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conducted the Navy's administrative inquiry regarding the A–12 aircraft program. As Special Assistant to the Under Secretary and Secretary of the Navy from 1987 to 1989, Mr. Beach headed the Navy's Procurement Task Force supervising the Navy's response to the "Ill Wind" procurement fraud investigation, and the Navy Management Review Task Force that implemented the 1989 Defense Management Report. Mr. Beach served on active duty as a captain in the U.S. Army from 1981 to 1987 in Germany and Washington, DC.

Mr. Beach is a graduate of Vanderbilt University in Nashville, TN, receiving a Bachelor of Arts degree *magna cum laude* in 1976, and the University of Chicago Law School, Chicago, IL, receiving a J.D. degree in 1980. He was born in Memphis, TN, and currently resides with his wife, Kathy, in Alexandria, VA.

Nomination of Jeni Brown Norris To Be an Assistant Secretary of Housing and Urban Development

October 5, 1992

The President today announced his intention to nominate Jeni Brown Norris, of Virginia, to be an Assistant Secretary of Housing and Urban Development for Public Affairs. She would succeed Mary Shannon Brunette.

Since 1989, Ms. Norris has served as vice president for public affairs and publications at the Export-Import Bank of the United States. She has also served as a consultant to Secretary Jack Kemp at the Department of Housing and Urban Development, 1989; executive assistant to the Deputy Under Secretary for International Labor Affairs at the Department of Labor, 1988–89; and Director of Public Affairs and Deputy Director of Audience Relations at the Voice of America, 1983–88.

Ms. Norris attended the University of Mainz, West Germany. She was born October 24, 1949, in Gustavsburg, West Germany. Ms. Norris resides in Hume, VA.

Statement on Signing Legislation Waiving Federal Immunity Relating to Solid and Hazardous Waste

October 6, 1992

I am signing into law H.R. 2194, which waives Federal sovereign immunity for violation of Federal, State, and local laws and regulations related to solid and hazardous waste.

Four years ago I promised the American people that I would make the Federal Government live up to the same environmental standards that apply to private citizens. By signing this bill, we take another step toward fulfillment of that promise.

My Administration has made a concerted effort to ensure that Federal facilities have the resources to meet the requirements of our Nation's environmental laws. Since 1989, we have tripled funding for the cleanup of wastes at Federal facilities and for bringing them into compliance with applicable environmental laws. Our FY 1993 budget proposed $9.5 billion for environmental cleanup and compliance at Federal facilities. The $5.5 billion request for Department of Energy environmental restoration and waste management activities represented an increase of $1.1 billion. This was approximately 26 percent above enacted FY 1992 levels. I am pleased that the Congress has agreed to fund these requests.

The objective of the bill is to bring all

Federal facilities into compliance with applicable Federal and State hazardous waste laws, to waive Federal sovereign immunity under those laws, and to allow the imposition of fines and penalties. During the development of H.R. 2194, my Administration supported this objective, but insisted that the legislation recognize unique situations presented by activities of the Department of Defense and the Department of Energy. I commend the Congress for the effort made to address these situations.

This Administration will strive to comply fully with the legislation. I want to emphasize, however, that several provisions of H.R. 2194 will require special effort and the cooperation of regulators and other interested parties to ensure that national compliance goals are met. My Administration views this legislation as a unique opportunity for a positive and constructive relationship between the various parties to ensure that enforcement actions and the assessment of fines and penalties will be exercised within a fair framework.

I look forward to a cooperative effort under this legislation to accomplish our national compliance goals and promote the implementation of efficient, cost-effective waste management programs.

In signing this bill, I wish to clarify the question of the source of payment of fines and penalties. H.R. 2194 is silent on this matter. House Report 102–111 suggests that Federal agency appropriations would be the source when the agency concedes liability or agrees to pay after an administrative hearing. However, the Judgment Fund would be the source if the agency disputed the matter and sent it to the Attorney General for defense. The Judgment Fund provides for the payment of judgments, awards, and settlements that are not otherwise provided.

This approach would put incentives in the wrong place and muddy the lines of responsibility within the Federal Government. It would take away the coercive effect penalties might have on the agencies and turn the waiver of sovereign immunity into a revenue sharing program. Accordingly, fines or penalties imposed as a result of this legislation will be paid from agency appropriations, unless otherwise required by law.

Finally, section 102(a)(3) of the bill amends the Solid Waste Disposal Act to subject the Federal Government to "all civil and administrative penalties and fines" imposed with respect to solid waste or hazardous waste, including penalties and fines "imposed for isolated, intermittent, or continuing violations." The conference report on H.R. 2194 indicates that under the latter provision, the Federal Government may be penalized "notwithstanding the holding of the Supreme Court in *Gwaltney of Smithfield, Ltd. v. Chesapeake Bay Foundation, Inc.,* 484 U.S. 49 (1987)." The Supreme Court's decision in *Gwaltney* rested in part on constitutional principles of standing and mootness. *See* 484 U.S. at 65–67; *id.* at 70–71 (Scalia, J., concurring in part and concurring in the judgment). I must note that no statute, and certainly no conference report, can overcome these principles.

GEORGE BUSH

The White House,
October 6, 1992.

Note: H.R. 2194, approved October 6, was assigned Public Law No. 102–386.

Statement on Signing Legislation Waiving Printing Requirements for Subsequent Appropriations Bills

October 6, 1992

I have signed into law H.J. Res. 560, which waives the printing requirements of sections 106 and 107 of title 1 of the United States Code with respect to subsequently presented appropriations bills during the 102nd Congress. I do so to avoid any confu-