

Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman

Williams
Wilson (SC)
Wittman
Womack
Woodall

Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—189

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Espallat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge

NOT VOTING—15

Bridenstine
Buchanan
Collins (GA)
Conyers
Harper

Jayapal
Kennedy
Kildee
Pocan
Posey

Renacci
Scalise
Stivers
Taylor
Webster (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1408

So the previous question was ordered.
The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.
The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 186, not voting 21, as follows:

[Roll No. 645]

YEAS—226

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert

NAYS—186

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester

Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Espallat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Heck
Higgins (NY)
Himes
Hoffman
Hoyer
Huffman
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur

Keating
Kelly (IL)
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebbeck
Loftgren
Lowenthal
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarelli
Payne
Pelosi
Perlmutter
Peters
Peterson

NOT VOTING—21

Bilirakis
Brat
Bridenstine
Buchanan
Collins (GA)
Conyers
Courtney
Gottheimer

Harper
Hastings
Jayapal
Kennedy
Nolan
Pocan
Posey
Renacci

□ 1415

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HASTINGS. Mr. Speaker, had I been present, I would have voted “nay” on rollcall No. 645.

PERSONAL EXPLANATION

Mr. TAYLOR. Mr. Speaker, due to my attendance of a close friend's funeral, I missed the following votes. Had I been present, I would have voted “nay” on rollcall No. 642, “yea” on rollcall No. 643, “yea” on rollcall No. 644, and “yea” on rollcall No. 645.

BROWNFIELDS ENHANCEMENT, ECONOMIC REDEVELOPMENT, AND REAUTHORIZATION ACT OF 2017

Mr. SHIMKUS. Mr. Speaker, pursuant to House Resolution 631, I call up the bill (H.R. 3017) to amend the Comprehensive Environmental Response,

Compensation, and Liability Act of 1980 to reauthorize and improve the brownfields program, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HOLDING). Pursuant to House Resolution 631, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-40 is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3017

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017”.

SEC. 2. REDEVELOPMENT CERTAINTY FOR GOVERNMENTAL ENTITIES.

Section 101(20)(D) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(20)(D)) is amended by striking “ownership or control” and all that follows through “by virtue” and inserting “ownership or control through seizure or otherwise in connection with law enforcement activity, or through bankruptcy, tax delinquency, abandonment, or other circumstances in which the government acquires title by virtue”.

SEC. 3. PETROLEUM BROWNFIELD ENHANCEMENT.

Section 101(39)(D)(ii)(II) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(39)(D)(ii)(II)) is amended by amending item (bb) to read as follows:

“(bb) is a site for which there is no viable responsible party and that is determined by the Administrator or the State, as appropriate, to be a site that will be assessed, investigated, or cleaned up by a person that is not potentially liable for cleaning up the site under this Act or any other law pertaining to the cleanup of petroleum products; and”.

SEC. 4. CLARIFICATION OF LEASEHOLDER INTEREST.

Section 101(40) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601(40)) is amended—

(1) in the matter preceding subparagraph (A), by striking “(or a tenant of a person) that acquires ownership of” and inserting “who acquires ownership of, or a leasehold interest in,”;

(2) in subparagraph (A), by inserting “or the leasehold interest in the facility” before the period at the end;

(3) in subparagraph (B)—

(A) in clause (ii), by inserting “with respect to a person who acquires ownership of a facility. The Administrator shall establish standards and practices with respect to a person who acquires a leasehold interest in a facility” before the period at the end; and

(B) in clause (iii), by inserting “, or acquisition of a leasehold interest,” after “time of purchase”;

(4) in subparagraph (H)(i)(II), by inserting “, by the instruments by which the leasehold interest in the facility is acquired after January 11, 2002,” after “financed”; and

(5) by adding at the end the following:

“(I) LEASEHOLDERS.—In the case of a person holding a leasehold interest in a facility—

“(i) the leasehold interest in the facility—

“(I) is for a term of not less than 5 years; and

“(II) grants the person control of, and access to, the facility; and

“(ii) the person is responsible for the management of all hazardous substances at the facility.”.

SEC. 5. EXPANDED ELIGIBILITY FOR NONPROFIT ORGANIZATIONS.

(a) NONPROFIT ORGANIZATIONS.—Section 104(k)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(1)) is amended—

(1) in subparagraph (G), by striking “or” after the semicolon;

(2) in subparagraph (H), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(I) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code;

“(J) a limited liability corporation in which all managing members are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I);

“(K) a limited partnership in which all general partners are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I); or

“(L) a qualified community development entity (as defined in section 45D(c)(1) of the Internal Revenue Code of 1986).”.

(b) CONFORMING AMENDMENTS.—Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended—

(1) in paragraph (3)—

(A) in subparagraph (A)(ii)—

(i) by striking “or nonprofit organizations”; and

(ii) by striking “entity or organization” and inserting “eligible entity”; and

(B) in subparagraph (B)(ii)—

(i) by striking “or other nonprofit organization”; and

(ii) by striking “or nonprofit organization”; and

(2) in paragraph (6)(A), by striking “or nonprofit organizations”.

SEC. 6. TREATMENT OF PUBLICLY OWNED BROWNFIELD SITES.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604) is amended—

(1) in paragraph (2), by adding at the end the following:

“(C) EXEMPTION FOR CERTAIN PUBLICLY OWNED BROWNFIELD SITES.—Notwithstanding any other provision of law, an eligible entity described in any of subparagraphs (A) through (H) of paragraph (1) may receive a grant under this paragraph for property acquired by that eligible entity prior to January 11, 2002, even if such eligible entity does not qualify as a bona fide prospective purchaser, so long as the eligible entity has not caused or contributed to a release or threatened release of a hazardous substance at the property.”;

(2) in paragraph (3), by adding at the end the following:

“(E) EXEMPTION FOR CERTAIN PUBLICLY OWNED BROWNFIELD SITES.—Notwithstanding any other provision of law, an eligible entity described in any of subparagraphs (A) through (H) of paragraph (1) may receive a grant or loan under this paragraph for property acquired by that eligible entity prior to January 11, 2002, even if such eligible entity does not qualify as a bona fide prospective purchaser, so long as the eligible entity has not caused or contributed to a release or threatened release of a hazardous substance at the property.”; and

(3) in paragraph (4)(B)(iii)—

(A) by striking “up to 25 percent of the”; and

(B) by inserting “described in any of subparagraphs (A) through (H) of paragraph (1)” after “eligible entities”.

SEC. 7. REMEDIATION GRANT ENHANCEMENT.

Section 104(k)(3)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(3)(A)(ii))

is amended by striking “\$200,000 for each site to be remediated” and inserting “\$500,000 for each site to be remediated, which limit may be waived by the Administrator, but not to exceed a total of \$750,000 for each site, based on the anticipated level of contamination, size, or ownership status of the site”.

