

minutes without the time being charged to the bill.

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

#### BOSNIA

Mr. CAMPBELL. Mr. President, I come to the floor of the Senate this evening to address an issue which is of great concern to this Nation and to many of my colleagues—and that is Bosnia. This past Monday, the President took his proposal to the American people and he appears to have listened to the majority of Americans by coming forward and stating his case for the United States' involvement in Bosnia.

Although the President was wise to come to the American people, I like many of my colleagues, cannot support the President's decision to send troops because I do not know that he has fully explained what "American values" are at stake in Bosnia.

In my home State of Colorado, I have five offices. Without exception, the phones have been ringing and my constituents have been voicing their concerns, their fears, their anger, and their opposition to the President's proposal. Today they see no threat to our national security or to our way of life, although they do have great empathy for the people in Bosnia.

Bosnia has proven to be a quagmire time and time again. I, like many of my colleagues, do not want to see our troops placed in harm's way in this region. We surely do not want to repeat the problems that we had in either Vietnam or Somalia.

I believe the new-found peace in Bosnia is untenable and cannot be guaranteed. I believe there are 120,000 Serbs over there who basically said the same thing.

It is foolish for us to believe that there will not be mission changes during our proposed 12-month involvement in the region. The environment in Bosnia will continue to change as time goes on, and we cannot predict what will be asked of us during the next 12 months. What starts out to be a peace-keeping mission will certainly become a nation-rebuilding mission at the expense of the American taxpayers.

I do not believe the President fully appreciates the fact that you cannot, under the best of circumstances, give a definitive end date for involvement in that military mission.

By nature, military missions are unpredictable. We have no way to determine how long it will take before peace is freestanding in the region. In 12 months, the Bosnian peace may be at a pivotal stage so that we cannot pull out, we cannot bring our troops home, and that is what I fear the most.

That region has a history of internal struggles. The country is torn and has always been torn by deeply held religious beliefs, and we cannot socially engineer a peace. Peace will never come easily to this region, and there are still those today who oppose the agreement.

I am most concerned that the United States will be making up 30 percent of the NATO force in addition to all of the air support and the logistics of the mission. This is far more than any of the other 15 NATO members. As a result, we will also be contributing a large part of the funds for this mission. In this time of fiscal restraint of asking everyone to do more with less, I cannot understand how the President can ask us to ante up for this commitment, continue to insist on increased levels of domestic spending, and still work to balance the budget in 7 years as he has indicated he would.

I support our treaty obligations to NATO. However, in this instance I feel our obligations simply do not outweigh our concerns for our American youngsters that we have to send into harm's way.

We all support the efforts to end the atrocities and suffering. However, I do not believe that we have any vital national security interests in that region, as we did in the Gulf war. I also believe that we have a humanitarian interest in the region, but I do not think the American people solely support the humanitarian rationale as justification for sending our ground troops into Bosnia. Certainly Coloradans do not.

Above all, we cannot afford to forget the reality of the situation we are sending our troops into: A newly founded and untenable peace. In that environment, there will undoubtedly be continued hostilities. I am absolutely convinced that we will have American dead by Christmas, if not by hidden enemy, certainly from one of the 6 million buried mines that still exist.

The parents and families of these Americans we are asking to go to Bosnia are those the Congress and the President must answer to. I believe that we should be most thoughtful before this administration puts us in a position where we might have American youngsters dead by Christmas.

With that, I yield the floor, Mr. President.

#### SAFE DRINKING WATER ACT AMENDMENTS OF 1995

The Senate continued with the consideration of the bill.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. I ask unanimous consent that following the use or yielding back of the time on the Boxer amendment, the amendment be laid aside and there be 10 minutes equally divided between the two managers to offer a series of cleared amendments, and following the disposition of those amendments and the expiration of time, the Senate proceed to vote on or in relation to the Boxer amendment, to be followed immediately by third reading and final passage of S. 1316, as amended, all without any intervening action or debate.

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

Mrs. BOXER. Reserving the right to object, and I shall not, I just want to make sure, since there will be intervening discussion between the explanation of my amendment and the vote, I ask that we could have a minute on each side just before the vote to restate it.

Mr. CHAFEE. I say this to the distinguished Senator. If we are going to vote and people know we are going to go to final passage right after this, frankly, if we have nothing to do, no cleared amendments, I see no reason that there even would be 10 minutes. So let us see how it works out. I will say this to the Senator. If there is a long intervening time, I will make sure she gets a minute to explain her amendment.

Mrs. BOXER. That is all I need. I will certainly trust my chairman, whom I respect very much, as I respect the ranking member and subcommittee chair. And if the Senators want, I can send up the amendment and we can start the clock running on the 15 minutes per side.

Mr. CHAFEE. All ready to go. I thank the Senator.

AMENDMENT NO. 3078

Mrs. BOXER. Mr. President, under the previous order, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. BOXER] proposes an amendment numbered 3078.

Mrs. BOXER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

Section 20, Page 140, line 11—add at the end the following new subparagraph:

(F) CONSUMER CONFIDENCE REPORTS.—

(i) IN GENERAL.—The Administrator shall issue regulations within three years of enactment of the Safe Drinking Water Act Amendments of 1995 to require each community water system to issue a consumer confidence report at least once annually to its water consumers on the level of contaminants in the drinking water purveyed by that system which pose a potential risk to human health. The report shall include, but not be limited to: information on source, content, and quality of water purveyed; a plainly worded explanation of the health implications of contaminants relative to national primary drinking water regulations or health advisories; information on compliance with national primary drinking water regulations; and information on priority unregulated contaminants to the extent that testing methods and health effects information are available (including levels of cryptosporidium and radon where States determine that they may be found).

(ii) COVERAGE.—Subsection (i) shall not apply to community water systems serving fewer than 10,000 persons or other systems as determined by the Governor, provided that such systems inform their customers that they will not be complying with Subsection (i). The State may by rule establish alternative requirements with respect to the form and content of consumer confidence reports.

Mrs. BOXER. Mr. President, we have a very good bill before us. I for one am just delighted to see it come here. It has been very bipartisan. I commend the chairman, the ranking member, Senator KEMPTHORNE, and Senator REID, all of whom have worked so hard on this bill. I am particularly pleased, being a member of the Environment and Public Works Committee, that my biggest priority was taken care of in this bill, which involved assurance that our drinking water will protect the most vulnerable populations.

