

## Nevada representatives launch final push to slow Yucca Mountain momentum

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WASHINGTON -- A week before the House is expected to approve the Yucca Mountain Project by a wide margin, Nevada lawmakers are mounting a final push to make the vote halfway respectable.

Nevada probably will receive less support than it did two years ago, when 167 out of 435 House members opposed nuclear waste storage in the state, Rep. Shelley Berkley, D-Nev., said Wednesday as she organized Democratic allies to lobby undecided lawmakers and those who don't have strong feelings on the issue.

"That (167) is a benchmark for us, but candidly, I don't think we can get there," Berkley said. While they are gathering votes, Nevadans also are exploring a procedural attack against the House resolution that would override Gov. Kenny Guinn's nuclear waste veto and finalize President Bush's Yucca Mountain site designation.

After consulting parliamentarians, Nevada aides are preparing for a possible challenge on the grounds the resolution amounts to an "unfunded mandate" that could force states to spend millions of dollars on highways and emergency training without federal reimbursement.

In that case, the resolution could violate congressional budget rules.

Rep. Jim Gibbons, R-Nev., raised a similar point when the House debated nuclear waste in 2000. He lost by a single vote, 206-205.

"It's an option we're looking at," Gibbons said Wednesday. "We haven't had a chance to review it thoroughly."

The House is scheduled tentatively to vote Wednesday on shipping 77,000 tons of highly radioactive nuclear waste to Yucca Mountain, 100 miles northwest of Las Vegas.

A big difference in the expected vote count this year is that powerful Michigan Democrat John Dingell supports the Yucca Mountain legislation, Berkley said. Dingell opposed Yucca legislation two years ago, saying that, if anything, it was not pro-nuclear enough.

Also, five of the 18 Republicans who voted with Nevada two years ago have left Congress. And a sixth, Rep. Joe Barton, R-Texas, is a leading supporter of this year's Yucca Mountain bill.

"Anything over 100 (next week) would be very respectable" Berkley said.

This year's bill also is being pushed hard by the White House, the House GOP leadership and the nuclear power industry in hopes of securing a lopsided vote for momentum when the Yucca Mountain issue moves to the Senate later this year.

House Speaker Dennis Hastert, R-Ill., in particular has been energized by the upcoming vote. Despite the bleak outlook in the House, Berkley said it is important to obtain as many votes as possible to improve the state's chances of gaining 51 votes in the Senate.

"In other words, we're the dam holding back the water," she said.

With help from House Minority Whip Nancy Pelosi, D-Calif., Berkley organized her own whip operation this week to lobby undecided Demo- crats.

Pelosi spokesman Brendan Daly said there is no consensus among House Democrats about how to vote on Yucca Mountain.

"We know we're not going to win so we're not whipping it officially," Daly said. "But Congresswoman Pelosi thought (helping Berkley) was the right thing to do because she is very concerned about the transportation of nuclear waste across the country."

In a morning meeting in Berkley's office, Reps. Dennis Kucinich, D-Ohio, Zoe Lofgren, D-Calif., Jan Schakowsky, D-Ill., and Jim Matheson, D-Utah, were given lists of undecided or leaning lawmakers to pressure.

Berkley's office would not disclose how many lawmakers remain undecided. A source said targeted lawmakers include those from Iowa, Utah, Missouri, Maine, Washington, Minnesota, Vermont and Colorado.

Also recruited was Clark County Commission Chairman Dario Herrera, who has contacts among Hispanic members and others.

"They've deputized me," said Herrera, who is seeking a seat in the new 3rd Congressional District. "I'm reaching out to members that have local government experience and members I've established a personal relationship with."