days. Social Security cards are needed, though there is no penalty for not having one in your billfold. Americans who want to travel abroad do have to prove citizenship and be issued passports.

So the intrusion on personal freedom of an identification card for workers seems slight under the circumstances. And if it would be a help to employers to make sure they are not hiring illegals, and to all those officials being paid to enforce immigration laws, then it would be worthwhile.

Injustice is done to all legal immigrants and to all American citizens and taxpayers by ineffective controls. Surely the requirement for ID cards is preferable to financing higher barricades or hiring more border patrol officers.

ONE OF AMERICA'S GREATEST TREASURES

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. THOMPSON. Mr. Speaker, I rise today to recognize one of Mississippi's most outspoken heroes and one of America's greatest treasures. Although the contributions that Americans of African descent have made to this country are inexplicably woven into the very fiber of freedom and democracy upon which this country was founded, they are consistently overlooked and seldom find their place in history books alongside those of their white counterparts. However, because the recognition of these contributions has been relegated to 1 month out of the year—this month—instead of everyday, I would like to take a moment to share with you an article from ''The Mississippi Link'', a paper in the district I represent. This article commemorates the life of Mr. R. Jess Brown—Civil Rights pioneer and true supporter of democracy.

''R. JESS BROWN: A MEMORIAL TRIBUTE TO KEEP HIS MEMORY ALIVE''

(By Nettie Stowers)

SPECIAL TO THE MISSISSIPPI LINK

R. Jess Brown, a citizen of Mississippi residing in the city of Jackson, in September, 1988 was summoned by the U.S. Congressional Black Caucus and the Congressional Black Caucus Foundation, Inc. to the Nation's Capitol. Brown had been invited to attend and participate in ''A Special Tribute To A Great American, The Honorable Thurgood Marshall, U.S. Supreme Court Justice'' that was hosted by the Black Caucus and Foundation.

This invitation to attend and participate in the tribute was due Brown, in part, because the Jackson, Miss. attorney had been a member of the NAACP Legal Defense Fund which had also included Justice Marshall. According to the Magnolia Bar Association, in his august career, Brown ''played a major role with the NAACP Legal Defense lawyers in (ending) the discrimination against Blacks in the areas of transportation and other public accommodations along with (the) Honorable Thurgood Marshall, then Associate Justice of the United States Supreme Court (now deceased); (the) Honorable Constance Baker Motley and Robert L. Carter, now (both are) residing judges in the United States District Court for the State of New York; and other NAACP Legal Defense lawyers.''

At this tribute, billed as ''A Special Tribute To Thurgood Marshall . . . The Lifetime Companion For Justice For All People . . .'', Brown was rubbing elbows with people who held esteem for equal justice for all Americans such as Wiley Branton, Sr., Esquire, (now deceased); U.S. Representatives Louis Stokes, Michael Espy, Mervyn Dymally, Walter Fauntroy and Julian Dixon; William Coleman, Jr., former Secretary of the Department of Transportation; Ramsey Clark, former U.S. Attorney General; and AME Bishop H. H. Brookins.

Brown was accustomed to such invitations and honors: a civil rights lawyer, he had served as a member of the team lawyers who had systematically dismantled the discriminatory segregationists and ''Jim Crow'' laws in America, especially in the South and Mississippi. Brown's contributions to American society are a reading of U.S. History and Mississippi History.

In 1948, Brown joined Gladys Noel Bates in seeking equal salaries for black teachers in Jackson when very few, if any, blacks dared to oppose the historically white supremacy power structure in the Magnolia State. Jether Walker Brown, his widow who still lives in Jackson, said ''when Jess stepped in to help Mrs. Bates, almost no one was speaking to her because of intimidation by whites. Jess stepped in and almost immediately made the Black people feel ashamed for their actions.'' Jether Brown went on to say that ''things were not easy for him (Jess) or any of us during this time. Anyone or any group associated with helping Blacks get equal treatment ''receiving death threats harassment and vindictive and cruel intimidation; this included men, women and children. This was especially true for Jess, me and our two children. Oh Lord, it wasn't easy!''