SEC. 8. MULTIPURPOSE BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended—

(1) by redesignating paragraphs (4) through (12) as paragraphs (5) through (13), respectively;

(2) in paragraph (3)(A), by striking “Subject to paragraphs (4) and (5)” and inserting “Subject to paragraphs (5) and (6)”;

(3) by inserting after paragraph (3) the following:

“(4) MULTIPURPOSE BROWNFIELDS GRANTS.—

“(A) IN GENERAL.—Subject to subparagraph (D) and paragraphs (5) and (6), the Administrator shall establish a program to provide multipurpose grants to an eligible entity based on the criteria under subparagraph (C) and the considerations under paragraph (3)(C), to carry out inventory, characterization, assessment, planning, or remediation activities at 1 or more brownfield sites in an area proposed by the eligible entity.

“(B) GRANT AMOUNTS.—

“(i) INDIVIDUAL GRANT AMOUNTS.—Each grant awarded under this paragraph shall not exceed \$1,000,000.

“(ii) CUMULATIVE GRANT AMOUNTS.—The total amount of grants awarded for each fiscal year under this paragraph may not exceed 15 percent of the amounts made available for the fiscal year to carry out this subsection.

“(C) CRITERIA.—In awarding a grant under this paragraph, the Administrator shall consider the extent to which the eligible entity is able—

“(i) to provide an overall plan for revitalization of the 1 or more brownfield sites in the proposed area in which the multipurpose grant will be used;

“(ii) to demonstrate a capacity to conduct the range of activities that will be funded by the multipurpose grant; and

“(iii) to demonstrate that a multipurpose grant will meet the needs of the 1 or more brownfield sites in the proposed area.

“(D) CONDITION.—As a condition of receiving a grant under this paragraph, each eligible entity shall expend the full amount of the grant not later than the date that is 5 years after the date on which the grant is awarded to the eligible entity, unless the Administrator provides an extension.

“(E) OWNERSHIP.—An eligible entity that receives a grant under this paragraph may not expend any of the grant funds on remediation of a brownfield site until such time as the eligible entity owns the brownfield site.”; and

(4) by striking “(2) or (3)” each place it appears and inserting “(2), (3), or (4)”.

SEC. 9. ADMINISTRATIVE COSTS FOR GRANT RECIPIENTS.

Paragraph (5) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 8 of this Act) is amended—

(1) in subparagraph (B)—

(A) in clause (i)—

(i) by striking subclause (III); and

(ii) by redesignating subclauses (IV) and (V) as subclauses (III) and (IV), respectively;

(B) by striking clause (ii);

(C) by redesignating clause (iii) as clause (ii); and

(D) in clause (ii) (as redesignated by subparagraph (C) of this paragraph), by striking “Notwithstanding clause (i)(IV)” and inserting “Notwithstanding clause (i)(III)”; and

(2) by adding at the end the following:

“(E) ADMINISTRATIVE COSTS.—

“(i) IN GENERAL.—An eligible entity may use up to 5 percent of the amounts made available

under a grant or loan under this subsection for administrative costs.

“(ii) **RESTRICTION.**—For purposes of clause (i), the term ‘administrative costs’ does not include—

“(I) investigation and identification of the extent of contamination of a brownfield site;

“(II) design and performance of a response action; or

“(III) monitoring of a natural resource.”.

SEC. 10. RENEWABLE ENERGY ON BROWNFIELD SITES.

Paragraph (6) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 8 of this Act) is amended by adding at the end of subparagraph (C) the following:

“(xi) The extent to which a grant would facilitate the production of renewable energy on the site.”.

SEC. 11. SMALL COMMUNITY TECHNICAL ASSISTANCE GRANTS.

(a) **IN GENERAL.**—Section 128(a)(1)(B) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9628(a)(1)(B)) is amended—

(I) in clause (ii)—

(A) in subclause (I), by striking “; or” and inserting a semicolon;

(B) in subclause (II), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(III) assist small communities, Indian tribes, rural areas, or disadvantaged areas in carrying out activities described in section 104(k)(7)(A) with respect to brownfield sites.”; and

(2) by adding at the end the following:

“(iii) **SMALL COMMUNITIES, INDIAN TRIBES, RURAL AREAS, AND DISADVANTAGED AREAS.**—

“(I) **IN GENERAL.**—To make grants to States or Indian tribes under clause (ii)(III), the Administrator may use not more than \$1,500,000 of the amounts made available to carry out section 104(k)(7) in each fiscal year.

“(II) **LIMITATION.**—Each grant made under subclause (I) may be not more than \$20,000.

“(iv) **DEFINITIONS.**—In this subparagraph:

“(I) **DISADVANTAGED AREA.**—The term ‘disadvantaged area’ means a community with an annual median household income that is less than 2/3 of the statewide annual median household income, as determined by the President based on the latest available decennial census.

“(II) **SMALL COMMUNITY.**—The term ‘small community’ means a community with a population of not more than 10,000 individuals, as determined by the President based on the latest available decennial census.”.

(b) **CONFORMING AMENDMENT.**—Section 104(g)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(g)(1)) is amended by inserting “or section 128(a)(1)(B)(ii)(III)” after “under this section”.

SEC. 12. BROWNFIELDS FUNDING.

Paragraph (13) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 8 of this Act) is amended to read as follows:

“(13) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$200,000,000 for each of fiscal years 2018 through 2022.”.

SEC. 13. STATE RESPONSE PROGRAM FUNDING.

Section 128(a)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9628(a)(3)) is amended to read as follows:

“(3) **FUNDING.**—There is authorized to be appropriated to carry out this subsection \$50,000,000 for each of fiscal years 2018 through 2022.”.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally di-

vided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Illinois (Mr. SHIMKUS) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. SHIMKUS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 3017.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SHIMKUS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3017, the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017. This legislation has broad bipartisan support, and I would like to thank Chairman WALDEN and Ranking Members PALLONE and TONKO.

I would also like to specifically thank a few of my colleagues who have exhibited leadership and commitment on this issue, Congressman DAVID MCKINLEY, my fellow Energy and Commerce Committee member, who introduced this important bill, and my colleagues on the Transportation and Infrastructure Committee, Congressman JOHN KATKO and Congresswoman ELIZABETH ESTY who guided a similar bill through their committee.

We have been working closely with our colleagues on the Transportation and Infrastructure Committee over these past few months, and the bill that we will vote on today reflects compromise on both sides.

The bill takes a very important step in reauthorizing the Environmental Protection Agency's brownfields program for the first time since the law was enacted, and so I would like to also thank Chairman SHUSTER for his leadership and support as we move forward.

The bill we are voting on today makes several important changes to the brownfields law that will result in more contaminated sites being cleaned up and returned to productive use, such as the creation of multipurpose grants, which will allow communities to use grant funds for both assessment and remediation, as well as allow communities to clean up more than one site in a designated area.

The bill also provides liability relief to States and municipalities who voluntarily acquire brownfields property through their authority as a sovereign, which will allow local units of government to address contamination on property they acquire through tax delinquency, bankruptcy, and/or abandonment.

The bill expands grant eligibility for nonprofit organizations and for publicly owned brownfields sites that acquired the property prior to January

11, 2002, which will put more parties into the mix of persons eligible for grant funding, which will result in more sites being assessed and cleaned up.

