

new life to these areas. Brownfields, loosely defined as 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 450,000 such sites nationwide.

This epidemic poses continuing risks to human health and the environment, erodes States 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 any risk of liability. Development in these areas contributes to suburban sprawl, and eliminates future recreation and agricultural uses.

In the view of many, Federal law itself can be a culprit. The fundamental flaw in RCRA that hinders cleanup is that the law was primarily designed to regulate process wastes, not cleanup wastes. As a result, the law requires stringent treatment standards, usually based on combustion, for most wastestreams; establishes lengthy permit requirements; and otherwise presumes that process wastes are continuously generated and disposed of at an ongoing manufacturing facility. RCRA's requirements are awkward, expensive, and hinder and prevent cleanup.

EPA has stated: ". . . EPA has long believed that changes in the application of certain RCRA requirements to remediation waste are appropriate. While the Agency has not endorsed any specific legislative proposal, we continue to believe reform to application of RCRA requirements to remediation waste, especially RCRA land disposal restrictions, minimum technology, and permitting requirement if accomplished appropriately, could significantly accelerate cleanup actions at Superfund, Brownfield, and RCRA Corrective Action sites without sacrificing protection of human health and the environment."—Letter from Michael Shapiro, Director, Office of Solid Waste, U.S. EPA to Doug MacMillan, Executive Director, Environmental Technology Council dated January 27, 1997.

"Perhaps the largest expense of RCRA is the enormous cleanup costs associated with the corrective action program. Although the RCRA corrective action cleanups could have been limited to address failures of the RCRA prevention program for as-generated wastes, Congress drafted the statute more broadly to capture old, historic wastes as well. RCRA corrective action and closures, state cleanups, CERCLA actions and voluntary cleanups often involve one-time management of large quantities of wastes. Under RCRA, management of these wastes may trigger obligations to comply with RCRA procedural and substantive requirements. For example, RCRA permits may be required for voluntary cleanups or state cleanups. Obviously this could seriously delay cleanups and dramatically increase their costs."

In addition, RCRA substantive standards are designed primarily for wastes generated from ongoing industrial processes and may not fit well in remedial situations. For example, requirements for pretreatment of cleanup wastes may foreclose other cost-effective yet protective cleanup options. . . ."—Don Clay, Assistant Administrator U.S. EPA before the House Committee on Transportation, March 10, 1992.

State cleanup agencies have also noted these problems: "At some voluntary sites, on-

site management of contaminated soils triggers the application of RCRA management requirements. While volunteers should use best management practices and comply with RCRA for offsite management of soil, meeting RCRA requirements onsite only serves to increase costs without providing any commensurate benefits to the cleanup."—Don Schregardus, Director Ohio, EPA, February 14, 1997.

". . . The objectives for site cleanups versus ongoing hazardous waste management differ markedly. The RCRA Subtitle C hazardous waste regulatory framework is designed to ensure the long-term safe management and disposal of as-generated hazardous wastes (sometimes termed "Process wastes"). RCRA Subtitle C is a prevention-oriented program containing many detailed procedural (permitting) and substantive requirements (land disposal restrictions and minimum technology requirements). Conversely, the objective of site cleanups is to achieve an effective, environmentally protective solution to existing contaminated sites. For this reason, application of RCRA Subtitle C requirements to wastes that have already been released to the environment (i.e. contaminated media) can, in many cases, increase costs and delay site remediation efforts without significant environmental benefit."—Catherine Sharp, Environmental Programs Administrator, Waste Management Division, Oklahoma department of Environmental Quality, on behalf of the Association of State and Territorial Waste Management Officials before the House Committee on Commerce Transportation and Hazardous Materials on, July 20, 1995.

Indeed, State cleanup agencies have asked to make this legislation a priority and the legislation builds and principles adopted by the National Governors Association.

Cleanup contractors have also asked us to pursue this legislation: "The Hazardous Waste Action Coalition (HWAC) the association of leading engineering, science and construction firms practicing in multimedia environmental management and remediation, strongly encourages [Congress] to make RCRA legislative reform a top priority . . . to [produce] a sound bipartisan approach to removing impediments under RCRA. . . . For example, RCRA's land disposal restriction requirements can completely eliminate many technically practicable remedies from even being considered. HWAC strongly believes that only legislative reform of RCRA [will] remove this and other disincentives to cleanup of RCRA contaminated waste sites."—Letter from the Hazardous Waste Action Coalition dated January 6, 1998.

Clearly the Brownfields Remediation Waste Act of 1999 addresses a real set of problems. The bill is tailored to do a number of things to address these problems. First, the bill provides EPA new authority to tailor regulations for the management of remediation wastes from brownfields, voluntary, State and other site cleanups without applying the often rigid and inappropriate regulations designed for newly generated process waste—thus, allowing EPA to remove barriers to fast and efficient cleanups. Second, the Act shields EPA's recent common-sense regulations concerning remediation wastes from unnecessary and disruptive litigation. Third, the bill will provide needed flexibility for offsite remediation waste management units. Finally, the Act allows State programs, subject to EPA review and ap-

roval, to run protective remediation waste programs tailored to their brownfields, voluntary response or other programs.