Mrs. Brown also said that her husband represented a lot of Black people in cases where Mississippi sought the death penalty; but, these Black folk were never executed because her husband would keep on appealing their cases until some judge or court would overrule Mississippi's decision to execute.

In the 1950's Brown filed the first civil rights suit in Mississippi in Jefferson Davis County seeking the enforcement of the right of Black citizens to become registered voters. He was successful in obtaining Clyde Kennard's release after Kennard was convicted for the theft of chicken feed after attempting to register to vote at Mississippi Southern University. In the 1960's, Brown was among the team of lawyers who represented James Meredith in opening the doors of Ole Miss to Blacks.

The civil rights lawyer represented Mack Charles Parker in the Circuit Court in Pearl River County, Miss., who was lynched and thrown in the Pearl River after Brown raised the jury selection question prior to Parker's trial. And, while serving as counsel for the American Civil Liberties Union (ACLU), Brown was successful in obtaining reversals of convictions of Black defendants because discrimination against blacks in jury selection in Scott and Warren Counties.

Before Brown's untimely death in 1989, Attorney Firnst J. Alexander, Jr., assisted Brown in obtaining an acquittal for a Black defendant accused of being involved in attempted armed robbery of an alleged white victim in Neshoba County, Miss., where the alleged victim was shot.

Mrs. Brown said, ''All of R. Jess' cases were important; but I'd say that lawyers in the State of Mississippi were hard to find and Mississippi had a rule that out-of-State civil rights lawyers could not come in and represent the people who were suffering and dying from discrimination—a local lawyer had to take the lead.'' That's how we got some of the lawyers in Mississippi whose names are a part of civil rights history like Carsie Hall, Jack Young, Sr. and others.

Brown served on the executive board of the National Bar Association, he received numerous honors and awards which includes the C. Francis Stratton Award of the National Bar Association, the NAACP Legal Defense and Educational Fund Award; and, the Illinois State University Award of Achievement. Brown's fraternal affiliations included Phi Beta Sigma Fraternity, the Elks, and L.K. Atwood Lodge. Brown was a member of Pratt United Methodist Church in Jackson, Mississippi.

When asked about her greatest contribution to R. Jess' and his undaunted efforts to gain equality under the law for American with African heritage, Mrs. Brown said ''R. Jess was a humanitarian, educator, and fighter for civil rights. I made my contribution as a friend, wife, mother to our children and someone with whom he could confide and consult with on any subject. I have given it to R. Jess, he valued and respected my opinions and my knowledge.''

AT FIRST GLANCE FACT ABOUT R. JESS BROWN

September 2, 1912—December 31, 1989.

Formal Education: Public Schools of Muskogee, Oklahoma.

Undergraduate Education: Illinois State University.

Graduate Education: Indiana University.

Legal Education: Texas Southern University School of Law.

Admitted To Practice Law: All Mississippi State Courts; U.S. District Courts for the Southern/Northern Districts of MS.

Profession: High School Teacher, College Professor, Lawyer.

Married to Jether Lee Walker Brown; Jackson, MS.

Children: Jacqueline Brown Staffney; Jackson, MS and Richard Jess Brown; Jackson, MS.

MAJOR ACCOMPLISHMENTS

Filed the first civil rights suit in Mississippi seeking the enforcement of the right of Americans with African heritage to become registered voters.

Represented James Meredith in opening the doors of the University of Mississippi to American with African heritage with other lawyers from the NAACP Legal Defense Fund.

MEMORIAL TRIBUTE

The Magnolia Bar Association (R. Jess Brown was a co-founder) presents the R. Jess Brown Award to a deserving attorney.