I had an amendment that did carry on this bill the last time it came before the body, and basically it makes sure that children, infants, pregnant women, and the chronically ill are not overlooked when we set standards. We know that more than 100 people who died as a result of drinking water in Milwaukee last year were from vulnerable groups such as children, the elderly, transplant patients, and AIDS patients. About 400,000 people in Milwaukee got sick as a result of contaminated drinking water. We hear very large numbers coming out of CDC, The Centers for Disease Control. One report that says 900 people die from contaminated tap water every year.

So, Mr. President, this is an important bill, and I am proud that we are here at this moment. I would also like to thank Senators CHAFEE and BAUCUS for agreeing to my amendment to authorize the Southwest Center for Environmental Research and Policy. It is very important. It is a consortium of American and Mexican universities that work to address environmental problems along the United States-Mexico border, including but not limited to air quality, water quality, and hazardous materials, and it is important to a lot of our States. San Diego State University is involved in it, New Mexico State University, University of Utah, University of Texas, Arizona State University as well. So that is my praise for this bill.

Mr. President, I think we need to do more. I think we should do more. I am very proud that the Democratic leader, Senator DASCHLE, has joined me in offering this community right-to-know amendment. It is supported by over 60 environmental groups and the Environmental Protection Agency, and I will at the end of my remarks ask that the EPA's letter be included in the RECORD so everyone can see it.

The American Public Health Association, League of Conservation Voters, Consumer Federation of America, League of Women Voters, Physicians for Social Responsibility, the Natural Resources Defense Council, the Sierra Club, the American Baptist Church, the United Methodist Board of Churches Society all support the Boxer-Daschle amendment.

Frankly, I am at a loss to understand why we do not just make this happen. I have great respect for my leaders on the committee. Perhaps they have negotiated a compromise they feel they

do not want to disturb. But I cannot back off in terms of presenting it because I feel strongly about it. I believe the community has a right to know what is in the drinking water.

Mr. President, 89 percent of the American people are asking for this. They want more information about the quality of their drinking water.

It would ensure that consumers are informed about the levels of contaminants found in their drinking water once a year through the mail in an easy-to-understand explanation of what is in their water and what the health risks are, if any.

Mr. President, I ask that you let me know when I have used up 10 minutes of my 15 minutes of time.

The PRESIDING OFFICER. The Chair informs the Senator that the times were divided 20 minutes per side, not 15 minutes.

Does the Senator wish to be informed at 10 minutes remaining?

Mr. BAUCUS addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana.

Mr. BAUCUS. Mr. President, I know, although the earlier agreement was 20 minutes on a side formally, we have agreed to 15 minutes. It may be presumptuous of me, but I ask unanimous consent that the earlier unanimous-consent agreement be modified so it is 15 minutes per side.

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

Mrs. BOXER. Mr. President, I ask that the Chair inform me when I have used 10 minutes.

What is very important about this community right-to-know amendment is that we exempt small water systems that serve 10,000 persons or less. So we are mindful of not putting a burden on the small systems. We also allow the Governor to opt out as long as he explains why.

This is a national bill. Safe drinking water is a national priority; otherwise, we would not be here. So the argument that we should not tell the Governors what to do just does not fly. We are telling water systems what to do, we are setting safety levels, and all this does is say, "Let's also let the consumers know."

My amendment requires EPA to issue regulations within 3 years that would govern the implementation of this. The reason is, we want it to be very simple. The objective of the Boxer-Daschle amendment is not to inflict consumers with a complex table of chemicals they never heard of, nor to scare consumers about the quality of their water, but to let them know what they need to know.

Let me be specific. I have a new grandchild, and that grandchild is the most precious thing to me and to his family. When that grandchild visits Washington, DC, I am not sure if I should mix that formula with the tap water, because there has been an advisory of late to be careful.

I think it is important for people to know if they should, in fact, mix that

formula with tap water. They should know, if they are concerned about an elderly person, whether the water is safe. I heard colleagues say, "Oh, it is too much information for people; too much. We don't want to load them down with pages of information."

Here is one report, a terrific one that comes out of Ohio where they show people what causes cloudy water, what causes rusty water. In other words, when you send out these things, it is an opportunity to put people's minds at ease. It is not just a question of frightening them. Is there lead in my drinking water? And then they show where the various plants are located, where the water comes from and the various chemicals that are in the water.

So if someone does have someone living with them who is part of a vulnerable population—be it an infant, be it a child under 6, be it a grandma, a grandpa who has some problem, be it a cancer victim, be it an AIDS victim—we would have an opportunity to know if, in fact, that water could harm them.

We have over 60 public interest, environmental, and public health groups supporting us, and I gave you just a few of those, and we will put the rest into the RECORD.

But I do believe that the Boxer-Daschle amendment will also benefit water suppliers because it will increase consumer awareness of how their local water system performs and what challenges that system faces as it tries to maintain water quality.

We have a water board in our home county, and they come to us once in a while and say, "You know, we have to increase your water rates."

"Why?"

If I know it is to make that water safer, if it is to make sure contaminants are taken out of the water, that is a plus for that water district, and there will be more support.

Currently, consumers are required to be notified only if a water supplier violates an enforceable standard. Consumers do not have to be told if their tap water contains common contaminants which are not regulated, such as cryptosporidium and radioactive radon. We know cryptosporidium kills people. We do not happen to have a standard established for cryptosporidium. Does that mean we should not let people know if it is in their water supply?

I certainly hope people will support this amendment because then consumers will know if cryptosporidium is in their water supply, at what level, and whether it is dangerous. And if they have a little child in the home or someone from a vulnerable population, they can act accordingly.

In the case of arsenic, an EPA-regulated contaminant, the current standard is being revised by the EPA because it is a weak standard that was set in 1942 before we knew that arsenic caused cancer. In the bill we are considering, the EPA will not have to issue a revised standard until the year 2001 and no enforceable standard until

2004. I believe consumers have a right to know whether or not the water they drink contains arsenic at levels that could be a potential risk to their health.

