

Mr. KEMPTHORNE. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, that the preamble be agreed to, and that any statements relating thereto be placed at the appropriate place in the RECORD as if read.

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

So the concurrent resolution (S. Con. Res. 56) was agreed to.

The preamble was agreed to.

S. CON. RES. 56

Whereas April 26, 1996, marks the tenth anniversary of the Chornobyl nuclear disaster;

Whereas United Nations General Assembly resolution 50/134 declares April 26, 1996, as the International day Commemorating the Tenth Anniversary of the Chornobyl Nuclear Power Plant Accident and encourages member states to commemorate this tragic event;

Whereas serious radiological, health, and socioeconomic consequences for the populations of Ukraine, Belarus, and Russia, as well as for the populations of other affected areas, have been identified since the disaster;

Whereas over 3,500,000 inhabitants of the affected areas, including over 1,000,000 children, were exposed to dangerously high levels of radiation;

Whereas the populations of the affected areas, especially children, have experienced significant increases in thyroid cancer, immune deficiency diseases, birth defects, and other conditions, and these trends have accelerated over the 10 years since the disaster;

Whereas the lives and health of people in the affected areas continue to be heavily burdened by the ongoing effects of the Chornobyl accident;

Whereas numerous charitable, humanitarian, and environmental organizations from the United States and the international community have committed to overcome the extensive consequences of the Chornobyl disaster;

Whereas the United States has sought to help the people of Ukraine through various forms of assistance;

Whereas humanitarian assistance and public health research into Chornobyl's consequences will be needed in the coming decades when the greatest number of latent health effects is expected to emerge;

Whereas on December 20, 1995, the Ukrainian Government, the governments of the G-7 countries, and the Commission of the European Communities signed a memorandum of understanding to support the decision of Ukraine to close the Chornobyl nuclear power plant by the year 2000 with adequate support from the G-7 countries and international financial institutions;

Whereas the United States strongly supports the closing of Chornobyl nuclear power plant and improving nuclear safety in Ukraine; and

Whereas representatives of Ukraine, the G-7 countries, and international financial institutions will meet at least annually to monitor implementation of the program to close Chornobyl: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That the Congress—*

(1) recognizes April 26, 1996, as the tenth anniversary of the Chornobyl nuclear power plant disaster;

(2) urges the Government of Ukraine to continue its negotiations with the G-7 countries to implement the December 20, 1995, memorandum of understanding which calls for all nuclear reactors at Chornobyl to be shut down in a safe and expeditious manner; and

(3) calls upon the President—

(A) to support continued and enhanced United States assistance to provide medical relief, humanitarian assistance, social impact planning, and hospital development for Ukraine, Belarus, Russia, and other nations most heavily afflicted by Chornobyl's aftermath;

(B) to encourage national and international health organizations to expand the scope of research into the public health consequences of Chornobyl, so that the global community can benefit from the findings of such research;

(C) to support the process of closing the Chornobyl nuclear power plant in an expeditious manner as envisioned by the December 20, 1995, memorandum of understanding; and

(D) to support the broadening of Ukraine's regional energy sources which will reduce its dependence on any individual country.

#### MERCURY-CONTAINING AND RECHARGEABLE BATTERY MANAGEMENT ACT

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2024 just received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2024) to phase out the use of the mercury in batteries and provide for the efficient and cost-effective collection and recycling or proper disposal of used nickel cadmium batteries, small sealed lead-acid batteries, and certain other batteries, and for other purposes.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. SMITH. Mr. President, on September 19, 1995, the Senate unanimously passed the Mercury-Containing and Rechargeable Battery Management Act, S. 619. This legislation, which I introduced on March 24, 1995, was cosponsored by Senators LAUTENBERG, FAIRCLOTH, MCCONNELL, LIEBERMAN, SIMON, MACK, BOND, GRAHAM, WARNER, REID, INHOFE, and SNOWE. The purpose of this legislation was to remove Federal barriers detrimental to much-needed State and local recycling programs for batteries commonly found in cordless products such as portable telephones, laptop computers, tools, and toys. In addition to facilitating the recycling of rechargeable batteries made out of nickel-cadmium (Ni-Cd), my legislation also codified the phaseout of the use of mercury in batteries.

