

I might add on the nuclear power front, today in America we have 109 nuclear power plants located in 39 States across the country. At each one of those sites nuclear waste is being stored today. It does have a major impact on our environment, it has major concerns for security, and it has major costs for the American people.

The solution that Congress came up with many years ago was to build Yucca Mountain as a deep repository to store this waste indefinitely. Now, unfortunately last week President Obama withdrew the license application for a high-level nuclear waste repository at Yucca Mountain. This application was before the Nuclear Regulatory Commission to look at from a scientific standpoint of could this repository at Yucca Mountain safely take care of this waste for the American people for hundreds of years in the future? And I might also add that the American taxpayer has already spent billions of dollars trying to build this repository at Yucca Mountain.

Well, not only did President Obama jerk back the application so that it cannot be considered anymore, but now the Department of Energy is asking the Appropriations Committee for approval to reprogram all of the money that was going to Yucca Mountain in 2010, which in essence would stop all movement in the development of Yucca Mountain and the solution for storage of this high-level waste.

So the question that I would have for President Obama and his administration today is this. Very simply, what are we going to do with all of the waste currently being stored at the 109 nuclear sites around the Nation? Now, the President has appointed a blue panel commission to come up with a solution to this problem. As I said, we have already spent billions of dollars on Yucca Mountain. In fact, in the very near future it was getting ready to open.

Why is it important as to what are we going to do with this nuclear waste that is stored at these 109 sites around the country? It is important for this reason. Number one, in 1982 Congress passed the Nuclear Policy Waste Act. It in essence said that the Federal Government was going to be responsible for taking care of this. Well, as a result of the policies we have adopted so far today, here is our situation. The utility companies who are now depending upon the Federal Government to store this waste for them are now filing lawsuits against the Federal Government, and have already obtained judgments in excess of \$11 billion against the Federal Government. Experts are saying that additional lawsuits will cost the Federal Government \$56 billion.

I want to raise this issue with the American people and make them aware that this decision on Yucca Mountain not only is a security issue for America, but it also is a costly decision for the American taxpayer at a time when we already have a Federal debt of \$14 trillion.

Mr. Speaker, I rise today to discuss a very important topic facing our nation—Nuclear Waste and the impact our Federal Policy on this issue will have on our energy needs and our Federal Debt.

I support nuclear power as a major source of electricity for our nation, which currently accounts for twenty percent of our electricity supply.

In Kentucky, we do not have any nuclear power although some of my District receives electricity from the Tennessee Valley Authority, which does have nuclear power plants. Of course, Kentucky is not uninvolved with nuclear power because in Paducah, Kentucky the gaseous diffusion plant enriches all the uranium for reactors around the nation.

Today, we have 109 nuclear power plants in the United States in 39 states across the country. At each one of these sites, nuclear waste is being stored that creates a major environmental security and economic challenge for our nation.

Mr. Speaker, the solution that was being proposed was to build Yucca Mountain as a deep repository to store the waste indefinitely. However, last week President Obama withdrew the license application for a high-level nuclear waste repository at Yucca Mountain with prejudice.

Additionally, the Department of Energy asked the Appropriations Committee for approval to reprogram the money from the project for Fiscal Year 2010, essentially stopping all movement on the project.

I might also add that there was an article in Energy Daily today where the former chairman of the Nuclear Regulatory Commission said the Obama Administration's decision to terminate the Yucca Mountain nuclear waste repository does not appear to be based on "factual findings" and its "unfortunate" handling of the issue will delay resolution of the nation's nuclear waste disposal problems for years.

Some have said that President Obama is pushing forward with Nuclear Power because of the loan guarantee money he has proposed for building nuclear plants.

My question to the President is—What do we do with all the waste currently being stored at the 109 nuclear sites around the nation? This blue label commission the President has created is going to take years to develop a process and a path forward, when we've already spent billions of dollars and many years developing a state of the art facility that could accept waste in the next few years.

Because the government's plan was to take care of the material after the Yucca Mountain facility was completed, the utility companies paid the federal government to care for this waste, but as a result of the government's failure to take the waste, the utilities have recently been filing lawsuits against the government to recoup costs associated with having to store the waste at their own plant sites.

Additionally, two attorney generals—Washington State and North Carolina—have filed lawsuits against the federal government.

