I reserve the balance of my time.

Mr. TAUZIN. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. KNOLLENBERG).

Mr. KNOLLENBERG. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise in very strong support of H.J. Res. 87, a resolution to approve the site of Yucca Mountain, Nevada.

I am pleased we are finally at this step in this long process. We know that something must be done with the thousands of tons of radioactive fuel currently sitting in spent fuel pools across the country. Billions of dollars and multiple studies later, we know Yucca Mountain is the place to put it. It is safe and suitable.

It is a simple fact that to get nuclear waste to Yucca Mountain we are going to have to move it, move it from many nuclear power plants across the country. Opponents to Yucca Mountain have spun tall tales of the dangers of sending nuclear waste through our hometowns on the way to Nevada. Mr. Speaker, these arguments are nothing but a red herring.

A wise man once said everyone was entitled to their own opinion but that everyone was entitled to only one set of facts, and, Mr. Speaker, we have the facts on our side. Let me assure my colleagues that the transport of spent fuel along the Nation's highways and railways is safe. Over the last 30 years, as we have heard, more than 2,700 shipments of spent nuclear fuel have taken place, traveling more than 1.7 million miles, and they have taken place without a single release of radioactive material harmful to the public or the environment.

The Federal Government takes numerous precautions when transporting nuclear materials, such as routing, security, tracking of progress, coordination with State officials, and any emergency preparedness training that is needed for State and local responders. The details of these precautions, most of which are highly classified, are very impressive.

Certainly, shipping nuclear waste has the inherent risk of accident or attack, but that risk was there for the last 30 years as well and it will be there as long as we ship any nuclear waste. The far greater risk, in my mind, is to leave that waste in our backyards, on our lake shores, and in our communities in the 39 States where it currently is stored.

For years, I have worked with my colleagues in the House to ensure we address the issue of nuclear waste in an honest and professional way. It is honest to say we can ship the waste safely because we have done it and will continue to do it. In fact, shipments are likely taking place right now as we speak. Our record on transporting nuclear waste is not an argument against Yucca Mountain, indeed it speaks strongly in favor of it.

Mr. Speaker, the facts back it up. I strongly urge all my colleagues to vote for a permanent repository for high level radioactive waste and spent nuclear fuel. Support, I repeat, support this move.

Mr. MARKEY. Mr. Speaker, I yield myself 3½ minutes.

A congressional expert is an oxymoron. There is no such thing. Congressmen are only experts compared to other Congressmen. They are not experts compared to real experts in any field.

Here, what we have is a decision made by congressional experts, us, to pick Nevada because they have the smallest delegation. That is why it happened. And now, unsurprisingly, there are 293 unresolved environmental issues related to a group of Congressmen picking the site to bury all nuclear waste in the United States for the next 10,000 years. Now, Members of Congress are different in many ways, but one of the things they pretty much share in common is a very limited scientific background, and so it is no surprise that all of these issues remain unresolved.

Now, what do we have on our hands, then? We have a thermonuclear Ponzi game. The generation that in fact enjoyed the benefits of nuclear power, and by the way there has not been a new nuclear power plant ordered successfully in the United States since 1974, we are coming up to the 30th anniversary, wants to pass on the risks to the next generation. It's a Ponzi game. We are dumping it on the next generation. Let them figure out what the environmental health and safety problems are. We are getting it off our hands right now. We are congressional experts.

Now, what is the complication? Well, since September 11, in addition to all those environmental issues, we have the problem now of al Qaeda. Now, what have we learned in the caves and the computers of Afghanistan? What we have learned is that al Qaeda has placed nuclear at the very top of their terrorist targets. And so what we know is that the security that is going to have to be placed around the transportation of all of this nuclear waste must be much higher than anyone anticipated before September 11.

Have we had the hearings on that subject? Have we determined what the cost of that might be?

Here is what we also know. There have been two major rail accidents in the United States over the last 3 weeks. Now, what if it was a nuclear waste shipment? And what if the train was deliberately derailed by al Qaeda in some small town or city across the United States; and then, with conventional weapons attached to the nuclear waste, a dirty bomb was exploded? Is that possible? Well, post September 11, we know that they arrive in very large numbers, 20; they are very technically sophisticated; they are suicidal, and they have the technical capacity to be able to execute little drills like that.

So it seems to me before we begin the process of putting a trainload or a truckload of nuclear waste on the road every 4 hours for the next 24 years, that we have a responsibility to answer these questions. But because the nuclear industry and a pro-nuclear Bush administration just wants this issue to move so fast down the track that these questions do not get answered. We will not have that debate here in Congress. And that is as wrong as abandoning the intergenerational responsibility that we have to the next generation of Americans that did not create this nuclear waste but will run the risk of all of the dangers inherent in storing it in Nevada and transporting it on the roads and railways of this country.

Mr. Speaker, I reserve the balance of my time.

Mr. TAUZIN. Mr. Speaker, I am honored to yield 3 minutes to the gentleman from Alabama (Mr. CALLAHAN), the distinguished cardinal from the Committee on Appropriations, the chairman of the Subcommittee on Energy and Water Development, who, unfortunately for all of us, has announced his retirement from Congress this year and whom we will all sorely miss.

(Mr. CALLAHAN asked and was given permission to revise and extend his remarks.)

Mr. CALLAHAN. Mr. Speaker, I thank the gentleman for yielding me this time and for his kind words.

And to the gentleman from Massachusetts, let me tell him that we all know he is one of the most eloquent Members of this House. He always makes his points and makes them so eloquently. But I would like to remind him that the Ponzi scheme started in Massachusetts.

Mr. MARKEY. Mr. Speaker, will the gentleman yield?

Mr. CALLAHAN. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Speaker, I would advise the gentleman that it started in my district, which is why I am an expert.

Mr. CALLAHAN. Reclaiming my time, Mr. Speaker, I understand that.

And the gentleman also mentioned earlier in the well of the House today that one of the reasons we are here debating this issue today is because of the ineffectiveness and the smallness of the Nevada delegation. The gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from Nevada (Ms. BERKLEY) are two of the most articulate, effective Members of this body. And the very fact that they are short in numbers does not at all forgive the fact that they are very effective and outstanding Members of this body.

I would also like to remind the gentleman from Massachusetts that the last time I checked this same issue passed the Senate of the United States. And if I am not mistaken, the State of Massachusetts has two Senators and the people from Nevada have two Senators, an exact parity, at least in the Senate.

□ 1430

So the fact that this project wound up in Nevada had nothing to do with either the ineffectiveness or the smallness of the delegation, but rather out of scientific knowledge that this was the right direction to go.

The Subcommittee on Energy and Water Development has already appropriated over the last 12 years nearly $8 billion to ensure that this site is the safest site in the world in which to perform this storage. So there is no doubt in my mind, and I have visited the facility and I encourage the gentleman from Massachusetts (Mr. MARKEY) to visit and see for himself that these products are going to be stored in such a safe manner that we are not talking about any danger to the citizens of Nevada, or anywhere else.

It is going to be a safe facility because of the $8 billion we have already spent. Besides that, we are probably going to have to spend another $8 billion in the next 5 years to make further absolutely certain that it is safe with respect to the deficiency of the 293 indications that the gentleman says we have last year. And I would like to secure the gentleman's commitment this year, if the gentleman will vote for an appropriation, I will give them the money to do these 293 studies. But, instead, last year when President Bush sent the request over for the additional money to do the additional studies, when it got to the Senate, a member of the Senate from Nevada reduced the appropriation, negating the possibility that we would be able to fulfill all of the new studies.

Mr. Speaker, I encourage all Members to join with me this year in appropriating a sufficient amount of money to make absolutely sure that all of the studies are going to be fulfilled. I am certain that the studies will prove that we are right, and this resolution, in my opinion, should pass.

Mr. MARKEY. Mr. Speaker, I yield 11 minutes to the gentleman from Nevada (Mr. GIBBONS).

Mr. BARTON of Texas. Mr. Speaker, I yield 1 minute to the gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Mr. Speaker, I thank the gentlemen for yielding me this time.

Mr. Speaker, I come to this body to speak on the floor to make one final plea that we consider a safer, more cost-effective solution to the disposal of our Nation's high level nuclear waste than simply burying it in a hole in the high desert mountains in the State of Nevada, my home district.

Just last year, I urged Members and the public to review a GAO report which called the Department of Energy's Yucca Mountain project ''a failed scientific process.'' The GAO's independent, highly critical study of the Yucca Mountain project should be enough to shine the light even through the thickest nuclear industry smoke screen. And now, almost 5.5 years after I brought this issue to our attention, I implore this body and the DOE to abandon this misguided Yucca Mountain project.

Consider the following: Is Yucca Mountain suitable for storage? Just listen to the proponents of the Yucca Mountain project. Time and again they will tell us the number of years and the billions of dollars that they have spent by this government to move this process forward is suitable for making this decision. We will hear it throughout today's debate, and we have heard it throughout today's debate. But this argument is flawed, as is the DOE policy. Spend all we want, we cannot make a volcanic, seismically active mountain geologically sound. Whether it is $8 billion, $10 billion, $20 billion, $100 billion, there will be earthquakes, water will percolate through the mountain, and corrosion of these casks will occur.

Where is our sense of fiscal discipline in this body? Where is our restraint? Why are we willing to just throw our arms up in the air and conclude, well, we have already spent billions of dollars, so I guess we should just proceed? Where are my colleagues who are advocates for States' rights, local control and fiscal discipline?

Nevada is currently fighting the DOE in Federal court to protect our water rights. That may not mean much to Members east of the Mississippi, but out West, water is very hard to come by.

For local control, what are our governors going to do the first day rigs and railcars start traveling through Members' States carrying thousands of tons of high level nuclear waste? I think I have a pretty good idea. Ask the governor of the State of South Carolina.

The DOE and the nuclear industry tells us that bringing up accidents is simply a scare tactic. But wait, it was not Nevada, it was the DOE that said we should expect somewhere around 400 accidents during the 38 years of transportation that this waste must cross America. We did not bring it up. Nevada did not bring it up. We did not arbitrarily come up with those numbers; the DOE did.

What will a State trooper, an off-duty fireman, an EMT do when they are required to be the first to respond to a nuclear waste accident? Before Members vote today, perhaps they should talk to them. Ask them, and they will probably say they do not know because nobody is trained or prepared to deal with an accident on a highway dealing with this high level nuclear waste.

The DOE begs us to consider the fact that they have safely transported waste in the past without incident. Well, maybe there have been no major accidents where radioactive materials were released, at least not yet. But add up every single shipment of waste thus far, and we do not even come up to within 1 percent of the total amount of waste shipments that will be put on our streets, near our homes and communities, and probably through the communities of our constituents in the years to come.