Why not let consumers know? Why treat people like they do not deserve to know or they will misuse the information? We are all adults. We deserve to know. We are paying money for that water. We ought to know what it contains.

Under current law, not even a crisis, an outbreak such as the 1993 Milwaukee cryptosporidium outbreak which killed over 100 people, not even a crisis forces water systems to warn consumers about the presence of dangerous levels of unregulated contaminants.

The PRESIDING OFFICER (Ms. SNOWE). The Senator from California has 5 minutes.

Mrs. BOXER. Thank you, Madam President. I am going to withhold because I know my colleagues are going to make some terrific arguments against me, and I want to be ready to combat them, so I retain my time.

Mr. KEMPTHORNE addressed the Chair.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Madam President, I, unfortunately, must oppose this amendment, although I do appreciate the efforts of the Senator from California to work with the concerns that I had expressed on this. I truly do appreciate that.

I do not oppose this amendment because I believe that consumers should not have access to information about the safety of the tap water that they drink. Our bill already requires drinking water systems to give information to consumers of any health threats presented by drinking water and of any violations. These provisions ensure that consumers have access to information that they need to protect themselves, if that is necessary.

Let me just state for you, Madam President, what the bill specifically provides.

First, each water system is required to notify their customers within 24 hours of any violation of a drinking water standard that results in an immediate health concern.

Second, for all other violations of Federal drinking water standards and requirements, public water systems are required to notify their customers of those violations as soon as possible but within 1 year of the violation.

Third, and finally, the State and EPA are required to publish an annual report disclosing all violations by drinking water systems in the State. That report also must be made available to the public.

As has been pointed out, the State of California has in its system already a program very similar to what the Senator from California has discussed. Therefore, there is nothing to preclude a State from doing exactly what the Senator from California is saying she

feels should be done, but it ought to be left to the prerogative of the States.

California has chosen to do so. There may be other States that will choose to do so, but why in the world should we have the Federal Government say that you must do this? We spent quite a bit of time earlier today talking about unfunded Federal mandates. We took S. 1316 and gave it to the Congressional Budget Office and said, "Please review this and score this and determine if, in any way, we are providing any new unfunded Federal mandates." Their letter came back and said, "No, you are not."

But with regard to this particular amendment, the Senator from California also sent to the Congressional Budget Office a question as to how much would it cost. The Congressional Budget Office came back and said the requirement nationwide would be between \$1.5 to \$10 million annually. That is an unfunded Federal mandate, and the \$1.5 to \$10 million annually could be used in tremendous opportunities by some of the small systems to achieve the standards that are necessary for the public health that we are trying to improve.

So for those reasons, Madam President, I respectfully have to oppose this amendment. I yield the floor.

Mr. CHAFEE addressed the Chair.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. CHAFEE. Madam President, I am always very, very reluctant to oppose any amendment by the distinguished Californian who is a member of our Environment and Public Works Committee, a very able member of that committee and contributes a great deal. So it is with some trepidation that I rise to differ with her views on this particular amendment.

It seems to me that this is not a necessary amendment, and, frankly, I do not think we should be adopting amendments that do not seem to have a necessity to them.

Now, as has been pointed out, in the legislation we have submitted, S. 1316, if one looks at the report of the committee on page 136, it starts setting forth there what are the requirements that we have regarding notice. And indeed, on page 137, under (D)(1), "Regulations issued under subparagraph (a) shall specify notification procedures for violations, other than the violations covered by subparagraph (c), and the procedures specify that a public water system shall provide written notice to each person served by the system by notice in the first bill prepared after the date of occurrence."

In other words, if there is a violation of the law, then it is required that notice be given. I think that is adequate. Madam President, as the distinguished chairman of the subcommittee, Senator KEMPTHORNE, just pointed out, there is a system for not only this notification, but if we want a more broad notification, then go ahead and do it. The States can pass such a law.

Indeed, let me just demonstrate here, if I might, a two-sided piece of paper

which is, I suppose, something like 14 inches long, issued by the State of Maryland, pursuant to Maryland law, by the Patuxent and Potomac Water Filtration Plants. It is just unintelligible. I think this is what everybody is going to receive. Let me give an illustration. It says down here, "1-1, dichloroethane; 1-3, dichloropropane." That goes on to say that it deals with a number of micrograms per liter. It is not detected, it says, in Patuxent and in Potomac. Again, "maximum monthly averages not detected." And it goes on to say that there is no limit established up or down by EPA on this.

In other words, apparently, the Maryland law is that there must be close to 80 substances or potential contaminants that have to be notified. Anybody that receives this—99.9 percent of the people that receive it must say, "What is this?" and dispose of it in the wastebasket.

It seems to me that it is really an unnecessary expenditure. So, Madam President, I reluctantly oppose the amendment by the Senator from California on the basis that if some State wants it, go ahead and do it. That is their business. If they do not want to do it, then we have some protective provisions in the current law, as I have previously pointed out.

Mr. BAUCUS. Madam President, how much time is remaining on each side?

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

Mr. BAUCUS. Madam President, I will take 4 minutes. All of us greatly admire the Senator from California. I do not know any Senator, frankly, who is a stronger advocate for environmental protection than the Senator from California. She is very persistent and perceptive in her efforts to protect the environment. She has already said—and I think most Senators agree—that the bill before us is a very good safe drinking water bill. It sets very good—more than good, excellent standards—that apply to States around the country as they direct their systems to comply with certain standards and contaminant levels and so forth.

The amendment the Senator from California offers, I think, goes too far. Essentially, it says that what California is doing, issuing reports to each consumer with respect to a whole lot of information, now must apply to all States; that is, the Federal Government must adopt the same requirement. It is regulatory overkill.

Let me very briefly indicate some of the specifics that this amendment would require systems to provide to consumers. It would require reporting the source—I do not know whether this means groundwater, rivers, or whatever. It requires reporting on content, that could be most anything. The quality of the water requirement is vague. A multiworded explanation of the health implications of contaminants relative to national primary drinking water regulations is required. Even though the State and the system may

be meeting all the standards, still consumers have to be notified as to the health implications of those contaminants—even though regulated. I am just touching the tip of the iceberg listing the requirements that must be given to consumers. The long and short of it is, if California or any State wants to, according to its own law, require a whole host of information about what the water contains, even though the system is meeting all the standards required by law, then let that State make that decision.