The legislation increases the limit for remediation grants from \$200,000 to \$500,000. As we learned from witnesses at our hearings, this will result in more brownfields sites being cleaned up because many of the sites that remain to be addressed are more complicated and, therefore, more expensive.

The bill provides for a limited amount of grant funds to be used for administrative costs, which will allow small and rural communities to be able to receive and utilize grant funds, and it carves out grant money to assist Indian Tribes in small, rural, and disadvantaged communities as they work to assess and clean up contaminated properties.

The EPA brownfields program is critical to States and local communities as they address contaminated industrial and commercial properties and return them to productive use. Cleaning up these sites is great for the economy because brownfields grants can be directly leveraged into jobs, additional redevelopment funds, and increased residential and commercial property values.

In fact, the brownfields program, on average, leverages over \$16 in private investment for every Federal dollar spent and leverages 8½ jobs for every \$100,000 of brownfields funds expended on assessment and cleanup.

The brownfields program is a proven results-driven program that has changed the way contaminated property is perceived, addressed, and managed. A visible, national example of the brownfields program at work was the Houston Astros and the Los Angeles Dodgers facing off in game three of the World Series at Minute Maid Park in Houston, Texas. Minute Maid Park sits on a former brownfields site that the city of Houston redeveloped and obviously returned to a very productive reuse, especially for the Astros.

The EPA brownfields program is uniquely positioned to protect the environment and spur the economy. You can tell, from the broad bipartisan support that H.R. 3017 enjoys, the support for the EPA brownfields program is unqualified. The program has strong support from local and State governments, private developers, and all sectors of the economy.

Because brownfields funding is so important to States and local communities across the country, I want to encourage my colleagues on the appropriations committee to fully fund this important and successful program.

Mr. Speaker, I urge all my colleagues to support the bill, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, November 9, 2017.

Hon. GREG WALDEN,
Chairman, Committee on Energy and Commerce,
Washington, DC.

I write concerning H.R. 3017, the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017. This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Transportation and Infrastructure will forego action on the bill. However, this is conditional on our mutual understanding that foregoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. Further, this is conditional on our understanding that mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration. Lastly, should a conference on the bill be necessary, I request your support for the appointment of conferees from the Committee on Transportation and Infrastructure during any House-Senate conference convened on this or related legislation.

I would ask that a copy of this letter and your response acknowledging our jurisdictional interest as well as the mutually agreed upon changes to be incorporated into the bill be included in the Congressional Record during consideration of the measure on the House floor, to memorialize our understanding.

I look forward to working with the Committee on Energy and Commerce as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, November 4, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter concerning H.R. 3017, Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017, on which the Committee on Transportation and Infrastructure received an additional referral.

I appreciate your committee's willingness to forego action on H.R. 3017 so that this legislation may be brought before the House of Representatives in an expeditious manner. I agree that foregoing consideration of the bill does not prejudice your committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within your committee's Rule X jurisdiction. Further, I agree that our mutually agreed upon changes to the legislation will be incorporated into the bill prior to floor consideration. Lastly, should a conference on the bill be necessary, I will support your request for the appropriate appointment of conferees from the Committee on Transportation and Infrastructure during any House-Senate conference convened on this or related legislation.

I will place a copy of your letter and this response into the Congressional Record dur-

ing consideration of the measure on the House floor.

Sincerely,

GREG WALDEN,
Chairman.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, EPA's brownfields program has changed the way contaminated property is perceived, addressed, and managed. I was proud to work with the late Republican Congressman Paul Gillmor in creating the brownfields program back in 2002, and I am proud to be here once again today as we bring up a bipartisan reauthorization of this law.

I want to thank our Environment Subcommittee, Chairman SHIMKUS, Ranking Member TONKO, our full committee chairman, Mr. WALDEN, for all their work in getting us to this point today, and, also, my colleagues on the Transportation and Infrastructure Committee.

By almost any metric, the brownfields program has been a remarkable success. Since the program's inception, more than 27,000 contaminated sites have been assessed or remediated, allowing communities to create new developments.

Removing public health hazards by cleaning up contaminated sites is incredibly important for the surrounding communities. With financial help from the Federal Government, communities can clean up contaminated sites and prepare them for development for parks, commerce, housing, or a number of other uses that can benefit a local community.

The EPA has found that cleaning up underutilized or abandoned brownfields properties reduces health risks, decreases pollution, and reduces storm water runoff. But this is not just a program that provides environmental benefits. It is a job creator that primes the pump for local investment and development. All told, the brownfields program has leveraged over \$45 billion in investments surrounding these sites and almost 130,000 jobs, which is a stunning return on the Federal Government's modest investment in the program.

Simply put, it provides tremendous value to the Federal Government and a boost to the economy in local communities. The brownfields program has been an incredibly important tool for protecting public health and spurring economic growth in New Jersey and throughout the country.

The original authorization for the program expired in 2006, and while Congress has continued to appropriate resources for the program, funding has declined. Last year, there was a question as to whether the President would request any funding for this important program.

So it is important that we reauthorize the brownfields program. I stress the need for continued funding. H.R. 3017 is a bipartisan bill that reauthorizes the program until 2022, at \$200 million annually, and reinstates a \$50 mil-

lion annual authorization for grants to assist States and Native American Tribes. And it makes important reforms to improve the flexibility of the brownfields program: authorizing multipurpose grants; raising the limits for grants per site; and removing some funding caps in current law.

Mr. Speaker, the bill also allows EPA to reserve as much as \$1.5 million in brownfields funding each year to assist small communities, Tribes, and rural or disadvantaged areas. Grants could be used for training, research, and technical assistance. Additionally, H.R. 3017 would require the EPA to consider the potential for renewable energy production when ranking applications for brownfields grants to incentivize green energy projects.

Mr. Speaker, this bill is a compromise. I would have liked to include more funding for this important program, but I believe this bill will improve the program and bolster the Federal Government in cleaning up these sites, and I support the bill, and I urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I yield 4 minutes to the gentleman from Oregon (Mr. WALDEN), the chairman of the full committee.

Mr. WALDEN. Mr. Speaker, I rise today in support of H.R. 3017, the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017, sponsored by our fellow Energy and Commerce Committee member, the gentleman from West Virginia (Mr. MCKINLEY). We thank him for his leadership on this.

I especially want to thank JOHN SHIMKUS, the chairman of the Environment Subcommittee, for his leadership in getting this done, along with Mr. PALLONE and Mr. TONKO, who played key roles, along with other members of the committee to bring this legislation to the floor and bring it here with unanimous support from the Energy and Commerce Committee.

What are brownfields? Well, they are vacant, underused, and often contaminated properties that are a blight on local communities across our Nation. The EPA's brownfields program is a successful, results-oriented program, and it provides grants to assess and clean up these polluted areas.

Since the brownfields program's inception, more than 27,000 contaminated sites have been remediated, allowing communities across the country to return them to productive use. Cleaning up brownfields sites increases local tax bases, facilitates job growth and wage increases, promotes the development of new infrastructure, improves and protects the environment—all really good public policy goals.

