

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.

After joining the United States Army in February of 1943, Major Civitella was quickly selected to serve the Office of Strategic Services. He and his group members were then inserted into Northern Africa to support the Allied invasion of France. After capturing nearly 4,000 enemies in France, Major Civitella's team was deployed to Italy and participated in 21 air operations as "Bundle Kickers," dropping leaflets over civilian populations. By 1945, the Army deployed Major Civitella to the Swiss Alps, and tasked him with reporting German activity, in an effort to capture Benito Mussolini.

In 1946, Major Civitella was discharged from the Army, but quickly reenlisted as a Counterintelligence non-commissioned officer in 1947. By 1952, the Army recruited then 2nd Lieutenant Caesar Civitella into the newly-created Special Forces division. There, he pioneered the creation of training aids, doctrine, and lesson plans for the United States Army Psychological Warfare Center, and was one of the original instructors of air operations and guerrilla warfare. After assignments with both the 77th Special Forces Group and the 10th Special Forces Group, Major Civitella returned to the Special Warfare Center and was assigned to work in the Combat Development Office. Beginning in 1961, Major Civitella served three tours in Vietnam, working on enhanced insertion and extraction systems like Scuba, Halo, and the Fulton "Skyhook."

A day after retiring from the Army on August 31, 1964, Major Civitella joined the ranks of the Central Intelligence Agency. He worked there until August 31, 1983, fulfilling the roles of Senior Province Officer in Vietnam, Plan's Branch liaison to the Pentagon, and the Interagency Representative to the United States Readiness Command. In addition, Major Civitella coordinated intelligence, training, and interagency operations for the Rapid Deployment Joint Task Force at MacDill Airforce Base in Tampa.

Because of his service and expertise in unconventional warfare, Major Civitella received numerous accolades throughout his life including the United States Bronze Star Medal, the Intelligence Medal of Merit, the Bull Simmons Award for a lifetime of Special Operations Forces Achievements, and the prestigious French Legion of Honor, the highest decoration offered by the French government, and an award typically reserved for French nationals.

Mr. Speaker, please join me once again in commemorating Major Caesar Civitella's life; thanking him for his many contributions to the Armed Forces and intelligence community. He leaves behind a bold legacy of true and selfless patriotism that helped make our country a beacon of light in a dangerous world.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI MARINE FIRST LIEUTENANT (1ST LT.) WILLIAM JAMES DONNELLY, IV

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, December 1, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of fallen Mississippi Marine First Lieutenant (1st Lt.) William James Donnelly, IV who gave his life while in service

to our nation on November 25, 2010, during Operation Enduring Freedom. 1st Lt. Donnelly was killed while conducting combat operations in Helmand Province, Afghanistan. This was 1st Lt. Donnelly's first combat deployment. 1st Lt. Donnelly was assigned to 3rd Battalion, 5th Marine Regiment, 1st Marine Division, 1st Marine Expeditionary Force, Camp Pendleton, California.

According to the Associated Press, 1st Lt. Donnelly, of Picayune, Mississippi, always wanted to join the U.S. Marine Corps. He enlisted in the United States Marine Corps Reserve in June 2003 and served as an Assault Amphibious Vehicle (SSV) crewmember in the 4th Assault Amphibian Battalion, 4th Marine Division, Gulfport, Mississippi. He transferred to the U.S. Navy Reserve as a Midshipman to attend the officer training program at the United States Merchant Marine Academy in King's Point, New York where he served as a Midshipman Regimental Commander. 1st Lt. Donnelly was commissioned as a 2nd Lt. in the United States Marine Corps after graduating in June 2008 with a Bachelor of Science degree in Marine Engineering. After TBS, he was designated an infantry officer in October 2009 and served as a rifle platoon commander assigned to the 3rd Battalion, 5th Marines, 1st Marine Division, 1st Marine Expeditionary Force, Kilo Company, 2nd Platoon, Camp Pendleton, California. 1st Lt. Donnelly married his wife, Linsey, on September 11, 2010. He deployed to Helmand Province, Afghanistan 15 days later.