R. Jess Brown Park; Capitol Street; Jackson, Mississippi.

INTRODUCING THE LAND RECYCLING ACT OF 1997

HON. JAMES C. GREENWOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. GREENWOOD. Mr. Speaker, today I am introducing the Land Recycling Act of 1997, legislation designed to spur economic growth in virtually every community across the country, particularly in America's urban core.

THE BROWNFIELDS EPIDEMIC

My bill is an aggressive attack on brownfields, abandoned or underutilized former industrial properties where actual or potential environmental contamination hinders redevelopment or prevents it altogether. The U.S. Environmental Protection Agency [EPA] estimates that there may be as many as 500,000 such sites nationwide. In my own congressional district, the southern portion of

Bucks County is estimated to have 3 square miles of abandoned or underutilized industrial property.

This epidemic poses continuing risks to human health and the environment, erodes State and local tax bases, hinders job growth, and allows existing infrastructure to go to waste. Moreover, the reluctance to redevelop brownfields has led developers to undeveloped greenfields, which do not pose the risk of liability. Development in these areas contributes to suburban sprawl, and eliminates future recreational and agricultural uses. The Land Recycling Act will help stop urban erosion, and provide incentives to the redevelopment of our cities and towns across the country.

THE SOURCES OF THE PROBLEM

The brownfields problem has many sources. Foremost among them is Federal law itself. Under the Comprehensive Environmental Response, Compensation and Liability Act [CERCLA], more commonly known as Superfund, parties who currently own or operate a facility can be held 100 percent liable for any cleanup costs regardless of whether they contributed to the environmental contamination and regardless of whether they were in any way at fault. The imposition of this liability has led to tragic consequences, including the potential that a completely innocent purchaser of property can be held liable for catastrophic environmental damage. Because of the potential for this kind of liability, it is no wonder that potential developers recoil from any site with a history of industrial activity. It is simply not worth dealing with the environmental exposure when they have the alternative of developing in rural areas with no potential for liability.

The Resource Conservation and Recovery Act [RCRA] poses nearly identical concerns. Under section 7003 of that law, for instance, EPA has broad authority to order a current owner-operator to address environmental contamination, again, regardless of fault.

RCRA also hinders redevelopment of properties that may be subject to its corrective action program, many of which are in Pennsylvania and throughout the Great Lakes region. Enacted in 1984, RCRA's corrective action provisions comprise two relatively innocuous looking paragraphs requiring environmental cleanup of hazardous waste releases for certain regulated facilities. Unfortunately, Congress failed in these provisions to set out with any real specificity how EPA was to implement these requirements. As a result, well over a decade after enactment of the statute, EPA still has not finalized regulations governing the corrective action program. The glacial pact of EPA's rulemaking, in turn, has left many owners of facilities subject to corrective action in a regulatory void, either unwilling to begin environmental cleanups because of the uncertainty as to what will be required of them, or simply unable to because of the lack of regulatory guidance. Like other brownfields, these sites lie idle. In many instances, it simply makes no business sense to begin performing cleanups in the absence of some certainty as to what standards will be used in addressing them. This is frustrating for the business that own these properties and for the communities in which they are located.

In the past several years Congress has considered a variety of proposals to combat these problems. Unfortunately, we have not yet enacted, been able to enact, amendments to CERCLA or RCRA.

In stark contrast, 32 States have launched so-called voluntary cleanup programs. Under these initiatives property owners comply with State cleanup plans and are then released from further environmental liability at the site. The subcommittee has received testimony in the past from a variety of States and the U.S. Environmental Protection Agency [EPA] demonstrating that these State voluntary cleanup programs have been responsible for the redevelopment of hundreds of brownfields.

In the first year the Commonwealth of Pennsylvania enacted its brownfields program, it succeeded in cleaning 35 sites.