Over 129,000 jobs have been leveraged because of the brownfields program, and almost 70,000 acres have been made ready for reuse. The brownfields program has leveraged over \$24 billion, a

significant return on the Federal investment in the program. I read somewhere it was a 16-to-1 rate of return based on Federal investment compared to what we get out of the program.

□ 1430

A 2017 study concluded that cleaning up brownfield properties led to a residential property value increase of up to 15 percent within a mile of these brownfield sites. Another study found an estimated \$29 million to \$97 million in additional tax revenues for local governments in a single year after the cleanup, which is two to seven times more than the \$12.4 million the EPA contributed to the cleanup of those brownfields. So, property values go up, local tax revenues go up, communities are improved, and we create jobs with this very important program.

In my home State of Oregon, we have had a very active and effective brownfields program, and we have seen some great success in my own district. The Old Mill District in Bend—which is pictured here; this is the site of an old lumber mill—was one of those sites. It is easy to see—as the debris was here and the mill was crumbling and we lost all of those jobs—it was transformed into this incredible place with great recreation. With the reopening of the Deschutes River, we have movie theaters and restaurants and offices and residential housing all in this complex now, and it is a showplace. It is a gem of Deschutes County.

Bend isn't alone. In The Dalles, where I was born, Google broke ground on an expansion to their data center there on 26 acres of former mill land that was cleaned up under this program. That expansion of the Google data center is a \$600 million investment, expected to create 50 new jobs.

Also, in my hometown of Hood River, the Port of Hood River just finished a brownfields cleanup of another former mill site. That opened up 12 acres of land for future business opportunities in the area.

And in southern Oregon, the city of Grants Pass is in the early stages of working towards a similar goal. They have successfully secured assistance through the brownfields program to begin planning the cleanup and redevelopment of the old Spalding Mill site.

The Energy and Commerce Committee unanimously voted to move this bipartisan legislation out of the committee. We worked closely with our friends and colleagues on the Transportation and Infrastructure Committee to make additional improvements on the way to the House floor.

Mr. Speaker, we are here today because the authorization for the brownfields program expired in 2006. It is well past time we do our job as Congress to modernize and reauthorize successful programs like this. At the end of the day, this bipartisan legislation creates jobs, promotes infrastructure and economic development, and cleans

up our communities. It is a winning scenario for everyone involved.

Mr. Speaker, I thank my colleagues who put so much time and effort into modernizing this program, and I urge them all to support H.R. 3017 as we pass it into law.

Mr. PALLONE. Mr. Chairman, I yield such time as he may consume to the gentleman from New York (Mr. TONKO), who is the ranking member of the Environment Subcommittee.

Mr. TONKO. Mr. Speaker, I thank the gentleman from New Jersey, our ranker, who has done great work on this bill, for yielding.

Mr. Speaker, the bill before us today represents what we can accomplish when we work together for the good of our local communities.

My district includes the confluence of the Hudson and Mohawk Rivers. These rivers were at the heart of our Nation's early industrialization. Along the river banks, factories manufactured carpets, collars, leather goods, and many other products.

Many of those manufacturers have since left these mill towns, but the legacy of contaminated land continues, and many of those sites remain vacant. The contamination, or the perception of contamination, makes developers avoid investing in these very important parcels and properties. Assessing and remediating these sites is critical for environmental revitalization and economic redevelopment.

The Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act would improve an already successful EPA program. This legislation would reauthorize EPA's brownfields program, which expired in 2006. This would extend the program through 2022.

Since 2002, with EPA's support, tens of thousands of acres of idle land have been made ready for productive use, increasing nearby property values and helping to preserve greenfields. These properties have been brought back onto local tax rolls, helping to support local economic development. In the process, more than 130,000 jobs have been created and some \$24 billion has been leveraged from this Federal investment.

Local governments are realizing that, through this program, we can turn a liability into a golden opportunity; but, unfortunately, there are many more sites yet to be assessed or remediated.

More than 450,000 brownfields exist across our great country. Many of the easiest, low-hanging fruit sites have already been cleaned up. The more difficult ones will require more funding. In recognition of this, the bill increases the maximum individual grant from \$200,000 to \$500,000, which will enable more complex sites to be remediated.

The bill creates multipurpose grants, enables nonprofits to receive grants, allows a small portion of grants to be used to cover administrative costs, and makes certain publically owned sites eligible for funding. These are impor-

tant improvements to the program, supported by a wide array of stakeholders.

Strengthening EPA's brownfields program will continue to create jobs, remediate contaminated land, and promote sustainable economic development. It is also a key factor in creating aesthetics for neighboring parcels, thereby enhancing the entire regional aspect of certain given regions across our communities. This reauthorization will give communities the resources, the capacity, and, indeed, the flexibility to turn more liabilities into opportunities.

Mr. Speaker, I thank the members of the majority, including Mr. MCKINLEY; Chairman SHIMKUS, who is the Environment Subcommittee chair; and Chairman WALDEN, who is the Energy and Commerce chair; as well as our colleagues on the Transportation and Infrastructure Committee for working with us to produce this bipartisan bill, a golden opportunity for us to come together, work together, and accomplish.

Finally, I want to thank the efforts of our Energy and Commerce ranker, Representative FRANK PALLONE. It was his great work that helped us get here also.

I want to also acknowledge the tremendous work done by staff on both sides of the aisle. In particular, let me please recognize the efforts of Jackie Cohen, Rick Kessler, and Jeff Carroll, along with other members of the Energy and Commerce minority staff who worked so diligently on behalf of this legislation.

Mr. Speaker, I urge my colleagues to support this bipartisan bill.

Mr. SHIMKUS. Mr. Speaker, I yield 5 minutes to the gentleman from West Virginia (Mr. MCKINLEY), the author of this legislation.

Mr. MCKINLEY. Mr. Speaker, I, too, rise today in strong support of H.R. 3017, the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act, and I am pleased to be a sponsor of this bipartisan effort along with my colleagues, Chairman WALDEN, especially Chairman SHIMKUS, and Ranking Members Pallone and Tonko for their work. I also want to thank the work of my colleagues on the Transportation and Infrastructure Committee who also were cosponsors of this legislation, Mr. KATKO and Ms. ESTY.

The bill represents a broad, bipartisan compromise that will reauthorize the brownfields program for the first time since 2006. In addition to the reauthorization, the bill makes several key improvements that you have heard about here today that will result in more brownfield sites being cleaned up and returned to productive use.

A little history can explain why this bill was so important to pass.

When America's industrial manufacturing facilities and factories were being constructed, they typically were located on prime property along rivers, railroads, and roads. But, over the years, technologically there were

changes that took place that transformed how our economy operates. It also had to deal with unfair imports coming into America. As a result, many companies failed and the sites became abandoned.

Rusting hulks of former factories and weed-infested sites have become an eyesore and deter investment in downtown and urban areas. Today, these locations could still prove to be valuable in creating jobs, and that is what our prime responsibility is here. We need to improve this negative stigma that these sites pose to communities and restore these brownfields into productive resources.

America has, indeed, been identified as having 450,000 brownfield sites across the country, but only 27,000 have been cleaned up. This reauthorization is long overdue.