If the waste is not coming through our population centers by truck, it will come by train. Let me remind Members of some of the recent stories involving train accidents around this country. We can see Los Angeles Times, 260 People Injured, 2 Dead; Baltimore, Toxic Cargo Shuts the City Down, Firefighters Stymied, on and on the stories continue.

I ask Members to look at page A8 in today's Los Angeles Times which indicates that storage of waste at Yucca Mountain is not safe. It will leak. What does this policy that we have before us today as a Nation say? It would lead us to believe that the world has no innovation and no technology, and that we do not have scientific and medical achievements capable of dealing with nuclear waste. We find ourselves cemented by a DOE policy that tells us the best our Nation can do or that our Nation has to offer for high level nuclear waste storage is simply to dig a hole and bury it in the ground and walk away. This, while nations across the world are advancing technologies in processing and recycling this waste.

We have the ability in this country to reduce the amount of waste, to lower its toxicity, to eliminate plutonium, and make the waste completely nonproliferative, but not with this current policy. All we want to do, according to this policy, is hollow out a mountain, fill it with waste and walk away. I am totally unimpressed.

Another question. What problem do we solve by moving forward with the Yucca Mountain project? The answer, none. As a matter of fact, we create one. If we look at this chart, there are 131 locations of nuclear waste around this country. Moving forward when we create Yucca Mountain with this policy, what are we going to have? We are going to have 132 sites in this country where nuclear waste is stored, one additional one in southern Nevada. That is right. Look at this map. There are 132 sites for nuclear waste. We do not, we will not, we cannot remove the waste from all of these States.

Mr. Speaker, spent fuel rods have by requirement to sit in a cooling pond for a minimum of 5 years before they can be shipped. The DOE myth is that we are relieving these reactors of on-site storage, and we are somehow preventing the possibility of a terrorist attack on one of these 131 sites. That logic does not fly. All we are doing is going from 131 project sites to 132.

Mr. Speaker, let us assume for a moment that there would be no accidents, no train derailments, no tracks to jackknife over a bridge or some waterway, not one accident to occur in 38 years. Not likely, but we will pretend, anyway, that it may happen. What about the terrorists? Are we not currently preparing ourselves to spend billions of dollars on homeland defense? Are we not briefed every day by Federal officials as to the potential threats

we face within our borders? Americans are getting a civics lesson every day in what a credible threat means.

The chairman of the Senate Committee on Intelligence spoke out about terrorist threats within the United States. He said the terrorists are here in high numbers and ready and capable of attacking the United States. That begs the question, what next? What exactly is the al Qaeda craving next? According to CIA Director George Tenet, it is a low tech nuclear device or what has been deemed a dirty bomb. I quote from Mr. Tenet: ''We believe that bin Laden was seeking to acquire or develop a nuclear device. Al Qaeda may be pursuing a radioactive dispersal device, what some call a dirty bomb.''

Just last month CNN reported that Abu Zubaydah, the most senior al Qaeda leader in the United States, has told investigators that terrorists were producing a radiological weapon, a dirty bomb, and know how to use it.

Mr. Speaker, what we are talking about today is placing tens of thousands of dirty bombs on our roads and railways through 703 counties in 44 States. This map shows where the routes are going to go through the various States. If a Member's State is not one of the three, Montana, North Dakota and South Dakota, then that Member's State is going to be affected by the transportation of nuclear waste.

There are terrorists in this country; and tragically, we have witnessed the amount of destruction they are willing to bring. Yet we are to believe that every one of these nuclear shipments will be safe for the next 4 decades, that they will be completely safe from any potential foreign or domestic terrorist attack.

Mr. Speaker, I certainly hope so. After all, one does not have to be a trained terrorist to jump a train carrying high level nuclear waste. Just a few weeks ago a train carrying high level nuclear waste was boarded by one or two escaped inmates from a North Carolina prison who were trying to escape from an inmate work program. Well, imagine if these train jumpers happen to be more than common day criminals trying to evade their captors. What if they were terrorists and had explosives with them? Yet even though this did occur and it can and will occur again, we are charged with this bill's proponents of presenting nothing but scare tactics.

Just as the DOE cannot spend Yucca Mountain into making it geologically sound, the nuclear energy industry cannot spin the facts into a myth. The nuclear power industry has contributed $13.8 million to Federal candidates during the 2000 election cycle. They have spent $25 million in just 1 year lobbying Congress on this issue, although many minds may not change, nor will the facts. According to DOE, on-site dry cask storage can continue for the next 100 years.

The Nuclear Waste Policy Act demands that the Yucca Mountain be deemed geologically suitable. As someone who holds a master's degree in geology, let me say that it is not, it cannot, and it never will be geologically suitable as required by the act, no matter how many billions we try to put into it.

If Members do not take my word for it or Nevada's word for it, take their word for it and consider what the other side has said. The DOE, the NRC, the Nuclear Regulatory Commission and the Congressional Nuclear Waste Technical Review Board have all said that the technical basis for projecting the long-term performance and the project's base case repository design has critical weaknesses.

□ 1445

They further said that the DOE has not presented a clear and persuasive rationale for going forward with the site recommendation.

We have numerous statements that support this concept about the weakness of their case. Mr. Speaker, we can and we could do much better than this. We can and we should offer a more viable and safe and cost efficient solution to this problem. We can and we should continue to support nuclear power as an alternative to fossil fuels. But you do not need one just to have the other. Yucca Mountain is not safe.

I, Mr. Speaker, in conclusion would say that many of my colleagues have never looked their constituents in the eye on this issue. But I represent the dairy farmer in the Armagosa Valley that is near Yucca Mountain, and I represent the alfalfa farmers that are there as well. They are watching today. I want them to know that we are fighting for them against this Yucca Mountain project.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. ISAKSON). The Chair must remind Members to avoid improper references to the Senate, such as quotations of Members of the Senate other than in actual legislative history on the pending measure.

Mr. BOUCHER. Mr. Speaker, I reserve the balance of my time.

Mr. BARTON of Texas. Mr. Speaker, I include for the RECORD a letter from Edward C. Sullivan, the President of the Building and Construction Trades Department of the AFL–CIO, in support of H.J. Res. 87.

BUILDING AND CONSTRUCTION TRADES DEPARTMENT, AMERICAN FEDERATION OF LABOR–CONGRESS OF INDUSTRIAL ORGANIZATIONS,
Washington, DC, May 6, 2002.

DEAR REPRESENTATIVE: On behalf of the Building and Construction Trades Department and our affiliated unions, I am writing to ask you to support House Joint Resolution 87, the Yucca Mountain Resolution, because it is in the best interest of our nation, our citizens and our workers.

Our Nation needs a safe, stable and scientifically feasible program for storing used nuclear fuel. The Yucca Mountain location has been thoroughly examined for over 20 years at a cost of $7 billion and has met or exceeded all environmental and scientific standards for storage. It is located on federal land in a remote, secure area.

Nuclear energy has proven to be a clean, safe and reliable source of electricity for nearly half a century. Today, one of every five homes, businesses and farms receives electricity generated by a nuclear plant.

Since the 1970's growth in the use of nuclear energy has reduced the need for foreign oil in the electricity sector and saved consumers $81 billion in payments for imported oil. But, unless we can begin the process of safe storage of spent nuclear fuel, the future of nuclear energy is uncertain. Yucca Mountain provides a unique public-private partnership with the federal government appropriately shouldering the obligation to manage used material while electricity consumers have provided the $18 billion cost to pay for this program.

Finally, this issue is a very important jobs issue. Many highly skilled Building Trades members in your state will benefit from passage of this resolution. If the process set forward by the passage of this resolution was to stop, many good family wage jobs would disappear and a great number of jobs would never be created.

I urge you to support this resolution and permit this process to go forward.

Sincerely,

EDWARD C. SULLIVAN,
President.

Mr. BARTON of Texas. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Illinois (Mr. KIRK).

Mr. KIRK. Mr. Speaker, as chair of the Nuclear Fuel Safety Caucus here in the Congress, I would remind everyone that in the shuttered Zion nuclear power plant just 100 yards from Lake Michigan lies a thousand tons of highly radioactive nuclear waste stored next to Lake Michigan. This is not unique to my district. The Great Lakes have another 31 coastline sites where nuclear waste is stored.

Twenty percent of the world's fresh water is found in the Great Lakes. Thirty million Americans depend on the Great Lakes for fresh water. Not one scientist or scientific study claims that storing nuclear waste next to the world's largest supply of fresh water is environmentally sound. Moving nuclear waste from 131 temporary storage sites around the Nation to one secure location where America has already tested dozens of nuclear weapons is the goal of the Nuclear Fuel Safety Caucus. We must move nuclear waste from the Great Lakes.

Why Yucca Mountain? Because without Yucca Mountain, we would have to construct 131 permanent storage facilities for nuclear waste in 39 different States. These storage facilities are close to groundwater, earthquake zones and in close proximity to major cities, including San Francisco, Boston, New York and Chicago. Without Yucca Mountain, 161 million Americans would have to live their entire lives within 75 miles of a nuclear waste site.

And then there is the cost. According to the government's own study, the cost of building 131 permanent storage sites would be over $61 billion. To cover this, the Federal Government would have to borrow from Social Security or raise taxes. Perhaps we could reinstitute the death tax, but we would

have to double it to pay for the cost. And that would not cover the lawsuits which would total over $56 billion for reneging on the promise to provide a nuclear waste storage site.

A vote for this resolution is a vote to protect our Nation from further terrorist attacks. Removing nuclear waste from 131 sites to a single repository buried deep inside a mountain range 100 miles from a population center is much safer from sabotage or terrorism.

I urge the adoption of this resolution. Let us wipe clean the terrorist shooting gallery of 131 sites located around the country and vote for this resolution for a secure environmental future.

Mr. MARKEY. Mr. Speaker, I yield 5 minutes to the gentlewoman from Nevada (Ms. BERKLEY).

Ms. BERKLEY. I thank the gentleman for yielding me this time.

Mr. Speaker, I have listened very carefully to the debate and I have to say that I was appalled when one of the speakers said that if we passed this resolution, Nevada will be able to continue its nuclear legacy. Nuclear legacy? Nevada does not have a nuclear legacy.