The House of Representatives, on April 23, passed by voice vote under suspension, the House version of the battery bill, H.R. 2024. The House legislation, with the exception of some enforcement-related technical changes to the bill that were advocated by the Environmental Protection Agency, is virtually identical to the language contained in S. 619 that the Senate passed 7 months ago.

For the benefit of my colleagues I should like to remind them of what

this legislation is intended to do. Most notably the legislation—

First, facilitates the efficient and cost effective collection and recycling or proper disposal of used nickel cadmium (Ni-Cd) and certain other batteries by: (a) establishing a coherent national system of labeling for batteries and products; (b) streamlining the regulatory requirements for battery collection programs for regulated batteries; and (c) encouraging voluntary industry programs by eliminating barriers to funding the collection and recycling or proper disposal of used rechargeable batteries; and second, phase out the use of mercury in batteries.

I am pleased to report that not only is H.R. 2024 supported by the U.S. Conference of Mayors, the National Conference of State Legislatures, the Electronic Industries Association, the Portable Rechargeable Battery Association, the National Electrical Manufacturers Association, the National Retail Federation, and the North American Retail Dealers Association, but it is also supported by the Environmental Protection Agency.

The prompt passage of this bipartisan legislation will achieve a number of important goals. First, by establishing uniform national standards to promote the recycling and reuse of rechargeable batteries, this legislation provides a costeffective means to promote the reuse of our Nation's resources. Second, this legislation will further strengthen efforts to remove these potentially toxic heavy metals from our Nation's landfills and incinerators. Not only will this lower the threat of groundwater contamination and toxic air emissions, but it will also significantly reduce the threat that these materials pose to the environment. Third, this legislation represents an environmentally friendly policy choice that was developed as the result of a strong cooperative effort between the States, environmental groups, and the affected industries.

Mr. President, passage of this legislation will not only provide a significant and positive step in removing potentially toxic heavy metals from our Nation's solid waste stream, but it will also provide a cost-effective and sensible method of protecting the environment. If we adopt H.R. 2024 today, this legislation can be quickly sent to President Clinton for his signature, and we can get to work to get these materials out of our solid waste stream and ensure protection of the environment. I urge its immediate adoption.

Mr. CHAFEE. Mr. President, I rise in strong support and urge the adoption of H.R. 2024, the Mercury-Containing and Rechargeable Battery Management Act. The bill is nearly identical to S. 619, legislation introduced by Senator SMITH, reported by the Environment

Committee and approved by the full Senate by voice vote on September 21, 1995.

H.R. 2024 is an industry initiative developed to respond to the environmental threats posed by used, spent batteries. The approach is twofold. First, the bill promotes the recycling of rechargeable batteries through uniform labeling requirements and streamlined regulations for battery collection programs. Second, the bill limits mercury content in and phases out the use of mercury in certain batteries.

The bill is straightforward and contains two titles. Title I would facilitate the efficient recycling of nickel-cadmium rechargeable batteries, small lead-acid rechargeable batteries, and rechargeable batteries used in consumer products through: One, uniform battery labeling requirements; two, streamlined regulatory requirements for battery collection programs; and three, the elimination of barriers to funding voluntary industry collection programs.

Title II is intended to phase out the use of mercury in batteries, thus reducing the threat this material poses to our air and groundwater.

H.R. 2024 and its Senate companion S. 619 are prime examples of industry's concern for the environment. The legislation is an excellent example of a point that I have made many times: protection of the environment and a strong economy go hand in hand. By providing a coherent national system for labeling batteries and products, requiring the easy removability of batteries from consumer products, and streamlining Federal regulations, the Mercury-Containing and Rechargeable Battery Management Act will provide States, localities, consumers, and industry the opportunity to join together to achieve greater environmental protection without imposing burdens on the States or local taxpayers. In fact, the bill will generate substantial savings for Federal, State, and local entities and commercial operations that ship batteries due to the lower cost associated with the bill's streamlined requirements.

