

“(C) If the Secretary determines under subparagraph (B) that either insufficient or excess revenues are being collected, the Secretary shall, at the time of the determination, transmit to Congress a proposal to adjust the amount in subparagraph (A)(i) to ensure full cost recovery. The amount in subparagraph (A)(i) shall be adjusted, by operation of law, immediately upon enactment of a joint resolution of approval under paragraph (5) of this subsection.

“(D) The Secretary shall, by rule, establish procedures necessary to implement this paragraph.

“(4) ONE-TIME FEE.—For spent nuclear fuel or solidified high-level radioactive waste derived from spent nuclear fuel, which fuel was used to generate electricity in a civilian nuclear power reactor prior to January 7, 1983, the fee shall be in an amount equivalent to an average charge of 1.0 mill per kilowatt-hour for electricity generated by such spent nuclear fuel, or such solidified high-level waste derived therefrom. Payment of such one-time fee prior to the date of enactment of the Nuclear Waste Policy Act of 1997 shall satisfy the obligation imposed under this paragraph. Any one-time fee paid and collected subsequent to the date of enactment of the Nuclear Waste Policy Act of 1997 pursuant to the contracts, including any interest due pursuant to the contracts, shall be paid to the Nuclear Waste Fund no later than September 30, 2001. The Commission shall suspend the license of any licensee who fails or refuses to pay the full amount of the fees assessed under this subsection, on or before the date on which such fees are due, and the license shall remain suspended until the full amount of the fees assessed under this subsection is paid. The person paying the fee under this paragraph to the Secretary shall have no further financial obligation to the Federal Government for the long-term storage and permanent disposal of spent fuel or high-level radioactive waste derived from spent nuclear fuel used to generate electricity in a civilian power reactor prior to January 7, 1983.

“(4) EXPENDITURES IF SHORTFALL.—If, during any fiscal year on or after October 1, 1997, the aggregate amount of fees assessed under this subsection is less than the annual level of appropriations for expenditures on those activities specified in subsection (d) for that fiscal year, minus the percentage of such appropriations required to be funded by the Federal Government pursuant to section 403, the Secretary may make expenditures from the Nuclear Waste Fund up to the level equal to the difference between the amount appropriated and the amount of fees assessed under this subsection.

DOMENICI AMENDMENT NO. 40

Mr. DOMENICI proposed an amendment to amendment No. 26 proposed by Mr. MURKOWSKI to the bill, S. 104, supra; as follows:

In the pending amendment, beginning on page 49 line 11 strike all through page 53 line 11 and insert the following:

“(2) NUCLEAR WASTE OFFSETTING COLLECTION.—

“(A) For electricity generated by civilian nuclear power reactors and sold during an offsetting collection period, the Secretary shall collect an aggregate amount of fees under this paragraph equal to the annual level of appropriations for expenditures on those activities consistent with subsection (d) for each fiscal year in the offsetting collection period, minus the percentage of such appropriation required to be funded by the Federal government pursuant to section 403.

“(B) The Secretary shall determine the level of the annual fee for each civilian nu-

clear power reactor based on the amount of electricity generated and sold.

“(C) For purposes of this paragraph, the term ‘offsetting collection period’ means—

“(i) the period beginning on October 1, 1998 and ending on September 30, 2001; and

“(ii) the period on and after October 1, 2006.

“(3) NUCLEAR WASTE MANDATORY FEE.—

“(A) Except as provided in subparagraph (C) of this paragraph, for electricity generated by civilian nuclear power reactors and sold on or after January 7, 1983, the fee paid to the Secretary under this paragraph shall be equal to—

“(i) 1.0 mill per kilowatt-hour generated sold, minus

“(ii) the amount per kilowatt-hour generated and sold paid under paragraph (2);

“Provided, that if the amount under clause (ii) is greater than the amount under clause (i) the fee under this paragraph shall be equal to zero.

“(B) No later than 30 days after the beginning of each fiscal year, the Secretary shall determine whether insufficient or excess revenues are being collected under this subsection, in order to recover the costs incurred by the Federal government that are specified in subsection (c)(2). In making this determination the Secretary shall—

“(i) rely on the ‘Analysis of the Total System Life Cost of the Civilian Radioactive Waste Management Program,’ dated September 1995, or on a total system life-cycle cost analysis published by the Secretary (after notice and opportunity for public comment) after the date of enactment of the Nuclear Waste Policy Act of 1997, in making any estimate of the costs to be incurred by the government under subsection (c)(2);

“(ii) rely on projections from the Energy Information Administration, consistent with the projections contained in the reference case in the most recent ‘Annual Energy Outlook’ published by such Administration, in making any estimate of future nuclear power generation; and

“(iii) take into account projected balances in, and expenditures from, the Nuclear Waste Fund.