Let me tell you what transpired in the 1950s in the State of Nevada when there were less than 100,000 people in the entire State. The Federal Government came to us and said that it was going to do above ground atomic testing of atomic bombs but that it would be perfectly safe and that you could watch it, bring your families there, work there safely. All you had to do was go home and take a shower. So thousands of people went to work at the Nevada test site. I must say I have friends that share with me the times that their parents took them up to the Nevada test site with a picnic lunch and they watched the atomic bombs going off in the Nevada atmosphere.

Let me tell you what has happened to those Nevada test site workers, those brave souls who thought that they were doing their duty for their country, but safely, at the promises and assurances of the Federal Government. Those Nevada test site workers, if they are not dead, they are dying. Those people that observed those tests and watched as they ate their bologna sandwiches, they are dying, too. They are all dying of unexplained cancers. Those downwinders in Utah and in Nevada who happened to be caught living downwind of these atomic tests, they are all dead, too.

It is very difficult for me, after having lived through those experiences, to believe the Federal Government now when they tell us that the transportation and storage of 77,000 tons of toxic nuclear waste in a hole in the Nevada desert is safe. It was not safe then and it is not safe now.

In addition, we keep hearing about the $7 billion that has already been spent on site characterization. But if you spend 7 cents or $70 billion, it does not make that site any safer. We are talking about an area of our country that has seismic activity, volcanic activity. It has groundwater problems.

If I could direct your attention to a Los Angeles Times article that appeared today, this is the headline: ''Nuclear Dump Site Will Leak, Scientists Say.'' The little message underneath the picture says, ''Despite the dry appearance of the proposed Yucca Mountain nuclear dump in the Nevada desert, there is water in its environment. Scientists say that that vulnerability will eventually allow radioactive material to leak. At issue is only how long.''

Then they point out paragraph after paragraph. The government officials point out, and I am quoting, two other nuclear sites that officials—these are government officials—once said would be leak-free for hundreds or thousands of years: In Pocatello, Idaho and the Hanford site in eastern Washington. Quote, both are leaking already, and radioactive material could make its way into groundwater in just 10 years. That is according to a report by the National Research Council.

You are telling me this is sound science? This is what appeared today in the L.A. Times. It talks about Yucca Mountain.

''About 12.3 million gallons of water flow through the disposal area per year. Traces of chlorine 36, which is produced only by nuclear bombs, was recently discovered inside Yucca Mountain.'' That means that through the groundwater, radioactive material gets into the rocks and into the groundwater in as little as 40 years. And you are telling me there is sound science? I do not think so.

I have also heard some of my colleagues say this is really not a Yucca Mountain vote, this is not a transportation vote, that this is not really a vote on shipping nuclear waste. Let me beg to differ. This is the only time we will have to vote on this issue. So do not tell me this is not a vote on the transportation of nuclear waste across our country. It is the vote.

I have listened to this debate. There is no doubt, on both sides of the aisle, we have huge problems. We have a huge problem with nuclear waste. We have an energy source in this country, nuclear energy, that produces a dangerous by-product, nuclear waste. This Nation has never figured out what to do with it. Not any alternative that I have heard is good enough for the people that I represent and good enough for the people you represent, too. If we go ahead with this foolhardy plan, we will never, ever figure out what to do with nuclear waste, because once Yucca Mountain is filled up, we will still have the exact same problem. It is time that we take care of that problem and let us take care of it today.

Mr. Speaker, I include the L.A. Times article for the RECORD.

The material referred to is as follows:

[From the Los Angeles Times, Wed., May 8, 2002]

NUCLEAR DUMP SITE WILL LEAK, SCIENTISTS SAY

(By Gary Polankovic)

YUCCA MOUNTAIN, NEV.—As the Bush administration prepares its push to win congressional approval for the Yucca Mountain nuclear waste burial site, scientists agree on one key conclusion: Yucca Mountain will leak. The question is how long it will take.

Rising one mile from the desert floor, the mountain looks as plain and parched as much of the rest of southern Nevada's ranges.

Despite the arid appearance there is water here, and even the scientists who have designed the repository concede that the mountain's vulnerability to moisture will allow radioactive material to eventually lead into the environment.

Time is the key. Highly radioactive nuclear waste remains dangerous for hundreds of thousands of years. Half of the plutonium stored in the mountain, for example, will still be radioactive 380 million years from now.

Just one-millionth of an once of plutonium is enough to virtually assure cancer in someone who comes in contact with it.

As Congress considers whether to override Nevada's opposition to housing nuclear waste here, opponents of the waste site argue that the Bush administration is pushing through a flawed solution that will create radioactivity risks for thousands of years.

Government officials say they have designed a burial site that will be free of leaks for at least 10,000 years. Critics, armed with a raft of scientific studies, say that can't be guaranteed. They point to two other nuclear sites that officials once had said would be leak-free for hundreds or thousands of years: the Idaho National Engineering and Environmental Laboratory near Pocatello and the Hanford Site in eastern Washington. Both are leaking already, and radioactive material could make its way into groundwater in just 10 years, according to a report by the National Research Council, an arm of the National Academy of Sciences.

Even if a 10,000-year leak-free promise could be guaranteed, critics of Yucca Mountain say society has a responsibility to civilizations far in the future not to expose them to lethal waste that we generate.

But the alternative to putting nuclear waste here is to leave it accumulating in 131 different places in 39 states, much closer to people and potentially vulnerable to terrorist attack, the Department of Energy warns.

The waste piled up around the country comes from nuclear aircraft carriers and electrical plants, bomb factories and university labs. Over time, it will emit thousands of times more radioactivity than was released at Chernobyl and millions of times more than the Hiroshima bomb.

''There is no more [storage] space, there are deteriorating storage conditions, and you have the challenge that so much of it is located near population centers and waterways,'' said Secretary of Energy Spencer Abraham. ''No one believes you can bring in David Copperfield, wave a wand and it all goes away.''

''We've tried to take into account as many uncertainties of the future as can be assessed,'' Abraham said. ''I am convinced that the site is scientifically suitable—in a word, safe.''

Yucca Mountain is not a done deal yet, but converting this forlorn peak into the world's first high-level nuclear waste dump is closer to happening than ever.

President Bush has chosen the site, but Nevada challenged that decision. Congress is

considering whether to overturn Nevada's veto, and opponents of the dump acknowledge they probably do not have the votes to stop it. (A House vote might occur as early as today.) If the Yucca Mountain plan survives Congress, the Nuclear Regulatory Commission will consider issuing a license, and the dump could open by 2012.

Experts long ago recognized the need for deep, geological disposal of radioactive waste, yet it is unknown whether any system can be devised that could keep highly radioactive waste isolated for such an immensely long period.

''We nuclear people have made a Faustian bargain with society,'' said Alvin Weinberg, former director of the Oak Ridge National Laboratory in Tennessee, where plutonium was tested for one of the nuclear bombs dropped on Japan. ''We offer an inexhaustible and nonpolluting source of energy, but we require a level of detail and discipline that we're unaccustomed to in handling the waste.

''Nobody really knows if we can do this. Trying to project what's going to happen in thousands of years, tens of thousands of years, is quite ridiculous,'' Weinberg said.

Today, Yucca Mountain is an island in a desert. It is surrounded by the Nevada Test Site, where the government once tested nuclear bombs.

''If you can't put it here, then where can you put it?'' asked Michael D. Voegele, chief scientist for Bechtel-SAIC Co., the Energy Department's contractor for building the repository at Yucca Mountain.

But who can say what will be here millions of years from now when plutonium and other deadly wastes still pack a wallop? Will it still be a desert? Glaciers advanced and receded across the planet a dozen times in the last 2 million years. An inland sea called Lake Bonneville covered much of Nevada and Utah 12,000 years ago, when humans first arrived.

These technologies are forcing us to address the issue of how they will affect future generations. This is not an issue we've faced on this scale before,'' said Lester R. Brown, president of the Earth Policy Institute. ''We're doing things with consequences we don't understand.''

Government engineers and scientists have been studying Yucca Mountain for over 20 years—twice as long as it took to plan and complete the moon landing—at a cost of $7 billion. During that time, government officials have changed their arguments about Yucca Mountain's safety.

Problems began to emerge years ago when tunnels bored deep into the rock revealed conditions inside were wetter, and the geology more complex, than initially thought. Those discoveries are at the center of the controversy today.

Originally, the volcanic ash where the waste would be entombed was believed to be so tightly compressed that rainfall could not penetrate. Secretary Abraham said in February that rainfall would take 1,000 years to make the 800-foot journey through rock to the disposal zone and longer still before radioactivity could be carried to groundwater. He does not believe leaks are a significant concern.

Yet inside the mountain, government studies have found that the rock is laced with fissures, some that move water the way capillaries carry blood, some that flow like a garden hose. About 12.3 million gallons of water flow through the 2,500-acre disposal area per year, government studies show.

Traces of chlorine 36, which is produced only by nuclear bombs, were recently discovered inside Yucca Mountain. Since the last nuclear bombs were detonated above ground at the Nevada Test Site in 1962, the finding indicates rainfall can carry radioactive material deep into the rock in as little as 40 years.

Once the presence of water was established, the government changed plans. The plans now call for double-layer disposal containers of stainless steel and a nickel-based material called Alloy 22 to keep the waste isolated. The canisters will be covered with titanium ''drip shields'' to keep waste dry. Canisters could be packed close together too, so heat would boil water and drive away steam.

But engineers do not know yet know how to build a container that outlasts radioactive waste.

Materials like Alloy 22 haven't been around long enough for experts to be able to assess how they will perform over centuries.

Given all of the uncertainties, some of the nation's leading experts say President Bush's decision to proceed with Yucca Mountain is premature.

''There are a lot of issues that remain unresolved that could affect the safety of humans and the environment,'' said Allison Macfarlane, a geologist and the director of the Yucca Mountain project at MIT. ''We should not be in a rush.''

Carnegie Mellon University President Jared L. Cohon said he is concerned about the integrity of disposal canisters and how water moves inside the mountain. Cohon chairs the Nuclear Waste Technical Review Board, an 11-member panel of independent experts appointed by Congress to review the Energy Department's work at Yucca Mountain.

That panel concluded in January that the government's technical case for Yucca Mountain is ''weak to moderate.''

Mr. BARTON of Texas. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I want to point out that the gentlewoman from Nevada's statement about people dying of cancers because of exposure to tests in Nevada, above ground testing in the fifties and the sixties, there is not one scientific study that shows that there is any greater incidence of cancer in Nevada than anywhere else in this country. That may be an anecdotal tale, but there is no scientific validity to it.

Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the gentleman for yielding me this time.