One reason we are here today writing this bill and making amendments to the Safe Drinking Water Act is because, under the 1986 amendments to the act, we unfortunately required systems, States, and the EPA to do way too much, to dilute its resources pursuing a lot of different efforts, instead of concentrating on the most egregious contaminants and problems and focusing priorities on the problems a system should meet to make sure the water is as pure as can be for the consumers.

If systems do what this amendment proposes, it would further dilute and distract resources. Systems would have to spend a lot of time trying to figure out what all this is, even though they are doing what is required of them and meeting the law.

I urge Senators to look and see what is in this amendment. I think they will realize that we should not be requiring all States to do something that one State may want to do. If a State chooses to do so, fine. This does not limit States from taking these actions. I do not think we should require all this additional information which, as the Senator from Rhode Island pointed out, is not going to be read. I know the interest groups will do a good job of filing lawsuits and doing whatever they want to do if a State system is not meeting standards. They should. I take my hat off to them. But we should not go overboard with a lot of red tape and bombard people with information they are not even going to read.

Mr. LAUTENBERG. Madam President, as the author the community right-to-know law that requires notification of the public of releases of toxics into the environment, I rise in support of the amendment of the Senator from California, Senator BOXER.

This amendment requires local water providers to notify their customers at least annually of the quality of their drinking water so they can properly monitor the water for possible health effects.

Madam President, shining the light on the behavior of corporations and governments has repeatedly led to significant environmental advances. When accidents, or discharges, or violations must be reported to the customers, quality improves. This has been proven dramatically in the case of the community right-to-know legislation.

The right-to-know law does not require a company to lower its use or emissions of any chemical one ounce.

The right-to-know law was intended to notify neighbors about chemicals that were being discharged. Companies did not like the bad publicity.

In addition, the law brought to the attention of corporate executives the fact that expensive chemicals were leaving their facilities as waste, not product. In response to these reports, companies voluntarily instituted pollution prevention measures that have lowered toxic releases tremendously. Emissions from facilities have decreased 42 percent nationwide since 1989; a reduction of two billion pounds.

Virtually none of those reductions were required by federal law; they were voluntarily done by companies who found a better way to do business, encouraged by this law.

Senator BOXER's amendment is likely to have similar, positive effects. It will mean cleaner drinking water for consumers. It also will give individual Americans complete information about the quality and safety of their drinking water. This will allow consumers to decide for themselves whether they want to buy bottled water, or take other steps to protect themselves from unhealthy drinking water.

I urge support for this amendment.

Mrs. BOXER. I thank the Senator from New Jersey; he is the author of the community right-to-know law that requires notification to the public of releases of toxics in the environment. He strongly backs this amendment. He says, "This will allow consumers to decide for themselves whether they want to buy bottled water, or take other steps to protect themselves." This is life and death, Madam President.

Madam President, has all time expired on the other side?

The PRESIDING OFFICER. There is 3 minutes 30 seconds remaining.

Mrs. BOXER. I would appreciate it if they will take their time so I can finish the debate. It is my amendment.

Mr. BAUCUS. Madam President, how much time remains on each side?

The PRESIDING OFFICER. The Senator from California has 5 minutes. The Senator from Rhode Island has 3 minutes 30 seconds.

Mrs. BOXER. I will retain 1 minute of my time, and I will speak for 4 minutes. First of all, I think the comments made by my colleagues are terrific, but they are not right.

Madam President, I have to make a number of points here. My colleague from Montana says, oh, what does this mean, and he holds up this amendment. This has been in operation in California for 6 years. Nobody ever asks what does it mean. Everyone thinks it is terrific, and everybody understands what it means.

In addition, we worked with the EPA because they had constructive suggestions. They worked with us on every word of this amendment.

My friend from Idaho makes a point that I would like to address. He says, "My God, we go a long way in this bill. You have to be told there is a violation

if your water standard is in violation of the law."

I have to point out to my friend that in 1993 the GAO did a very important report entitled "Consumers Often Not Well-Informed of Potentially Serious Violations in their Water Supply." They concluded that 63 percent of violations were not reported at all. Of these, over half of the violations posed serious long-term health risks such as long-term cancer risk.

Now, that is GAO. That is not some environmental organization. That is an investigative arm of the Congress. The fact is, these violations more than half the time are not reported. I do not want to wait for there to be an outbreak of cryptosporidium and people die and then we notify them, "Boil your water."

I think people have a right to know on a regular basis what is in their water. I do not think it is in any way encroaching.

We are so clear: Systems that serve 10,000 persons or less are exempted from this. Governors can opt out by explaining why. And the cost, if you take the maximum cost, is 23 cents per household per year. Madam President, 23 cents per year to know if there is cryptosporidium in your water.

Just talk to someone who lost a loved one from cryptosporidium in the water supply. Would it be worth 23 cents a year? And, by the way, the Governor can opt out. So there is no unfunded mandate if the Governor can opt out.

The American Public Health Association wants to see this amendment become the law of the land. This is not extreme. This is a national safe drinking water act. National standards are set. We should be standing up here for the consumer, for taxpayers, for that water user who pays for that water, to have the information they need to keep their families safe.

The first time there is an outbreak of cryptosporidium, people will rush to this floor and say, "BOXER was right," and so was Senator DASCHLE because he happens to be the lead cosponsor, and Senator LAUTENBERG who spent so much of his career making sure consumers have the right to know if there are toxins in our environment.

I would like to add Senator KOHL as a cosponsor.

Mr. CHAFEE. Madam President, let me just say this to the very able arguments of the Senator from California. They are able arguments.

I suppose that when she makes the point that the Governor can opt out or that it does not apply to those systems of 10,000 or less that it works the other way around.

If this is such a vital amendment and so necessary, why do we have it that a Governor can just opt out of it? Or if it is so important, why do we exclude 87 percent of the water systems in the Nation? Madam President, 87 percent of the water systems in the Nation serve 10,000 or fewer people.

That is not to say that 87 percent of the population is served by that. I am not making that suggestion. But 87 percent of all the water systems in the Nation are small ones. They are exempt from this bill.

