

According to the Congressional Research Service, during Congress's consideration of the Clean Air Act Amendments, which became law in 1990, there was no discussion of the possible adverse impacts of MTBE as a gasoline additive. Likewise, CARB has said that when they were considering our state's reformulated gasoline regulations, "the concern over the use of oxygenates was not raised as an issue."

5. California needs water.

California cannot afford to lose any more of its drinking water. According to the Association of California Water Agencies, by the year 2020, California will be 4 million to 6 million acre-feet short of water each year without additional facilities and water management strategies.

5. Congress has long recognized that California is a unique case.

California's efforts to improve air quality predate similar federal efforts. We have our own clean gas program and U.S. EPA has given the state a waiver under section 209(b)(1) of the Clean Air Act to develop our own program.

WIDESPREAD SUPPORT

I am appending at the end of my statement a list of California local governments, water districts, air districts, statewide and other organizations that support my MTBE bill.

BILL 2: STOPPING UNDERGROUND TANK LEAKS

My second bill will make threats to drinking water the highest priority in the federal underground tank cleanup program at EPA.

In 1986, Congress created a Leaking Underground Storage Tank (LUST) Trust Fund, funded by a one-tenth of one cent tax on all petroleum products. These funds are available to enforce cleanup requirements; to conduct cleanups where there is no financially viable responsible party or where a responsible party fails to correct; to take corrective action in emergencies; and to bring actions against parties who fail to comply. There is approximately \$1.5 billion currently in the fund.

Under current law, section 9003(h)(3) of the Solid Waste Disposal Act, EPA is required to give priority in corrective actions to petroleum releases from tanks which pose "the greatest threat to human health and the environment," a provision that I support. My bill would add simple clarifying language that in essence says that threats to drinking water are the most serious threats and should receive priority attention.

Leaking underground gasoline storage tank systems are the major source of MTBE into drinking water. The June 11, 1998 Lawrence Livermore Laboratory study that examined 236 tanks in 24 California counties found MTBE at 78 percent of these sites. These scientists said that a minimum estimate of the number of MTBE-impacted tank sites in my state is over 10,000. Federal law requires tanks to have protections against spills, overfills, and tank corrosion by December 22, 1998. Tank owners

have had ten years to do this. EPA has estimated that half the nation's 600,000 tanks and 52 percent of California's 61,000 complied by the December 22 deadline.

Clearly, stopping these leaks is a big part of the solution of stopping the release of MTBE. Making threats to drinking water a top cleanup priority makes sense since clean drinking water is fundamental to human health.

BILL 3: MOTORCRAFT ENGINES

My third bill addresses a third source of MTBE into drinking water—watercraft engines. The Association of California Water Agencies says that MTBE in surface water reservoirs comes largely from recreational watercraft.

In October 1998, U.S. EPA published regulations, starting in model year 1998, requiring stricter emissions controls on personal watercraft engines to be fully implemented by 2006. On December 10, 1998, the California Air Resources Board adopted regulations very similar to EPA's in substance, but accelerating their effective date to 2001, five years earlier. In addition, California added two more "tiers" of emissions reductions that go beyond U.S. EPA's, reducing emissions by 20 percent more in 2004 and 65 percent more in 2008. Under the federal requirements, there would be a complete fleet turnover by 2050; in California, there would be a complete fleet turnover in 2024, 26 years earlier.

The federal and the California rules apply to (1) spark-ignition outboard marine and (2) personal watercraft engines, such as motorboats, jet skis and wave runners, beginning in model year 2001.

Outboard engines: In 1990, there were 373,200 gasoline-powered outboard engines in California. California sales of outboard engines represented ten percent of the U.S. market in 1997.

Personal watercraft: California sales of these engines were 12 percent of the 176,000 sales in the U.S. in 1995, numbers which have no doubt grown significantly. Personal watercraft like jet skis have increased by 240 percent since 1990 and these numbers are expected to double by 2020.

We need to curb emissions from these marine engines because (1) unlike automobiles which exhaust into the air, all marine engines exhaust directly into the water, and (2) 20 to 30 percent of the gas that goes in, comes out unburned. According to CARB, these engines "discharge an unburned fuel/oil mixture at levels approaching 20 to 30 percent of the fuel/oil mixture consumed. This unregulated discharge of fuel and oil threatens degradation of high quality waters . . ." CARB says that two hours of exhaust emissions from a jet ski is equivalent to the emission created by driving a 1998 automobile 130,000 miles. Some areas are considering banning jet skis and gas-powered boats.