Today, Mr. Speaker, I rise in strong support of this joint resolution which endorses the Department of Energy and the President's finding that Yucca Mountain is the best choice for a national nuclear waste depository. As we know, Yucca Mountain is on a Federal nuclear test site in the Nevada desert that encompasses almost 1,300 square miles, or an area bigger than the State of Rhode Island. Like Chairman CALLAHAN and other Members in this House, I have visited this site. I have been inside the mountain, five miles into it. I have seen it firsthand.

From a New Jersey perspective, this siting decision is long overdue. We live in the most densely populated State in the Nation with 49 percent of our power generated by nuclear energy. For many years now, those wastes have been stored on the grounds of our two nuclear reactor sites, supposedly on a temporary basis. The time has come for the waste to be sent to a single national repository as was promised in the Nuclear Waste Policy Act of 1982 and for which New Jersey taxpayers have contributed millions of dollars in their energy bills.

Mr. Speaker, I strongly support this resolution. I urge my colleagues to do so as well.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from Tennessee (Mr. WAMP).

(Mr. WAMP asked and was given permission to revise and extend his remarks.)

Mr. WAMP. Mr. Speaker, I thank the distinguished chairman for yielding me this time, and I want to bring a little bit of common sense from the South to this issue. We heard from New Jersey. In the southeastern United States in the Tennessee Valley region, we are heavily dependent on coal-fired plants. I share the environmentalists' goal of trying to reduce the emissions of these fossil-fired plants. We also have in the Tennessee Valley Authority region five nuclear reactors on-line. They happen to be the most economically efficient generators of electricity in the TVA system. They are the most environmentally responsible and clean sources of electricity in the region. There is only one hurdle in our way of having a clean, safe alternative to the fossil-fired problem, and that is this waste issue.

This administration, to its credit, has the guts to step up and do what is necessary to provide the alternative. I would say to my friends who protest dirty air and then protest Yucca Mountain, you cannot have it both ways. You cannot eliminate the alternative and then complain about fossil emissions. You cannot do it unless you want our country to be totally dependent on the rest of the world for our energy sources, and we know that sacrifices our freedom.

Mr. Speaker, we have got to do the right thing. I appreciate the parochial eloquence, defending your own turf, but for the good of our Nation we have got to place this nuclear waste in a safe repository. My master's is in common sense. Common sense says you have got to do this in order to have clean air and clean water into the future and energy independence for the United States of America. National security hangs on this decision. This is an important decision and one that is not easy to make because we respect our friends in Nevada.

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We respect our friends in opposition. But this is the right thing to do for the United States of America for many years to come.

The SPEAKER pro tempore (Mr. ISAKSON). The gentleman from Louisiana (Mr. TAUZIN) has 8 minutes remaining and the right to close; the gentleman from Massachusetts (Mr.

MARKEY) has 3 minutes remaining; and the gentleman from Virginia (Mr. BOUCHER) has 2 minutes remaining.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from the great State of California (Mr. ISSA).

Mr. ISSA. Mr. Speaker, there has been a lot of discussion here today on a lot of science and a lot of what-ifs, and I am not going to try to address what has already been said. Rather, what I would like to do is take what has been said by many of the Members from Nevada and clarify it.

They say they are putting it here because we have very little population. Well, for a moment I will agree with that, because over one-half of all Americans live within 75 miles of high-level nuclear waste, most of it above ground, none of it ever tested to take a 757 crashing into it. I rise in strong support of the basic concept that we will get these wastes into an area that will survive that attack and more. I rise because every day in my district over 200,000 men and women drive within a few hundred yards of San Onofre Nuclear Power Plant, not designed as a permanent-storage facility. I ask my colleagues to consider whether the 10 million people who live within the downwind hazard of that nuclear facility should be granted some final relief.

Mr. MARKEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, just so we get the record straight here, this facility which is being contemplated will only hold 60 percent of all of the nuclear waste in the United States, military or civilian. It does not solve the problem.

In addition, all nuclear waste generated at all nuclear power plants has to sit next to the plant for 5 years anyway in each one of the States to cool down, so it does not solve that problem either.

In addition, we also have the question of the casks into which they are going to place the waste. The Department of Energy only has 2 years of corrosion data to extrapolate out for 10,000 years.

Mr. Speaker, Neil Young used to have a song, ''Rust Never Sleeps.'' And again, we are pushing the envelope, with congressional experts deciding that we have the answer to where all of this nuclear waste is going to be stored, in corrodible material and could ultimately leach out into the mountain, out into the aquifers. Finally, the Mobile Chernobyl issue, with terrorism now rearing its head, we have not answered those questions yet. How much will it cost? How safe can we make the railways, the highways, the byways of our country?

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. BARTON), the distinguished chairman of the Subcommittee on Energy and Air Quality of the Committee on Energy and Commerce.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. Mr. Speaker, in 1981 and 1982, I was a White House Fellow in the Department of Energy and served at a very low level on the task force that developed the recommendations that later became the Nuclear Waste Policy Act of 1982.

Today, I stand on the floor as one of the chief sponsors of this resolution, along with the gentleman from Virginia (Mr. BOUCHER), my good friend. If the Lord shines upon me, I may be fortunate enough to live long enough to be alive the day we ship the first shipment of high-level nuclear waste to the repository, which will probably be sometime in the year 2015 to 2022. If that happens, I will have spent almost 40 years of my adult life in some way or the other addressing this issue.

I think it is time to send this resolution to the floor of the other body for a vote so that we can let the Nuclear Regulatory Commission receive an application from the Department of Energy in the next 2 years about this license application.

The money has been put into the trust fund. The resolution does not deal with any of the transportation issues; we will deal with those later. There is absolutely tremendous bipartisan support. The time has come to stop talking about this and to vote on it. I hope that we vote in the affirmative at the appropriate time.

Mr. MARKEY. Mr. Speaker, I yield 1 minute to the gentleman from Missouri (Mr. GEPHARDT), the leader of the Democratic Party of the House.

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Speaker, I rise to urge a vote against the Yucca Mountain approval resolution. I hope this resolution will be turned down.

I commend the courageous people fighting against it, lead by the gentlewoman from Nevada (Ms. BERKLEY) and Dario Herrera. I am sorry that the Bush administration went back on its word approving this untested, dangerous measure.

Whether or not to allow storage and transportation of waste is a decision with important consequences for people in my district and across America. It is a fact that scientists are still debating whether Yucca Mountain is safe. The General Accounting Office a few months ago said that storing waste at Yucca could infect water supplies and release deadly toxins into the surrounding air. It cited 293 scientific questions for which the Federal Government has no answers. Even if we begin shipping this waste today, we will still have nuclear waste stored all over this country decades from now.

But my biggest concern is that it makes no sense to have all of this material traveling across the country by truck and rail. We have seen just in the last month a number of tragic rail accidents. Even the Energy Department says that inevitably there will be derailments of trains headed to Yucca Mountain. I had a train derailment in my district a year ago in Webster Groves, Missouri, where a whole train turned over. Luckily, it was only coal; but it was coal that was spilled a few feet from homes and schools in Webster Groves, Missouri. The people in Webster Groves in the days since then have said to me, what if it had not been coal, but nuclear waste? We have no plan, we have no resources, we have no training for dealing with such a derailment in St. Louis. We have only one hospital bed in the entire metropolitan area to treat severe radiation exposure.

This is not a question about isolating the risks. Yucca Mountain, in reality, simply spreads it around.

I know there is no perfect solution, but we can begin now to invest in better ways to store waste at the sites we currently use. Authorities in Pennsylvania have an approach that puts an emphasis on technology and innovation, an approach that avoids having to cart and haul this waste all the way across the United States. It puts the waste in reinforced facilities. It benefits people in Pennsylvania, and it benefits all Americans.

I simply think, in conclusion, that science and logic is on the side of leaving this hazardous material on site until we find a better solution. I hope Yucca Mountain will be rejected.

The SPEAKER pro tempore. The gentleman from Louisiana (Mr. TAUZIN) has 5½ minutes remaining; the gentleman from Massachusetts (Mr. MARKEY) has 1 minute remaining; and the gentleman from Virginia (Mr. BOUCHER) has 2 minutes remaining.

Mr. BOUCHER. Mr. Speaker, for the purpose of closing on our side, I yield myself the 2 remaining minutes.

Mr. Speaker, the measure before us moves the process forward and enables the taking of the next step in evaluating the Yucca Mountain site. We have no realistic alternative to a secure, central repository for the permanent storage of high-level nuclear waste. The waste is now stored at 72 dispersed reactor sites around the Nation. Leaving the waste in its current storage poses threats, both to the environment and to national security. Permanent dry-cask storage at these 72 sites is not a realistic alternative to a central storage facility.

The resolution before the House enables the taking of the next essential step in achieving the secure central storage, which is the best option before the country at this time. After the resolution passes, construction at the site could not begin until the Nuclear Regulatory Commission conducts a thorough scientific and technical analysis and issues a construction license.

I urge that the resolution before the House be approved so that the NRC can begin its work, so that the scientific and technical studies can go forward, and so that the Nation's best option, a

secure, central repository for high-level nuclear waste, can be pursued.

Mr. Speaker, I yield back the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself the balance of the time to once again state that we are at a historic juncture, that we should not be making this decision with 293 unresolved environmental issues. We owe the American public, we owe the next generation a higher standard of care than rushing to this decision today.

Mr. Speaker, I yield the final time remaining to the gentlewoman from Nevada (Ms. BERKLEY), the heroine who has been championing this issue to protect her people.

Ms. BERKLEY. Mr. Speaker, I would like to thank the gentleman from Massachusetts (Mr. MARKEY) for having done a stellar job over the last 20 years to protect the people, not only in my own home State, but in the entire United States of America.

I have been profoundly involved with this issue for the last 20 years, ever since it was passed in 1982. This is a horrible piece of legislation. It is a horrible idea. Even if Yucca Mountain is passed, we still will not have solved a very serious problem in our Nation, and that is what we will do with the nuclear waste for generations to come.

Mr. Speaker, I urge us, before we spend billions of dollars more, to take this money, put it into research and development for renewable energy sources. Let us harness the sun, let us harness the wind, hydrocells, geothermal; and let us truly become energy independent, away from foreign oil sources and away from an energy source that produces a by-product that is so deadly that none of us, none of us want it in our backyard.

Mr. TAUZIN. Mr. Speaker, with the consent of my colleagues, I would like to do what I think is the fair thing to do at this point, and that is to yield 1½ minutes to the gentleman from Nevada (Mr. GIBBONS), our friend, for an opportunity to close his arguments on behalf of the State that he loves so dearly and represents here in the Congress.