Madam President, I say this is a good piece of legislation. One of the things we have done here is to provide money to train the operators of these systems to be better. We have provided for better technical assistance than previously existed. We encourage consolidations.

I think we have done a lot of things to improve the safety of the water that the users drink, in addition to the provisions that I have previously mentioned that deal specifically with notification in case the water is not safe.

I do appreciate the arguments of the distinguished Senator.

The PRESIDING OFFICER. The Senator from Rhode Island has 1 minute and 43 seconds remaining.

Mr. BAUCUS. Madam President, the Senator from California makes a very impassioned statement. It sounds very good.

The facts are, very simply, if California or if any State wants to go far above and beyond what is required by Federal law, I think it makes sense for that State to do so if that State wants to do so. I do not think the Federal Government should make this additional requirement on all States just because California is doing it. If California wants to, fine. But the U.S. Congress should not make a judgment as to whether an additional requirement to each individual consumer, which has no bearing whatever to whether the systems in a State meet standards. If the State wants to, fine. I do not think the Federal Government should make that requirement on all States.

Mr. CHAFEE. We yield back the balance.

Mrs. BOXER. Madam President, I will finish. When anyone does not like an argument, they tell you you are emotional. Let me just say the American Public Health Association is not emotional about this. They just say, "We need to know. We need to know what is in our water supply."

I say to my friend from Rhode Island, the distinguished and able chairman, for whom I have the greatest respect, that 83 percent of the American people will be covered by this Boxer amendment because they are served by the larger water systems.

To those who oppose this amendment, I ask, suppose that your loved one is elderly or ill, has a compromised immune system because of cancer, chemotherapy, a recent transplant, or for other reasons, or there is a little baby in the house that you are mixing that formula with water from the tap, suppose you knew your water supplier knew all along there was a level of cryptosporidium in the water but never told you, because in 63 percent of the cases, the GAO says they do not report violations.

That is not emotion. That is fact. The GAO study found 63 percent of the violations are not reported. I make sure if cryptosporidium is in your water system, you would know whether you live in Maine or California or Montana or Rhode Island or South Carolina.

I hope that people will vote against the motion to table, which I assume is on its way. I yield the floor.

The PRESIDING OFFICER. All time has expired.

Mr. CHAFEE. Madam President, I move to table the amendment of the distinguished Senator from California, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays are ordered.

Mr. CHAFEE. It is my understanding we have 10 minutes equally divided to wrap up amendments or statements before we go to the vote.

#### AMENDMENT NO. 3079

(Purpose: To provide that monitoring requirements imposed on a substantial number of public water systems be established by regulation)

Mr. CHAFEE. I have one last amendment, Madam President, that I send to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Rhode Island [Mr. CHAFEE], for himself, Mr. KEMPTHORNE, Mr. BAUCUS, and Mr. REID, proposes an amendment numbered 3079.

Mr. CHAFEE. Madam President, I ask unanimous consent reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 132, line 5, strike "methods." and insert "methods. Information requirements imposed by the Administrator pursuant to the authority of this subparagraph that require monitoring, the establishment or maintenance of records or reporting, by a substantial number of public water systems (determined in the sole discretion of the administrator), shall be established by regulation as provided in clause (ii)."

Mr. CHAFEE. Madam President, this amendment tightens up EPA's information-gathering authorities under the law. The amendment would require EPA to impose new monitoring reporting or record-keeping requirements only by rule of a public comment if those requirements would effect a substantial number of public water systems.

This amendment has been cleared on both sides. We are prepared to adopt it.

The PRESIDING OFFICER. Is there any further debate?

The question is on agreeing to the amendment.

The amendment (No. 3079) was agreed to.

Mr. CHAFEE. I move to reconsider the vote.

Mr. BAUCUS. I move to lay it on the table.

The motion to lay on the table was agreed to.

#### SOURCE WATER PROTECTION

Mr. KOHL. Madam President, as all the managers of this bill are acutely aware, an emergency outbreak of the parasite cryptosporidium in Milwaukee in 1993 resulted in the deaths of over 100 citizens and caused nearly 400,000 others to become severely ill. I believe that many provisions included in this legislation will be helpful in protecting future generations from the threat of cryptosporidium and other microbial contaminants, and I thank the managers for that.

Certainly the Milwaukee outbreak has demonstrated the need for strong source water protection programs. In fact, the State of Wisconsin has one of the most respected sources water protection programs in the Nation. However, even with that program, the Milwaukee cryptosporidium outbreak occurred. Although the Wisconsin Priority Watershed Program is primarily a voluntary program, working in a cooperative manner with landowners in targeted watersheds, the program does have the authority to enforce against the small minority of landowners in a targeted watershed who refuse to cooperate with the commonsense conservation efforts of their neighbors.

While I know that it is the intention of the managers to create a new, Source Water Quality Protection Partnership Program which is voluntary in nature, I want to be able to assure the citizens of my State that the Wisconsin Priority Watershed Program will not be discriminated against in S. 1316, as a result of having an enforcement authority.

Mr. CHAFEE. I completely understand the concerns of the Senator from Wisconsin, and I agree that the Wisconsin Priority Watershed Program is one of the most outstanding water quality programs in this country. In that context, I want to assure the Senator that S. 1316 in no way discriminates against the Wisconsin program, or any other State program, on the basis of that program's enforcement authority. While States choosing to participate in the new Source Water Quality Protection Partnership Program are required to use the voluntary approach, other sections of the bill would provide programs like Wisconsin's Priority Watershed Program access to funding from the State revolving fund. States that choose the Source Water Quality Protection Partnership approach are also authorized to use SRF funding.

Mr. BAUCUS. I concur in the response made by the Senator from Rhode Island. This bill does not discriminate against State or local programs that include enforcement authority, it merely sets up a different framework. Both purely voluntary programs, as well as programs like the Wisconsin Priority Watershed Program, are authorized to use funding from the State's SRF allocation through state administration of a

source water quality protection program.

Mr. KOHL. I thank the managers for this clarification and for working with me on this important matter.

Mr. FEINGOLD. I, too, am pleased that this bill contains a requirement for the development of a national standard for cryptosporidium. Several times this Congress, I have raised the issue that the cryptosporidium outbreaks are no longer Milwaukee's problem, but the country's problem, and that there should be action to ensure that enforceable national requirements are developed. However, relative to the bill's provisions that create a new petition program for voluntary sourcewater protection, I share the concerns of the senior Senator from Wisconsin, [Mr. KOHL].

