

ORDER OF PROCEDURE

Mr. COVERDELL. Mr. President, I ask unanimous consent that no votes occur prior to 3:45 today; and, further, the time until 3 o'clock be equally divided in the usual form.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. COVERDELL. Mr. President, we have essentially accomplished this so far: The Senator from Wisconsin, the Senator from Minnesota. I understand the Senator from Vermont has a subject he needs to cover at this time. We encourage Senators with amendments to come forward. When we finish, Senator LANDRIEU will perhaps be here around 3 o'clock and we will facilitate that. We will try to give any amendment priority over any other business during this time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I am going to take about 10 minutes, but I am wondering whether it may be appropriate to ask that my time not be charged to either side. It is not going to be on the bill itself.

Mr. COVERDELL. What we are basically trying to do—I don't think it is necessary—is to divide this period of time between them, and it would be appropriate for your side to have time at this point.

Mr. LEAHY. Mr. President, then I will take the floor, if I might. I assure my distinguished colleagues from Georgia and from Massachusetts, I will not be long.

Mr. KENNEDY. Will the Senator yield for a question? As I understand from the Senator from Georgia, then, at 3:45 we intend to start voting on the subject matters which we have debated earlier, and dispose of those, and then, according to the leadership, try to continue to dispose of other amendments subsequent. Am I correct in that?

Mr. COVERDELL. You are absolutely correct. It is a little unclear what will occur following the vote. We will potentially have up to five votes. Again, we are not absolutely certain when those coming from the funeral will arrive. It is a little unclear, but that is generally the plan.

Mr. KENNEDY. I ask to be able to follow the Senator from Vermont for up to 15 minutes.

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

The Senator from Vermont.

MERCURY POLLUTION:
UNFINISHED BUSINESS

Mr. LEAHY. Mr. President, as I have said many times on the floor of the Senate, I am blessed to come from and in fact represent a State in which people share a deep and abiding concern for the environment. In many ways, Vermont is an example to the Nation in its environmental ethics and its environmental action.

We Vermonters are especially proud that much of the environmental progress the Nation has achieved in the last 3 decades is also part of the legacy of Vermont's own Robert Stafford. Senator Stafford's leadership in this body helped shape national environmental policy from the time the environmental movement was in its infancy, and then continued well into its maturity. In his role as chairman of the Committee on Environment and Public Works—a post that Senator Stafford assumed in 1981—Bob Stafford courageously and successfully stood up to the powerful interests who tried to roll back our environmental standards. Today, as we celebrate the 28th anniversary of Earth Day, I would like to take a moment to reflect on the progress we have made to protect our environment. But I also want to talk about the job that remains to be done.

In the past few weeks, one of Vermont's great treasures, Lake Champlain, has received a great deal of attention. This has also offered an opportunity to explain one of the threats to Lake Champlain from toxic pollutants that are drifting into our State. One of these pollutants, mercury, should be of particular concern. Like lakes and waterways in most States, Lake Champlain now has fish advisories for wall-eye and lake trout and bass. All that is due to mercury.

When I was growing up and I could spend parts of my summers on Lake Champlain, I never had to worry about eating the fish that I caught. Actually, I only had to worry about being good enough to catch them in the first place. But someday, when I take my grandson out fishing, I don't want to explain to him why he can't eat a fish he catches there. What I tell my grandson is largely a function of what direction we decide to take in Congress to protect the environment. Depending upon what we do here, that will determine whether I can tell him to eat the fish or not. Are we going to rest on our laurels, or are we going to build on the courageous steps that Bob Stafford and others took to protect our environment for future generations?

We should be proud of the great strides we have made to reduce the level of many air and water pollutants, to rebuild populations of endangered species, and to clean up abandoned hazardous waste sites. And we are proud of that. But now we have to continue to address the environmental threats that do not have any easy solutions. One of these threats is the mercury that seeps into our air and water every day from coal-fired power plants and waste combustors and utility boilers. It is one of the last remaining toxins for which there is no control strategy.

When we originally wrote the Clean Air Act, we didn't understand the dangers posed by mercury, but we have seen the dangers in our own State. Two high schools in my own State had to be closed for a week because there were small amounts of mercury found in the

classrooms. But these were instances where you could actually see the mercury. The more elusive problems are the ones where the mercury goes through the air and water and we don't see it. With the release of the Environmental Protection Agency's Mercury Study Protection Report to Congress, we have the information to solve the problem of mercury pollution. We have the information to solve the problem. The question we have to ask is: Do we have the will to solve it?

The report shows some very troubling levels of mercury in fish, and also estimates in the United States there are more than 1½ million pregnant women and their fetuses, women of childbearing age, and children who are at risk of brain and nerve development damage from mercury pollution.

There are new facts of mercury pollution, too. Look at this chart. In 1993, there were 27 States with fish advisories for mercury contamination. These are the States in red. There are 899 lakes, river segments and streams identified as yielding mercury-contaminated fish. That was just 5 years ago.

Now let's see what has happened as we go to 1997. Look at how the red is filling up the country. You can see that 39 States have issued mercury fish advisories for 1,675 water bodies. This is where we are with mercury-contaminated fish; almost every State in the country, 1,675 advisories.

In only 5 years, it is an increase of 86 percent. We are going in the wrong direction. We are soon going to see the map totally red.

What we should be doing, Mr. President, is trying to reverse course, getting rid of this mercury pollution and going back to where we can have a country without them.

We pump 150 tons of mercury into the atmosphere every year—every year, year after year after year. It doesn't go away. It becomes more potent. We put a lot of love and time and energy and fiscal resources into our children, but we are not protecting them from the possibility of being poisoned by a potent neurotoxin.

The critics of inaction are right. We can't tell to what degree people with learning disorders, coordination problems, hearing, sight or speech problems have been harmed by mercury pollution. We don't know how many little Sarahs or Johnnys would have been gifted physicians, poets or teachers but who now have no chance of reaching their full potential because they are exposed to mercury in the womb or during early childhood.

Just as with lead, we know that mercury has much graver effects on children at very low levels than it does on adults. It is insidious.

Because we can't measure how much potential has been lost, some special interests say we should continue to do nothing.

Our late colleague, Senator Edmund Muskie of Maine, put it well when he