Mr. GIBBONS. Mr. Speaker, I thank the chairman for his generous use of time and for allowing me to make a few final remarks as we close this debate on one of the most important issues that the State of Nevada has faced over 20 years.

Mr. Speaker, there are no nuclear generating facilities in Nevada. If we looked at all of the debris as a result of the nuclear testing that Nevada contributed as its share of obligation to this country, the national security of this country for 20 years or decades, it is less than 4 tons. We are going to be sending 77,000 tons of the most deadly, toxic substance known to man to be stored in the State of Nevada for thousands of years, and we have yet to approve the science that says that Yucca Mountain is either qualified or suitable to store this nuclear waste in Yucca Mountain.

We have talked about the science. We have talked about the dangers. We have talked about the continual expenditure of billions of dollars trying to make that square peg fit a round hole. Mr. Speaker, it is not going to happen. There is no way that the geology of Yucca Mountain will ever meet the requirements of the law that was passed in 1982 and amended in 1987.

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We have taken our science and shown that Yucca Mountain is not suitable. They are required now to have engineered barriers just so they can make the excuse, well, if the geology does not work, we will engineer it to be safe. If that is the case, they can engineer it to be safe in any place in this country.

Mr. Speaker, I rise in strong opposition to this resolution, and urge all of my colleagues to oppose it.

Mr. TAUZIN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I respect my friends, the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from Nevada (Ms. BERKLEY), and I appreciate the fight they are making on the floor today. I understand their concerns for their home State and for this decision. Outside of that, the opposition to this resolution basically comes from those who oppose nuclear energy.

When we ask those Members what other energy would they support, we get some strange answers. If we suggest coal, they say, oh, coal can be pretty dirty, you know. You have to scrub it. Even if you scrub it, it produces CO_2 and that may contribute to global warming, and golly, we had better not burn coal in America, even though 40 percent of our electricity comes from coal.

Or we might say, would you support oil and gas development? And they say, no, wait a minute, the land is too pristine, and certainly not off my coast. Go do it in Louisiana, maybe, but do not do it anywhere else, please. Certainly do not do it in my State, off my coast or in my national wildlife preserve, even though you are willing to do it in your national wildlife preserves in Louisiana with no consequences, and, in fact, with good consequences. They do not like that. They do not like oil and gas.

We ask, what about refineries for gasoline, for electric generation facilities? The answer is, not in my backyard. If you are ready to do it in somebody else's backyard, hopefully out of this country somewhere else and ship it in over here, but for heaven's sake do not build a plant in America, not where I live. We would rather run out. We would rather go through a California crisis than authorize another refinery or another electric generation plant in our backyard.

So we ask them about nuclear. We say, well, nuclear is pretty clean. Nuclear plants produce 20 percent of the Nation's electricity, a critical component of the Nation's energy supplies. It is pretty clean, you know. It does not produce all the emissions we are concerned about with global warming, or the emissions we have to regulate with coal-fired plants, or gas, or even oil-fired plants. What about nuclear?

They say, oh, but wait, you do not have a plan to deal with the waste, so do not build any more nuclear plants until you settle that waste issue. That is the tail wagging the dog. Unless you settle that waste issue, do not dare license another nuclear plant, and certainly not in my backyard, by the way.

So we wonder what kind of energy supplies do these Members support. I think the answer is pretty clear. They would like us to get it all from the sun, I suppose, or they would like us to get it from winds, provided we do not hurt any birds in the context of getting wind power going.

And they certainly would like us to get it from somebody else, because that is what is happening in America. Sixty percent, 60 percent now of every gallon of gasoline we burn in this country comes from some other country. And check the countries, check where it is coming from.

Forty percent of the reformulated gas comes from Venezuela right now, where there is a pretty bad problem going on; Venezuela, which rescued us from the last oil embargo, where there are some pretty bad problems going on.

Check where else it is coming from, countries like Iran, Iraq, countries which are teaching their children to hate us and to come to this country and take our planes and crash them into our buildings in suicide attempts. Those are reliable friends. Those are reliable sources for energy in America. Boy, that is real national security.

So after 20 years, after 20 years of an effort that started in 1982, after billions of dollars of expenditure, after scientific research that even tested the effects of a glaciated age in Nevada to make sure that this was the proper site to bring those nuclear wastes to permanent storage, we come to this point where we are about near the end.

If we can push this process one more step, if the scientists can answer the last questions that remain, we can settle the waste issue. Guess what, all these folks say, for heaven's sakes, do not settle the waste issue. Mr. Speaker, today is a chance to move it one inch closer to the final line where we settle the waste issue and we help secure America. It is time to vote yes for this country for a change.

Ms. SCHAKOWSKY. Mr. Speaker, I rise in opposition to House Joint Resolution 87. President Bush's decision to ship 77,000 tons of nuclear waste to Yucca Mountain in Nevada is wrong. This attempt to force Congress to adopt an ill-conceived, premature proposal is irresponsible and dangerous. It is our duty to protect those we serve from a proposal that will surely threaten our national security and the lives of American families in their own homes and communities.

At a time of heightened security and terrorist threats, this Administration is proposing to ship

tens and thousands of highly radioactive and deadly materials through our towns and neighborhood. And as fast as they get the waste out of the plants, nuclear facilities will ramp up production, create more waste and start shipping it to Nevada—right through our towns once again. If Congress passes this resolution and overrides the authority of Nevada's governor, millions of American lives will be in danger. The President's Yucca Mountain proposal would ship radioactive waste to Yucca Mountain from nuclear power plants through 43 states. Nearly 161 million people live within 75 miles of those routes. I find it unconscionable that the Bush Administration would hastily force us to accept this proposed solution. The fact is that we need more time, not only to find a safe place to store the waste, but time to figure out ways to treat it and make it less dangerous.

I believe we should implement a plan that would remove fuel from reactors without the safety and security risks of thousands of nuclear transports traveling on our highways, railways, and waterways. There are currently plans that would increase security and safety at current sites, provide storage for up to 100 years, and provide time to find better alternatives. Widely implementing these kinds of plans would eliminate the security concerns surrounding the potential 108,500 shipments of spent nuclear fuel across the country.

The Yucca Mountain proposal is deceitful from its core because it promises to remove above-ground nuclear waste storage facilities. The truth is that, although the proposal will fill our highways and railways with nuclear HAZMATS, nuclear power plants will be enabled to produce a greater amount of waste, which will be stored above ground until it is scheduled for shipment. The Yucca Mountain repository will not be capable of receiving waste until, at the earliest, 2010. At a rate of 2,000 tons per year, there will be 62,000 tons of waste by 2010 still sitting in storage facilities in the nuclear power plants around the country. The Yucca repository will reach its capacity of 77,000 tons in the middle of this century; the amount remaining in storage at nuclear plants will be almost exactly what it is today. The proposal will fail to meet its intended purpose.

Congress should reject this proposal. It is an unfunded mandate—Congress has not worked out the transportation funding, cost of security measures, and other logistical issues to make this a realistic project. The time, effort, money and energy required for this project could be better spent investing in securing nuclear energy plants and implementing contingency plans for surrounding communities in the event of an emergency.

Congress should recognize the dangers that will be posed to all Americans as a result of nuclear HAZMAT trucks and trains streaking across our highways/rails and through the neighborhoods of my constituents and millions of people across the country. With the horror of September 11th still fresh in our minds, we have pledged to the American people that we will secure their safety—that our way of life will not be altered by the evil deeds of a hateful few. But this proposal threatens that promise.

We know that the threat of terror on American soil is real. We should take time to ensure that those who want to harm this nation would not have an opportunity. Today, the President is proposing to litter American highways and railways with slow moving targets. We are setting the stage for potential disasters. Congress is faced with a choice between supporting a hastily conceived proposal, or protecting our constituents. I urge my colleagues to vote no on this resolution and vote to guarantee the safety and security of the American people.

Mr. GEKAS. Mr. Speaker, I rise today in strong support of H.J. Res. 87 and urge my colleagues to support this important piece of legislation as well.

While I understand the concern and the opposition from the Nevada delegation I do believe that the nuclear waste repository at Yucca Mountain will be a safe and effective means for the management of nuclear waste for many years to come, in compliance with the Nuclear Waste Policy Act of 1982. The work of the United States since the dawn of the nuclear age has assured that the very best site for the disposal of nuclear waste would be chosen. As early as 1957 the National Academy of Sciences suggested burying radioactive waste in geologic formations to the Atomic Energy Commission. Beginning in the 1970's the world began to contemplate how best to dispose of and manage nuclear waste. Indeed, many proposals were put forward, like deep seabed disposal, disposal on polar ice sheets, transmutation, and even rocketing the material to the surface of the sun. After analyzing and giving credence to all options, disposal in a mined geologic repository emerged as the preferred long-term environmental solution for the management of these wastes.

Almost 25 years ago the United States began to study Yucca Mountain. Even before the passage of the Nuclear Waste Policy Act of 1982 the Department of Energy recognized the importance of finding a site to deposit nuclear waste and began to study areas that might have potential for holding such waste. When the Nuclear Waste Policy Act of 1982 was eventually passed, the Department of Energy was already studying 25 sites around the country as potential repositories. The Act provided for the siting and development of two; Yucca Mountain was one of nine sites under consideration for the first repository program.

In 1986, Secretary of Energy John S. Herrington found three of these sites suitable for site characterization, and recommended these three, including Yucca Mountain, to President Reagan for detailed site characterization. The very next year Congress then amended the Nuclear Waste Policy Act of 1982 making Yucca Mountain the single site to be characterized. Since this time Yucca Mountain has been developed and tested in accordance with both the provisions of the Nuclear Waste Policy Act of 1982 and in accordance with sound scientific principles.

Mr. Speaker, as a Member of Congress who represents an area with the Three Mile Island nuclear facility in my district, I have followed the development of Yucca Mountain closely for quite some time. Pennsylvanians get 36 percent of their electricity from nuclear power from five sites around the state. I believe that nuclear power is a reliable source of clean energy and has served the Commonwealth of Pennsylvania and the United States well over the years. However, consumers of this electricity have been paying for the development of a nuclear waste depository every time they flip the switch. We now have to assure them that the nuclear waste produced while generating needed power is put somewhere it will be safe and out of harms way for thousands of years to come. Mr. Speaker, Yucca Mountain is this site. Currently 162 million Americans live within 75 miles of nuclear waste, many of them in Pennsylvania and in my district. This is completely unnecessary. With the technical and scientific genius possessed by the United States, the United States Congress should not disallow science from doing the necessary work of finding a safe depository for nuclear waste.

