

AMENDMENTS SUBMITTED AND PROPOSED

SA 352. Mr. SMITH of New Hampshire (for himself, Mr. REID, Mr. CHAFEE, and Mrs. BOXER) proposed an amendment to the 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.

TEXT OF AMENDMENTS

SA 352. Mr. SMITH of New Hampshire (for himself, Mr. REID, Mr. CHAFEE, and Mrs. BOXER) proposed an amendment to the 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; as follows:

Beginning on page 57, strike line 24 and all that follows through page 58, line 3, and insert the following:

“(ii)(I) is contaminated by a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

“(II)(aa) is contaminated by petroleum or a petroleum product excluded from the definition of ‘hazardous substance’ under section 101; and

“(bb) is a site determined by the Administrator or the State, as appropriate, to be—

“(AA) of relatively low risk, as compared with other petroleum-only sites in the State; and

“(BB) a site for which there is no viable responsible party and which will be assessed, investigated, or cleaned up by a person that is not potentially liable for cleaning up the site; and

“(cc) is not subject to any order issued under section 9003(h) of the Solid Waste Disposal Act (42 U.S.C. 6991b(h)); or

“(III) is mine-scarred land.”

On page 65, between lines 11 and 12, insert the following:

“(4) INSURANCE.—A recipient of a grant or loan awarded under subsection (b) or (c) that performs a characterization, assessment, or remediation of a brownfield site may use a portion of the grant or loan to purchase insurance for the characterization, assessment, or remediation of that site.

On page 67, line 16, before the period, insert the following: “, including threats in areas in which there is a greater-than-normal incidence of diseases or conditions (including cancer, asthma, or birth defects) that may be associated with exposure to hazardous substances, pollutants, or contaminants”.

On page 68, between lines 16 and 17, insert the following:

“(J) The extent to which a grant would address or facilitate the identification and reduction of threats to the health or welfare of children, pregnant women, minority or low-income communities, or other sensitive populations.

On page 70, between lines 2 and 3, insert the following:

“(4) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this section, the Inspector General of the Environmental Protection Agency shall submit to Congress a report that provides a description of the management of the program (including a description of the allocation of funds under this section).

On page 71, strike lines 15 through 17 and insert the following:

“(k) EFFECT ON FEDERAL LAWS.—Nothing in this section affects any liability or response authority under any Federal law, including—

“(1) this Act (including the last sentence of section 101(14));

“(2) the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.);

“(3) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

“(4) the Toxic Substances Control Act (15 U.S.C. 2601 et seq.); and

“(5) the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

“(1) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$200,000,000 for each of fiscal years 2002 through 2006.

“(2) USE OF CERTAIN FUNDS.—Of the amount made available under paragraph (1), \$50,000,000, or, if the amount made available is less than \$200,000,000, 25 percent of the amount made available, shall be used for site characterization, assessment, and remediation of facilities described in section 101(39)(D)(ii)(II).”

On page 93, line 4, before “develop”, insert “purchase insurance or”.

On page 94, line 11, strike “and”.

On page 94, line 14, strike the period at the end and insert “; and”.

On page 94, between lines 14 and 15, insert the following:

“(iii) a mechanism by which—

“(I) a person that is or may be affected by a release or threatened release of a hazardous substance, pollutant, or contaminant at a brownfield site located in the community in which the person works or resides may request the conduct of a site assessment; and

“(II) an appropriate State official shall consider and appropriately respond to a request under subclause (I).

On page 97, line 7, after “Administrator”, insert “, after consultation with the State,”.

On page 97, line 18, after the period, insert the following: “Consultation with the State shall not limit the ability of the Administrator to make this determination.”.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on Wednesday, April 25, 2001. The purpose of this hearing will be to review agricultural trade issues.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, April 25, 2001, immediately following the nomination hearing, on status of labor issues in airline industry.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Com-

mittee, on Commerce, Science, and Transportation be authorized to meet on Wednesday, April 25, 2001, at 9:30 a.m. on the nomination of Brenda Becker to be Assistant Secretary for Legislative and Intergovernmental Affairs (DOC), and Michael Jackson to be Deputy Secretary for the Department of Transportation.

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

COMMITTEE ON FINANCE

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Wednesday, April 25, 2001, to hear testimony on Medicare and SSI Benefits: Turning off the Spigot to Prisoners, Fugitives, the Deceased and other ineligible.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, April 25, 2001, at 10:30 a.m. and at 2 p.m., to hold two hearings.

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

COMMITTEE ON THE JUDICIARY

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, April 25, 2001, at 10 a.m., in SD226.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, April 25, 2001, at 2 p.m., to hold a closed briefing on intelligence matters.

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

SUBCOMMITTEE ON CONSUMER AFFAIRS, FOREIGN COMMERCE AND TOURISM

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Subcommittee on Consumer Affairs, Foreign Commerce and Tourism of the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, April 25, 2001, at 2:30 p.m., on west coast gas prices.

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

SUBCOMMITTEE ON HOUSING AND TRANSPORTATION

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, April 25, 2001, to conduct a hearing on “HUD’s Program, Budget and Management Priorities for FY 2002.”

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