

waste and either leave it where it is or ship it to New Mexico for disposal in the Waste Isolation Pilot Plant as transuranic waste, or to some other state for shallow land burial as low-level waste.

In addition, Senator Graham's amendment would exempt the Department's handling of these wastes from licensing and regulation by the Nuclear Regulatory Commission. Its enactment would have profound consequences for the nation's high-level nuclear waste policy, which is under the jurisdiction of the Committee on Energy and Natural Resources. It would also interfere in litigation now pending before the United States Court of Appeals for the Ninth Circuit.

For all of these reasons, I urge you not to include Senator Graham's amendment in the defense authorization bill.

Sincerely,

JEFF BINGAMAN.

Ms. CANTWELL. Mr. President, I am trying to make the point that the ranking member of the committee, and now the parliamentarian, have agreed that this is not the jurisdiction of this committee.

I ask my colleagues to weigh that in the time we have away from here, to drop this policy as it relates to trying to reclassify waste without having the proper public hearing and public comment about the issues.

Yes, everyone has heard of DOE attempts to try to reclassify this waste. It is well known that they actually tried to do it by order themselves and were shot down in court. They were shot down in court because specifically they do not have the authority. They have to change the definition under the Nuclear Waste Policy Act. If they want to do that, debate it on the Hill, have this discussion, and move forward.

I make a point that cleanup around America—whether it is in South Carolina, in the Savannah River, or whether it is Washington State at the Hanford reservation, whether it is Idaho or any other facility in this country—should be continuing. There is nothing about any court case or any court battle that prohibits the Department of Energy from continuing with cleanup. I hope they understand that is the judgment and the clarification of the court that ruled.

If my colleague from South Carolina is hearing that nuclear waste cleanup may be going slow or may be put on hold in the future, that is the absolute wrong message from the Department of Energy. Congress has appropriated funds, has appropriated funds in the past, and they should be going about their cleanup job.

What we are not going to do as a body is whitewash a change of significant nature where we do not have science backing that says we ought to reclassify this waste. In fact, science has been very specific in saying this is not a simple proposition.

In 1990, the National Academy of Science said:

There is strong worldwide consensus that the best, and safest, long-term option for dealing with HLW is geologic isolation.

Again, not grouting waste in existing tanks but removing the waste and put-

ting it in a geological isolation, as we have suggested, and others have suggested, at Yucca Mountain.

A 1992 report by the Pacific Northwest Laboratory said:

The grouts will remain at elevated temperatures for many years. The high temperatures expected during the first few decades after disposal will increase the driving force for water vapor transport away from the grouts; the loss of water may result in cracking . . .

A 1992 study on this issue regarding just pouring cement and sand on nuclear waste and somehow storing it and solidifying it in the ground said there would be a result of cracking.

What we know in Washington State is we already had the cracking of the tanks. We already had a plume of nuclear waste going toward the river. So we already know what this situation is all about.

In 2000, the National Academy of Sciences said:

[W]aste tank residue is likely to be highly radioactive and not taken up in the grout, so there is substantial uncertainty. . . .

Another 2000 study by the National Academy of Sciences says:

[Using grout,] the ability of the site to reliably meet long-term safety performance objectives remains uncertain.

I think there is much science that basically says we do not think grout can work. Obviously, we do not know what the Department of Energy is trying to do, because they want to leave an unspecified amount of waste in the ground and not be specific about that. So it is very difficult for us to see.

I would also like in my short time here, because I know each Member is limited in time this evening, to refute the letter that was submitted by the Nuclear Regulatory Commission. While we do not know what the Nuclear Regulatory Commission was asked to comment on, what they ended up commenting on was not the underlying language in the DOD authorizing bill. They did not comment on the fact that the Graham language would significantly change the Nuclear Waste Power Act and classify high-level waste as something else.

What they did comment on was the fact that you could take the entire tanks out of the ground and it would be very expensive, which I do not know if people can imagine, because the Hanford site is miles and miles of acres—I think earlier we said something close to one-third the size of the State of Rhode Island. That is how big the Hanford reservation is—580 miles of land. These tanks that have stored the spent fuel are enormous.

The Nuclear Regulatory Commission is saying: We do not know if it is feasible to take out the tanks entirely. Well, no one ever said we expected to take out the entire tanks. What we said was we think the tanks have to be cleaned and the site has to be cleaned. And that is the removal process we should continue to do.

So I think while we would be wise to get a letter from the Nuclear Regu-

latory Commission that was specific about the exact proposal that is in this bill and get their response, the issue is they are not in charge of short-term waste disposal. They are in charge of this geological isolation solution we in Congress and others have been looking for, and basically asking questions about, and saying, Where are you going to take the vitrified waste and put it? They are not the regulatory entity over those short-term issues.