Mr. Speaker, I support H.J. Res. 87 and wish the dedicated scientists and workers at Yucca Mountain and the Department of Energy all the best in their pursuit of a safe and effective nuclear waste repository. I ask my colleagues to join me in support of H.J. Res. 87.

Mr. NETHERCUTT. Mr. Speaker, I rise today to offer my support for H.J. Res. 87, the Yucca Mountain Repository Site Approval Act.

This is an important vote for Washington State. If we do not relocate our nuclear waste to the Yucca Mountain repository, the Department of Energy will be forced to reconsider other sites previously discussed. One of those previously considered sites is Hanford, Washington. Without passage of H.J. Res. 87, 42,000 metric tons of spent nuclear fuel will remain stored at Hanford. This is unacceptable, and would be disastrous for the environmental health of my state of Washington.

If we fail to move high-level nuclear waste to Yucca Mountain, we will have 161 million people in this country living within 75 miles of one or more nuclear waste sites—all of which were intended to be temporary. Without Yucca Mountain we will continue the current system of storing nuclear waste on the shores of the Great Lakes, Pacific Ocean, and the Gulf of Mexico. Without Yucca Mountain, we will continue to store nuclear waste near 20 major waterways that supply household water for more than 30 million Americans.

Opponents of H.J. Res. 87 have tried to scare the American people into believing that transporting nuclear waste is not safe. The facts paint a different picture. Since 1967, there have been 3,000 safe shipments of spent nuclear fuel. Those shipments have covered 1.7 million miles without one single accident occurring. For those who say safety is their top concern, let them consider this: Our nuclear sites are safe, but it would be safer yet to consolidate this waste from widely dispersed, above-ground sites into a remote, deep underground location that can be better protected for thousands of years.

So I urge my colleagues, put safety first. Put the safety of our environment first. Put the safety of our nuclear sites first. Put the safety of the people living near nuclear sites first. It is time to act to provide for safe, permanent storage of our nuclear waste at Yucca Mountain, Nevada. This is best for our country and best for the people of Washington state.

Mr. COSTELLO. Mr. Speaker, I rise today in support of H.J. Res. 87, the Yucca Mountain Repository Site Approval Act. Currently, 45,000 metric tons of spent nuclear fuel is stored in 131 sites in 39 states. Most of these storage sites are temporary and near large population centers and water supplies. There is a risk that leaks and damages from current storage facilities could impact up to 161 million Americans. Scientists agree that it is unsafe to

permanently store nuclear waste on the shores of the Great Lakes, the Long Island Sound, the Atlantic Ocean, the Pacific Ocean, the Gulf of Mexico, or any other body of water. The Yucca Mountain site will minimize these risks. I believe that creating a permanent repository for spent nuclear fuel is the right thing to do, and that is why I will vote yes today.

The vote today is another step in what has been a 20-year process. Supporting this resolution allows the Department of Energy to file an application for a license at the Nuclear Regulatory Commission (NRC). It is up to the NRC to determine that the site will adequately protect public health and safety, and to make a decision to grant an operating license for the facility. The licensing process will take many years, will require many additional scientific studies, and will continue to provide for public input at every step along the way. Transportation plans will continue to be updated during this process and the earliest shipments would not start for Yucca Mountain until 2010.

I understand that the transportation of spent nuclear fuel is a concern, and we must address this issue thoroughly. There is no question we will need to ensure that there is a well-trained and certified workforce to handle and transport waste. For decades now, spent nuclear waste has been shipped in small quantities with no obvious harm to the public. If it becomes apparent that the waste cannot be transported safety and effectively, I would support revising the status of the Yucca Mountain repository.

Mr. Speaker, by voting yes today we are taking a prudent step for the future of this country. For all of these reasons, I support H.J. Res. 87.

Mr. KOLBE. Mr. Speaker, I rise in strong support of the Yucca Mountain Repository Site Approval Act (H.J. Res. 87).

I believe that Americans must come to grips with their obsessive fear of nuclear energy. Nuclear power supplies 20 percent of our nation's electricity, but no nuclear power plant has been built in the U.S. in approximately 30 years. That means our generation of electricity is increasingly dependent on fossil fuels. By contrast, France uses nuclear power for most of its electricity requirements. Even Japan, the only nation to be attacked with nuclear weapons, uses nuclear power for more of its energy needs than the United States. Greater reliance on nuclear power—and I believe it is safe—would free us from our dependence on OPEC products.

However, we must also address the safe transportation and disposal of nuclear waste. The Yucca Mountain Repository Site Approval Act approves the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel. We need to have a single, consolidated site that can be appropriately secured.

Currently, temporary nuclear waste sites are scattered all over the country. More than 161 million people currently live within 75 miles of a temporary nuclear waste site, and these sites are near major waterway. In addition, 40 percent of the U.S. Navy's ships and submarines are nuclear powered. We simply need to bring all this nuclear waste into one repository that is designed to permanently store this material safely for thousands of years. The site at Yucca Mountain is designed to do just that.

I urge Members to support this joint resolution.

Mr. LEVIN. Mr. Speaker, I rise in support of the resolution.

Today the House is confronted with the unpalatable choice of whether to take the next step in a process that could ultimately ship tons of hazardous nuclear waste across the country and bury it at the Yucca Mountain repository, or leave the waste where it is at more than 130 sites around the country. In truth, the question of what to do with the nuclear waste is an issue we've been avoiding since the dawn of the nuclear era more than half a century ago. We can't keep putting off this decision.

In justice to those who oppose this resolution, moving 70,000 tons of nuclear waste across the length and breadth of the United States and burying it in Nevada is by no means a perfect solution. Yucca Mountain has a number of desirable attributes. It is isolated in an arid location, far from population centers, and the proposed repository is protected by natural geological barriers. All that said, claims that the natural and engineered barriers in place at Yucca Mountain guarantee that the waste will remain isolated from the environment for more than 10,000 years have to be viewed with skepticism. In addition, the issues surrounding the transportation of so much hazardous waste require additional work.

At the same time, leaving the waste where it is at more than 130 locations in 39 states is not a viable option. None of these sites were intended or designed for long-term storage of high-level radioactive waste, and most are located near population centers adjacent to rivers, lakes and seacoasts. The nuclear waste doesn't go away or become any less of a problem if we ignore it.

My understanding is that the repository at Yucca Mountain can be kept open for as long as 300 years, allowing the Department of Energy to monitor the underground storage areas and even retrieve the waste packages. When one considers the amazing scientific breakthroughs of the last three centuries, there are good grounds for optimism that over the next 300 years we will develop the technological means to engineer a better solution to this problem. In the meantime, we shouldn't put off the decision on whether to move forward with the process of consolidating the waste at Yucca Mountain. Even if we start today, and all the remaining technical issues are resolved during the licensing process, it will still be at least ten year before the repository is ready.

Yogi Berra once observed, ''When you come to a fork in the road, take it.'' For more than 50 years, the United States has put off making a decision about what to do about the nuclear waste. At long last, it's time to face up to this problem and move forward.

Mr. BLUMENAUER. Mr. Speaker, this debate has become far more political than technical. The bottom line is that the Federal Government made yet another commitment it cannot keep. Following decades of rosy predictions and assurances to the public, we explicitly promised to properly dispose of the nation's nuclear waste. Twenty years and $8 billion dollars later, we are still not prepared to do so. This is not acceptable. We need to keep our promise to communities across the country that are temporarily storing waste in sites that are vulnerable to terrorist attacks and natural disasters.

We are not ready to open the Yucca Mountain nuclear waste repository. There are too many unresolved questions, even as the Administration agrees that the current storage system can reasonably remain for many years. The low standards and inadequate science that the Department of Energy has shown at Hanford in the Pacific Northwest for decades are apparent at Yucca Mountain as well.

Even if we do go forward with this proposal, by the time that the Yucca Mountain site is ready to actually accept waste underground, we will have already exceeded its capacity. By the year 2035, the waste from just commercial power plants currently in operation is expected to be at least 90,000 tons. Yucca Mountain can only hold 77,000 tons. By law, in order to expand the capacity at Yucca, a second site must be named. Since Hanford, Washington was examined as one of the potential sites up until 1987, we have every reason to believe that the Department of Energy will look to Hanford as a second site once Yucca is full.

The approval of Yucca Mountain will set a dangerous precedent for other potential sites such as Hanford. When Yucca Mountain failed to meet repository guidelines, the Department of Energy rewrote those guidelines to avoid disqualifying the site. I don't want this same low standard to be applied to Hanford or any of the other potential sites.

The Bush Administration is pushing approval of Yucca Mountain now because nuclear energy is a large part of its national energy policy. Yucca is not now a viable long-term solution. It may never be. It makes no sense to rely on an energy source that produces a deadly waste for which we have no safe or long-term solution for clean up or storage. As long as we continue to produce at least a fifth of our energy from nuclear power plants, we are going to have a nuclear waste problem. Yucca will not solve that.

I don't pretend to know the answers to our nuclear waste problem. I'm convinced that transporting the waste across the country in casks that have not been properly tested and burying it under a mountain whose geological features are not what we once thought they were is not the answer.

While some may sound confident, I'm not sure anyone has a good roadmap in hand. This is precisely why we should not implement a policy that is going to make the situation worse. Approving Yucca Mountain as a repository site will be giving the nuclear industry a green light to produce more waste, despite the industry's inability to clean up after itself or even pay for its own insurance. Until we find a real solution to the nuclear waste problem, we should not encourage more of it.

Ms. MINK of Hawaii. Mr. Speaker, I rise in strong opposition to H.J. Res. 87 and am shocked that it is even on the calendar. The people of Nevada have spoken! Governor Guinn of Nevada has vetoed the site as allowed under the Omnibus Budget Reconciliation Act of 1987 (PL 100–203). This should be the end of it. Congress put this veto provision into law to respect the State of Nevada's rights.

Mr. Speaker, every Member of the Nevada delegation is opposed to this Resolution and opposed to the Yucca Mountain site. They do not believe that the Department of Energy's recommendation was based on sound science and neither do I. The Congress created the

Nuclear Waste Technical Review Board to provide oversight to the Department of Energy (DOE) to ensure that the Yucca site would be based on sound science. This Board is made up of nationally recognized scientists. A recent review of the DOE's scientific review was graded an ''F'' by the Board.

There has not been enough scientific research on issues relating to the storage of nuclear waste. The Congress acted hastily in 1987 by limiting the consideration of potential sites to only Yucca Mountain. This way, no matter what science said or what potential health risks should arise, Yucca Mountain was going to be the site of the repository. This is a State's Rights issue. The people of Nevada do not want the nuclear waste and the Congress should not force the waste upon them. I urge my colleague to vote ''no'' on H.J. Res. 87.

