

and to reduce burdensome regulatory requirements on creditors.

ENROLLED JOINT RESOLUTION SIGNED

At 7:34 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 108. Joint Resolution making continuing appropriations for the fiscal year 1996, and for other purposes.

At 7:49 p.m., a message from the House of Representatives, delivered by Ms. Goetz, one of its reading clerks, announced that the Speaker appoints Mr. EMERSON as an additional conferee in the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (H.R. 4) to restore the American family, reduce illegitimacy, control welfare spending, and reduce welfare dependence.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 743. An Act to amend the National Labor Relations Act to allow labor management cooperative efforts that improve economic competitiveness in the United States to continue to thrive, and for other purposes; to the Committee on Labor and Human Resources.

H.R. 1170. An Act to provide that an application for an injunction restraining the enforcement, operation, or execution of a State law adopted on the ground of the unconstitutionality of such law unless the application is heard and determined by a 3-judge court; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Indian Affairs, without amendment:

S. 325. A bill to make certain technical corrections in laws relating to Native Americans, and for other purposes (Rept. No. 104-150).

By Mr. STEVENS, from the Committee on Governmental Affairs, without amendment:

S. 868. A bill to provide authority for leave transfer for Federal employees who are adversely affected by disasters or emergencies, and for other purposes (Rept. No. 104-151).

By Mr. PRESSLER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1084. A bill to provide for the conveyance of the C.S.S. Hunley to the State of South Carolina, and for other purposes (Rept. No. 104-152).

S. 1141. A bill to authorize appropriations for the activities of the Under Secretary of Commerce for Technology, and for scientific research services and construction of research facilities activities of the National Institute of Standards and Technology, for fiscal years 1996, 1997, and 1998, and for other purposes (Rept. No. 104-153).

By Mr. ROTH, from the Committee on Finance, without amendment:

H.R. 2288. A bill to amend part D of title IV of the Social Security Act to extend for 2 years the deadline by which States are required to have in effect an automated data processing and information retrieval system for use in the administration of State plans for child and spousal support.

By Mr. HATCH, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S.J. Res. 21. A joint resolution proposing a constitutional amendment to limit congressional terms.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. Thurmond, from the Committee on Armed Services:

John Wade Douglass, of Virginia, to be an Assistant Secretary of the Navy.

(The above nomination was reported with the recommendation that he be confirmed, subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. SMITH (for himself, Mr. CHAFEE, Mr. INHOFE, Mr. KEMPTHORNE, Mr. FAIRCLOTH, Mr. BOND, Mr. THOMAS, Mr. MCCONNELL, Mr. WARNER, Mr. LOTT, and Mr. GREGG):

S. 1285. A bill to reauthorize and amend the Comprehensive Environmental Recovery, Compensation, and Liability Act of 1980, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SMITH:

S. 1286. A bill to amend the Solid Waste Disposal Act regarding management of remediation waste, certain recyclable industrial materials, and certain products, co-products, and intermediate products, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEAHY:

S. 1287. A bill to amend chapters 83 and 84 of title 5, United States Code, to provide that Federal employees who are erroneously covered by the Civil Service Retirement System may elect to continue such coverage or transfer to coverage under the Federal Employees Retirement System, and for other purposes; to the Committee on Governmental Affairs.

By Mr. BRYAN:

S. 1288. A bill to validate certain conveyances made by the Southern Pacific Transportation Company within the city of Reno, Nevada and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. KYL (for himself, Mr. NUNN, Mr. HELMS, Mr. BENNETT, Mr. KEMPTHORNE, and Mr. FAIRCLOTH):

S. 1289. A bill to amend title XVIII of the Social Security Act to clarify the use of private contracts, and for other purposes; to the Committee on Finance.

By Mr. KERRY:

S. 1290. A bill to reduce the deficit; to the Committee on the Budget.

By Mr. ABRAHAM (for himself and Mr. LEVIN):

S. 1291. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment of effectively connected investment income of insurance companies; to the Committee on Finance.

By Mr. BROWN:

S. 1292. A bill to designate the United States Post Office building located at 201 East Pikes Peak Avenue in Colorado

Springs, Colorado, as the "Winfield Scott Stratton Post Office", and for other purposes; to the Committee on Governmental Affairs.

By Mr. MURKOWSKI (for himself, Mr. HELMS, Mr. MCCAIN, and Mr. NICKLES):

S. 1293. A bill to provide for implementation of the Agreed Framework with North Korea regarding resolution of the nuclear issue on the Korean Peninsula, and for other purposes; to the Committee on Foreign Relations.

By Mr. JEFFORDS:

S. 1294. A bill to amend title 10, United States Code, to repeal the requirement that amounts paid to a member of the Armed Forces under the Special Separation Benefits program of the Department of Defense, or under the Voluntary Separation Incentive program of that Department, be offset from amounts subsequently paid to that member by the Department of Veterans Affairs as disability compensation; to the Committee on Armed Services.