I think the Nuclear Regulatory Commission has not fully addressed the question. I think perhaps we should send them a more direct question to which we can get a more specific answer.

We will hear a lot more about this issue when we return from the legislative recess. But I assure my colleagues, we are going to continue to talk about the fact that we in Congress cannot have this significant a change in a policy by simply sneaking language into a Senate Armed Services Committee bill that does not have jurisdiction over this issue and make a major policy change that is 30 years of law—30 years of established law—and 50 years of scientific evidence and override that in a short period of time without a full discussion and debate.

This underlying bill language needs to be stricken. We need to get about the nuclear waste cleanup that the science says we should do; that is, removing the high-level waste and not simply trying to do cleanup on the quick by calling it grout.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

ROBERT A. (BOB) BEAN

Mr. DASCHLE. Mr. President, earlier today many of our Senate family attended the funeral of a former Senate employee, Robert Bean. Bob started here in the Senate when he was 15 years old as a Senate page under the sponsorship of Majority Leader Mike Mansfield. Following his page graduation Bob moved into the Democratic cloakroom where he continued his outstanding service to our members. He rose to the position of Assistant Secretary for the Majority and then was appointed by Senate Majority Leader George Mitchell to the position of Deputy Sergeant at Arms in 1990. He moved to the Treasury Department's legislative affairs office in 1995 and remained there until 1999 when he returned to the Hill to work on the House side as the minority staff director of the House Administration Committee. He retired from the Hill in 2002 and he had just recently begun work for the Jefferson Consulting Group.

Throughout these years of service Bob earned his undergraduate degree from George Washington University and his law degree from American University's Washington College of Law. But all of these accomplishments pale in comparison to his personal accomplishments. Bob was known as a friend by anyone who came into contact with him. Whether you were a member of Congress or a new staffer, lost on the Hill, Bob would find a way to help you, and he would make sure you knew that, if you ever needed help again, he'd be there to assist you. The church was filled today and that was a testament to the type of person Bob was to so many people. He died at the age of 43 leaving behind his mother, Margaret and his brothers John, Kenneth, and Brian. Bob also left behind a Capitol Hill community united in mourning the loss of one of its most cherished possessions—a true friend. I would like to extend my sympathies to his mother, his brothers and to all those who were lucky enough to know him.

Mr. President, I ask unanimous consent that the eulogy given earlier today by Congressman STENY HOYER be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

EULOGY FOR ROBERT A. (BOB) BEAN

Father Nash, Father Polland, Members of St. John's Parish, Friends:

I first want to express my deepest condolences to the Bean family, Bob's mother, Margaret; his brothers, John, Kenneth and Brian; his sister-in-law, Patti; niece, Rachel; and nephew, Christian.

Your loss, I know, is as immeasurable as it is unexpected; that this good, decent, kind man who graced and brightened your lives—and all of ours—was summoned by our Creator, at what seems to so many of us as the twilight of youth.

The passing of one who had so much to offer, who yearned to serve others, who continually took it upon himself to help others, and who was enjoying what seemed to be the prime of his life, cuts particularly deep.

But the truth be told, Robert A. Bean, son of Margaret and Louis, lived more in 43 years than most do in twice that time.

Bob's service to our nation started early, when at the age of 15, he began working as a Senate page under the former majority leader Mike Mansfield.

He later served on the staff of the democratic cloakroom in the Senate, which is where I first met him after being elected to Congress.

I couldn't help but be impressed with Bob, by his willingness to help on matters big and small, his strong bearing, and his ability to get things done.

Bob was not passing time.

His talent, his character, his personality led to his being selected for ever-increasing responsibility: serving first as the assistant secretary for the democratic majority in the Senate and then as deputy sergeant at arms, where he performed the duties of chief law enforcement officer, protocol officer and manager of support services in the Senate.

In that position, he supervised thousands of employees and displayed his considerable management skills.

And yes, along the way, he earned a bachelor's degree from George Washington University as well as a law degree from American University.

Bob was always improving himself and, in the process, improving the lot of others.

In 1995, Bob was asked by Secretary Robert Rubin to join him at the Treasury Department as the Deputy Assistant Secretary of the Treasury for Legislative Affairs, where his extraordinary knowledge of the Congress and his reputation on Capitol Hill for honesty and insight would help guide our Nation to unprecedented prosperity in the 1990s.

Given the wide breadth of Bob's experience on Capitol Hill and in the Executive Branch, I was ecstatic that I had the opportunity to hire him in 1999 to serve as the staff director of the Committee on House Administration.

Bob's service in that position was an immense advantage to me, the Committee, and the Congress, which he loved.

Bob was a fierce partisan. He believed deeply in the Democratic party and its principles, and he lived them.