Mr. SIMMONS. Mr. Speaker, since coming to Congress in January 2001, protecting the environment has been one of my top priorities. I am proud to have authored the law granting federal ''wild and scenic'' status to Connecticut's Eightmile River; proud of my pro-environment votes, including voting against weakening our nation's arsenic standards; and proud of my appointment as Co-Chair of the Long Island Sound Caucus.

Out of all of my efforts to protect Connecticut's environment, nothing is more important than today's vote to establish a permanent high-level nuclear water storage facility at Yucca Mountain, in the Nevada desert.

Eastern Connecticut is home to four nuclear power plants—Millstone 1, 2 and 3 and Connecticut Yankee. The Millstone nuclear power plant in Waterford sits on Long Island Sound. On Millstone's 500 acres sits tons radioactive waste. Just north of Millstone, on the banks of the Connecticut River, is the Connecticut Yankee nuclear power plant on Haddam Neck. There, 22 years of spent nuclear fuel sits in a cooling pool waiting to be removed. All told, there is more than 1,500 metric tons of spent nuclear fuel at those two sites.

Establishing Yucca Mountain will begin the process of removing nuclear waste from these two facilities. Why is that important? Imagine an accident involving the spent fuel pools at Millstone in Waterford. Imagine nuclear water seeping into the Long Island Sound. What would happen? Connecticut's shellfish industry—decimated; Water skiing and recreation in the Sound—forget about it. The entire Long Island Sound ecosystem would be destroyed for generations. This is why a vote for Yucca Mountain is a vote to protect Connecticut's environment.

What about an accident at Connecticut Yankee? what would happen to the Connecticut River if spent fuel spilled into it? Connecticut's largest fresh water river—contaminated; Salmon and shad, which are just beginning to replenish the river waters—gone and never coming back. And all of this flowing south past Interstate 95 and the Amtrak Northeast Corridor into Long Island Sound.

Nuclear waste dumped into the Connecticut River would destroy New England's largest river ecosystem and one of the Nation's first American Heritage Rivers. This is why a vote for Yucca Mountain is a vote to protect Connecticut's environment.

Mr. Speaker, clearly, establishing Yucca Mountain is critical to Connecticut's environmental needs. But if you have another reason to support H.J. Res. 87, let's look at the issue from a national security perspective.

Make no mistake—spent fuel in a permanent repository for storage is less susceptible to terrorist attacks than spent fuel in temporary sites, especially when the Yucca site is isolated and the temporary storage facilities are often close to population centers and waterways.

In fact, today more than 161 million people currently live within 75 miles of one or more nuclear waste sites, all of which were intended to be temporary. These sites are also located near 20 major waterways that supply water to more than 30 million Americans. Highly radioactive nuclear waste is currently stored in more than 131 sites in 39 states. A coordinated attack, similar to those on September 11, on two or more of these sites would be catastrophic.

There is no question that keeping this hazardous waste in miles of tunnels beneath solid rock in the arid desert provides better security for storage and monitoring than leaving it along our undefended rivers and watercourses.

Access to the Yucca site is already restricted due to its proximity to the Nevada Test Site and Nellis Air Force Range surrounds the site on three sides, providing an effective rapid-response security force.

Establishing one spent fuel site will protect our environment and strengthen our national security. Yucca Mountain is one of the few issues that brings together environmentalists and defense hawks. Any issue that can do that is worthy of this body's support. I urge my colleagues to join me in support of H.J. Res. 87.

Mr. UDALL of New Mexico. Mr. Speaker, nuclear utilities intend to keep producing nuclear waste, and with talk about creating new reactors this would only add to the growing waste problem.

The Bush Energy Plan calls for doubling the number of nuclear reactors in the U.S. by 2040. Yucca Mountain is only designed to contain the waste from existing reactors.

The GAO report concludes it would be premature for the Secretary of Energy to recommend Yucca Mountain as the nation's nuclear waste repository for 77,000 metric tons of radioactive waste because many technical issues remain unresolved. Energy Secretary Abraham recommended the site anyway.

The report said the Department of Energy (DOE) is unlikely to achieve its goal of opening a repository at Yucca Mountain by 2010 and currently does not have a reliable estimate of when, and at what cost, such a repository can be opened.

Two hundred ninety-three unfinished scientific and technical issues have yet to be resolved before the site can be opened. For example, additional study is needed on how water would flow through the repository area to the underlying groundwater and on the durability of waste containers which are needed to last tens of thousands of years.

We should use sound science to solve these unresolved issues to determine if Yucca Mountain is really ready to receive nuclear waste.

Ms. PELOSI. Mr. Speaker, I rise today to speak in strong opposition to this resolution.

But first, I must thank our colleague, the Gentlelady from Nevada, for her outstanding leadership on Yucca Mountain.

She is a champion for her state. She has said she would lay herself down on the railroad tracks to prevent nuclear waste from coming into her state, and I know she would do it.

Mr. Speaker, every day, the President and the Republican leadership claim that they want to keep the federal government out of people's lives and empower states with the flexibility to govern themselves.

Yet today we are going to override the veto of a governor and go against the express wishes of the people of Nevada.

The President has broken his promise to the people of Nevada. Before his election, he promised that the decision whether to store nuclear waste at Yucca Mountain would be based on sound science.

The science is not sound.

The GAO has identified more than 250 significant technical issues that still need to be resolved before going ahead with Yucca Mountain.

Mr. Speaker, many Yucca Mountain supporters say: ''We have to put this waste somewhere. Get it out of my neighborhood and put it somewhere else.''

I want to remind my colleagues that moving it out of your neighborhood won't solve the problem.

As long as your local nuclear power plant is running, there will always be nuclear waste in your neighborhood—the hottest and most dangerous waste, the waste that just came out of the reactor core.

And transporting the waste puts many more communities at risk of accidents and terrorist attacks.

Nor does Yucca Mountain solve our long-term waste storage problem. By the time the repository opens, we will have enough waste to fill it up, and we'll have to start over again, looking for another site.

We need to choose a different path. We need to develop clean, renewable energy sources that do not produce lethal waste that will endure for hundreds of thousands of years.

Mr. Speaker, when we make this decision today, we should associate ourselves with the aspirations of a state, protect the environment of our country, and do the right thing, and vote against this resolution.

Mr. ISSA. Mr. Speaker, I rise today in support of H. J. Res. 87, the Yucca Mountain Repository Site Approval Act. I am happy to join my colleagues as we approach the end of this 20 year journey to find an appropriate repository for spent nuclear fuel.

Common sense dictates that nuclear waste belongs in a secure and remote location, not the coast of Southern California. Today, this House will vote to support one of President Bush's national security objectives: the construction of the Yucca Mountain nuclear waste storage facility.

Congressional approval for the President's plan to build the Yucca Mountain facility will be a step toward resolving California's power crisis and will protect our communities from the unnecessary risk to storing nuclear waste. Centralizing the storage of hazardous nuclear waste at the remote Yucca Mountain facility clearly makes more sense than the current system of storing nuclear waste at 131 different storage sites including San Onofre, a nuclear power plant located in my district.

Today 161 million Americans live within 75 miles of at least one of these 131 storage facilities. The future security, efficiency and environmental advantages of storing spent nuclear fuel at the completed Yucca Mountain facility surpass those of any other viable alternative, including the continuation of the current system.

Consider the advantages of the proposed Yucca Mountain facility. Located on remote federal land, it would be more than 90 miles away from any major population center. In terms of security, the facility would be buried 1,000 feet below the desert surface, the site is surrounded on three sides by the Nellis Air Force Range, the airspace above Yucca Mountain is restricted and the facility would have its own elite rapid-response security force.

Scientific studies conducted by the Department of Energy have, since 1982, evaluated the risks to the site posed by volcanoes, earthquakes, underground water, human intrusion and many other potential threats; after carefully considering these factors scientists have concluded that the risk to the Yucca Mountain site over the next 10,000 years are minimal.

The centralization of spent nuclear fuel at the Yucca Mountain facility will allow a more efficient allocation of resources to manage and safeguard nuclear waste than is possible under the current system or any other current proposal for the future. When the technology that recycles spent nuclear fuel becomes a reality, the concentration of resource at Yucca Mountain will speed efforts to reduce or eliminate nuclear waste.

Environmentally, even if no additional nuclear power plants are built, the need to securely store existing spent nuclear fuel will continue. Nuclear power is environmentally friendly, economical and safe. Yucca Mountain will open the door to the possibility of building new nuclear power plants, instead of more coal and oil plants, to meet California's energy needs and to avert a future power crisis like the one experienced last summer. Storing spent nuclear fuel in a central, secure and remote location that minimizes the threat of contaminating water sources, the atmosphere and our nation's wildlife is the most environmentally responsible policy possible under given conditions. The proposal to build a single storage site at Yucca Mountain will protect the environment and public safety better than building and maintaining several smaller storage facilities throughout the United States.

The arguments of those who oppose the Yucca Mountain project revolve around the fear of uncertainty. These arguments point to the possibility that the scientific assessments of the Yucca Mountain site could be flawed. They note that despite all planned precautions and the extensive experience our nation already has in transporting spent nuclear fuel, an accident could occur in transport. Finally, they hold out the hope that American ingenuity will develop new technologies that can easily recycle spent nuclear fuel or even eliminate the need for nuclear power through advances in solar, wind and other energies—thus eliminating the need for new spent nuclear fuel storage facilities. While these points cannot and should not be ignored, they are themselves uncertainties.

Uncertaintly, in fact, is a major reason why the Yucca Mountain facility should be built. Secretary of Energy Spencer Abraham has noted that existing nuclear waste storage facilities, like the one at San Onofre, ''should be able to withstand current terrorist threats, but that may not remain the case in the future.''

Any uncertainty involving spent nuclear fuel is better addressed 1,000 feet below the surface of the desert and 90 miles away from any major population center than in the middle of highly populated places like Southern California. The construction of the Yucca Mountain facility is a national security issue. I intend to support President Bush's decision to build the facility and hope that my colleagues in Congress also will back the President.

Mr. Speaker, our journey is about to be completed regarding Yucca Mountain. I ask that my colleagues support passage of the resolution.

The SPEAKER pro tempore (Mr. ISAKSON). All time has expired.