By Mr. HELMS (for himself, Mr. FAIRCLOTH, and Mr. WARNER):

S. 1295. A bill to prohibit the regulation of any tobacco products, or tobacco sponsored advertising, used or purchased by the National Association of Stock Car Automobile Racing, its agents or affiliates, or any other professional motor sports association by the Secretary of Health and Human Services or any other instrumentality of the Federal Government, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH (for himself, Mr. BREAUX, Mr. LUGAR, and Mr. COCHRAN):

S. 1296. A bill to amend the Employee Retirement Income Security Act of 1974 to clarify the treatment of a qualified football coaches plan; to the Committee on Finance.

By Mr. HATCH:

S. 1297. A bill to amend the Internal Revenue Code of 1986 to simplify certain provisions applicable to real estate investment trusts; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. JEFFORDS, Mr. GREGG, and Mr. SMITH):

S.J. Res. 38. A joint resolution granting the consent of Congress to the Vermont-New Hampshire Interstate Public Water Supply Compact; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BIDEN:

S. Res. 177. A resolution to designate October 19, 1995, as "National Mammography Day"; to the Committee on the Judiciary.

By Mr. PRESSLER (for himself, Mr. GRAHAM, Mr. BOND, Mr. CHAFEE, Mr. D'AMATO, Mr. DOLE, Mr. GORTON, Mrs. KASSEBAUM, Mr. SPECTER, Mr. STEVENS, Mr. WARNER, Mr. THURMOND, Mr. AKAKA, Mr. HOLLINGS, Mr. KERREY, Mr. DASCHLE, Mr. LEVIN, and Ms. MIKULSKI):

S. Res. 178. A resolution designating the second Sunday in October of 1995 as "National Children's Day", and for other purposes; considered and agreed to.

By Mr. THURMOND (for himself, Mr. DOLE, Mr. ASHCROFT, Mr. BAUCUS, Mr. DOMENICI, Mr. DORGAN, Mr. GORTON, Mr. KENNEDY, Mr. LAUTENBERG, Mr. HOLLINGS, Mr. SANTORUM, Mr.

PACKWOOD, Mr. WARNER, Mr. COHEN, Mr. SHELBY, Mr. LOTT, Mr. HATFIELD, Mr. JEFFORDS, Mr. COCHRAN, Mr. BUMPERS, Mr. KOHL, Mr. MACK, Mr. BIDEN, Mr. CRAIG, Mr. SARBANES, Mr. BYRD, Mr. STEVENS, Mr. INHOFE, Mr. WELLSTONE, Mr. LEAHY, Mr. SIMPSON, Mr. BROWN, Mr. ROBB, Mr. INOUE, Mr. HATCH, and Mr. CAMPBELL):

S. Res. 179. A resolution concerning a joint meeting of Congress and the closing of the commemorations for the Fiftieth Anniversary of World War II, considered and agreed to.

By Mr. JEFFORDS:

S. Con. Res. 28. A concurrent resolution authorizing the use of the Capitol Grounds for the D.C. StandDown '95; to the Committee on Rules and Administration.

By Mr. DOLE:

S. Con. Res. 29. A concurrent resolution providing for marking the celebration of Jerusalem on the occasion of its 3000th Anniversary; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SMITH (for himself, Mr. CHAFFEE, Mr. INHOFE, Mr. KEMPTHORNE, Mr. FAIRCLOTH, Mr. BOND, Mr. THOMAS, Mr. MCCONNELL, Mr. WARNER, Mr. LOTT, and Mr. GREGG):

S. 1285. A bill to reauthorize and amend the Comprehensive Environmental Recovery, Compensation, and Liability Act of 1980, and for other purposes; to the Committee on Environment and Public Works.

THE ACCELERATED CLEANUP AND ENVIRONMENTAL RESTORATION ACT OF 1995

Mr. SMITH. Mr. President, when the Superfund Program was enacted in 1980, it was expected that only a few hundred sites would need to be cleaned up, at a relatively modest cost. Today, we know those expectations were misguided. There are more than 1,300 sites on the national priorities list, and the EPA has been adding an average of 30-40 new sites per year. To date, the construction of long-term cleanup remedies have been completed at fewer than 300 contaminated sites.

The Superfund saga has been running now for 15 years. The cast includes a bewildering mix of lawyers, bureaucrats, insurers, small business owners, polluters and others trapped in a tangled web of retroactive, joint, strict and several liability. The Superfund story is one of good intentions gone bad while a Government program ran amok.

I am here today to announce that this sorry show will be coming to an end, soon. My goal this year has been nothing short of a comprehensive, common sense reform of the Superfund Program.

The Subcommittee on Superfund, Waste Control, and Risk Assessment, which I chair, held 7 hearings and received testimony from more than 60 witnesses in an effort to formally incorporate a wide variety of views on the issue of Superfund reform. On June 28, I released a detailed outline of a Superfund reform plan and asked for

comments from interested parties. I received more than 150 constructive comments and suggestions.

