

allowed to speak as in morning business.

The PRESIDING OFFICER. The Senator from Minnesota is recognized to speak as in morning business.

Mr. WELLSTONE. I thank the Chair.

#### TEXAS LOW-LEVEL RADIOACTIVE WASTE DISPOSAL COMPACT

Mr. WELLSTONE. Mr. President, I rise to discuss legislation that the Senate may soon consider. The number of this bill is S. 270; it is the Texas low-level radioactive waste disposal compact bill.

As my colleagues know, the Congress is supposed to consent to all interstate compacts, which are contractual arrangements between States. In this case, we are asked to give our consent to the shipment of low-level nuclear waste from Maine and Vermont, and potentially other States, to Texas for disposal. I am opposed to this legislation as it is currently written. I want to make clear today what my intentions are.

Mr. President, we will have further opportunity to debate this legislation in full, and I do not intend to engage the bill's supporters today. I certainly never intend for this to become an acrimonious or bitter debate. But I want to publicly explain my opposition to this legislation and also what I intend to do.

I do not believe that it is the intention of the bill's sponsors, my good friends from Maine and Vermont, to do anything to harm the citizens of Sierra Blanca, TX, through this compact. My friends from New England are attempting to meet the concerns of their constituents. They just want to get rid of this nuclear waste and they want to figure out how to dispose of it. They want to get it out of their own States. I also understand that no one wants to have a nuclear waste dump in their neighborhood.

Now, this compact legislation says little about where the waste should go in Texas, other than that the State of Texas has an obligation to find a site. The State legislature in Texas has decided that there indeed will be a site and it will be in a small town in Hudspeth County, TX. My friends from Maine and Vermont, with whom I agree on many issues, and whom I enjoy working with, have not said that their State's nuclear waste should go to Sierra Blanca. But the effect of this legislation is to create a low-level nuclear waste dump site in a dusty little town in Texas called Sierra Blanca near the border with Mexico, about 60 miles east of El Paso.

Mr. President, I believe that there are many concerns that have been raised about the siting of this dump and the enactment of this legislation, including environmental issues, seismic problems, economic viability, current legal actions, and our relations with Mexico.

But I want to talk about one issue and one issue only, and hold what may

be the first debate we have ever had on the floor of the U.S. Senate that deals with environmental justice, which is a shorthand way of talking about the disproportionate exposure of ethnic minorities and poor people to environmental pollutants. That is to say, all too often, when it comes to where we site these nuclear waste dump sites or where we put an incinerator, we tend to locate them in communities where there is a disproportionate number of people of color or poor people because they don't have the political clout.

Why do I raise the issue of environmental justice on a bill that professes to do no more than grant the Congress' consent to a compact between Maine, Vermont, and Texas for the disposal of nuclear waste? Because it is this bill which will enable Maine and Vermont to indeed ship nuclear waste to Texas—and I understand why they are trying to do it—but also because Texas has made it very clear where it intends to locate the dump site. That dump site, not surprisingly, is located in an area of west Texas that is populated disproportionately by poor Hispanics. This happens over and over and over again in our country. When we want to figure out where we are going to put the nuclear waste, we look to where the poor people live, to where communities of color without the economic clout live, and that is where we put it.

Is the proposed location of the dump in a poor community simply a coincidence, I ask my colleagues? Was it chance that the dry, sparsely populated county in Texas tentatively chosen for the dump site is 66 percent Hispanic with 39 percent of the people living below the poverty level? There certainly were other scientifically acceptable sites for the dump, so why did the Texas Legislature choose this spot, the sixth poorest county in Texas, with a high minority population, a low median household income and a sludge dump?

The answer to these questions is simple. We in this body understand the answer to this question all too well. It was politics. The community living near the site singled out by the Texas Legislature did not have the political clout to keep it out. While all the other candidate sites were able to deflect the dump, Sierra Blanca, in far western Texas, a poor community, a Hispanic community, did not pack the political punch of the communities near the other possible sites.