I want to be certain that Wisconsin is not penalized for the actions it has already taken to protect source water. As mentioned by the senior Senator from Wisconsin [Mr. KOHL] our State's efforts to protect source waters from contaminated runoff centers around the Wisconsin Nonpoint Source Water Pollution Abatement Program, often referred to as the priority watershed program based upon its watershed approach to controlling polluted runoff. The program provides grants to local units of government in urban and rural watersheds, which reimburse up to 70 percent of costs associated with installing best management practices. By the end of 1994, the State has been actively engaged in 67 projects, including 4 large-scale and 3 lake initiatives, and more than 82 large-scale projects are eligible to participate in the program.

Our State's program follows an extensive land use inventory and water resource appraisal process, and public participation is a critical component of the program. By in large participation has been voluntary, but the State does retain the authority to require participation after the protection plan is developed.

I concur in the importance of assuring that this bill allows Wisconsin's current program to access the SRF and appreciate the statements made by the floor managers to that effect.

#### STAGE I RULEMAKING

Mr. CHAFEE. Madam President, I would like to clarify the application of the new standard setting authorities established by the bill to the stage I rulemaking for disinfectants and disinfection byproducts that EPA has proposed.

The use of chlorine to kill pathogenic organisms in drinking water presents a real challenge. On the one hand, disinfection of public water supplies is a public health miracle. One of the witnesses at our hearings on this bill called it the single most important public health advance in history. On the other hand, the use of chlorine as a disinfectant may produce chemical byproducts in the water that present other health risks.

EPA has proposed a rule for disinfectants and disinfection byproducts that attempts to balance these risks. The proposed rule was developed through a regulatory negotiation that included representatives of local governments, water agencies and water supply districts, and public interest groups. EPA used this approach because current law does not contain explicit authority to balance risks in the way that EPA has proposed to do in this rulemaking. Presumably, one reason for the negotiation was to avoid a subsequent court challenge to the rule.

Now, we are changing the law and we are including explicit authority for the Administrator to take a risk balancing approach where it is appropriate. These changes would authorize EPA to issue the type of rule that has been proposed in stage I for disinfection byproducts. But in passing this bill, we face a delicate legislative task. We want to endorse the risk balancing approach that EPA is taking and make it clear that the statute as amended authorizes such a rule—including the stage I rule—but we don't want these new statutory provisions to disturb the negotiated agreement that is incorporated in the rule that EPA has proposed.

Mr. KEMPTHORNE. I would ask the distinguished chairman of the Environment and Public Works Committee whether the bill would prevent EPA from modifying the proposed rule. If new information indicates that the stage I rule as proposed does not strike an appropriate balance among the competing health risks, could EPA modify the rule when it is promulgated?

Mr. CHAFEE. It is my understanding that the agreement negotiated by the parties to the disinfection byproducts rulemaking does provide that the final stage I rule may include modifications if new information warrants those changes. The bill does not preclude changes that are within the scope of the agreement.

However, these new standard setting authorities are not to be the basis for making changes in the rule as it was proposed, nor was it our intent to require the Administrator to repropose the stage I proposed rule to conduct additional risk balancing under new section 1412(b)(5). However, if subsequent to enactment, someone should discover an inconsistency, the bill specifically precludes a change in the proposed rule to resolve that inconsistency. Furthermore, the bill insulates the rule from a court challenge on the basis of any inconsistency, should one be found. We do not intend to disrupt the results of the negotiation.

Mr. BAUCUS. The committee report at page 38 says that the bill does not apply to the stage I rulemaking because that rule has already been proposed in a detailed form. Does the Senator's statement affect that part of the committee report?

Mr. CHAFEE. Yes. The purpose of this statement is to establish that in one sense the new authority contained

in section 1412(b)(5) does apply to the stage I rulemaking.

As I said, we are attempting a delicate legislative task here. We are changing the statute to provide EPA with explicit authority to set standards that balance risks. But we do not want the detailed provisions of this new authority to upset a specific rule of that type that has recently been proposed. We want to make clear that EPA is authorized by the Safe Drinking Water Act, as it is amended by this bill, to issue the stage I rule. If this bill is enacted and the stage I rule is promulgated as it was proposed, no one could bring a court challenge against the rule on the grounds that it wasn't authorized by the statute.

At the same time, the stage I rule is not to be tested against the specific provisions of the statute to determine whether it is consistent in every respect. It may not be. So long as the final stage I rule stays within the parameters of the agreement negotiated by the parties, it is authorized by the statute as amended.

The bill applies to the stage I rule because EPA is given general authority to issue a rule that is consistent with the negotiated agreement; but the specific provisions of the risk balancing authorities in the new subsection 1412(b)(5) are not to be applied by EPA or by the courts in determining whether the final rule is in accordance with the law. That determination is to be based on the agreement that was signed by the parties to the negotiation.

Nothing in this bill affects the applicability of new subsection 1412(b)(5) to the stage II rulemaking on disinfection byproducts.

Madam President, that completes everything on this side. I inform all Senators, immediately following the vote on the motion to table the Boxer amendment, we will then go to final passage.

I ask, if proper, for the yeas and nays on final passage at this time.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. CHAFEE. Madam President, the delay here is we are waiting a possible additional colloquy with the distinguished Senator from Nebraska.

Madam President, how much time of the 10 minutes is left?

The PRESIDING OFFICER. There are 5 minutes remaining.

Mr. CHAFEE. If the Senator from California wished that minute, this is the time, if she would like.

#### AMENDMENT NO. 3078

Mrs. BOXER. Madam President, I will take advantage of that one moment to simply say what we are trying to do in this amendment is to give support to the public health community, which says it is very important. We have the support of EPA and the American Public Health Association, and a number of other organizations, that

consumers have a right to know, just once a year, what is in their water.