A number of court cases have ruled that the Department of Energy is liable for the cost of keeping the waste because of a breach of contract. How much is at stake is anyone's guess, but the industry has put the number as high as \$56 billion.

Nuclear power is essential to our energy portfolio, which at this point in time is very important to Americans. We simply cannot afford to do without nuclear power.

I urge the House of Representatives to tell President Obama to stop playing politics with out nation's energy future and finish Yucca Mountain to ensure that Nuclear Power continues to create jobs and provide electricity.

#### TRIBUTE TO CONGRESSMAN JACK MURTHA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today to pay tribute to a fallen hero, my friend, the late Congressman John Murtha. During the time of his memorial services and the special order hour that was rendered on this floor, my statements were not able to be submitted because I wanted to speak directly on the floor in his honor.

John Murtha was of course a husband, a father, a loved one, a Marine, and a patriot. What we loved most about John Murtha was his love for the United States military, unwavering and always steadfast. He was a family man that loved his family, and a Congressperson that loved his people. Those he represented were so very important in his mind and in his heart.

He came to this floor and to this House tall and recently from battle, having served in the Vietnam war on several occasions, knowing what it is to have been shot at and to be in battle on behalf of your Nation. That true lesson gave him a cause for life, and the cause for life was to be able to fight for the men and women of the United States military.

But he did not stop there. As the chairman of the Subcommittee on Defense on the Appropriations Committee, he fought for the families of the United States military, the wives and husbands and the children. He fought for a better quality of life in health care and housing. He fought for better standards, if you will. And yes, he recognized the importance of leave time, R & R coming out of battle. And there was no greater champion during the midst of the Iraq war, the most recent war, who fought to give relief to the soldiers on the battlefield who were doing tours of duty one after another.

He was a man of courage. He didn't step away from a fight. But he also was a friend. And if he gave you his word, he would fight on behalf of your constituents as he would fight on behalf of his. In fact, Mr. Speaker, he was an American's American, all-American. And if it had something to do with bettering the lives of Americans, you can be assured John Murtha was there.

He took a very tough stand just a few years ago. The eyes of those who knew him as a champion of the military fighting for their cause, standing alongside of them, wondered what happened when he stood up with his eloquent voice, steady voice, and spoke about the Iraq war, calling for the soldiers to come home. That is courage,

because he had been a supporter of that war. But he saw it crumbling before his eyes.

Oh, yes, there has been an election over the last couple of days, but we always wonder what direction and how we could have handled it differently so that the lives that were laid down did not have to be laid down in a war in Iraq. The champion for the military saw that there was a crack in the system, and he chose to speak eloquently about it.

I miss John Murtha. This body misses John Murtha, Democrats and Republicans. America misses John Murtha. But the one good news about John Murtha's life is that his legacy will live on forever and ever and ever. I thank him for serving, for living. And to his family, God bless you, and may he rest in peace.

Mr. Speaker, I will submit a statement into the RECORD next week that will also speak to the qualities and the honor of John Murtha, the late Congressman from Pennsylvania.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### YUCCA MOUNTAIN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Ms. BERKLEY) is recognized for 5 minutes.

Ms. BERKLEY. I was in the doctor's office a moment ago, and I had the opportunity to be watching C-SPAN and listen to what the gentleman from Kentucky said about Yucca Mountain. I just thought I better come down here and set the record straight, because obviously my esteemed colleague from Kentucky doesn't know the Yucca Mountain issue very well. So with this 5 minutes I would like to help enlighten him and the rest of my colleagues.

The State of Nevada is opposed to storing this Nation's nuclear waste at Yucca Mountain, Nevada. President Obama pulled the plug because, and only because there is no scientific evidence, and there never has been, that Yucca Mountain can safely store thousands and thousands of tons of toxic radioactive nuclear waste within the Yucca Mountain complex. And let me tell you why, Mr. Speaker.

At Yucca Mountain we have discovered there are groundwater issues, seismic activity, volcanic activity. To refresh everybody's memory, the EPA, Environmental Protection Agency, had a radiation standard of 10,000 years, where they wanted to be able to safely store this Nation's nuclear waste, thousands and thousands of tons of radioactive material, for 10,000 years.