The bill I am introducing today with Senators CHAFFEE, BOND, INHOFE, THOMAS, KEMPTHORNE, FAIRCLOTH, LOTT, MCCONNELL, WARNER and GREGG respond to the broad-based concerns and problems with the Superfund Program. The Accelerated Cleanup and Environmental Restoration Act will do just what the title says. The legislation will accelerate the pace of cleanups by reducing cleanup costs, reducing litigation costs, and providing economic incentives for PRPs to stay on site and get the job done.

The legislation will establish a fair, cost-effective and balanced approach to cleaning up hazardous waste sites and returning them to productive use.

Mr. President, I ask unanimous consent that a title-by-title summary of legislation be printed in the RECORD.

Mr. President, I ask unanimous consent that a copy legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1285

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Accelerated Cleanup and Environmental Restoration Act of 1995".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—COMMUNITY PARTICIPATION

Sec. 101. Community response organizations; technical assistance grants; improvement of public participation in the Superfund decision-making process.

TITLE II—STATE ROLE

Sec. 201. Delegation to the States of authorities with respect to national priorities list facilities.

TITLE III—VOLUNTARY CLEANUP

Sec. 301. Assistance for qualifying State voluntary response programs.

Sec. 302. Brownfield cleanup assistance.

Sec. 303. Treatment of security interest holders and fiduciaries as owners or operators.

Sec. 304. Federal Deposit Insurance Act amendment.

Sec. 305. Contiguous properties.

Sec. 306. Prospective purchasers and windfall liens.

Sec. 307. Safe harbor innocent landholders.

TITLE IV—SELECTION OF REMEDIAL ACTIONS

Sec. 401. Definitions.

Sec. 402. Selection and implementation of remedial actions.

Sec. 403. Remedy selection methodology.

Sec. 404. Remedy selection procedures.

Sec. 405. Completion of remedial action and delisting.

Sec. 406. Transition rules for facilities currently involved in remedy selection.

Sec. 407. Judicial review.

Sec. 408. National priorities list.

TITLE V—LIABILITY ALLOCATIONS

Sec. 501. Allocation of liability for multiparty facilities.

Sec. 502. Liability of response action contractors.

Sec. 503. Release of evidence.

Sec. 504. Contribution protection.

Sec. 505. Treatment of religious, charitable, scientific, and educational organizations as owners or operators.

Sec. 506. Common carriers.

Sec. 507. Limitation on liability for response costs.

TITLE VI—FEDERAL FACILITIES

Sec. 601. Transfer of authorities.

Sec. 602. Department of Energy environmental cleanup requirements.

Sec. 603. Innovative technologies for remedial action at Federal facilities.

Sec. 604. Federal facility listing.

Sec. 605. Federal facility listing deferral.

Sec. 606. Transfers of uncontaminated property.

TITLE VII—NATURAL RESOURCE DAMAGES

Sec. 701. Restoration of natural resources.

Sec. 702. Assessment of damages.

Sec. 703. Consistency between response actions and resource restoration standards and alternatives.

Sec. 704. Miscellaneous amendments.

TITLE VIII—MISCELLANEOUS

Sec. 801. Result-oriented cleanups.

Sec. 802. National priorities list.

Sec. 803. Obligations from the fund for response actions.

Sec. 804. Remediation waste.

TITLE IX—FUNDING

Subtitle A—General Provisions

Sec. 901. Authorization of appropriations from the fund.

Sec. 902. Orphan share funding.

Sec. 903. Department of Health and Human Services.

Sec. 904. Limitations on research, development, and demonstration programs.

Sec. 905. Authorization of appropriations from general revenues.

Sec. 906. Additional limitations.

Sec. 907. Reimbursement of potentially responsible parties.

TITLE I—COMMUNITY PARTICIPATION

SEC. 101. COMMUNITY RESPONSE ORGANIZATIONS; TECHNICAL ASSISTANCE GRANTS; IMPROVEMENT OF PUBLIC PARTICIPATION IN THE SUPERFUND DECISIONMAKING PROCESS.

(a) AMENDMENT.—Section 117 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9617) is amended by striking subsection (e) and inserting the following:

“(e) COMMUNITY RESPONSE ORGANIZATIONS.—

“(1) ESTABLISHMENT.—The Administrator shall create a community response organization for a facility—

“(A) if the Administrator determines that a representative public forum will be helpful in promoting direct, regular, and meaningful consultation among persons interested in remedial action at a facility; or

“(B) at the request of—

“(i) 50 individuals residing in, or at least 20 percent of the population of, the area in which the facility is located;

“(ii) a representative group of the potentially responsible parties; or

“(iii) any local governmental entity with jurisdiction over the facility.

“(2) RESPONSIBILITIES.—A community response organization shall—

“(A) solicit the views of the local community on various issues affecting the development and implementation of remedial actions at the facility;