

BROWNFIELDS LIABILITY CONCERNS ARE A DISINCENTIVE FOR LOCAL GOVERNMENTS

Local governments face enormous challenges in brownfields redevelopment. One of the most significant challenges is the potential liability for local governments, which creates a disincentive to acquire contaminated property. We encourage Congress to revise the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) to encourage and protect local communities who choose to take ownership of blighted properties for the purpose of brownfields redevelopment where the local government had no role in creating the contamination. These changes should include:

Clarify Eligibility of Publicly-Owned Sites Acquired Before 2002—Congress should allow local governments to be eligible for grant funding for properties that were acquired prior to the January 11, 2002 enactment of the Brownfields Revitalization Act—when there was no required standard for “all appropriate inquiries”—provided that the applicant did not cause or contribute to the contamination and performed “appropriate care.” For these sites, applicants would not have to demonstrate that they performed all appropriate inquiry.

Remove Barriers to Local and State Governments in Addressing Mothballed Sites—Congress should exempt local and state governments from CERCLA liability if the government unit (a) owns a brownfields property as defined by section 101(39); (b) did not cause or contribute to contamination on the property; and (c) exercises due care with regard to any known contamination at the site. We suggest language to amend section 101(20)(D) that clarifies that properties acquired through eminent domain qualify for the CERCLA exemption for local governments involved in “Involuntary Acquisitions.” Alternatively, we would suggest language that establishes a simplified and clear exemption from CERCLA liability for local governments that acquire brownfields sites.

Eliminate Eligibility Barriers for Petroleum Brownfields Sites—Grantees that seek to use assessment, cleanup or multi-purpose grants on sites with petroleum contamination should not be required to make the difficult demonstrations that the site is “low risk” and that there is “no viable responsible party” connected with the site. We recommend replacing the “No Viable Responsible Party” language in section 101(39)(D) with a prohibition on using funds to pay for cleanup costs at a brownfields site for which the recipient of the grant is potentially liable under the petroleum statutes. This would parallel the language for non-petroleum brownfields sites.

If you have any questions, please contact Judy Sheahan at USCM, Carolyn Berndt at NLC, Julie Ufner at NACO, or Leslie Wollack at NARC. Thank you for your consideration. Sincerely,

TOM COCHRAN,
CEO and Executive
Director, The U.S.
Conference of Mayors.

MATTHEW D. CHASE,
Executive Director,
National Association
of Counties.

CLARENCE E. ANTHONY,
CEO and Executive
Director, National
League of Cities.

LESLIE WOLLACK,
Executive Director,
National Association
of Regional Councils.

RECOGNIZING COMMANDER BRIAN “BEEF” DRECHSLER

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 1, 2017

Mr. HUNTER. Mr. Speaker, I rise, along with my colleague Representative SCOTT PETERS, to recognize Commander Brian “Beef” M. Drechsler as a recipient of the 2017 Vice Admiral James Bond Stockdale Leadership Award.

Established in honor of Vice Admiral Stockdale, this award symbolizes the highest standard of excellence in both personal conduct and leadership. According to VADM Stockdale, there are five roles of a leader—moralist, jurist, teacher, steward, and philosopher. CMDR Drechsler embodies these standards.

Hailing from Pittsburgh, PA, CMDR Drechsler is a 1998 United States Naval Academy graduate and was selected to become a SEAL. At the Academy, he played football and was eventually elected to both the Naval Academy Hall of Fame and the Navy Marine Corps Stadium 50th Anniversary team. He went on to further his education and earned a Master’s degree in Organizational Management from The George Washington University.

After graduation from Basic Underwater Demolition/SEAL (BUD/S) training, and an assignment to SEAL Team FIVE, Beef completed three tours of duty—combat tours in Iraq and Afghanistan, deployments to PACOM, and was an integral member in the creation of the U.S. Central Command Crisis Response Element. He went on to serve as the Aide to the Commander, Naval Special Warfare Command, and as Troop Commander and Squadron Operations Officer at Naval Special Warfare Development Group.

Subsequently, he served in the U.S. Special Operations Command Officer of Legislative Affairs, then as Operations and Executive Officer of SEAL Team ONE. Next, he became the Director of Operations and Plans (N3/5) for Naval Special Warfare Group ONE and then took command of SEAL Team FIVE until 2017. Currently, he serves as a special assistant to the Commander, Naval Special Warfare Command.

Nominated in recognition of “his high standards, strong example, selfless service and personal commitment to his command members and their families,” CMDR Drechsler truly exemplifies all that is encompassed in a leader.

Mr. Speaker, on behalf of the United States Congress, we are proud to celebrate the accomplishments of CMDR Drechsler and wish him continued success in his future endeavors.

RECOGNIZING STANLEY WATSON FOR THE MONTANA CONGRESSIONAL VETERAN COMMENDATION

HON. GREG GIANFORTE

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 1, 2017

Mr. GIANFORTE. Mr. Speaker, I rise today to recognize Stanley Watson of Forsyth for the

Montana Congressional Veteran Commendation for his service to his country and leadership in his community.

Mr. Watson enlisted in the United States Marine Corps following his high school graduation in 1966. He became a sergeant and served on many important battlefronts during the Vietnam War. He was honorably discharged in 1968.

Following his military career, Mr. Watson joined Veterans of Foreign Wars Post 1849, later serving other veterans as the post commander. He is a member of the Honor Guard and is a strong advocate for the organization, encouraging other veterans to become involved.

I ask my colleagues to join me today in commending Stanley Watson for his dedication and service.

TRIBUTE TO OWEN SCOTT

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 1, 2017

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Owen Scott. Owen and his fellow teammates created the winning app, City Recycle Day, as part of the 2017 Congressional App Challenge. Their team is combined of students who attend Waukee High School and Prairie View Middle School in Waukee, Iowa.

The Congressional App Challenge encourages students to learn how to code through annual district-wide competitions hosted by Members of Congress from their home district. The team’s app is entitled “City Recycle Day”. It is designed to alert members of a community as to the date of their next trash/recycle pickup day. It also alerts users of special pickups and delays.

Mr. Speaker, I am honored to recognize Owen and his teammates for creating the winning app, and I am proud to represent them in the United States Congress. I ask that my colleagues in the United States House of Representatives join me in congratulating Owen and his teammates on this outstanding accomplishment and in wishing them all nothing but continued success.

RECOGNIZING THE LIFE AND SERVICE OF MAJOR CAESAR CIVITELLA

HON. CHARLIE CRIST

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, December 1, 2017

Mr. CRIST. Mr. Speaker, I rise today to pay tribute to the life and service of Major Caesar Civitella of St. Petersburg, Florida.

With his passing on October 25, 2017, America lost a man who was emblematic of what it means to be a true patriot. Both in defense of his homeland, and when called to protect the homes of our allies, Major Civitella was always ready to answer the call to service. His heroic combat achievements on battlefields across the globe, coupled with his many contributions to our intelligence services, leave a legacy that Florida’s 13th Congressional District is proud to uphold.