“(C) If the Secretary determines under subparagraph (B) that either insufficient or excess revenues are being collected, the Secretary shall, at the time of the determination, transmit to Congress a proposal to adjust the amount in subparagraph (A)(i) to ensure full cost recovery. The amount in subparagraph (A)(i) shall be adjusted, by operation of law, immediately upon enactment of a joint resolution of approval under paragraph (5) of this subsection.

“(D) The Secretary shall, by rule, establish procedures necessary to implement this paragraph.

“(4) ONE-TIME FEE.—For spent nuclear fuel or solidified high-level radioactive waste derived from spent nuclear fuel, which fuel was used to generate electricity in a civilian nuclear power reactor prior to January 7, 1983, the fee shall be in an amount equivalent to an average charge of 1.0 mill per kilowatt-hour for electricity generated by such spent nuclear fuel, or such solidified high-level waste derived therefrom. Payment of such one-time fee prior to the date of enactment of the Nuclear Waste Policy Act of 1997 shall satisfy the obligation imposed under this paragraph. Any one-time fee paid and collected subsequent to the date of the Nuclear Waste Policy Act of 1997 pursuant to the contracts, including any interest due pursuant to the contracts, shall be paid to the Nuclear Waste Fund no later than September 30, 2001. The Commission shall suspend the license of any licensee who fails or refuses to pay the full amount of the fees assessed under this subsection, on or before the date on which

such fees are due, and the license shall remain suspended until the full amount of the fees assessed under this subsection is paid. The person paying the fee under this paragraph to the Secretary shall have no further financial obligation to the Federal Government for the long-term storage and permanent disposal of spent fuel or high-level radioactive waste derived from spent nuclear fuel used to generate electricity in a civilian power reactor prior to January 7, 1983.

“(4) EXPENDITURES IF SHORTFALL.—If, during fiscal year on or after October 1, 1997, the aggregate amount of fees assessed under this subsection is less than the annual level of appropriations for expenditures on those activities specified in subsection (d) for that fiscal year, minus—the percentage of such appropriations required to be funded by the Federal Government pursuant to section 403—the Secretary may make expenditures from the Nuclear Waste Fund up to the level equal to the difference between the amount appropriated and the amount of fees assessed under this subsection.

BINGAMAN AMENDMENT NO. 41

Mr. BINGAMAN proposed an amendment to amendment No. 26 proposed by Mr. MURKOWSKI to the bill, S. 104, supra; as follows:

On page 28, strike the second sentence of section 204(c)(2).

DOMENICI AMENDMENT NO. 42

Mr. LOTT (for Mr. DOMENICI) proposed an amendment to amendment No. 26 proposed by Mr. MURKOWSKI to the bill, S. 104, supra; as follows:

At the appropriate place insert the following:

“Notwithstanding any other provision of this act, no points of order, which require 60 votes in order to adopt a motion to waive such point of order, shall be considered to be waived during the consideration of a joint resolution under section 401 of this Act.”

MURKOWSKI AMENDMENT NO. 43

Mr. LOTT (for Mr. MURKOWSKI) proposed an amendment to amendment No. 26 proposed by Mr. MURKOWSKI to the bill, S. 104, supra; as follows:

In the pending amendment, on page 1, insert at the end the following:

“Notwithstanding any other provision of this act, except as provided in paragraph (3)(c), the level of annual fee for each civilian nuclear power reactor shall not exceed 1.0 mill per kilowatt-hour of electricity generated and sold.”

NOTICE OF HEARING

COMMITTEE ON RULES AND ADMINISTRATION

Mr. WARNER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet in SR-301, Russell Senate Office Building, on Tuesday, April 15, 1997 at 9:30 a.m. to receive testimony from Senator MARY L. LANDRIEU, Louis “Woody” Jenkins, and/or their counsels in connection with petitions filed in connection with a contested U.S. Senate election held in Louisiana in November 1996.

For further information concerning this hearing, please contact Bruce Kasold of the Rules Committee staff.