Another question that has arisen is, why am I, as a Senator from Minnesota, involving myself in the decision of the Texas Legislature to select a particular Texas site for a nuclear waste dump? For this reason, colleagues: It doesn't just happen in Texas, it happens all over this country. Poor and minority communities, unable to protect themselves in the political arena, find the old plumber's maxim is as true as ever: "Waste flows downhill," both figuratively and literally, and if you are at the bottom of

the socioeconomic slope, the pollution lands on you.

That is what this is all about. That is what this cry for environmental justice is all about. I predict that eventually environmental justice will become a huge issue in the Congress. To repeat, it is the old plumber's maxim that "waste flows downhill, both figuratively and literally, and if you are at the bottom of the socioeconomic slope, the pollution lands on you."

I am standing on the floor of the U.S. Senate today to say that enough is enough. Until more of us say enough and we face up to the environmental injustices that we may contribute to in the granting of our consent in legislation such as this, poor and minority communities will continue to suffer disproportionately from environmental degradation in our country. We are in desperate need in the United States of America of a meaningful dialog on environmental justice. I believe Americans understand the need for fairness, and I want Americans to understand that we have to address environmental justice whenever we think about how to deal with problems like waste disposal. All our actions have moral implications, and what we decide on legislation like this can ultimately harm our most vulnerable citizens.

I intend, Mr. President, to have a full debate on environmental justice. I want Members to explain why we should overlook the environmental justice implications of our actions in this instance. I want to talk about how this situation is symptomatic of many situations that we face in our country today. I want the U.S. Senate, as a body, to reflect on the consequences of pollution on poor and minority citizens all across the United States of America. I also intend to offer an amendment which adds one additional condition to Congress' consent to the compact. That condition is essentially that Congress grants its consent as long as the compact is not implemented in a way that it discriminates on the basis of race, color, national origin, or income level. Specifically, it will be designed to allow people who don't have the chance to fight fairly in the political process to make their case in the courts. I want to give poor and minority people, communities of color, a chance to fight this out in the courts.

That is the very point of environmental justice. When the political process fails, environmental justice means trying to level the playing field, sometimes forcing conflict into a more evenhanded forum in this country. In this particular case, that would be the courts. I am sure, Mr. President, that none of our colleagues would argue that it is acceptable to discriminate against people by locating a nuclear waste dump site in their community. That being the case, it is a simple matter to say that if the location of the compact dump discriminates against people on the basis of their race or economic status, Congress will not consent to this compact. That will be the

amendment I will bring to the floor if this compact is brought to the floor. I think this will happen and we will have this debate, and I think it will not be an acrimonious debate, but it will be one of the first debates we have ever had in the Senate on environmental justice or environmental injustice.

I would like to make one point crystal clear. I am not rising in opposition to compacts. My amendment does not pass judgment on the compact this bill attempts to create. Rather, it is designed to give the citizens of Sierra Blanca, a poor Hispanic community, another tool to have their voices heard above a political process that would just as soon ignore them. I hope my colleagues will recognize our obligation to the people of Sierra Blanca and to all our citizens in taking a stand for environmental justice.

Mr. President, I look forward to this debate. I will bring to the floor documents and other information for discussion. I will raise important questions as a Senator. It will be a civil debate, but I feel very strongly about this. What has happened to the people of Sierra Blanca, or what might happen to them, is all too indicative of what happens all too often to those communities that are the poorest communities, communities of color that over and over and over again are asked to carry the disproportionate burden of environmental degradation. It is not fair to these citizens. It is not fair to their children. It is not fair to their families. It is not fair to their communities. I believe this is a fundamentally important question that we have to address as an institution, as the Senate.

Mr. President, I yield the floor. For the moment, I note the absence of a quorum.

The PRESIDING OFFICER (Mr. BROWNBACK). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WELLSTONE. Mr. President, I ask unanimous consent that my remarks be considered a part of morning business.

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

#### A GLOBAL WARMING CHALLENGE

Mr. WELLSTONE. Mr. President, I would like to comment on what is a challenge unique in human history that we face as a nation, and I am talking about global warming. It is unique because we have to make important decisions without a visible crisis staring us in the face.