But his political convictions never translated into unthinking antagonism toward foes.

And I saw that first-hand during the negotiations on bipartisan election reform, a legislative effort that was perhaps Bob's legacy as staff director on the House Administration Committee.

Bob played to win, but he played by the rules. And Congressman Bob Ney, the Republican chairman of the Committee and his staff, knew that; and they respected and trusted Bob for it, which in my judgment is one reason why we were able to work together, across the partisan divide, to address the problems in our election system.

This week, Chairman Ney said of Bob:

"There were many times when the process was in danger of breaking down. Bob Bean refused to let that happen, though. He was a stand-up guy, a tremendously hard worker and truly great American."

As anyone who walked through the Capitol with Bob knows, he knew an unbelievable number of people. House members and Senators. Staffers. Capitol Police officers. Maintenance workers. And cafeteria workers.

All who knew him were his friend.

Walking through the Capitol with Bob was a constant reminder of his experience and popularity on Capitol Hill—with people from all walks of life. And he returned their affection with kindness, consideration and respect.

A friend of Bob's for nearly 30 years, Sharon Daniels, the long-time executive assistant for Congressman Richard Gephardt, said of Bob:

"Bob is the kind of friend you could call at two in the morning, and ask: Can I borrow twenty thousand dollars? And, by the way, can you bring it to me by 4 a.m. out on Route 50? And Bob would not only do it. He would ask if there was anything else he could do—and, of course, when he showed up at 4 a.m., he would be wearing a suit and tie."

And, then, of course, there was Captain Bean, skipper of the "Margaret B." Fisherman extraordinaire.

He loved the bay and he loved his boat. And all who sailed and fished with him remember that experience as one filled with the joy of life and adventure.

How appropriate that God chose to take Bob home from his beloved bay and boat.

Bob loved his family and all of us, as well. He was a blessing to each of us—a kind and gentle man, who succeeded in all of his careers: government leader, businessman, captain, consultant.

But his greatest success was as a human being. So as we pay our respects to a beloved son and brother, a trusted and good friend, a colleague, let me end by quoting from the poem "Chesapeake Mornings" by Chris Kleinfelter:

"I measure all of my daybreaks at home,  
"Against the Chesapeake mornings I have known,  
"Anchored in the stillness of emerging light,  
"Waiting for dawn to open my shadowed eyes.  
"A grove of tall masts is tracing circles  
"In the sky as restless keels and unmanned rudders  
"Stain the blue water with rippling patterns;  
"Brush strokes from the steady hand of God."

Bob has joined God now on one last voyage that beckons us all.

Yes, his heart has been stilled.

But ours have been enriched beyond measure—and forever—for having this opportunity to share time with this good and decent man.

## HONORING OUR ARMED FORCES

### PETTY OFFICER 2ND CLASS TRACE DOSSETT

Mr. GRASSLEY. Mr. President, I would like to pay tribute to Petty Officer 2nd Class Trace Dossett who valiantly gave his life for his country on Sunday, May 2, 2004. Petty Officer Dossett was one of five Navy Seabees from Naval Mobile Construction Battalion 14 killed during a mortar attack on the Ramadi Marine base in Iraq. I offer my deepest sympathy to his wife, Angela, their two daughters, Cassidie and Raimi, and his parents, Larry and Cheryl of Wapello, IA.

Petty Officer Dossett was a 1985 graduate of Wapello High School in Wapello, IA. He was respected in the community for his strong mind and sense of devotion to serve our country. Trace joined the Navy shortly after graduating from high school and ended his six year tour in the early 1990s. He joined the Naval Reserve a year ago and was activated in January. I am proud of the patriotism displayed by Petty Officer Trace Dossett and his exemplary commitment to defending America. I offer my condolences to his family and close with the words of his wife, "Trace died a hero and he would have had it no other way."

### PFC BRANDON CHAUNCY STURDY

Mr. GRASSLEY. Mr. President, I rise today to pay tribute to PFC Brandon Chauncy Sturdy, the fourteenth Iowan to be killed in Iraq in brave service to our country. PFC Sturdy was a machine gunner in the 2nd Battalion of the 1st Marine Regiment in the 1st Marine Division. I offer my deepest sympathy to his parents, Shelly Rivera and David Sturdy and his fiancé, Tricia Johnson.

PFC Sturdy was killed by the explosion of a homemade bomb in Iraq on Thursday, May 13 in the Al Anbar Province near Fallujah. I thank him for his patriotic duty to his country and am proud to honor the courage he boldly displayed as a Marine. PFC Sturdy was a 2003 graduate of Urbandale High School in Urbandale, IA. A statement released by Brandon's family describes him as "the best of the best" who "set the bar high for us to reach for". He was a top notch Marine who had already been awarded the