My bill does two things: (1) It would make the EPA's existing regulations

effective in 2001, instead of 2006, consistent with California's regulations. (2) It would direct EPA to make one addition to their current regulation, an engine labeling requirement, consistent with California's labeling requirement, designed to inform consumers of the relative emissions level of new engines.

Because these engines put MTBE and other constituents of gasoline into surface waters, I believe we need to accelerate the national rules to discourage people from "engine shopping" from state to state and bringing "dirty" engines into California. Because my state's relatively mild weather encourages boating, our air board concluded that we need more stringent standards than the national standards. Up to 30 percent of gasoline in these engines comes out unburned. In other words, of 10 gallons per hour used, about two and one half gallons of fuel goes into the water unburned in one hour. This has to stop.

The November 1998 University of California study recognizes the emissions of MTBE into surface waters from watercraft and says that technologies are available that will "significantly reduce MTBE loading," that the older carbureted two-stroke engines release much larger amounts of MTBE and other gasoline constituents than the fuel-injected engines or the four-stroke engines.

Millions of Californians should not have to drink water contaminated with MTBE. I believe we must take strong steps to end this contamination.

ADDITIONAL COSPONSORS

S. 3

At the request of Mr. GRAMS, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 3, a bill to amend the Internal Revenue Code of 1986 to reduce individual income tax rates by 10 percent.

S. 11

At the request of Mr. ABRAHAM, the names of the Senator from Ohio (Mr. DEWINE), the Senator from North Carolina (Mr. HELMS), the Senator from Colorado (Mr. ALLARD), the Senator from Wisconsin (Mr. FEINGOLD), and the Senator from Minnesota (Mr. WELLSTONE) were added as cosponsors of S. 11, a bill for the relief of Wei Jingsheng.

S. 35

At the request of Mr. GRASSLEY, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 35, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for the long-term care insurance costs of all individuals who are not eligible to participate in employer-subsidized long-term care health plans.

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. BREAUX) was withdrawn as a cosponsor of S. 35, *supra*.

S. 36

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana

(Mr. BREAX) was added as a cosponsor of S. 36, a bill to amend title 5, United States Code, to provide for the establishment of a program under which long-term care insurance may be obtained by Federal employees and annuitants.

S. 52

At the request of Mr. BOND, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 52, a bill to provide a direct check for education.

S. 59

At the request of Mr. THOMPSON, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 59, a bill to provide Government-wide accounting of regulatory costs and benefits, and for other purposes.

S. 96

At the request of Mr. MCCAIN, the name of the Senator from Tennessee (Mr. FRIST) was added as a cosponsor of S. 96, a bill to regulate commerce between and among the several States by providing for the orderly resolution of disputes arising out of computer-based problems related to processing data that includes a 2-digit expression of that year's date.

S. 101

At the request of Mr. LUGAR, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 101, a bill to promote trade in United States agricultural commodities, livestock, and value-added products, and to prepare for future bilateral and multilateral trade negotiations.

S. 113

At the request of Mr. SMITH, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 113, a bill to increase the criminal penalties for assaulting or threatening Federal judges, their family members, and other public servants, and for other purposes.

S. 135

At the request of Mr. DURBIN, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from Wisconsin (Mr. KOHL) were added as cosponsors of S. 135, a bill to amend the Internal Revenue Code of 1986 to increase the deduction for the health insurance costs of self-employed individuals, and for other purposes.

S. 149

At the request of Mr. KOHL, the names of the Senator from Rhode Island (Mr. CHAFEE), the Senator from California (Mrs. FEINSTEIN), the Senator from California (Mrs. BOXER), and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 149, a bill to amend chapter 44 of title 18, United States Code, to require the provision of a child safety lock in connection with the transfer of a handgun.

S. 172

At the request of Mr. MOYNIHAN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 172, a bill to reduce acid depo-

sition under the Clean Air Act, and for other purposes.