1st Lt. Donnelly's family learned of his death on Thanksgiving Day 2010. Melissa Donnelly-Weed, 1st Lt. Donnelly's sister, posted on her Facebook page that day. "Always be thankful for family," Melissa said. "I will always be thankful and grateful I had a wonderful brother. He gave his life today for his country doing what he loved—being a Marine. I will miss him forever. I love you, Will!" William J. Donnelly, III, 1st Lt. Donnelly's father, said his son would not have any regrets even though the loss is extremely hard to bear. "Will was doing what he loved to do and what he always wanted to do," Mr. Donnelly said. "I am sure if we could talk to him now, he would say he had no regrets."

In a release issued by Camp Pendleton, officials said that they had lost a member of their own family. "The Marines and sailors of the 1st Marine Division mourn the loss of 1st Lt. Donnelly," the release read. "Our heartfelt condolences go out to his family."

After learning of 1st Lt. Donnelly's death, Picayune Mayor Ed Pinero said it is always hard to lose a hero and on behalf of the city, they extended their heartfelt condolences to the family. "1st Lt. Donnelly's sacrifice and that of all the men and women who fall in combat protecting our country's freedom should never be forgotten," Mayor Pinero said. Additionally, Mayor Pinero announced that 1st Lt. Donnelly's name would be inscribed on a monument in front of the old city hall in Picayune to ensure the town's war heroes are never forgotten.

A funeral service was held Tuesday, December 14 at the United States Naval Academy Chapel in Annapolis, Maryland. Internment was held at Arlington National Cemetery in Arlington, Virginia. Friends of 1st Lt. Donnelly held a memorial service in Picayune at the same hour of the service at Arlington.

1st Lt. Donnelly is survived by his parents, William Donnelly, III and Vicki Donnelly; his

two sisters, Lieutenant Junior Grade (LTJG) Melissa Donnelly-Weed and Rebecca Donnelly; his wife, Linsey Becker-Donnelly; and his nephew Christian Weed.

1st Lt. Donnelly was awarded the Purple Heart, the National Defense Service Medal, the Korean Defense Service Medal, the Afghanistan Campaign Medal, and the Combat Action Ribbon.

1st Lt. Donnelly's service and sacrifice to defend America will always be remembered.

RECOGNIZING DANIEL RITTER 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 Daniel Ritter from Bozeman for the Montana Congressional Veteran Commendation for his service to his country and leadership in his community.

Mr. Ritter served for over 20 years as a United States Marine, performing as a Chief Warrant Officer during Operation Restore Hope in Somalia.

Mr. Ritter continued his service to his community as a leader in the Marine Corps League in the Gallatin Valley. He is also a 1st Trustee for American Legion Post 14 and volunteers as a member of the Honor Guard for veteran services. He is active in assisting Montana Gold Star families and helps ensure a Marine presence in the Veterans Day activities of local schools.

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

IN SUPPORT OF WORLD AIDS DAY

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, December 1, 2017

Ms. JACKSON LEE. Mr. Speaker, established by the World Health Organization in 1988, December 1st is universally known as World AIDS Day.

World AIDS Day serves to focus global attention on the devastating impact of the HIV/AIDS epidemic.

All governments, national AIDS programs, churches, community organizations and individuals are given the opportunity to display their commitment to fight this deadly disease.

It has been more than 30 years since the first AIDS case was reported in the United States.

It does not seem like it was too long ago, but HIV/AIDS had affected many around the world before the disease even made its way to America's shores.

Since then, countless researchers, healthcare providers, politicians, and educators have contributed to the global initiative to contain and eventually eliminate its presence in all corners of the world.

Although HIV/AIDS is no longer a mysterious and mischaracterized entity, it is the most relentless and indiscriminate killer of our time.