It is not something we feel is burdensome. As a matter of fact, we say the EPA has to issue regulations that make it simple. The Democratic leader is supporting this. Senator LAUTENBERG is supporting this. Senator KOHL, whose State had a terrible outbreak of cryptosporidium and lost lives, is supporting it. We think this is extremely reasonable. It is not an unfunded mandate. Governors can opt out of this. Small water systems can opt out of this. The large water systems serve 83 percent of our people.

We think this is a solid amendment and we urge a "no" vote on the motion to table.

I yield the remainder of my time.

The PRESIDING OFFICER. There are 4 minutes remaining. Is there further debate?

Mr. CHAFEE. Madam President, while we are preparing several colloquies to submit for the RECORD, I will take this brief opportunity to thank everybody involved. Particularly, I thank the distinguished chairman of the subcommittee, Senator KEMPTHORNE, for his splendid work on this. He has really been a tower of strength and the leader of this whole effort.

Also, I thank the ranking member, Senator BAUCUS, and Senator REID, the ranking member of the subcommittee, and all the staff for their wonderful work. I particularly thank Jimmie Powell on this side, who really was very, very effective.

#### PUBLIC WATER SYSTEM DEFINITION

Mr. KEMPTHORNE. Some questions have arisen about how section 24(b) of the bill, which amends the definition of public water systems, applies to certain irrigation systems. As the committee report explains, the provision is intended to address a narrow set of situations, such as the one that was involved in the Imperial Irrigation court decision, where an irrigation system is knowingly providing drinking water to a large number of customers. However, it is my understanding that the provision does not apply to irrigation systems that only intend to provide water for such purposes as irrigation and stock watering, and do not intend that water be withdrawn for drinking water use.

Mr. BAUCUS. I agree with Senator KEMPTHORNE's interpretation. In the arid west, where irrigation systems may cover vast distances, it would be unfair and impractical to treat an irrigation system as a public water system just because a number of people withdraw water for drinking water use without the permission or knowledge of the system, and I do not believe that the provision applies to such situations.

Mr. KEMPTHORNE. Does the manager of the bill share this view.

Mr. CHAFEE. Yes. The Safe Drinking Water Act defines a public water system as a system for the provision to

the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves at least 25 individuals. In describing a public water system, EPA's regulations and guidance use such terms as "serves" and "delivers," usually in the context of "customers." These terms are clearly contrary to a situation where the irrigation system does not either consent to having water withdrawn for human consumption, or know that such withdrawals are occurring with respect to the requisite number of connections or customers.

Mr. KEMPTHORNE. Questions also have arisen about how the new provision would apply to irrigation systems that provide water to municipal drinking water systems, which then treat the water and provide it to customers for human consumption. Would these irrigation systems be treated as public water systems on this basis?

Mr. CHAFEE. No. Under the new provision, a connection is not considered, for purposes of determining whether an entity is a public water system, if the water is treated by a pass-through entity to achieve a level of treatment equivalent to the level provided by applicable drinking water regulations. In the case you describe, the municipal water system would be providing such treatment, and the irrigation system's provision of water to the municipal water system would not be considered a connection.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. KEMPTHORNE. Madam President, I commend the floor manager, Senator CHAFEE, for his efforts, not only during the months that it took us to get here but for his demeanor today on the floor. I also thank Senator BAUCUS, the other floor manager of this very important legislation, and Senator REID, for this legislation that is going to be well received by all the States and municipalities throughout the United States and their constituents.

I thank the staffs of Senator BAUCUS and Senator REID and the staff of Senator CHAFEE: Jimmie Powell and Steve Shimberg; and acknowledge my staff, Meg Hunt, Ann Klee, and Buzz Fawcett, and thank all the Senators who participated today, in their suggestions or debate, for their improvements to the bill.

I look forward to what is about to happen, which is we are going to astound our families by voting on final passage of this at a relatively early hour. Then I suggest all Senators go home, have supper with their families, and raise a toast of safe drinking water to what we have accomplished today.

Mr. CHAFEE. We have no need for further time, Madam President.

#### VOTE ON AMENDMENT NO. 3078

The PRESIDING OFFICER. All time has expired.

The question now occurs on the motion to table the amendment offered by

the Senator from California, amendment No. 3078.

The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 59, nays 40, as follows:

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 587 Leg.]

#### YEAS—59

Abraham	Faircloth	McCain
Ashcroft	Frist	McConnell
Baucus	Gorton	Moynihan
Bennett	Gramm	Murkowski
Bond	Grams	Nickles
Breaux	Grassley	Nunn
Brown	Gregg	Pressler
Bryan	Hatch	Reid
Burns	Hatfield	Roth
Campbell	Helms	Santorum
Chafee	Hutchison	Shelby
Coats	Inhofe	Simpson
Cochran	Johnston	Smith
Coverdell	Kassebaum	Specter
Craig	Kemphorne	Stevens
D'Amato	Kerry	Thomas
DeWine	Kyl	Thompson
Dole	Lott	Thurmond
Domenici	Lugar	Warner
Exon	Mack	

#### NAYS—40

Akaka	Ford	Lieberman
Biden	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Murray
Bradley	Heflin	Pell
Bumpers	Hollings	Pryor
Byrd	Inouye	Robb
Cohen	Jeffords	Rockefeller
Conrad	Kennedy	Sarbanes
Daschle	Kerry	Simon
Dodd	Kohl	Snowe
Dorgan	Lautenberg	Wellstone
Feingold	Leahy	
Feinstein	Levin	

So, the motion to lay on the table the amendment (No. 3078) was agreed to.

Mr. CHAFEE. Mr. President, I move to reconsider the vote.

Mr. KEMPTHORNE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mrs. HUTCHISON). The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered. The clerk will call the roll.

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 588 Leg.]