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The U.S. Court of Appeals overthrew that radiation standard, and let me

share with you why: Because they determined, based on scientific evidence, that the radiation standard should be 300,000 years because that is when radiation reaches its peak. So the 10,000-year radiation standard was thrown out by the U.S. Court of Appeals, and they could never figure out how to come up with a radiation standard that tracks with the scientific evidence.

There is no way to safely transport radioactive nuclear waste across 43 States in order to be buried in a hole in the Nevada desert where, I remind you, we have groundwater problems, seismic activity, and volcanic activity. There are no canisters that currently exist—they do not exist—that can safely transport and store nuclear waste; not in Yucca Mountain, not anywhere.

We had better figure out as a Nation, before we start building more nuclear power plants that create more nuclear waste, what we are going to do with the by-product of nuclear energy, which is the nuclear waste.

This country has been single focused, and the people of Nevada have said year after year, decade after decade, we are not the answer. We don't want to be this Nation's garbage dump for this Nation's nuclear waste.

We do not produce one nanogram, not one speck of energy using nuclear in the State of Nevada, so why should we be accepting everybody's nuclear waste. If you have a nuclear power plant in your district, in your State, then that is fine. You figure out what you are going to do with the nuclear waste that is produced by creating nuclear energy.

The idea that Nevada should be the repository, and some people call it the suppository, for nuclear waste in this country is an absolute absurdity. We will fight this.

We thank the President of the United States for standing with the people of the State of Nevada. We do not want the nuclear waste. It is dangerous, and we join with everyone else in trying to come up with a solution. But this myth that we are going to have one repository instead of 43 or 33 or however many nuclear power plants we have in this country is preposterous, because these power plants are going to keep creating nuclear waste. So we are not eliminating nuclear dump sites; we are creating an extra one. Can't do it. Shouldn't do it. Won't do it.

I urge my colleagues to join with me and come up with a suitable method of dealing with our nuclear waste. Yucca Mountain just is not that answer, and it never will be.

#### NO GOVERNMENT TAKEOVER OF HEALTH CARE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Ms. FOXX) is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, Republicans have been talking for over 3 years about the problem of the debt and def-

icit facing our Nation. We, as well as average Americans, have realized that these problems are a threat to our existence as the greatest and freest Nation on Earth. But what the Democrats are proposing to do in passing a health care bill that Americans do not want is an even more immediate threat to the future of this Nation. Let me explain just a little bit about that.

What the Democrats are proposing to do is a government takeover of health care that the American people do not want. Because they have a political problem, because there is no support for this bill among Americans, they are going to use a procedural mechanism to avoid an up-or-down vote on the bill that the Senate passed on Christmas Eve. They are going to create a reconciliation bill that meets the Senate test for reconciliation. As the majority leader said out here a few minutes ago, we are not the Senate. We don't have reconciliation rules. He kept making that point over and over again. But they are going to create a mechanism to pass a bill in the House to match reconciliation rules over in the Senate.

What they want to do is to develop mechanics to hide a vote on the Senate bill and create a scheme to pass a bill in the House that will then pass muster in the Senate. It is a cram-down; and despite what the majority leader keeps saying about the fact that we have seen the bill, we know what is in the bill, we have not. Bills have to be developed in bill language, and we have to see specifically what it is we are going to vote on.

The President has never presented a bill to the American people. What the President did present about 3 weeks ago was an 11-page proposal. That is exactly what it is called on the President's Web site: The President's proposal, February 22, 2010. It is really 10 pages with one line on page 11. It has general language. It makes insurance more affordable. It sets up competitive health insurance markets, ends discrimination against Americans with preexisting conditions, and it says that it bridges the gap between the House and Senate bills and includes new provisions to crack down on waste, fraud, and abuse. This is not legislative language. We cannot vote on something like this.

In addition, one of my colleagues just pointed out to me that there is a 19-page summary of the 11-page proposal on the White House Web site. You know, if you haven't read "1984," I ask you, read it. If it has been a long time since you've read it, read it again.

Now let me give you an example of specific legislative language. This is a page out of the Senate bill that passed. I don't know the section before, but this starts out with (1). It is page 35.

"(1) Requirement to provide value for premium payments. A health insurance issuer offering group or individual health insurance coverage shall, with respect to each plan year, provide an annual rebate to each enrollee under