SUBCOMMITTEE ON EMPLOYMENT AND TRAINING

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that a hearing of the Subcommittee on Employment and Training, Senate Committee on Labor and Human Resources will be held on Tuesday, April 16, 1997, 9:30 a.m., in SD-430 of the Senate Dirksen Building. The subject of the hearing is Innovations in Adult Training. For further information, please call the committee.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. WARNER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet in SR-301, Russell Senate Office Building, on Thursday, April 17, 1997 at 9:30 a.m. to consider the committee's course of action regarding petitions filed in connection with a contested U.S. Senate election held in Louisiana in November 1996.

For further information concerning this hearing, please contact Bruce Kasold of the Rules Committee staff.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be allowed to meet during the session of the Senate on Thursday, April 10, 1997 at 2:30 p.m. in SR-328A to consider the nominations of Lowell Lee Junkins, of Iowa, to be a member of the board of directors of the Federal Agricultural Mortgage Corporation, Vice Edward Charles Williamson; and Velma Ann Jorgensen, of Iowa, to be a member of the Farm Credit Administration Board for the term expiring May 21, 2002, Gary C. Byrne, resigned.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, April 10, 1997, at 10:30 a.m. multi-channel video competition.

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

COMMITTEE ON FINANCE

Mr. MURKOWSKI. Mr. President, the Finance Committee requests unanimous consent to conduct a hearing on Thursday, April 10, 1997, beginning at 10 a.m. in room 215 Dirksen.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 10, 1997, at 10 a.m. to hold a hearing.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, April 10, 1997, at 2 p.m. to hold a hearing.

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

COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. MURKOWSKI. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, April 10, at 10 a.m. for a hearing on IRS and the Taxpayer at Risk.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, April 10, 1997 beginning at 10:30 a.m. to receive testimony from outside counsel concerning petitions filed in connection with a contested U.S. Senate election held in Louisiana in November 1996.

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

COMMITTEE ON SMALL BUSINESS

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Small Business be authorized to meet during the session of the Senate for a hearing on S. 208, the HUBZone Act of 1997 on Thursday, April 10, 1997, which will begin at 9:30 a.m. in room 428A of the Russell Senate Office Building.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, April 10, 1997 at 2 p.m. to hold a closed hearing on intelligence matters.

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

SUBCOMMITTEE ON ACQUISITION AND TECHNOLOGY

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Subcommittee on Acquisition and Technology of the Committee on Armed Services be authorized to meet at 10 a.m. on Thursday, April 10, 1997, in open session, to receive testimony on science and technology research in review of S. 450, the National Defense Authorization Act for Fiscal Years 1998 and 1999.

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

SUBCOMMITTEE ON INTERNATIONAL SECURITY, PROLIFERATION, AND FEDERAL SERVICES

Mr. MURKOWSKI. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Subcommittee on International Security, Proliferation, and Federal Services to meet on Thursday, April 10, at 2 p.m. for a hearing on "Proliferation: Chinese Case Studies".

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

SUBCOMMITTEE ON READINESS

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the subcommittee on Readiness of the Committee on Armed Services be authorized to meet at 9:30 a.m. on Thursday, April 10, 1997 in open session, to receive testimony on Department of Defense Depot Maintenance privatization initiatives in review of S. 450, the National Defense Act for Fiscal Years 1998 and 1999.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology and Space of the Senate Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, April 10, 1997, at 2 p.m. earthquake hazard reduction.

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

ADDITIONAL STATEMENTS

WITHDRAWAL OF COSPONSORSHIP OF S. 525

● Mr. BENNETT. Mr. President, today I withdraw as a cosponsor of S. 525.

I recognize the need to address the challenge represented by millions of uninsured children. In addition, I am in favor of any effort to discourage tobacco use, which is our Nation's No. 1 health problem. For these reasons, I initially agreed to assist Senator HATCH.

However, after a complete review of the actual language of the bill, I find that it moves in the wrong direction. Accordingly, with great regret for any problems this may pose for my colleague and friend, I have taken my name off the bill as a cosponsor.●

NEW MEXICO'S OUTSTANDING WOMEN BUSINESSOWNERS

● Mr. BINGAMAN. Mr. President, I rise to recognize the outstanding achievements of the "Top 25" women-owned businesses in New Mexico that are being honored by Albuquerque Woman magazine. These businesses—small-, medium-, and large-sized—are all contributing to the economic well-being of our State.

It is not easy to start up a new business venture, and it is even more difficult to become a prosperous enterprise. Economic success requires the dedication, hard work and know how that all of the winners of the "Top 25" awards have shown. But successful businesses operated by caring individuals generate more than economic growth, they also build our communities. If you look at the list of the businessowners that I will include later in my statement, you will notice many