H.R. 2024 is legislation supported by the Portable Rechargeable Battery Association and the National Electrical Manufacturers Association. In addition, the administration has expressed its support for the bill. I am convinced that H.R. 2024 will result in greater protection of our environment and I urge its adoption.

Mr. LAUTENBERG. Mr. President, I rise to join Senator CHAFEE and Senator SMITH in supporting H.R. 2024, the Mercury-Containing and Rechargeable Battery Management Act.

The bill is based on the bipartisan bill that I sponsored with Senators FAIRCLOTH, LIEBERMAN, REID, and GRAHAM during the last Congress.

This legislation is an important step in our efforts to control the amount of toxic wastes entering the waste

stream. Specifically, it deals with mercury, cadmium, and lead, which are contained in some battery casing. These materials pose no risk while a battery is in use. But they can be a significant concern when discarded in our solid waste stream.

Cadmium, which is used in the electrodes of rechargeable nickel-cadmium batteries, can cause kidney and liver damage.

Mercury exposure can cause significant damage to the nervous system and kidneys. It has also been linked to decreased motor functions and muscle reflexes, memory loss, headaches, and brain function disorders. And when mercury enters the aquatic environment, it can form methyl mercury, which is extremely toxic to both humans and wildlife.

Although dry cell batteries account for less than one-tenth of 1 percent of the 180 billion tons of garbage we generate each year, dry cell batteries have been significant sources of mercury, cadmium, and lead in our waste stream.

According to a New York State report, mercury batteries accounted for 85 percent of the mercury, and rechargeable batteries accounted for 68 percent of the cadmium, in New York's solid waste.

In landfills, dry cell batteries can break down to release their toxic contents and contaminate our waters. In incinerators, the combustion of dry cell batteries containing toxic metals leads to elevated toxic air emissions, and has increased the concentrations of toxic metals in the resulting fly and bottom ash.

This bill, by limiting the amount of toxics used in primary batteries and creating a recycling program for rechargeable nickel cadmium, will remove a significant source of toxics from our landfills.

Mr. KEMPTHORNE. I ask unanimous consent that the bill be deemed read for the third time, passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

So the bill (H.R. 2024) was deemed read for the third time, and passed.

#### AUTHORITY TO SIGN DULY ENROLLED BILLS AND RESOLUTIONS

Mr. DOLE. Mr. President, I ask unanimous consent that I be permitted to sign duly enrolled bills and resolutions during today's session.

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

#### SEQUENTIAL REFERRAL OF S. 1660

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that if and when the Environment and Public Works Committee reports the bill S.

1660, the National Invasive Species Act of 1996, the bill be sequentially referred to the Committee on Commerce, Science, and Transportation for a period not to exceed 20 calendar days; further, that if the measure has not been reported following that period, it be automatically discharged and placed on the calendar.

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

#### PRINTING OF SENATE DOCUMENT

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent that the statement submitted with reference to the death of Secretary Brown and other officials at the Commerce Department and from the business community be compiled and printed as a Senate document.

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

#### MEASURE READ FOR THE FIRST TIME—S. 1708

Mr. KEMPTHORNE. Mr. President, I understand that S. 1708, introduced earlier today by Senator THURMOND, is at the desk.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows.

A bill (S. 1708) to amend title 28 of the United States Code to clarify the remedial jurisdiction of the inferior Federal courts.

Mr. KEMPTHORNE. Mr. President, I now ask for its second reading and, on behalf of Senator DASCHLE, I object.

The PRESIDING OFFICER. Objection is heard. The bill will remain at the desk.

#### UNANIMOUS-CONSENT REQUEST—H.R. 2337

Mr. KEMPTHORNE. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of calendar No. 374, H.R. 2337, an act to provide for increased taxpayer protections; that one amendment be in order to the measure which will be offered by Senator GRAMM regarding the gas tax repeal; that no other amendments be in order; further, that immediately following the disposition of the Gramm amendment, the bill be read a third time and the Senate proceed to vote on passage of the measure, as amended, if amended, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. KEMPTHORNE. Mr. President, I have to object on behalf of the minority leader, and I would state that the Democrats are cleared with no amendments.

The PRESIDING OFFICER. Objection is heard.