Pursuant to section 115(e)(4) of the Nuclear Waste Policy Act of 1982, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the joint resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. BERKLEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 306, nays 117, not voting 12, as follows:

[Roll No. 133]

YEAS—306

Aderholt
Akin
Allen
Andrews
Armey
Bachus
Baird
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Bentsen
Bereuter
Berry
Biggert
Bilirakis
Bishop
Blagojevich
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (OH)
Brown (SC)
Bryant
Burr
Buyer
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Cooksey
Costello
Cox
Cramer
Crenshaw
Cubin
Culberson
Cummings
Cunningham
Davis (FL)
Davis (IL)
Davis, Jo Ann
Deal
Delahunt
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Etheridge
Everett
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frelinghuysen
Ganske
Gekas
Gilchrest
Gillmor
Gilman
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutierrez
Gutknecht
Hall (TX)
Hansen
Hart
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hobson
Hoeffel
Hoekstra
Holden
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Inslee
Isakson
Issa
Istook
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kennedy (MN)
Kerns
Kildee
Kilpatrick
King (NY)
Kingston
Kirk
Knollenberg
Kolbe
LaHood
Lampson
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Maloney (CT)
Manzullo
Mascara
McCarthy (NY)
McCrery
McHugh
McInnis
McIntyre
Meek (FL)
Meeks (NY)
Mica
Miller, Dan
Miller, Gary
Miller, Jeff
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Obey
Olver
Osborne
Otter
Oxley
Pascrell
Pastor
Payne
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pomeroy
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Ramstad
Regula
Rehberg
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Rush
Ryan (WI)
Ryun (KS)
Sandlin
Sawyer
Saxton
Schaffer
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Snyder
Spratt
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Toomey
Towns
Turner
Upton
Visclosky
Vitter
Walden
Walsh
Wamp
Watt (NC)
Watts (OK)
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (FL)

NAYS—117

Abercrombie
Ackerman
Baca
Baldwin
Becerra
Berkley
Berman
Blumenauer
Bonior
Boswell
Capps
Capuano
Carson (IN)
Condit
Conyers
Coyne
Crowley
Davis (CA)
Davis, Tom
DeFazio
DeGette
DeLauro
Doggett
Eshoo
Evans
Farr
Filner
Frank
Frost
Gallegly
Gephardt
Gibbons
Gonzalez
Harman
Hinchey
Hinojosa
Holt
Honda
Hooley
Israel
Jackson (IL)
Jackson-Lee (TX)
Kaptur
Kelly
Kennedy (RI)
Kleczka
Kucinich
LaFalce
Langevin
Lantos
Lee
Lewis (CA)
Lewis (GA)
Lofgren
Lowey
Luther
Lynch
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (MO)
McCollum
McDermott
McGovern
McKeon
McKinney
McNulty
Meehan
Menendez
Millender-McDonald
Miller, George
Mink
Moore
Napolitano
Oberstar
Ortiz
Owens
Pallone
Paul
Pelosi
Pence
Pombo
Radanovich
Rahall

Rangel	Schiff	Udall (NM)
Reyes	Serrano	Velazquez
Rivers	Sherman	Waters
Rodriguez	Slaughter	Watkins (OK)
Roemer	Smith (WA)	Watson (CA)
Rothman	Solis	Weiner
Roybal-Allard	Souder	Wexler
Sabo	Stark	Woolsey
Sanchez	Thompson (CA)	Wu
Sanders	Tierney	Young (AK)
Schakowsky	Udall (CO)	

NOT VOTING—12

Burton	Kind (WI)	Scott
Crane	Nadler	Traficant
Hall (OH)	Ose	Waxman
Hyde	Riley	Weldon (PA)

□ 1545

Mrs. KELLY changed her vote from ''yea'' to ''nay.''

So the joint resolution was passed.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.J. Res. 87, just passed.

The SPEAKER pro tempore (Mr. ISAKSON). Is there objection to the request of the gentleman from Louisiana?

There was no objection.

STOP THE SPREAD OF GAMBLING

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. WOLF. Mr. Speaker, I would like to call the attention of the House to an open letter from 220 religious leaders to the President of the United States and Congress on the spread of gambling.

They said, ''We, the undersigned, represent a variety of faith perspectives and religious beliefs. We hold different convictions regarding many of the most prominent issues of the day, yet we are united in our opposition to legalized gambling and we respectfully urge Congress to begin to address the devastation that gambling has wrought on our children and families and communities as a Nation.''

And then they go on to talk about the faith community can provide countless stories of families shattered by gambling addiction.

It was a full page ad in Roll Call. I urge Members to look at it and see. This Congress ought to begin to deal with this issue of the spread of gambling.

AN OPEN LETTER FROM 220 RELIGIOUS LEADERS TO THE PRESIDENT AND CONGRESS ON THE SPREAD OF GAMBLING

DEAR MEMBER OF CONGRESS: We, the undersigned, represent a variety of faith perspectives and religious beliefs. We hold differing convictions regarding many of the most prominent issues of our day. Yet we are united in our opposition to legalized gambling. We believe it to be a moral and cultural cancer. Therefore, we respectfully urge Congress to begin to address the devastation that gambling has wrought on our children, families, communities and nation. Consider just the following sampling of gambling's toll on America's citizenry:

Gambling exploits those with the fewest financial resources, as both a multitude of studies and our own experiences in our individual communities readily confirm. A few months ago we were inundated with glowing press accounts of the Powerball winner from Kentucky who gambled part of his unemployment check to attain the jackpot. How many tens of thousands of others in similar circumstances squandered their meager income chasing this state-sponsored fantasy and wound up without enough money to pay the rent or put food on the table? According to the National Gambling Impact Study Commission (NGISC), individuals earning less than $10,000 per year spend more on lottery tickets every year than any other income group.

Each of us—and the faith communities we represent—could provide countless stories of families shattered by gambling addiction. We are often the ones forced to pick up the pieces of lives ripped apart by divorce and domestic violence. According to a survey by the NGISC, gambling has been responsible, in whole or in part, for more than 2 million divorces in recent years. Child abuse and neglect are other effluents of gambling's explosive growth. In addition, research indicates that children of gambling addicts do more poorly in school, experience more behavioral problems, and are more susceptible to gambling addiction themselves.

The gambling boom has made our communities more dangerous places to live. Gambling operations attract crime, and they create new criminals out of otherwise law-abiding citizens. Studies confirm that more than half of gambling addicts will engage in illegal activities—everything from embezzlement to armed robbery—to fund their compulsion to gamble.

Gambling has subverted the rightful role of government as protectorate of the people. Casinos in particular have bought favors with politicians at all levels, thus enabling them to spread their poison product into even more communities. In the most recent election, gambling interests lavished $10.9 million on candidates and parties at the federal level alone. That does not include the multi-millions spent on lobbying, nor does it take into account that gambling interests have become the single most powerful force in a number of state governments. All of this influence comes at a terrible price that is paid for by the gambling industry's multitude of victims.

The rapid increase in legal gambling opportunities has created a concomitant boom in the number of gambling addicts. According to the NGISC, more than 15 million Americans struggle with a significant gambling problem—and the repercussions are often profound. Perhaps no single statistic better reveals the depth of despair associated with gambling addiction than this: One in five of those who become addicted to gambling will attempt to take his or her own life.

Legal gambling operations entice teenagers to delve into this dangerous activity. Many become trapped. Studies show that the rate of gambling problems among adolescents is dramatically higher than that for adults. Hundreds of thousands of teens regularly access casinos, lotteries, and other legal betting venues despite age regulations to the contrary. Further, aggressive and omnipresent gambling advertising campaigns disparage the ethic of work, diligence and study while bombarding teens with the idea that gambling is the means to get rich quick.

Gambling has become a blight on our nation's cultural landscape. As religious leaders, we see the gambling-induced pain and devastation among many of those who look to us for spiritual guidance. Thus, we stand together not only in our concern, but in our commitment to oppose this predatory and destructive industry. We call on members of Congress to place America's citizens and families ahead of the false promises and hefty political contributions of the gambling industry, and to begin to address this rapidly growing menace to our national welfare.

Sincerely,

Dr. Mark Bailey, President, Dallas Theological Seminary.

The Rt. Rev. Charles E. Bennison, Jr., Episcopal Diocese of Pennsylvania.

Dr. Ron Black, Executive Director, General Association of General Baptists.

Dr. Bill Bright, Founder and Chairman, Campus Crusade for Christ.

David Bryant, Chairman, America's National Prayer Committee.

Commissioner John Busby, National Commander, The Salvation Army.

Dr. Gaylen J. Byker, President, Calvin College.

Tony Campolo, Ph.D., President, The Evangelical Association for the Promotion of Education.

Dr. Judson Carlberg, President, Gordon College.

Dr. Morris H. Chapman, President & CEO, Southern Baptist Convention, Executive Committee.

Charles W. Colson, Chairman of the Board, Prison Fellowship Ministries.

Dr. Clyde Cook, President, Biola University and Talbot School of Theology.

Kenneth L. Connor, President, Family Research Council.

Dr. James C. Dobson, President, Focus on the Family.

David H. Engelhard, General Secretary, Christian Reformed Church in North America.

Dr. Tony Evans, President, The Urban Alternative.

Reverend Jeff Farmer, President, Open Bible Churches.

Bruce L. Fister, Lt. Gen. USAF (Ret.), Executive Director, Officers' Christian Fellowship.

Leighton Ford, President, Leighton Ford Ministries.

Dr. Stan D. Gaede, President, Westmont College.

Rev. Dr. Thomas W. Gillespie, President, Princeton Theological Seminary.

William Graham, Acting Dean, Harvard Divinity School.

The Rt. Rev. J. Clark Grew II, Bishop, Episcopal Diocese of Ohio.

Bishop Susan W. Hassinger, United Methodist Church, Boston Area.

Rev. Paul Hirschy, Bishop, Church of the United Brethren in Christ, USA.

Dr. David W. Holdren, General Superintendent, The Wesleyan Church.

Clyde M. Hughes, Bishop, International Pentecostal Church of Christ.

L. Gregory Jones, Dean and Professor of Theology, Duke Divinity School.

Rev. Dr. Walter C. Kaiser, President, Gordon-Conwell Theological Seminary.

Rabbi Benjamin Kamenetzky, Executive Director, Yeshiva of South Shore.

D. James Kennedy, Ph.D., Senior Minister, Coral Ridge Presbyterian Church.

Clifton Kirkpatrick, State Clerk of the General Assembly, Presbyterian Church (U.S.A.).

Dr. Richard Land, President, Ethics and Religious Liberty, Commission of the SBC.

Rabbi Abraham S. Lefkowitz, Chaplain, Nassau County Police Department.

Dr. Duane Litfin, President, Wheaton College.