Although many of these State laws have proven successful, States, businesses, and other experts have tested that they could be far more effective if participation in a State voluntary cleanup program also included a release from Federal environmental liability. At field hearings in my district last September and in Columbus, OH, on February 14, 1997, the House Commerce Subcommittee on Finance and Hazardous Materials, chaired by Mr. OXLEY heard testimony that the possibility of continuing Federal liability despite an agreement to limit State liability—the so-called dual master problem—seriously diminishes the effectiveness of State voluntary cleanup programs. Because redevelopers face the potential for cleanup obligations above and beyond what a State has decided is appropriate to protect health and the environment, they may hesitate to enter into agreements with sellers to purchase idle properties. The testimony establishes, in my mind, that if brownfields redevelopers could be confident that the cleanup agreements entered into with States would not be second-guessed by EPA, then they would be far more likely to agree to conduct a cleanup.

THE LAND RECYCLING ACT SOLUTIONS

Based on the input of all of the stakeholders in the brownfields debate—the Federal Government, States, local governments, sellers, buyers, developers, lenders, environmentalists, community interests, and others—and in particular based on my own experiences in my district, I have drafted the Land Recycling Act to remove Federal barriers to the cleanup of brownfields across the country. The solutions I propose, I am proud to say, do not cost the American taxpayers one nickel. Instead, they will unleash the enormous capital of the private sector to get brownfields cleaned up and put back to productive use.

First, the act removes what I believe is the most significant obstacle to redevelopment: the fear of EPA intervention at a site being cleaned up pursuant to a State voluntary cleanup program. The Land Recycling Act prohibits any person—other than a State—from using any enforcement provision of CERCLA or RCRA with respect to a release of hazardous substances at any facility that is being addressed pursuant to a State voluntary cleanup program. In order to take advantage of this liability shield, a State must certify to EPA that it has enacted a voluntary cleanup program and that it has the resources necessary to carry out the program, and notify EPA of the facilities being addressed pursuant to the program.

I am very sensitive to the concern that this provision could lead to a ''race to the bottom'' among the States, which, some argue, may lower their cleanup standards in order to attract new jobs at the expense of health and the environment. Accordingly, my bill makes numerous exceptions to the EPA enforcement ban. Sites listed on the Superfund National Priorities List [NPL] are not eligible, for instance, nor would any site that EPA proposed for listing on the NPL; nothing in the legislation limits EPA's current authority to investigate sites pursuant to CERCLA section 104 to determine whether they are eligible for listing on the NPL. Thus, Federal enforcement authorities will not be limited at any site that is truly of national significance. Further, the limitations on enforcement will not apply to any site that is already being addressed pursuant to consent decrees or other agreements with the United States. If someone has agreed with EPA to clean up a site, they should clean it up—the Act is not an escape hatch for parties responsible for cleaning up environmental contamination.

This limitation on enforcement will allow parties tremendous certainty in their decisionmaking. Knowing that they only have to deal with a State, redevelopers can be certain that once they have reached agreement with a State on the scope and extent of any necessary cleanup, that agreement will not be second-guessed by the Federal Government.

The act has two provisions aimed directly at ensuring Superfund's sweeping liability scheme does not apply to innocent parties. The first protects prospective purchasers of property from Superfund liability if they conduct a baseline assessment of a facility's contamination, do not contribute to any contamination at a property, and otherwise comply with law. It is EPA's current policy to grant this relief, but it may only be accomplished through the cumbersome, time-consuming process of negotiating and entering into an agreement with the United States. The bona fide prospective purchaser provision is self-executing, and therefore obviates the need to conduct a time-consuming negotiation for a prospective purchaser agreement with EPA.

Another provision deals with innocent landowners. Building on language that has had a bipartisan consensus over the last several years, the Land Recycling Act shields innocent landowners from CERCLA liability if they have made all appropriate inquiry into the condition of a property prior to acquiring it. The bill requires an environmental assessment of the property to have been performed within 180 days of acquisition in order to satisfy the all appropriate inquiry standard.