#### YEAS—99

Abraham	Bryan	D'Amato
Akaka	Bumpers	Daschle
Ashcroft	Burns	DeWine
Baucus	Byrd	Dodd
Bennett	Campbell	Dole
Biden	Chafee	Domenici
Bingaman	Coats	Dorgan
Bond	Cochran	Exon
Boxer	Cohen	Faircloth
Bradley	Conrad	Feingold
Breaux	Coverdell	Feinstein
Brown	Craig	Ford



Frist	Kennedy	Pell
Glenn	Kerrey	Pressler
Gorton	Kerry	Pryor
Graham	Kohl	Reid
Gramm	Kyl	Robb
Grassley	Lautenberg	Rockefeller
Gregg	Leahy	Roth
Harkin	Levin	Santorum
Hatch	Lieberman	Sarbanes
Hatfield	Lott	Shelby
Heflin	Lugar	Simon
Helms	Mack	Simpson
Hollings	McCain	Smith
Hutchison	McConnell	Snowe
Inhofe	Mikulski	Specter
Inouye	Moseley-Braun	Stevens
Jeffords	Moynihan	Thomas
Johnston	Murkowski	Thompson
Kassebaum	Murray	Thurmond
Kempthorne	Nickles	Warner
	Nunn	Wellstone

So the bill (S. 1316), as amended, was passed.

(The text of the bill will be printed in a future edition of the RECORD.)

Mr. KEMPTHORNE. Madam President, I move to reconsider the vote.

Mr. COATS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### MORNING BUSINESS

Mr. COATS. Madam President, I ask unanimous consent that there now be a period for morning business.

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

#### REPORT OF THE AGREEMENT FOR COOPERATION IN THE PEACEFUL USES OF NUCLEAR ENERGY BETWEEN THE UNITED STATES AND THE EUROPEAN ATOMIC ENERGY COMMUNITY—MESSAGE FROM THE PRESIDENT—PM 99

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Foreign Relations.

*To the Congress of the United States:*

I am pleased to transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153 (b), (d)), the text of a proposed Agreement for Cooperation in the Peaceful Uses of Nuclear Energy Between the United States of America and the European Atomic Energy Community (EURATOM) with accompanying agreed minute, annexes, and other attachments. (The confidential list of EURATOM storage facilities covered by the Agreement is being transmitted directly to the Senate Foreign Relations Committee and the House International Relations Committee.) I am also pleased to transmit my written approval, authorization and determination concerning the agreement, and the memorandum of the Director of the United States Arms Control and Disarmament Agency with the Nuclear Proliferation Assessment Statement concerning the agreement. The joint memorandum submitted to me by the

Secretary of State and the Secretary of Energy, which includes a summary of the provisions of the agreement and other attachments, including the views of the Nuclear Regulatory Commission, is also enclosed.

The proposed new agreement with EURATOM has been negotiated in accordance with the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 (NNPA) and as otherwise amended. It replaces two existing agreements for peaceful nuclear cooperation with EURATOM, including the 1960 agreement that has served as our primary legal framework for cooperation in recent years and that will expire by its terms on December 31 of this year. The proposed new agreement will provide an updated, comprehensive framework for peaceful nuclear cooperation between the United States and EURATOM, will facilitate such cooperation, and will establish strengthened nonproliferation conditions and controls including all those required by the NNPA. The new agreement provides for the transfer of non-nuclear material, nuclear material, and equipment for both nuclear research and nuclear power purposes. It does not provide for transfers under the agreement of any sensitive nuclear technology (SNT).

The proposed agreement has an initial term of 30 years, and will continue in force indefinitely thereafter in increments of 5 years each until terminated in accordance with its provisions. In the event of termination, key nonproliferation conditions and controls, including guarantees of safeguards, peaceful use and adequate physical protection, and the U.S. right to approve retransfers to third parties, will remain effective with respect to transferred nonnuclear material, nuclear material, and equipment, as well as nuclear material produced through their use. Procedures are also established for determining the survival of additional controls.

The member states of EURATOM and the European Union itself have impeccable nuclear nonproliferation credentials. All EURATOM member states are party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). EURATOM and all its nonnuclear weapon state member states have an agreement with the International Atomic Energy Agency (IAEA) for the application of full-scope IAEA safeguards within the respective territories of the nonnuclear weapon states. The two EURATOM nuclear weapon states, France and the United Kingdom, like the United States, have voluntary safeguards agreements with the IAEA. In addition, EURATOM itself applies its own stringent safeguards at all peaceful facilities within the territories of all member states. The United States and EURATOM are of one mind in their unswerving commitment to achieving global nuclear nonproliferation goals. I call the attention of the Congress to the joint U.S.-EURATOM "Declaration

on Non-Proliferation Policy" appended to the text of the agreement I am transmitting herewith.

The proposed new agreement provides for very stringent controls over certain fuel cycle activities, including enrichment, reprocessing, and alteration in form or content and storage of plutonium and other sensitive nuclear materials. The United States and EURATOM have accepted these controls on a reciprocal basis, not as a sign of either Party's distrust of the other, and not for the purpose of interfering with each other's fuel cycle choices, which are for each Party to determine for itself, but rather as a reflection of their common conviction that the provisions in question represent an important norm for peaceful nuclear commerce.

In view of the strong commitment of EURATOM and its member states to the international nonproliferation regime, the comprehensive nonproliferation commitments they have made, the advanced technological character of the EURATOM civil nuclear program, the long history of extensive transatlantic cooperation in the peaceful uses of nuclear energy without any risk of proliferation, and the fact that all member states are close allies or close friends of the United States, the proposed new agreement provides to EURATOM (and on a reciprocal basis, to the United States) advance, long-term approval for specified enrichment, retransfers, reprocessing, alteration in form or content, and storage of specified nuclear material, and for retransfers of nonnuclear material and equipment. The approval for reprocessing and alteration in form or content may be suspended if either activity ceases to meet the criteria set out in U.S. law, including criteria relating to safeguards and physical protection.

In providing advance, long-term approval for certain nuclear fuel cycle activities, the proposed agreement has features similar to those in several other agreements for cooperation that the United States has entered into subsequent to enactment of the NNPA. These include bilateral U.S. agreements with Japan, Finland, Norway and Sweden. (The U.S. agreements with Finland and Sweden will be automatically terminated upon entry into force of the new U.S.-EURATOM agreement, as Finland and Sweden joined the European Union on January 1, 1995.) Among the documents I am transmitting herewith to the Congress is an analysis by the Secretary of Energy of the advance, long-term approvals contained in the proposed U.S. agreement with EURATOM. The analysis concludes that the approvals meet all requirements of the Atomic Energy Act.

I believe that the proposed agreement for cooperation with EURATOM will make an important contribution to achieving our nonproliferation, trade and other significant foreign policy goals.

In particular, I am convinced that this agreement will strengthen the