

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BAUCUS (for himself and Mr. GRASSLEY):

S. Res. 226. A resolution expressing the sense of the Senate regarding Japanese participation in the World Trade Organization; to the Committee on Finance.

By Mr. BOND (for himself, Mr. BRYAN, Mr. DEWINE, Mr. BINGAMAN, Mr. JOHNSON, Mr. KENNEDY, and Mr. ROCKEFELLER):

S. Res. 227. A resolution expressing the sense of the Senate in appreciation of the National Committee for Employer Support of the Guard and Reserve; to the Committee on Armed Services.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 228. A resolution making changes to Senate committees for the 106th Congress; considered and agreed to.

By Mr. LOTT:

S. Res. 229. A resolution making certain majority appointments to certain Senate committees for the 106th Congress; considered and agreed to.

By Mr. ENZI (for himself and Ms. LANDRIEU):

S. Res. 230. A resolution expressing the sense of the Senate with respect to government discrimination in Germany based on religion or belief; to the Committee on Foreign Relations.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROBB (for himself, Mr. SARBANES, and Ms. MIKULSKI):

S. 1885. A bill to amend title 5, United States Code, to provide for more equitable policies relating to overtime pay for Federal employees, limitations on premium pay, and the accumulation and use of credit hours; to the Committee on Governmental Affairs.

EQUITABLE OVERTIME PAY FOR FEDERAL SUPERVISORS AND MANAGERS

Mr. ROBB. Mr. President, I am very pleased to be joined by my colleagues, Senators SARBANES and MIKULSKI, to introduce legislation to pay overtime to federal managers and supervisors more equitably.

I'm proud of our federal workers. Despite seemingly constant assaults, our nation's civil servants have persevered to provide government that is working better and more efficiently than ever. We've seen a streamlined federal government that's continually asked to improve services to its customers—the American people. But with smaller staffs and the push to increase the federal government's productivity, workloads continue to grow. As federal employees' duties grow, the need to work more overtime hours increases as well. Managers, supervisors and other FLSA-exempt employees within the federal government can receive overtime, but the current overtime cap presents two problems to these employees: they earn less working on overtime than they do for the work they perform during the week and they earn less while working

overtime than the employees they supervise. Who then, can blame prospective candidates for supervisory or management positions for declining promotions when remaining in their current, non-supervisory position can mean more money for their families? If the federal government is to continue to recruit and retain a top-notch workforce, then the present overtime cap is one issue that we need to address.

Our legislation will ensure that supervisors and managers neither make less working overtime than they would during regular work hours nor make less working overtime than those they supervise. This bill increases the overtime cap from GS-10 step 1 to GS-12 step 1, the first adjustment in the overtime cap since 1966. Our bill doesn't mandate that overtime be paid; overtime pay will be implemented as it is currently, based on personnel decisions made by individual agencies.

We should encourage incentives to attract bright and capable workers to join the management ranks of the federal government, and this bill is one such incentive. I look forward to working with my colleagues to ensure its consideration and favorable recommendation as quickly as possible.

By Mr. INHOFE (for himself, Mrs. FEINSTEIN, and Mr. SMITH of New Hampshire):

S. 1886. A bill to amend the Clean Air Act to permit the Governor of a State to waive the oxygen content requirement for reformulated gasoline, to encourage development of voluntary standards to prevent and control release of methyl tertiary butyl ether from underground storage tanks, and for other purposes; to the Committee on Environment and Public Works.

OXYGEN CONTENT REQUIREMENT FOR REFORMULATED GASOLINE

• Mrs. FEINSTEIN. Mr. President, I am pleased to join with Senator JAMES INHOFE of Oklahoma, the chairman of the Clean Air Subcommittee, in introducing a bill, S. 1886, to allow the governor of a state to waive the oxygenate content requirement for reformulated or clean-burning gasoline. The bill also requires U.S. EPA to conduct a study on whether voluntary standards to prevent releases of MTBE from underground tanks are necessary.

This is the fifth bill I have introduced in this Congress to address the widespread contamination of drinking water by MTBE in my state. I do this in hopes that this bill will be a straightforward solution to a very serious problem—MTBE detections in ground and surface water in my state and at least 41 other states.

The Clean Air Act requires that cleaner-burning reformulated gasoline (RFG) be sold in areas with the worst violations of ozone standards: Los Angeles, San Diego, Hartford, New York, Philadelphia, Chicago, Baltimore, Houston, Milwaukee, Sacramento. (In addition, some states and areas have opted to use reformulated gasoline as

way to achieve clean air.) Second, the Act prescribes a formula for reformulated gasoline, including the requirement that reformulated gasoline contain 2.0 percent oxygen, by weight.

In response to this requirement, refiners have put the oxygenate MTBE in over 85 percent of reformulated gasoline now in use. MTBE stands for methyl tertiary butyl ether. The problem is that increasingly, MTBE is being detected in drinking water. MTBE is a known animal carcinogen and a possible human carcinogen, according to U.S. EPA. It has a very unpleasant odor and taste, as well.

The Inhofe-Feinstein bill, S. 1886, would allow governors, upon notification to U.S. EPA, to waive the 2.0% oxygenate requirement, as long as the gasoline meets the other requirements in the law for reformulated gasoline.

On July 27, the U.S. EPA Blue Ribbon Panel on Oxygenates in Gasoline recommended that the 2 percent oxygenate requirement be "removed in order to provide flexibility to blend adequate fuel supplies in a cost-effective manner while quickly reducing usage of MTBE and maintaining air quality benefits." In addition, the panel agreed that "the use of MTBE should be reduced substantially." Importantly, the panel recommended that "Congress act quickly to clarify federal and state authority to regulate and/or eliminate the use of gasoline additives that pose a threat to drinking water supplies."

This bill, while not totally repealing the 2 percent oxygenate requirement, moves us in that direction. It gives states that choose to meet clean air requirements without oxygenates to do so. It allows states that choose an oxygenate, such as ethanol, to do so. Areas required to use reformulated gasoline for cleaner air will still be required to use it. The gasoline will have a different but clean formulation. Areas will continue to have to meet clean air standards.

MTBE has contaminated groundwater at over 10,000 sites in California, according to the Lawrence Livermore Laboratory. Of 10,972 groundwater sites sampled, 39 percent had MTBE, says the state Department of Health Services. Of 765 surface water sources sampled, 287 or 38% had MTBE.

Nationally, one EPA-funded study found, of 34 states, MTBE was present more than 20 percent of the time in 27 states. A U.S. Geological Survey report had similar findings. An October 1999 Congressional Research Service analysis concluded that 41 states have had MTBE detections in water.

In California, Governor Davis concluded that MTBE "poses a significant risk to California's environment" and directed that MTBE be phased out in California by December 31, 2002. There is not a sufficient supply of ethanol or other oxygenates to fully replace MTBE in California, without huge gas price spikes and gasoline supply disruptions. In addition, California can make clean-burning gas without oxygenates.