One great success story is Pietro Fiorentini, a supplier to the natural gas industry who recently broke ground at a new manufacturing facility in Weirton, West Virginia, that was cleaned up through the brownfields program. Pietro Fiorentini spent 5 years preparing this site because of the level of contamination.

I especially want to give a shout-out to Pat Ford, the executive director of the Business Development Corporation in the northern panhandle. His efforts have been tireless, working to do great things like creating jobs in the First District of West Virginia.

His corporation, the Business Development Corporation, has already received \$2.5 million over the years in brownfields grants and has leveraged those projects into \$75 million in private sector money. It has resulted in over 1,250 new jobs, and another 128 have been preserved.

You heard earlier from Chairman SHIMKUS, talking about the 16-to-1 ratio. Pat Ford's group has a 35-to-1 ratio. For every dollar that we put in for the Federal Government, Pat Ford's group has created \$35 of investment.

In the future, as businesses develop the Appalachian ethane storage hub that is under way now in the Appalachian area, these newly reclaimed properties will allow for even more industries and create more jobs throughout this area.

This bipartisan bill makes very important classifications to CERCLA liability and petroleum sites. It expands eligibility for nonprofit organizations. It, indeed, increases the limit for remediation grants from \$200,000 to \$500,000. It creates the multipurpose grants. But, more importantly, it makes it easier for small, rural, or disadvantaged communities to participate in this program.

Mr. Speaker, I encourage all of my colleagues on the Appropriations Committee, however, to fully fund this vitally important brownfields program. Although \$250 million is authorized, the appropriators have only allocated \$153 million to this program. Con-

sequently, revitalization of these former abandoned sites is delayed, and they remain a stigma, deterring development in our downtown communities.

Overall, this bipartisan bill—and I thank my friends on the other side of the aisle for how we are all working together on this—will make great strides toward achieving the goals of getting more contaminated sites cleaned up, promoting infrastructure, and, importantly, creating jobs.

Mr. Speaker, I urge all of my colleagues to vote “yes.”

Mr. PALLONE. Mr. Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. DEFAZIO), the ranking member of the Transportation and Infrastructure Committee.

Mr. DEFAZIO. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we had joint jurisdiction over this legislation, and, for the most part, this is a good product.

I was actually the ranking member on the Water Resources and Environment Subcommittee 16 years ago when the initial brownfields legislation passed and later became law. We expected that the targeted reforms and Federal grant funds in the initial law would spur redevelopment of blighted areas and be of great benefit, and we were right. It has a proven record of success, assisting States and communities in redevelopment of abandoned or underutilized properties, leveraging Federal seed money with State, local, and private dollars, and creating jobs.

Now, here is an example.

In 2013, the city of Eugene, Oregon, got a \$680,000 brownfield site assessment grant to improve the environment and spur economic development. The city used this funding for the assessment of 15 specific properties and for the development of a local redevelopment plan.

One of the results of this work is that the Ninkasi Brewery—as co-chair of the House Craft Brewers Caucus, I had to bring beer into the discussion—now sits on the site of a former Eugene brownfield. In a decade, they have 100 employees, and it is sold right here in Washington, D.C., today.

This year, Eugene was selected for an additional \$500,000 in brownfield site assessments. I am hoping that they can replicate the success they had with their earlier grant from the Federal Government.

I am pleased that we are considering this bill to extend the program through 2022. It will increase the funding limit from \$200 to \$500 per grant, authorize EPA to award multipurpose brownfields grants for projects consisting of multiple elements, and make nonprofit entities eligible for mediation assessment grants under the program. It will also allow local governments to apply for site assessment grants for properties acquired prior to the creation of the program.

□ 1445

Unfortunately, it falls short in two areas. The final version of this legisla-

tion that passed committee contained a provision ensuring that State and local governments that acquire brownfields properties continue to take steps to protect people from coming into contact with contamination on the property. In fact, I have a letter here from the Conference of Mayors where they say they would agree if there were two clauses: that they did not cause or contribute to the contamination and exercises due care with regard to any known contamination at the site.

Unfortunately, this bill strikes out the words “due care,” and with the liability exemption, there is the possibility that properties would be acquired that are dangerous for entry that wouldn't be properly fenced or secured because of removing the “due care.” I don't know why that had to come out, since the Conference of Mayors had supported it.

Second, nearly every stakeholder that testified before our committee stated that the current level of funding for the program is well below need, so we should be increasing the authorized and appropriated levels. Again, unfortunately, the bill under consideration today only reauthorizes flat funding levels for the program, which is, I think, a missed opportunity.

I hope, as we move forward and resolve any differences with the Senate, that we can make improvements in these areas.

Mr. Speaker, I thank the ranking member for yielding me time.

Mr. SHIMKUS. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I want to start by thanking the chairman, the ranking member, as well as committee staff for all of their hard work bringing this bipartisan bill to the House floor today.

Mr. Speaker, the EPA's brownfields program is an important grant program for the State of Michigan and, more specifically, the district I represent, Michigan's Seventh District.

Because of Michigan's rich manufacturing history, there are a number of former industrial sites that are ripe for revitalization. These sites can range from large industrial manufacturing sites to local corner gas stations.

This program provides communities the chance to take abandoned and vacant sites and once again turn them into economic assets, all the while cleaning up our beautiful environment.

Just this summer, the EPA announced that the historic former Tecumseh Products site in Tecumseh, Michigan, received a \$500,000 grant to revitalize this 53-acre industrial site. This \$500,000 grant will go towards cleaning up the former manufacturing facility site and create more jobs in the process.

In Monroe, the brownfields program played a key role in restoring land for the River Raisin National Battlefield Park, which is one of the leading historic attractions in our area, and one

that I am delighted to say I was involved with former Congressman John Dingell in making an impact for this great district.

The positive impact for these communities and many others is invaluable. Revitalizing these blighted areas encourages economic redevelopment, injects new tax revenue into our local economy, and assists local governments with the support they need to address these projects.

H.R. 3017 reauthorizes the vital brownfields program so that more positive work can be done in Michigan and in every one of our districts. I urge my colleagues to support this bipartisan legislation.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I rise in support of H.R. 3017, the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017.

The bill before us today is a good bipartisan, compromise bill that will reauthorize \$250 million in funding for the brownfields program under the Environmental Protection Agency for each fiscal year through 2021.

The EPA's brownfields program has a long history of empowering States, local communities, and other stakeholders to work together to prevent contaminated sites from endangering public health and the environment.

Brownfields grants continue to serve as the foundation of the EPA's brownfields program. These grants support revitalization efforts by funding environmental assessments, cleanup, and job training activities nationwide.

Additionally, this bill makes a number of overall improvements to the law that will strengthen brownfields remediation into the future.

In 2013, the Downriver Community Conference in my district received a brownfields funding grant to clear out asbestos and other hazardous materials from a hangar at the Willow Run Airport. Once the original home of Rosie the Riveters during World War II, today the site of the Arsenal of Democracy is now the home of the American Center for Mobility, a national DOT proving ground for the testing and validation of connected and automated vehicles, autonomous vehicles.

There are many success stories like this one and all across the country that would not have been possible without brownfields grant funding. This matters.

