

# Government Affairs

## Congress Approves \$250 Million for Brownfield Clean-up *Measure reflects one of the Institute's top priorities*

by Tracy E. Ostroff

Associate Editor



Congress approved on December 20 a bill that would more than double funding for the cleanup of thousands of contaminated and underutilized sites known as brownfields. President Bush is expected to sign the measure.

The bipartisan brownfield legislation would authorize \$250 million annually in fiscal 2002 through 2006 to fund assessment and cleanup activities. Of that \$250 million, \$200 million would be authorized to fund state and local grants for brownfields assessment and cleanup. Current spending on brownfields is about \$98 million a year.

The bill shields developers who buy abandoned factory sites and inner-city junkyards from being sued by the Environmental Protection Agency, and from being required to pay Superfund penalties for pollution caused by previous owners. The legislation also exempts from liability under the Superfund law small businesses that contributed fewer than 110 gallons or 200 pounds of hazardous waste to a contaminated site. It requires the government to pay prevailing wages on construction projects.

The AIA supported this legislation, which will improve the tools available for brownfield revitalization and rehabilitation. Increased funding for the redevelopment is important because it helps leverage private-sector investments for rehabilitation efforts. The General Accounting Office estimates that there are between 450,000 and 600,000 brownfield sites that cover about 178,000 acres across the country.

As one of the final policy efforts to pass before Congress' win-

ter recess, the measure "marked the most important environmental action of the 107th Congress," according to the *Washington Post*.

Check back with AIArchitect [<http://www.aia.org/aiarchitect>] to find out how you can capitalize on brownfield development projects and benefit from this new legislation.

### Other legislation: school construction

In the waning hours of the 107th Congress, legislators also passed an education bill that includes \$150 million for construction and renovation of charter schools, educational facilities on Indian land, and emergency school repair, but which was stripped of many of its contentious school construction provisions. It also appropriated funds for School Facility Emergency and Modernization Grants for fiscal 2002, a percentage of which will be set aside to be used for the following five years. However, efforts this fall to bring a separate school construction bill (H.R. 1076, with Reps. Nancy Johnson (R-Conn.) and Charles Rangel (D-N.Y.) as the lead co-sponsors) to a vote failed and the measure stayed in committee.

While many of the education bill's provisions received bipartisan support, school construction items have pitted Democrats against Republicans over who should have control of construction dollars. As they have done with many of the 13 appropriate bills passed in the wake of September 11, congressional leaders stripped the bill of contentious language to help ensure passage as well as their ability to recess and return home to their districts for the winter break. The AIA expects legislators to step up efforts to fund school construction programs this spring, and the Institute is looking forward to working with members of Congress on these important initiatives. ■