I believe these three straightforward solutions will provide an aggressive antidote to the epidemic of brownfields in America. Let me say, though, that I am not, nor do I think my original cosponsor Congressman KLINK, are wedded to any particular provision contained in the bill. I know that my friends in the environmental community will have concerns with some of the approaches we have taken. Some in industry, on the other hand, have told me that legislation like this does not go nearly far enough, either in the kinds of sites it addresses nor in the certainty that it provides under Federal environmental law. I look forward to a vigorous debate because I am confident that we can resolve these issues.

THE NEED FOR COMPREHENSIVE REFORM

While I am confident that the Land Recycling Act will go a very long way toward getting the half million brownfields sites across the country cleaned up, we in Congress have a much larger task at hand. I strongly support

a comprehensive overhaul of the Superfund Program to ensure that we do not perpetuate the brownfields problem across the country. The Congress needs to address liability issues, remedy selection concerns, and other matters that have prevented Superfund from accomplishing more in its 17-year existence. I am both dissatisfied with the current pace of NPL site cleanups convinced that the roots of many of the brownfields problems lie throughout the Superfund statute.

I look to the chairman of the Commerce Committee, Mr. BLILEY, and the chairman of the Finance and Hazardous Materials Subcommittee, Mr. OXLEY, for leadership on comprehensive Superfund reform. These two chairmen ably fought for Superfund reform in the last Congress, but the process unfortunately broke down in the mire of election year politics. I hope that 1997 offers more promise, and that they will consider including the Land Recycling Act as part of their Superfund reform package.

MAKING GOVERNMENT AGENCIES MORE ACCESSIBLE

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. MORAN of Virginia. Mr. Speaker, today I am introducing legislation that will amend the truth in savings law to make Government agencies more accessible to the public.

In recent years State and local governments, along with the Federal Government, have made a conscientious effort to improve the quality and efficiency of their customer services.

Public expectations now focus on convenience, quickness, and completeness when receiving public services.

Given the option, many people would prefer to register their car, pay their water bill, or their real estate and personal property taxes over the telephone with a credit card.

It is quick, convenient, and spares people the time and expense of visiting the motor vehicle office or tax office and spending their time waiting in long lines.

Payment of taxes with credit cards has the added benefit of enabling taxpayers to avoid the stigma and added expense of late tax payments, since the card holder can avoid the late penalty fee and extend their payments out over several months.

This legislation is necessary because the major credit card companies insist that public agencies be treated the same as department stores and restaurants who are prohibited by the credit card companies from passing the cost of credit card transactions directly onto the customer.

Merchants must swallow this cost or pass this cost on to their cash paying customer through higher prices. Few merchants complain because they can raise their prices and encourage their customers to buy more on credit than they could pay with cash.

Public agencies are different.

The Government should not raise everyone's taxes to pay for credit card user fees.

Moreover, State and local law may prohibit or restrict public agencies from absorbing or spreading this cost.

If the Internal Revenue Service were to allow the public to pay taxes with a credit card, it could not absorb the 3-percent service charge per credit card transaction.

Under Mastercard and Visa's policy, the IRS would have to absorb the $300 million in service charges the two companies would collect on $10 billion worth of credit card tax payments. State and local government agencies face a similar obstacle.

The legislation I am introducing will remove this obstacle and provide the public a convenient option for conducting their business with public agencies at a minimum of expense.

I urge my colleagues to support this legislation.

THE INTRODUCTION OF THE UNITED STATES-PUERTO RICO POLITICAL STATUS ACT

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 27, 1997

Mr. YOUNG of Alaska. Mr. Speaker, today, I'm pleased to introduce the United States-Puerto Rico Political Status Act (H.R. 856). This landmark legislation will end 100 years of uncertainty for the people of Puerto Rico and allow them to determine the political status for themselves and future generations.

The text of the legislation is identical to the updated version of the bill introduced as H.R. 4281 in the 104th Congress on September 28, 1996. This bill reflects the efforts of many of my colleagues during the last 2 years to formulate a fair, clear, and complete process that will once and for all, provide for the final resolution of Puerto Rico's political status. This is the starting point in the process which is long overdue and the people of Puerto Rico deserve.