Mr. Speaker, I thank every member of the Energy and Commerce Committee for working across the aisle to find a bipartisan way forward on reauthorization. We need to do more of this.

This program has proved its merits again and again and has historically had strong bipartisan support. It is my sincere hope this will carry over to today's vote and will continue through the appropriations process.

Mr. SHIMKUS. Mr. Speaker, I yield 2 minutes to the gentleman from New

Jersey (Mr. LANCE), a member of the Energy and Commerce Committee.

Mr. LANCE. Mr. Speaker, I rise today in strong support of the great work of the Energy and Commerce Committee on the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act.

Mr. Speaker, I thank Chairman SHIMKUS for leading another environmental victory to the House floor.

The brownfields program has worked and it must be reauthorized. Over 59,000 sites nationwide and 419 in New Jersey have been transformed by remediation and redevelopment, freeing our land and water of harmful chemicals and other hazards. This is a tremendous win for environmental protection, economic development, and for communities that have struggled with contaminated sites.

In the district I serve, facilities in Dover, East Amwell, Phillipsburg, Roxbury, and Somerville are slated for revitalization.

This public-private partnership has been a winning formula, as the brownfields program has already prompted \$22 billion in private investment across this Nation, a major return on a minimal, though important, Federal investment.

Mr. Speaker, I urge a "yes" vote on this important legislation.

Mr. PALLONE. Mr. Speaker, may I inquire how much time remains on both sides?

The SPEAKER pro tempore. The gentleman from New Jersey has 16½ minutes. The gentleman from Illinois has 13½ minutes.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON), the ranking member of the Committee on Science, Space, and Technology.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the brownfields program has been a notable success in our Nation's history, and I want to applaud all of the members of the Energy and Commerce Committee as well as the Transportation and Infrastructure Committee for supporting this legislation.

The brownfields program has helped to transform and clean up countless abandoned, idled, or potentially contaminated commercial and industrial sites all across the United States. These once blighted areas within our communities are now valuable tracts of land thanks to the brownfields program.

As a Congresswoman from north Texas, I have seen firsthand the benefits that brownfields redevelopment brings to a community. A 72-acre site in my district now known as Victory Park was transformed by the brownfields program from an industrial wasteland populated by an old paint factory and an abandoned packing house. Since then, and thanks in large part to the brownfields program, this same plot is now home to the American Airlines Center and other retail and

commercial space and high-level housing.

This is just one example in my congressional district and across the country of how successful we can be in converting depressed, decaying areas into vibrant economic and cultural centers that can increase employment and productivity in a region, placing sites on the tax roll rather than the tax dole.

This is why I stand together with my colleagues on both sides of the aisle to support H.R. 3017.

The bill will take the important step to reauthorize brownfields approval through 2022. While the bill represents a flat reauthorization, it makes crucial changes to the program that will improve the way States, cities, counties, and other stakeholders are able to utilize brownfields sites.

Mr. Speaker, I hope we will support this legislation.

Mr. SHIMKUS. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. KATKO), a cosponsor of the legislation and also a major leader on the Transportation and Infrastructure Committee.

Mr. KATKO. Mr. Speaker, representing central New York, the issue of blighted properties and contaminated land that remain from previous industrial hubs is all too familiar to me.

The brownfields program has been pivotal in the redevelopment and reuse of previously uninhabitable and unusable properties throughout my district.

Earlier this year, I worked with Congresswoman ESTY to advance brownfields reauthorization legislation through the Transportation and Infrastructure Committee. I am proud to now see this bipartisan comprehensive bill advancing through the House.

This measure contains many of the important reforms authored by Representative ESTY and myself, including language clarifying liability for local governments and lease holders, and expanding eligibility to assessments and remediation grants.

These provisions are intended to increase the effectiveness of brownfields grants and will lead to faster cleanups.

Mr. Speaker, I want to thank Congresswoman ESTY, Chairman SHUSTER of the Transportation and Infrastructure Committee, his staff, and Representative MCKINLEY for working to advance this important legislation to preserve and enhance this critical program.

Mr. Speaker, I encourage my colleagues to vote in favor of this bill.

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentlewoman from California (Mrs. NAPOLITANO).

Mrs. NAPOLITANO. Mr. Speaker, I thank Mr. PALLONE and Mr. SHIMKUS for their hard work.

Mr. Speaker, I am pleased to rise today in support of the Environmental Protection Agency's brownfields program, H.R. 3017, a highly successful program by all accounts.

In the past two Congresses, the Subcommittee on Water Resources and Environment has evaluated the program

in multiple hearings. What we have learned each time is that the program continues operating, as it has since its creation, very efficiently and successfully.

Data provided by the EPA shows that, since its inception, the brownfields program has leveraged more than 122,800 jobs and over \$23.6 billion in cleanup and redevelopment funding. For every dollar of brownfields funding—Federal funding—more than 16 other public and private dollars are leveraged on a national level, and more than eight jobs are leveraged for every \$100,000 of EPA brownfields funds expended.

It is undeniable that this program is working as it should and that communities across the Nation are benefiting from the investment of the Federal dollars in this program.

The changes made to the program in this bill before the House today will improve it and increase the flexibility with which communities will be able to utilize the program.

Although I support the bill, I am puzzled by this body's reluctance to increase the funding for a very successful program for the brownfields. This program's successes have been continually hindered by insufficient funds, as you have heard from other speakers.

By the EPA's own estimates, over the past 5 years, funding deficiencies have caused 1,676 viable proposals to go unfunded. These sites are not only sitting idle and unproductive, but we are missing out on the return on the investment that these sites could realize. In fact, had these proposals received funding, it is estimated those grants would have leveraged approximately 54,680 jobs and over \$10.3 billion in public and private financing.

This begs the question: Why aren't we investing more in the redevelopment of brownfields space?

If this is the success rate of an underfunded program, imagine the potential economic impact and potential for job creation that could come from fully funding the program.

Nevertheless, the program received bipartisan support, and I am pleased to support the legislation to reauthorize the program and improve its success.

I also plan to continue working on the issue of ensuring that local governments maintain their existing obligation to exercise care in preventing potential exposure of our citizens to hazardous substances found on brownfields sites.

□ 1500

In reconciling the differences between H.R. 3017 and H.R. 1758—the Committee on Transportation and Infrastructure's reported brownfields reauthorization bill—a provision in H.R. 1758 requiring communities to maintain an appropriate level of care in association with the liability protections was dropped from the bill.

I will continue to push for the restoration of this protection, and will

continue to move through Congress. Again, I support the program.

Mr. SHIMKUS. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GIBBS), who is a member of the Transportation and Infrastructure Committee.

Mr. GIBBS. Mr. Speaker, I rise in support of H.R. 3017, the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017.

There is bipartisan support for the EPA program that proves when the Federal-State partnership operates as intended, work gets done.

Brownfields cleanup and redevelopment benefits the environment, the community, and the local economy. This legislation reauthorizes the brownfields program and expands eligibility for nonprofit organizations to receive grants.

In my home State of Ohio, the brownfields program has leveraged over \$1 billion for property revitalization. In my district specifically, brownfields funding was used to restore a former industrial manufacturing site, now used as Chesapeake Energy Company's office complex.

