



The Indy Asks: Can Heller, as Reid did, stop Yucca?

By Humberto Sanchez --January 19th, 2018 - 2:00am

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Dean Heller claims he's the only barrier between Nevadans and the revival of Yucca Mountain as a repository for nuclear waste. The question is whether he can be that bulwark during a difficult re-election campaign.

"I am the only person standing between Yucca Mountain happening and not happening. I am the only person that can stop that," he told rural Nevada newspapers in October, according to the Pahrump Valley Times.

For now, he may be right, given that Senate Majority Leader Mitch McConnell has an interest in maintaining the Republican majority and little desire to take an action that could undercut Heller. But after the election, whether the Senate would move on a long-sought plan to store the nation's toxic nuclear waste in Nevada is an open question.

House Republicans, led by John Shimkus of Illinois, are pushing for passage of a bill that would jumpstart the stalled plan to build a nuclear waste storage facility at Yucca Mountain about 90 miles northwest of Las Vegas. The bill was overwhelmingly approved by the House Energy and Commerce Committee in June and is expected to be approved by the full House this year.

The 49-to-4 committee vote came despite members of the Nevada delegation, including Heller, appearing at a hearing in April 2017 to oppose Shimkus' bill.

There is also an appetite for a Yucca solution in the Senate. South Carolina Republican Lindsey Graham said he was excited to hear that the Shimkus bill has momentum in the House. "Count me in for trying to find

a way for getting Yucca Mountain up and running,” Graham said, adding that he was impressed by the bipartisan vote in the House committee and suggested there could be “broad appeal” for the bill in the Senate.

South Carolina is home to the Savannah River Site, part of the nation’s nuclear weapons program, where tons of nuclear waste are currently stored.

The project had been blocked for decades by former Sen. Harry Reid, a powerful lawmaker who ended his career in 2017 as the Senate majority leader. Now the burden falls on Heller who, with roughly a decade in Congress, is the longest-serving member of the delegation.

Heller currently is the only Nevada lawmaker who oversees a congressional panel with some jurisdiction over Yucca. He is chairman of the Senate Finance Committee’s Energy, Natural Resources, and Infrastructure Subcommittee.

Although the subcommittees of the Senate Finance Committee are not known to be as active as other of the chamber’s panel’s, Heller has a unique position, which affords him the opportunity to use the bully pulpit of a subcommittee and make the public case against Yucca Mountain. Such a hearing would be another tool, in addition to speaking on the Senate floor, to lay down the rationale against the facility and rally support for opposition.

But Heller’s re-election strategy to stay out of the spotlight in order not to commit any political errors could hamper his ability to lead on issues like Yucca Mountain and standing up for the state’s legal marijuana industry as the Department of Justice looks to possibly crackdown. Such a low-profile — including steering clear of reporters by entering the Capitol through less-trafficked doors — has been pronounced ahead of his June primary.

Although not frequent, holding hearings at the subcommittee level is also not without precedent. As chairman of the Energy, Natural Resources, and Infrastructure Subcommittee in 2014, Colorado Democrat Michael Bennet held a hearing on the use of natural gas as a transportation fuel.

Heller's office did not respond to an inquiry seeking comment.

Rep. Mark Amodei said that Heller might be wise to avoid a hearing. "That'd be a dangerous play if you have other senators popping off," he said, adding that those other lawmakers could "use it as a way to start papering him up on the issue for campaign-spot purposes."

John Tuman, chair in the Department of Political Science at UNLV, agreed, noting that Heller's calculus likely includes not wanting to antagonize the White House, which supports the building Yucca.

"He's stated his opposition to Yucca, but he may not want to do things too visibly to induce President Trump to get involved," Tuman said, adding, "I would caution how much he could do on a Finance Committee."

"This is going to be a long process and I do think Heller could still credibly claim he is opposing without doing anything in particular at this stage in the process," Tuman said.

The GOP primary could be close. So Heller also must be careful not to alienate the supporters of Yucca, who tend to see it as a path to economic revitalization of the surrounding rural communities. "There are some pockets of support, although the number of votes are not very great. But in a competitive race, you might want to be careful there," Tuman noted.

Norman Ornstein, resident scholar at the American Enterprise Institute, concurs that Heller is in a tough spot. But he believes that in exchange for the short-term gain of limiting his exposure to controversial issues, Heller undermines his ability to lay the groundwork for longer-term wins, which could ultimately undercut Nevada's interest in the long-run.

Heller's "between a rock and a hard place in many ways," Ornstein said. "If you try to avoid controversy, that means you avoid anything that can help your state. Maybe in the short-run, it means you don't get headlines or as many people coming up to you when you go back home to scream at you, but it does nothing to give people the sense that you're the kind of effective senator that they'd want to return to office."

Ornstein said a comparison could be drawn to the campaign of former North Carolina Democrat Kay Hagan who also took a media-cautious approach and lost her reelection bid in 2014.

“We know what happened to her,” Ornstein said.