The Legislature of Puerto Rico has once again asked the Congress to take action to resolve Puerto Rico's political status. Two weeks ago, a bipartisan delegation from Puerto Rico personally delivered copies of the resolution, asking the 105th Congress—and I quote:

> to respond to the Democratic aspirations of the American citizens of Puerto Rico in order to attain a process which will guarantee the prompt decolonization of Puerto Rico, through a plebiscite sponsored by the Federal Government, which shall be held no later than 1998.

This bill answers the Legislature's request by providing for a vote on Puerto Rico's political status before December 31, 1998.

As the only Representative from Alaska—a State that made the transition from territorial status to full self-government—I know first hand that the process does work. This bill provides the process by which Congress and the residents of Puerto Rico define and approve politically acceptable options through a multistaged Democratic process. This allows for the political will of the United States and Puerto Rico to be determined freely and democratically.

The U.S. Congress and the President have a moral obligation to act so the people of Puerto Rico can finally resolve their status. We are taking action today by re-introducing the United States-Puerto Rico Political Status Act. Today marks the beginning of a historic effort by the Congress to actually solve Puerto Rico's political status.

I appreciate the strong bipartisan support for this legislation by such a large number of Members of Congress during the 104th Congress, and now in the 105th Congress. I particularly want to thank Speaker GINGRICH for his involvement and support of this measure since its inception. Puerto Rico's delegate, Resident Commissioner CARLOS ROMERO-BARCELÓ, has been working side-by-side with the sponsors of this bill, and his cooperation and leadership has been critical to this endeavor. My colleague from New York, JOSÉ SERRANO, has also been particularly supportive and helpful in this process. I also want to thank Chairman GALLEGLY, Chairman GILMAN, Chairman BURTON, Chairman POMBO, and Mr. KENNEDY from Rhode Island for their outstanding efforts to address Puerto Rico throughout the 104th Congress; Chairman SOLOMON of the Rules Committee for his excellent work on the fast track procedures, as well as all the other distinguished co-sponsors for both political parties.

Resolving Puerto Rico's political status is a top priority of the Committee on Resources Oversight Plan for the 105th Congress. The leadership of the House also recognizes this as a matter of the highest priority.

To demonstrate the commitments of this Congress to act quickly on this matter, three hearings have been scheduled on this legislation. The first will be held in Washington, DC, on Wednesday, March 19, 1997 to enable the leaders of the Government of Puerto Rico and the political parties to express their views regarding their preferred status. I will also ask the Clinton administration to present their formal position regarding the legislation at this hearing. In addition, two hearings will be conducted in Puerto Rico, the first in San Juan on April 19 and the second in Mayaguez on April 21.

Those hearings will be dedicated to allow Congress to hear directly from the widest possible spectrum of views of the people of Puerto Rico. No proposal or idea will be excluded from the process, but we intend for Congress to work its will on this question in 1997.

That is what the people of this Nation, including our fellow citizens in Puerto Rico, deserve from the 105th Congress, and in my view that is what the national interest requires us to do.

Following is the text of House Concurrent Resolution 2, enacted by the Puerto Rico Legislature of January 23, 1997, which asks the 105th Congress and the President to sponsor a vote in Puerto Rico on political status before the end of 1998:

HOUSE CONCURRENT RESOLUTION 2

To request of the One Hundred Fifth Congress and the President of the United States of America to respond to the democratic aspirations of the American citizens of Puerto Rico, in order to achieve a process that guarantees the prompt decolonization of Puerto Rico by means of a plebiscite sponsored by the Federal Government, which must be held no later than 1998.

STATEMENT OF MOTIVES

As the present century draws to a close and a new millennium full of hope is about to begin, men of good will must act affirmatively to leave any colonial vestige behind them.