I thank the sponsors for introducing this bill and I urge my colleagues to support its passage.

Mr. PALLONE. Mr. Speaker, I yield 4 minutes to the gentlewoman from Connecticut (Ms. ESTY).

Ms. ESTY of Connecticut. Mr. Speaker, I rise in support of the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act of 2017.

I want to thank my colleagues on the Energy and Commerce Committee, Congressman MCKINLEY and Congressman PALLONE, for their bipartisan work to advance a brownfields reauthorization bill to the floor today.

I also want to thank my friend and colleague, Congressman KATKO, for his partnership in working with me to drive the momentum behind the brownfields remediation authorization in the Transportation and Infrastructure Committee.

Mr. Speaker, we are here today to pass a bill that is a win-win for our cities and towns all across America. The bill before us today increases the funding and makes important changes to the EPA's brownfields program, changes that are 15 years in the making.

Since 2002, the EPA's brownfields program has been an engine for job creation and economic growth in every single congressional district across this country. We have cleaned up local eyesores and contaminated sites, putting these properties back onto the tax rolls. That is good for the economy and it is good for the environment.

In essence, brownfields grants help us do the ultimate recycling, the recycling of land. This bill makes important changes to make the brownfields program work even better. It allows grants to be used for assessments. It allows grants to be used by nonprofits, and for multipurpose grants, and it in-

creases the grant limits from \$200,000 to \$500,000 per project.

In Waterbury, Connecticut, they will now be able to use grants previously that they could not use to put valuable land back into productive use.

In the cities of New Britain and Meriden, they will now be able to use Federal funding for multipurpose grants. Previously they have had to rely on State and local money to do these important transformative projects in our former industrial powerhouses across the northeast.

My district alone has 66 EPA-identified brownfields sites. And with over 450,000 remaining brownfields sites across the country, the need for more brownfields funding and for greater flexibility is manifest and important to every Member of this Chamber.

For every acre of brownfields that is redeveloped, approximately 10 jobs are created. Let me repeat that: 10 jobs.

Our voters send us here to get things done. They want us to make our towns more beautiful and safer, and they want us to create jobs, and this bill does both. So I am very proud of the bipartisan work and dual committee work to bring this important bill to the floor after 15 years.

It is an opportunity for us to show to the American people that bipartisan work and committees work when we are allowed to do our work together. So, again, I want to thank my colleagues on both sides of the aisle and both committees for their wonderful work here today. It is a win for America.

Mr. SHIMKUS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. FASO), a member of the Transportation and Infrastructure Committee.

(Mr. FASO asked and was given permission to revise and extend his remarks.)

Mr. FASO. Mr. Speaker, I thank Mr. SHIMKUS for his leadership in this regard. I thank the Speaker and my colleagues for the opportunity to speak in support of H.R. 3017, the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act.

Mr. Speaker, like many of my colleagues, my district has numerous former industrial sites that have benefited directly from brownfields grant funding.

Shortly after the program was authorized, the EPA selected the City of Oneonta as a recipient of a \$200,000 brownfields assessment grant to prepare reuse plans for a 100-acre heavy industrial area. This modest assessment grant helped accelerate ongoing efforts to support site enhancement by providing essential financial support to the city.

Similarly, Montgomery County has been able to utilize designations to assist it in the redevelopment of the former Beech-Nut manufacturing facility in the Village of Canajoharie.

Mr. Speaker, I offer my full support for this bipartisan legislation because

it works to better the lives of families and communities throughout my district and across America. I urge all my colleagues on both sides of the aisle to support this critical legislation.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume to enter into a colloquy.

Mr. SHIMKUS. Will the gentleman yield?

Mr. PALLONE. I yield to the gentleman from Illinois.

Mr. SHIMKUS. Mr. Speaker, the bill we are voting on today makes several important changes to the brownfields law that will result in more contaminated sites being cleaned up.

The changes we are making also bring more parties into the process by clarifying their eligibility to receive funding under the brownfields program, including making nonprofit entities eligible to receive all forms of brownfields funding.

Unfortunately, the Environmental Protection Agency provided us technical assistance a week ago, telling us that the definition we used for how to delineate which nonprofit organizations should be included was too limited, and would exclude a number of important organizations that the EPA currently provides funding to through the brownfields program, including the Association of State and Territorial Solid Waste Management Officials, commonly known as ASTSWMO, and other entities organized under section 501(c)(6) of the Internal Revenue Code that are involved in the cleanup of brownfields sites around the country.

We need to address this issue as this process moves forward. We need to figure out how to ensure that these organizations do not lose the funding that they rely on to make significant contributions to the brownfields program.

Does the gentleman agree?

Mr. PALLONE. Yes. And I thank the gentleman for raising this drafting issue. The bill's provisions on nonprofit entities were meant to reflect the EPA's current practice. It now appears that we have inadvertently excluded some organizations that receive grants under that current practice.

It is unfortunate that the technical assistance bringing this issue to our attention was provided so late in the process, but I hope we can work together to ensure that the EPA is providing testimony and technical assistance in a much more timely fashion moving forward.

So I want to thank the gentleman for working with Democrats to develop this legislation, which will provide significant environmental and public health benefits. I believe we can continue to work together as we move this bill into law to address this drafting issue.

Mr. SHIMKUS. I thank the gentleman for his courtesies.

Mr. PALLONE. Mr. Speaker, I reserve the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I yield 3 minutes to the gentleman from Maine (Mr. POLIQUIN).

Mr. POLIQUIN. Mr. Speaker, I appreciate the opportunity to speak on this very important bill.

Mr. Speaker, Maine is vacationland. We have a population in Maine of only 1.3 million people, but every year we have about 40 million visitors to our great State.

We have thousands of sparkling, clean lakes and ponds, hundreds of miles of swift-running rivers, and we have 3,600 miles of stunningly beautiful coastline. I have never, ever, met anybody who has vacationed in Maine who did not leave without a smile. It is just a great place to live and bring up kids.

Now, the tourist industry employs about 150,000 people directly in the State of Maine, and it is critical that we have a pristine environment in Maine to further this industry.

Mr. Speaker, during the past 40 years, sadly, most of our paper mills, our textile mills, and our shoe factories in the great State of Maine have closed and, in many cases, they have left behind contaminated brownfields contaminated with heavy metals and chemicals.

Now, those of us who have been blessed with children know how critically important their health is. My mother is 89 and had a great career as a nurse, and we grew up in our house with taking care of others. I raised my son as a single parent, taking care of my son. I understand how much easier it is to stay healthy and be healthy if you are in a clean environment.

Mr. Speaker, that is why H.R. 3017 is so important. It makes sure that we provide funding to clean up polluted contaminated brownfields industrial sites.

Mr. Speaker, since 1994, hundreds of brownfields across this great country have been cleaned up. When they are cleaned up, they are often repurposed into athletic fields, schools, and hospitals. This, at the same time, strengthens our local communities because they are put back, in many cases, on the property tax rolls, if they are a private sector development.

In the town of Millinocket, right smack in the middle of my district, Miller's Department Store is an old building, decaying and full of mold, and it is being benefited from a grant from this brownfields program.