Mr. TOWNS and I are interested in all bipartisan suggestions for improvement and seek your support.

#### THE AMERICA'S PRIVATE INVESTMENT COMPANIES ACT

**HON. JOHN J. LaFALCE**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, August 5, 1999*

Mr. LAFALCE. Mr. Speaker, today, on behalf of myself and a number of House Members, I plan to introduce the America's Private Investment Companies Act. This legislation, also known as APIC, is part of the Administration's broader New Markets Initiative, which includes separate legislation to provide tax credits for investments in APIC's and other community development entities, and to expand small business lending in low- and moderate-income communities.

After seven years of strong economic growth and job creation, the unfortunate truth is that many urban areas, mid-sized cities, and rural areas are not fully participating in our economic prosperity. Despite strong income and wage growth for many Americans, millions of Americans still don't have access to jobs which pay decent wages. APIC is designed to harness the private sector to revitalize distressed low-income communities, and to create jobs and economic opportunities for those individuals who are being left behind.

Under the bill, the Secretary of HUD is authorized to licensing a number of newly created America's Private Investment Companies [called APIC's] each year, and to guarantee debt for these APIC's. In turn, these newly created APIC's will be required to invest substantially all of the funds raised through such debt in businesses operating in low-income communities.

In order to be eligible for APIC certification and for federal loan guarantees, an applicant must be a for-profit community development entity, which must have a primary mission of serving or providing investment capital for low-income communities or low-income persons, and which must maintain accountability to residents of low-income communities. The applicant must have a minimum of \$25 million in equity capital available to it. Finally, the applicant must have a statement of public purpose, with goals that at least include making qualified investments in low-income communities, creating jobs that pay decent wages to residents in low-income communities, and involving community-based organizations and residents.

Under the legislation, HUD is authorized to guarantee \$1 billion in debt each year for the next five years for an estimated ten to fifteen new APIC's each year. For every \$2 of debt that the government guarantees for an individual APIC, that APIC must have at least \$1 in equity capital, which is at risk of loss ahead of the federal guarantee. As a result, at \$7.5 billion in additional low-income community investments will be generated over the next five years. Yet, the cost of the combined credit subsidy and administrative cost is only \$37 million a year.

Substantially all of the funds from guaranteed debt, plus required equity, must be used to make investments in "qualified low-income investments"—that is, in equity investments in or loans to "qualified active businesses" located in "low-income communities."

A "qualified active business" is a business or trade, of which at least 50% of gross income must come from activities in "low-income communities," of which a substantial portion of any tangible property must be in low-income communities, and of which a substantial portion of employee services must be performed in low-income communities."

Low-income communities are census tracts with either poverty rates of at least 20%, or with median family income that does not exceed 80% of the greater of the metropolitan area median family or the statewide median family income.

At a time when Congress seems eager to enact tax breaks and loan guarantees for a broad range of industries, it is not too to ask for limited resources targeted to corporations which invest in distressed communities and low-income individuals. I urge the House to hold hearings on this legislation, and to move towards its enactment.

#### FOREIGN TRUCK SAFETY ACT

##### HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. LIPINSKI. Mr. Speaker, I rise tonight in opposition to NAFTA's provisions to expand Mexican trucking privileges into the United States, and to introduce the Foreign Truck Safety Act, legislation that will mandate inspection of all foreign trucks at our southern border.

When we debated NAFTA in 1993, supporters claimed that NAFTA would not harm workers here or in Mexico, and would not harm the environment. Unfortunately, they were wrong. This treaty has sent thousand of good American jobs south of the border. It has also subjected that border to increased pollution of the air, water and land.

These are the most prominent promises broken by NAFTA. But we are about to add to the list. This Administration, under terms of NAFTA, is considering opening up all of America to Mexican trucks as of January 1, 2000.

What will the entrance of Mexican trucks mean for America? It will generate more pollution and increase the loss of good paying jobs. Most seriously, it will threaten the lives of qualified American drivers who will be forced to share the road with unqualified foreign drivers, who, as evidence proves, are driving unsafe, pollution-belching trucks.

U.S. inspectors, some operating just during the weekday hours of 9:00 am to 5:00 pm, have found that almost 50% of inspected Mexican trucks have been ordered to undergo immediate service for safety problems. This is based on the results of the few inspections of foreign trucks already allowed to enter a commercial zone in the U.S. In reality, hordes of uninspected foreign trucks cross various border points after 5 pm, before 9 am, and on the weekends. Accordingly, the Department of Transportation's Inspector General has already concluded that the DOT does not have

a consistent enforcement program to provide reasonable assurance of the safety of trucks entering the United States. How could this Administration suggest expanding border-trucking privileges when we cannot regulate the current privileges we offer?

