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House of Representatives

AUTHORIZING SECRETARY OF ARMY TO CARRY OUT HURRICANE AND STORM DAMAGE REDUCTION, MORGANZA TO GULF OF MEXICO, LOUISIANA

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the

bill (H.R. 6428) to authorize the Secretary of the Army to carry out certain elements of the project for hurricane and storm damage reduction, Morganza to the Gulf of Mexico, Louisiana.

The Clerk read as follows:

H.R. 6428

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MORGANZA TO THE GULF OF MEXICO, LOUISIANA.

(a) IN GENERAL.—The Secretary of the Army may carry out the following elements

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By order of the Joint Committee on Printing.

TRENT LOTT, *Chairman*.

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By order of the Joint Committee on Printing.

TRENT LOTT, *Chairman*.

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of the project for hurricane and storm damage reduction, Morganza to the Gulf of Mexico, Louisiana, substantially in accordance with the report of the Chief of Engineers, dated August 23, 2002, and the supplemental report dated July 22, 2003:

(1) The Houma Lock feature of the project.

(2) The Reach H-3, Reach J-2, Bush Canal floodgate, Point aux Chene floodgate, Reach H-2, Reach J-3, Reach J-1, and Placid Canal structural elements of the project

(b) CREDIT.—The Secretary shall credit toward the non-Federal share of the cost of the project elements the cost of design and construction work carried out by the non-Federal interest before the date of the partnership agreement for the project elements if the Secretary determines that the work is integral to the project elements.

(c) OPERATION AND MAINTENANCE.—The operation, maintenance, repair, rehabilitation, and replacement of the Houma Navigation Canal lock complex and the Gulf Intracoastal Waterway floodgate features that provide for inland waterway transportation shall be a Federal responsibility, in accordance with the feasibility report dated March 2002 and section 102 of the Water Resources Development Act of 1986 (33 U.S.C. 2212).

(d) NAVIGATIONAL CONSISTENCY.—The Secretary shall maintain the Houma Navigation Canal at dimensions at least equal to those of the lock identified in subsection (c). The Houma Lock feature shall be implemented under an exclusive partnership agreement.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 6428 was introduced by the gentleman from Louisiana (Mr. MELANCON) and the gentleman from Louisiana (Mr. BAKER).

This bill simply authorizes the Secretary of the Army to carry out certain elements of a project known as the Morganza to the Gulf of Mexico, which was included in a report by the Chief of Engineers.

This is part of an important hurricane and storm damage reduction project that is sorely needed. I urge support of the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, I want to thank the gentleman from Alaska, our committee chairman, for agreeing to bring this bill up in the interest of the Louisiana delegation, all of whom are concerned about moving this project ahead so it can be in line to receive funding to start work on this project before the next hurricane storm season reaches the gulf.

This project involves multiple features: 72 miles of levees south of Houma, Louisiana; pumping station protection; road closure floodgates and ramps; channel closure floodgates; and a lock structure where the project

crosses the Gulf Intercoastal Waterway.

It is unfortunate we have to take this piece out of the bill that we passed twice in this body under the leadership of the distinguished chairman. The House has done its work and done its work well. We have done it over three Congresses, and the other body has failed to act. That is why we are here tonight to try to address a matter of significant importance to the people in the gulf region.

Mr. Speaker, I rise in support of H.R. 6428, a bill authorizing the Secretary of the Army to carry out certain portions of the hurricane and storm damage reduction project for the Morganza to the Gulf, Louisiana.

The Morganza to the Gulf project is vital for meeting the hurricane and storm damage protection needs of coastal Louisiana, especially its citizens in Houma, and the surrounding communities that were devastated by Hurricane Rita last year. This project is comprised of multiple project features, including approximately 72 miles of levees south of Houma, Louisiana, pumping station protection, road closure floodgates and ramps, channel closure floodgates, and a lock structure where the project crosses the Gulf Intracoastal Waterway.

The Morganza to the Gulf project was included in the Water Resources Development Act of 2000, as a conditional authorization. However, the Corps of Engineers failed to complete a favorable report of the Chief of Engineers for the project before the December 2000 deadline.

Since that time, the Congress has failed to enact any further water resources development acts. Unfortunately, tonight, we will adjourn another Congress without enacting a water resources bill.

The language in this legislation is modeled after the language contained in H.R. 2864, the Water Resources Development Act of 2005, which passed this House on July 14, 2005 by an overwhelming vote of 406–14.

While my preference would be to authorize this project through regular order in the passage of the broader Water Resources Development Act, at this late hour in the session, work will not be completed on the larger bill.