The T.W. Dick property in Gardiner, in central Maine, used to be a steel fabricator. It is now contaminated with heavy metals and is experiencing a new life because of this program.

Mr. Speaker, cleaning up our environment to help our kids stay safe and healthy should not ever be a partisan issue. This is as bipartisan as you could possibly find. That is why, Mr. Speaker, I am encouraging Republicans and Democrats alike to vote "yes" on H.R. 3017. Let's do something common sense, provide the funding to clean up these brownfields sites and repurpose this land for the betterment of our families.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, so I yield myself such time as I may consume.

Mr. Speaker, I would like to close by talking about how important this program has been to our Nation and, in particular, to my home State, since it was created back in 2002.

New Jersey has too many of these types of contaminated sites, and we need Federal help to clean them up and redevelop them.

For example, a former Dupont property on the waterfront in Carteret is being redeveloped to be a ferry terminal to carry commuters to New York City. That site is a great example of how a redeveloped brownfields site can be beneficial for the community.

Asbury Park, another town in my district, received two substantial Federal brownfields grants last year. One of those grants is being used to assess eight contaminated sites and prepare two cleanup plans. The other grant is going to assessing and redeveloping sites around the train station and the downtown area that were contaminated with petroleum.

Just this week, I visited another brownfields site being redeveloped in my district, the Woodbridge Waterfront Park. When completed, the waterfront park will include approximately 30 acres of restored wetlands, walking trails, a boardwalk overlooking the wetlands, and a viewing platform on the Raritan River. So Federal funds through the brownfields program help make these projects happen.

The brownfields program is proof that having a strong economy and protecting the environment is not an either/or issue. We can have both.

I am pleased to support this bipartisan bill. I would urge all of my colleagues to vote for it.

Mr. Speaker, I yield back the balance of my time.

Mr. SHIMKUS. Mr. Speaker, I yield myself such time as I may consume.

I am just going to sum up, too, with thanking my ranking member of the full committee, Mr. PALLONE; obviously, my ranking member on the subcommittee, Mr. TONKO; the associated staffs on both that had been mentioned numerous times. They did a lot of work in this process. It was good to get to know the Transportation and Infrastructure Committee a little bit better, and we look forward to working with them more.

□ 1515

Mr. PALLONE. Will the gentleman yield?

Mr. SHIMKUS. I yield to the gentleman from New Jersey.

Mr. PALLONE. Mr. Speaker, I forgot to thank some of the staff who worked so hard on this on my side of the aisle: Jaqueline Cohen, who is sitting here; Rick Kessler; Tuley Wright; Mary Martin; and I know there were others.

I thank the gentleman for yielding to me.

Mr. SHIMKUS. Mr. Speaker, I am happy to yield the time to the gentleman. They tell me what to do sometimes, also, even on that side of the

aisle; so, happy to yield. I just want to thank them.

Mr. Speaker, everybody has examples of brownfields in their district throughout the State. They are all pretty good stories about returning them to productive use.

I have one produced by the EPA from Danville, Illinois. There are eight sites. We can go through them.

The point is, here is a successful program that we have authorized. Our appropriators helped appropriate money that really leverages a little bit of Federal dollars with private or local community dollars to bring these locations back to productive use. It is a good effort.

Mr. Speaker, we have got other things on the horizon to work together on. I enjoyed the opportunity to do that.

Mr. Speaker, I thank my colleagues, I ask them to vote yes on the bill, and I yield back the balance of my time.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 3017, the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act.

This legislation will strengthen the Brownfields Program, an important program created by Congress and the U.S. Environmental Protection Agency in 2002 that assists communities with the cleanup of brownfields sites and encourages economic redevelopment.

The EPA has estimated that there are 450,000 brownfield sites nationwide. Through the lifetime of the program, nearly 64,000 acres have been revitalized. Every federal dollar spent on rehabilitating brownfields leverages over \$16 on average. To date, the Brownfields Program has leveraged nearly \$24 billion and created over 124,000 jobs across the United States.

Houston is home to one of the country's best known brownfields success stories, Minute Maid Park, home of the World Series Champion Houston Astros. Minute Maid Park was built on a former 38-acre brownfield site in Downtown Houston.

Our district, which is home to dozens of abandoned and former industrial sites in need of environmental cleanup and redevelopment, needs to see the expansion of the Brownfields Program so we can have more success stories like Minute Maid Park.

I hope that appropriators will fully fund the Brownfields Program at the authorized levels set in this bill, including \$200 million annually for grants to assess and clean up brownfields properties and \$50 million annually for grants to assist states and Indian tribes establish and enhance their own cleanup programs. We have seen funding for Brownfields drop steadily in recent years, which has impacted local communities' ability to assess and clean up sites in Texas and around the country.

This legislation received strong bipartisan support in the Energy and Commerce Committee and passed by voice vote.

I ask all of my colleagues to join me and vote in support of the Brownfields Enhancement, Economic Redevelopment, and Reauthorization Act.

The SPEAKER pro tempore (Mr. SIMPSON). All time for debate has expired.

Pursuant to House Resolution 631, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SHIMKUS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 228. An act to amend the Indian Employment, Training and Related Services Demonstration Act of 1992 to facilitate the ability of Indian tribes to integrate the employment, training, and related services from diverse Federal sources, and for other purposes.

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 245. An act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes.

S. 254. An act to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages.

S. 302. An act to enhance tribal road safety, and for other purposes.

S. 343. An act to repeal obsolete laws relating to Indians.

S. 669. An act to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes.

S. 772. An act to amend the PROJECT Act to make Indian tribes eligible for AMBER Alert grants.

S. 825. An act to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes.

S. 1285. An act to allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, the Cow Creek Band of Umpqua Tribe of Indians, the Klamath Tribes, and the Burns Paiute Tribes to lease or transfer certain lands.

The message also announced that pursuant to provisions of Public Law 115-77, the Chair, on behalf of the Majority Leader, appoints the following individuals to the Frederick Douglass Bicentennial Commission:

Kay Cole James of Virginia.
Star Parker of California.

ENSURING A QUALIFIED CIVIL SERVICE ACT OF 2017

GENERAL LEAVE

Mr. COMER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4182.

The SPEAKER pro tempore (Mr. SHIMKUS). Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 635 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 4182.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1518

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4182) to amend title 5, United States Code, to modify probationary periods with respect to positions within the competitive service and the Senior Executive Service, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Oversight and Government Reform.

The gentleman from Kentucky (Mr. COMER) and the gentleman from Virginia (Mr. CONNOLLY) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

Mr. COMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, highly skilled Federal employees are essential to a government that serves its citizens. Skilled Federal workers ensure that functions of government, from delivering mail to protecting the homeland, are carried out successfully.

Federal jobs and the skills required to perform them vary significantly across government. Some employees review patents, some work in human resources, and others work in law enforcement.

While the jobs, skills, and training required may be different from job to job, the expectation that the Federal Government hires qualified candidates is universal.

One tool agencies and managers have to ensure a qualified workforce is the probationary period—a period of time used to evaluate whether a new hire