

wells. This change represents a very straightforward yet significant modification to the Solid Waste Disposal Act that has the potential to save our society as much as \$800 million in annual compliance costs—an expense that the EPA agrees will provide no environmental benefit.

Another issue that is addressed in the Senate amended version of H.R. 2036 is the issue of ground water monitoring legislation. In October 1991, the EPA promulgated regulations to exempt certain categories of municipal solid waste landfills from ground water monitoring requirements. Specifically, this exemption was intended to provide relief for communities that had a daily disposal rate of less than 20 tons of solid waste and which have very little annual precipitation. The EPA's authority to issue these regulations was overturned by the D.C. Circuit Court of Appeals in *Natural Resources Defense Council versus EPA*, 1993.

Section 3 of H.R. 2036, as amended by the Senate amendment, is a virtually identical version of ground water monitoring language that the Senate passed on May 16, 1995, when it adopted the Interstate Transportation of Municipal Solid Waste Act of 1995. This section will provide EPA with the necessary authority to implement the ground water monitoring regulations that were struck down in *Natural Resources Defense Council versus EPA*.

As the chairman of the Superfund, Waste Control and Risk Assessment Subcommittee, which has jurisdiction over this legislation, I believe that this bill is a good example of a cooperative, bipartisan effort to correct excessive and needless environmental overregulation. I appreciate the significant time and effort that were spent by my fellow Members, the White House, the EPA, our House colleagues, and staff, toward speeding the adoption of this much needed legislation. In addition to this support, I would note that H.R. 2036 is also supported by the Association of State and Territorial Solid Waste Management Officials, the National Association of Counties, and the Ground Water Protection Council.

We need to act quickly to adopt this legislation. If we fail to act, the EPA, due to court order, will be forced to implement additional LDR regulations in the next few weeks—regulations that they believe are both unnecessary from an environmental standpoint as well as needlessly costly for the private sector. Our House colleagues understood this urgency and passed H.R. 2036 on January 31 by a vote of 402 to 19. Given the level of support for this important legislation, I would urge my colleagues to unanimously adopt this legislation as amended so we can send it to President Clinton as soon as possible.

Mr. LEVIN. Mr. President, the House has sent us a bill, H.R. 2036, to amend the Resource Conservation and Recovery Act, to prevent the duplication of regulation on dischargers of nonhazardous waste and thereby save hun-

dreds of millions of dollars in unnecessary compliance costs. It is a laudable bill.

Unfortunately, the House has yet to send to the Senate another needed change to the Resource Conservation and Recovery Act in this Congress, a bill to resolve a matter of great importance to me and to most of the 80,000 units of local government in this country. I am talking about addressing their jeopardized ability to regulate the inflow and outflow of solid waste in their jurisdiction.

As my colleagues know, the Senate passed S. 534, the Interstate Transportation of Solid Waste Act of 1995, in May of last year. This bill is not perfect but it contains amendments needed to resolve some of the interstate waste and flow control issues raised in Supreme Court decisions from several years ago.

Interstate transportation and flow control of solid waste are pressing matters, as is H.R. 2036. Despite this, the House has yet to act on S. 534 or similar legislation. This concerns me. Last week, I sought to add S. 534 as an amendment to H.R. 2036 by unanimous consent, but was met with objections.

Mr. President, I would like to ask the distinguished chairman of the Senate Environment and Public Works Committee if he would help me in insisting that the House promptly address this matter so that we might get a swift resolution.

Mr. CHAFEE. Mr. President, the Senator from Michigan states the situation accurately. It is unfortunate that the House has not yet acted on S. 534 or a similar bill. I will certainly work with him to ensure that the House understands that enactment of S. 534 is a priority for the Senate in this Congress. And, the Senator certainly retains his right to offer S. 534 to other vehicles, should he so choose. In the meantime, I appreciate his willingness not to stall progress on moving H.R. 2036.

Mr. LEVIN. I thank the Senator from Rhode Island. I hope he will work with me on other vehicles to which I can attach S. 534 in the very near future, if the House fails to act promptly.

Mr. LOTT. Mr. President, I ask unanimous consent the bill be deemed read a third time, passed as amended, and the motion to reconsider be laid upon the table, and that any statements relating to the bill be placed at the appropriate place in the RECORD.

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

So the bill (H.R. 2036), as amended, was deemed read the third time and passed.

EXECUTIVE SESSION

NOMINATION OF GEORGE W. BLACK, JR., TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD

Mr. LOTT. Mr. President, in executive session, I ask unanimous consent

that the Senate now proceed to the consideration of the nomination of George W. Black, Jr., to be a member of the National Transportation Safety Board reported out of the Commerce Committee today, that the nomination be confirmed, any statements on the nomination be inserted in the RECORD as if read, and that the President be immediately notified of the Senate's action on this nomination.

The PRESIDING OFFICER. Hearing no objection, it is so ordered.

The nomination considered and confirmed is as follows:

George W. Black, Jr., of Georgia, to be a member of the National Transportation Safety Board for the remainder of the term expiring December 31, 1996, vice Carl W. Vogt, resigned.

LEGISLATIVE SESSION

Mr. LOTT. I ask now that the Senate return to legislative session.

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

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 104-24

Mr. LOTT. As in executive session, Mr. President, I ask unanimous consent that the injunction of secrecy be removed from the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of December 10, 1982, relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, with annexes, which was adopted by the U.N. headquarters in New York by consensus of the U.N. Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks on August 4, 1995, and signed by the United States on December 4, 1995, (Treaty Document 104-24), transmitted to the Senate by the President on February 20, 1996; and ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 Relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, with Annexes ("the Agreement"), which was adopted at United Nations Headquarters in New York by consensus of the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks on August 4, 1995, and signed by the United