

of the Appropriations Committee—and that includes myself as chairman—he is the best chairman the Senate Appropriations Committee has had during my long tenure in this body. I know that what he says brings pride to the heart of this man—Jim English—who is about to leave the employ of the Senate.

Let me close with a few lines which I think are most fitting when we think of Jim English.

IT WILL SHOW IN YOUR FACE

You don't have to tell how you live each day
 You don't have to say if you work or play;
 For a tried and true barometer—right in its place,
 However you live, my friend, it will show in your face.

The false, the deceit that you bear in your heart
 Won't stay down inside where it first got its start;
 For sinew and blood are a thin veil of lace
 What you carry in your heart will show in your face.

If you have gambled and won in the great game of life
 If you feel you have conquered sorrow and strife;
 If you played the game square and you stand on first base,
 You won't have to tell it, it will show in your face.

Then if you dissipate nights till the day is most nigh,
 There is only one teller, and one that won't lie;
 Since your facial barometer is right in its place,
 However you live, my friend, it will show in your face.

Well, if your life is unselfish and for others you live,
 Not for what you can get but for what you can give,
 And if you live close to God in his infinite grace,
 You won't have to tell it, it will show in your face.

COMMENDING JAMES HAROLD ENGLISH FOR HIS 23 YEARS OF SERVICE TO THE UNITED STATES SENATE

Mr. BYRD. Mr. President, I have the approval of the distinguished majority leader and the distinguished minority leader to ask unanimous consent that the Senate proceed to the consideration of S. Res. 73 submitted earlier today by Senator LEAHY and myself.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 73) to commend James Harold English for his 23 years of service to the United States Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors of the resolution: Senators STEVENS, LEAHY, and DASCHLE.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Would the Senator yield?

Mr. BYRD. Yes.

Mr. REID. I ask that I be added as a cosponsor. Jim English is a great public servant and has been a good friend of mine.

Mr. BYRD. Mr. President, I ask unanimous consent that the resolution be agreed to, the motion to reconsider be laid on the table, and that any statements relating thereto be printed in the RECORD, all with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 73) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 73

Whereas James Harold English became an employee of the United States Senate in 1973, and has ably and faithfully upheld the high standards and traditions of the staff of the United States Senate;

Whereas James Harold English served as Clerk of the Transportation Appropriations Subcommittee from 1973 to 1980;

Whereas James Harold English served as the Assistant Secretary of the Senate in 1987 and 1988;

Whereas James Harold English has served as Democratic Staff Director of the Appropriations Committee of the United States Senate from 1989 to 2001;

Whereas James Harold English has faithfully discharged the difficult duties and responsibilities of Staff Director and Minority Staff Director of the Appropriations Committee of the United States Senate with great pride, energy, efficiency, dedication, integrity, and professionalism;

Whereas he has earned the respect, affection, and esteem of the United States Senate; and

Whereas James Harold English will retire from the United States Senate on April 30, 2001, with over 30 years of Government Service—23 years with the United States Senate: Now, therefore, be it

Resolved, That the United States Senate—

(1) Commends James Harold English for his exemplary service to the United States Senate and the Nation, and wishes to express its deep appreciation and gratitude for his long, faithful, and outstanding service.

(2) The Secretary of the Senate shall transmit a copy of this resolution to James Harold English.

BROWNFIELDS REVITALIZATION AND ENVIRONMENTAL RESTORATION ACT OF 2001

The PRESIDING OFFICER. The clerk will report S. 350 by title.

The legislative clerk read as follows:

A bill (S. 350) to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Environment and Public Works, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Brownfields Revitalization and Environmental Restoration Act of 2001”.

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

Sec. 1. Short title; table of contents.

TITLE I—BROWNFIELDS REVITALIZATION FUNDING

Sec. 101. Brownfields revitalization funding.

TITLE II—BROWNFIELDS LIABILITY CLARIFICATIONS

Sec. 201. Contiguous properties.

Sec. 202. Prospective purchasers and windfall liens.

Sec. 203. Innocent landowners.

TITLE III—STATE RESPONSE PROGRAMS

Sec. 301. State response programs.

Sec. 302. Additions to National Priorities List.

TITLE I—BROWNFIELDS REVITALIZATION FUNDING

SEC. 101. BROWNFIELDS REVITALIZATION FUNDING.

(a) DEFINITION OF BROWNFIELD SITE.—Section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601) is amended by adding at the end the following:

“(39) BROWNFIELD SITE.—

“(A) IN GENERAL.—The term ‘brownfield site’ means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

“(B) EXCLUSIONS.—The term ‘brownfield site’ does not include—

“(i) a facility that is the subject of a planned or ongoing removal action under this title;

“(ii) a facility that is listed on the National Priorities List or is proposed for listing;

“(iii) a facility that is the subject of a unilateral administrative order, a court order, an administrative order on consent or judicial consent decree that has been issued to or entered into by the parties under this Act;

“(iv) a facility that is the subject of a unilateral administrative order, a court order, an administrative order on consent or judicial consent decree that has been issued to or entered into by the parties, or a facility to which a permit has been issued by the United States or an authorized State under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), the Federal Water Pollution Control Act (33 U.S.C. 1321), the Toxic Substances Control Act (15 U.S.C. 2601 et seq.), or the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

“(v) a facility that—

“(I) is subject to corrective action under section 3004(u) or 3008(h) of the Solid Waste Disposal Act (42 U.S.C. 6924(u), 6928(h)); and

“(II) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures;

“(vi) a land disposal unit with respect to which—

“(I) a closure notification under subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) has been submitted; and

“(II) closure requirements have been specified in a closure plan or permit;

“(vii) a facility that is subject to the jurisdiction, custody, or control of a department, agency, or instrumentality of the United States, except for land held in trust by the United States for an Indian tribe;

“(viii) a portion of a facility—

“(I) at which there has been a release of polychlorinated biphenyls; and

“(II) that is subject to remediation under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.); or

“(ix) a portion of a facility, for which portion, assistance for response activity has been obtained under subtitle I of the Solid Waste Disposal Act (42 U.S.C. 6991 et seq.) from the Leaking Underground Storage Tank Trust Fund established under section 9508 of the Internal Revenue Code of 1986.