S. 193

At the request of Mrs. BOXER, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 193, a bill to apply the same quality and safety standards to domestically manufactured handguns that are currently applied to imported handguns.

S. 213

At the request of Mr. MOYNIHAN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 213, a bill to amend the Internal Revenue Code of 1986 to repeal the limitation of the cover over of tax on distilled spirits, and for other purposes.

S. 215

At the request of Mr. MOYNIHAN, the name of the Senator from Florida (Mr. GRAHAM) was added as a cosponsor of S. 215, a bill to amend title XXI of the Social Security Act to increase the allotments for territories under the State Children's Health Insurance Program.

S. 248

At the request of Mr. HATCH, the name of the Senator from Michigan (Mr. ABRAHAM) was added as a cosponsor of S. 248, a bill to modify the procedures of the Federal courts in certain matters, to reform prisoner litigation, and for other purposes.

SENATE JOINT RESOLUTION 3

At the request of Mr. KYL, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of Senate Joint Resolution 3, a joint resolution proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

SENATE JOINT RESOLUTION 6

At the request of Mr. HOLLINGS, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of Senate Joint Resolution 6, a joint resolution proposing an amendment to the Constitution of the United States relating to contributions and expenditures intended to affect elections.

SENATE RESOLUTION 22

At the request of Mr. CAMPBELL, the names of the Senator from New Hampshire (Mr. GREGG) and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of Senate Resolution 22, a resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives serving as law enforcement officers.

SENATE CONCURRENT RESOLUTION 2—RECOMMENDING THE INTEGRATION OF LITHUANIA, LATVIA, AND ESTONIA IN THE NORTH ATLANTIC TREATY ORGANIZATION (NATO)

Mr. DURBIN submitted the following resolution, which was referred to the Committee on Foreign Relations:

S. CON. RES. 2

Whereas the Baltic states of Lithuania, Latvia, and Estonia are undergoing an historic process of democratic and free market transformation after emerging from decades of brutal Soviet occupation;

Whereas each of the Baltic states has conducted peaceful transfers of political power in Lithuania since 1990 and in Latvia and Estonia since 1991;

Whereas each of the Baltic states has been exemplary and consistent in its respect for human rights and civil liberties;

Whereas the governments of the Baltic states have made consistent progress toward establishing civilian control of their militaries through active participation in the Partnership for Peace program and North Atlantic Treaty Organization (NATO) peace support operations;

Whereas Lithuania is participating in the NATO-led multinational military force in the Republic of Bosnia and Herzegovina (commonly referred to as "SFOR") and is consistently increasing its defense budget allocations with the goal of allocating at least 2 percent of its GDP for defense by 2001;

Whereas each of the Baltic states has clearly demonstrated its ability to operate with the military forces of NATO nations and under NATO standards;

Whereas former Secretary of Defense Perry stipulated five generalized standards for entrance into NATO: support for democracy, including toleration of ethnic diversity and respect for human rights; building a free market economy; civilian control of the military; promotion of good neighborly relations; and development of military interoperability with NATO; and

Whereas each of the Baltic states has satisfied these standards for entrance into NATO: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) Lithuania, Latvia, and Estonia are to be commended for their progress toward political and economic liberty and meeting the guidelines for prospective members of the North Atlantic Treaty Organization (NATO) set out in chapter 5 of the September 1995 Study on NATO Enlargement;

(2) Lithuania, Latvia, and Estonia would make an outstanding contribution toward furthering the goals of NATO should they become members;

(3) extension of full NATO membership to the Baltic states would contribute to stability, freedom, and peace in the Baltic region and Europe as a whole; and

(4) with complete satisfaction of NATO guidelines and criteria for membership, Lithuania, Latvia, and Estonia should be invited to become full members of NATO.

Mr. DURBIN. Mr. President, this past Saturday, January 16th, marked the one-year anniversary of the signing of the Baltic Charter.

I attended that historic ceremony at the White House and our efforts that day were important not only to Lithuania, Latvia, and Estonia but to the U.S. as well. This is an issue dear to me; my mother came to this country from Lithuania in 1911 and I've visited this country and the Baltic region several times.

Now Mr. President, the Baltic Charter solidified the international relationship between the U.S. and the Baltic nations by defining the political, economic, and security relations between our countries. It affirmed a