In the 1970's, we had the long gas lines, we had two oil price shocks, the taking of hostages by a revolutionary mob in Iran, and that spurred our Nation to reduce its reliance on oil. And

in the 1960's and the 1970's we had the dark clouds of particulates and the smog that smothered urban areas which moved us to clean up the air. Today, we are faced with a potentially greater threat, but it is not a visible threat. We are talking about something that is going to happen, something that is going to affect our children and their children, and the question is what are we going to do? It is a challenge for my State of Minnesota. It is a challenge for our country. It is a challenge for the whole human race. It is also a challenge about leadership. I am talking about the problem of global warming, the problem of climate change.

In 1992, for the Earth summit, President Bush made a commitment to return greenhouse gases to 1990 levels by the year 2000, and we have not lived up to that commitment. We have not honored that commitment. I believe the President, in 1993, made a similar commitment that we would reduce our greenhouse gases to the 1990 level by the year 2000.

I believe that the President's announcement today will fall far short of meeting this challenge—but I certainly want to say to the President and to the White House that I appreciate their efforts to try to move this process forward as we move toward a very important international gathering in Kyoto.

For more than a decade, the scientific community has investigated the issue. Initially, its reports called for more research, better modeling techniques, more data. But in December 1995, the Intergovernmental Panel on Climate Change, composed of more than 2,000 scientists from more than 100 countries, concluded that there was a discernible human impact on global climate. In June, more than 2,000 U.S. scientists, including Nobel laureates, signed the Scientists' Statement on Global Disruption, which reads in part that the accumulation of greenhouse gases commits the Earth irreversibly to further global climate change and consequent ecological, economic and social disruption.

Mr. President, I believe as a Senator from Minnesota that we have reached a point where unduly delaying action on reducing greenhouse gas emissions is foolhardy and it is tantamount to betrayal of our future generations. We know what this is going to do. The consequences can be catastrophic for our country and for the world, and I believe that the President and the United States of America have to do better in addressing this challenge.

What has saddened me about this debate is that I believe we should be below 1990 levels certainly before the year 2010. I believe our country should make a commitment to meeting these kind of targets. I think the evidence shows that as opposed to being on the defensive, we should be proactive, and the very bridge the President talks about building to the next century is going to be a bridge that combines a

sustainable environment with sustainable energy with a sustainable economy. I think the country that is the most clean country is going to be the country with an economy powered by clean technologies, industries and businesses. It is going to be a country run with an emphasis on energy efficiency and with a renewable energy policy. It is going to be a country which will generate far more jobs in the renewable energy and clean technology sectors, which are labor intensive, small business intensive and community building sectors.

We have an opportunity as we move into the next millennium to really create a new marriage between our environment and our economy. We are all but strangers and guests on this land, as the Catholic bishops have said. We have to take action now. What the President is calling for is not likely to be enough to address this challenge and the task before us. We can do better as a nation. We can be more respectful of our environment while still growing our economy.

In the Red River Valley, the people of North Dakota and people of Minnesota went through a living hell this past winter and spring. We don't want the floods in the Red River Valley to be 5-year occurrences. And there will be other catastrophic consequences from global warming. For my State it could be agricultural devastation; for my State it could be deforestation and lower lake levels in the Boundary Waters, an area that we love, a crown jewel wilderness area in northern Minnesota.

The more important point, however, is that not only for ourselves but for our children and grandchildren we need to take much stronger action. We have to stand up to some of the powerful forces that are saying no to a meaningful treaty. We have to lay out a proactive, positive agenda which makes it crystal clear that energy efficiency and renewable energy and clean technologies will create many more small businesses and many more jobs for our country. This marriage between our economy and our environment would respect the environment, respect the economy, and would give us an energy policy that is much more productive and positive, while helping us to build and sustain our communities and our country.

I am disappointed in the position the President seems to have taken on targets and timetables for climate change action. I hope as we move forward toward an international treaty, our country will take a stronger negotiating position. We need to be the leaders of the world in meeting what I think is perhaps the most profound environmental challenge which we have ever faced.

Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.