Unsafe trucks are not only appearing in the four border-states. But as the map here shows, reports of dangerous trucks have come from at least 24 additional states. From Washington to Illinois to New York, the entire country is at risk. That is why I am introducing the Foreign Truck Safety Act, because it will require mandatory safety inspections on all trucks crossing into the U.S. from Mexico. As of January 2, 2000, the Foreign Truck Safety Act will authorize the border states to impose and collect fees on trucks to cover the cost of these inspections. By requiring all trucks to pass inspections before entering the United States, we can help to limit the risks these unsafe trucks pose to our citizens. This country entered into NAFTA in order to better the lives of our citizens. Without this legislation, we will simply put our citizens in more jeopardy.

I think people are more important than profit, and I am concerned about the thousands of unsafe Mexican trucks rumbling down our highways and byways. Average Americans are already fearful about driving next to large, safe U.S. trucks that pass inspections; imagine their fear when unsafe Mexican trucks hit our streets, roads, and superhighways.

Mr. Speaker, it is time to stand up for Americans. Therefore, I urge all of my colleagues to work with me to pass the Foreign Truck Safety Act so that Americans will never be afraid to drive down Main Street, U.S.A.

#### NATIONAL WEATHER SERVICE WINS SMITHSONIAN AWARD

##### HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. COSTELLO. Mr. Speaker, I would like to bring to the attention of my colleagues the accomplishment of the National Weather Service, part of the National Oceanic and Atmospheric Administration (NOAA), in receiving a Computerworld Smithsonian Award for outstanding work in new information technology systems. The Weather Service's Advanced Weather Interactive Processing System (AWIPS) recently received the award, which honors the use of information technology to create positive social and economic change. AWIPS was the only federal award winner. Most of the other nine categories were won by some of our nation's premier corporations.

The new AWIPS system, which is now in National Weather Service field offices throughout the country, has already paid big dividends, most recently in saving lives during the devastating tornado outbreak of May 3–4 of this year, which swept through portions of 5 states.

AWIPS technology gives Weather Service forecasters access to satellite imagery, Doppler radar data, automated weather observations and computer-generated numerical forecasts, all in one computer workstation. On May 3–4, more than 70 tornadoes were pounding the U.S. between Texas and South Dakota, with particularly severe damage in

Oklahoma. The AWIPS system in the Weather Service Office in Oklahoma City enabled forecasters to simultaneously track and issue warnings for dozens of tornadoes that were tracking through the area. A highly informed public, and good cooperation with the media and with state and local officials in the area, reduced greatly the numbers of deaths that might have occurred in this still-tragic event.

The AWIPS system will continue to yield new and improved warning and forecast services to enhance safety and improve people's lives. The modern National Weather Service is a good investment of tax dollars and will be an engine of economic gain in many weather-sensitive business sectors. For an investment that costs each American about \$4 per year, today's Weather Service issues more than 734,000 weather forecasts and 850,000 river and flood forecasts, in addition to roughly 45,000 potentially life-saving severe weather warnings annually. Statistics show overall improvements in forecast accuracy and in timeliness of severe weather and flood warnings. Skilled NOAA professionals, working with AWIPS and other technologies such as Doppler radar, surface observation systems and weather satellites, make this possible.

Mr. Speaker, as Ranking Member of the Science Subcommittee on Energy and Environment, which oversees NOAA programs, I am pleased to share with my colleagues the news of this award celebrating one of the many accomplishments of the National Weather Service.

#### CELEBRATING A CAREER OF ACCOMPLISHMENT

##### HON. JAMES A. BARCIA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 5, 1999

Mr. BARCIA. Mr. Speaker, when a fine and upstanding man such as Mr. William R. Wittbrodt of Midland, MI decides to retire after a long and distinguished career, then we must send our congratulations to his family and our commiserations to his employer. So I join with all of his colleagues in saying that "Bill" Wittbrodt's dedication to the work of the United States Steelworkers of America will become that of legend, as has his dedication to his wonderful family. We can only surmise that the value of his efforts will continue to appreciate during his retirement.

Mr. Wittbrodt began his contributions to society with service in our Armed Forces, with his enlistment in the Air Force in 1947, where he served four years, including his service in Korea. Mr. Wittbrodt returned to his native Midland afterwards, and upon joining Dow Chemical, became a member of Local 12075, District 50, United Mine Workers. Thus, his long devotion and service on behalf of Local 12075 was begun.

Without Mr. Wittbrodt's meticulous stewardship and great dedication to Local 12075, the local union would not have been so successful and so committed to the rights of fellow members. Mr. Wittbrodt's leadership was evidenced early; in 1954 he became the Elected Shop Steward, 5 years later he was elected full-time Chief Steward, and in 1965 he was elected to the Local Union 12075 Bargaining Committee. In 1969 he achieved a well-deserved pinnacle