This is unfortunate because it only further delays the opportunity for the Corps of Engineers to provide essential flood control, navigation, and ecosystem restoration projects to our Nation, and vital public safety and economic benefits to our constituents.

We are now just a few days shy of six years since the last water resources bill was enacted. This is far too long.

I am certain that there will be questions as to why Congress was unable to enact a water resources bill in the 109th Congress, especially since this is the first time since 2000 that both the House and the Senate chambers were each able to approve legislation for the other body to consider.

A chief reason is that the current administration has no commitment to the Nation's premier water-related infrastructure agency.

The administration fails to understand the importance of the Corps of Engineers and the vital work that this agency does for the American people.

The administration's lack of support for a comprehensive water resources development

act has only made Congress's work more difficult.

During consideration in both the House and Senate, the administration released two statements of administration policy that were highly critical of the Congress's efforts, especially over the administration's concern with the overall costs of the two bills.

However, what this administration fails to recognize is that the roughly \$10 billion in project authorizations contained in the House-passed version, and the \$12 billion in the Senate-passed version reflect 6 years of requests since the Water Resources Development Act of 2000.

With Congress's failure to approve the water resources development act this year, we should expect next year's bill to cost more than either the House or Senate-passed versions—perhaps as much as \$15 billion.

These numbers are consistent with the historical costs of past water resources bills, and further delay only results in making these vital projects more expensive over time.

Congress must also share the blame for its failure to deliver a comprehensive water resources bill this year.

With both the House and Senate, and the White House, under Republican control, it would seem that passage of this legislation should have been achievable.

In spite of the significant efforts of both the chairman of the conference committee and my Chairman, Mr. YOUNG, the House and the Senate have been unable to reach agreement on a final package.

I am confident that our Committee will make the passage and enactment of a water resources development act a number-one priority in 2007.

Mr. Speaker, by passing this legislation tonight, the House is agreeing to allow the Morganza to the Gulf project to move forward based on its individual merit, and the need to increase the level of flood protection for coastal Louisiana.

The House has resisted the temptation to add other meritorious Corps of Engineers project authorizations to the schedule this evening. I would advise the other body to resist this temptation and not turn this authorization into an attempt to move a miniature water resources bill before the end of the session.

I urge my colleagues to support H.R. 6428.

Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. MELANCON).

Mr. MELANCON. Mr. Speaker, in the Water Resource Development Act of 2000, Congress authorized a project for hurricane protection known as Morganza to the Gulf. This contingent authorization would protect over 200,000 people in their homes, but the contingent authorization expired due to a delayed chief's report.

The citizens of Louisiana that live behind this future levee system have passed a tax on themselves that generates roughly \$5 million per year in funds dedicated strictly to fund this hurricane protection system. They have waited 6 years to begin construction on this project that Congress directed to be constructed due to a delayed report from the Corps of Engineers.

H.R. 6428, introduced by Congressmen BAKER and MELANCON, authorizes only

a small portion of the project as a whole. This bill would allow the people in Terrebonne Parish to begin protecting themselves while we work towards a complete water resources bill.

The Melancon-Baker partial authorization bill includes only two reaches of levees, tying into the already existing system of levees. These levees would provide the most protection possible with the limited resources currently available.

The bill also authorizes the lock complex on the Houma Navigation Canal to protect against devastating storm surges, such as the one during Hurricane Katrina that ran up the Mississippi River-Gulf outlet and destroyed St. Bernard Parish. In addition, Houma would be protected from salt water intrusion in their drinking water and the degradation of the wetlands.

I urge passage of H.R. 6428. I wish to thank Mr. OBERSTAR and Mr. YOUNG and the committee for all of their kindnesses to help us move this forward.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume to point out that I have toured St. Bernard Parish with my wife who is from New Orleans, and we have seen the extraordinary destruction caused by Hurricane Katrina to the residents and the absolute abject devastation of an area that hasn't experienced anything of this nature in 138 years.

This legislation is vitally important to correct the failures of the past and prevent them from happening in the future. The gentleman from Louisiana (Mr. MELANCON) and the gentleman from Louisiana (Mr. BAKER), both members of our committee, have been strong advocates for this project.

Mr. Speaker, I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I urge my colleagues to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Alaska (Mr. YOUNG) that the House suspend the rules and pass the bill, H.R. 6428.

The question was taken; and (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DAM SAFETY ACT OF 2006

Mr. YOUNG of Alaska. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2735) to amend the National Dam Safety Program Act to reauthorize the national dam safety program, and for other purposes.

The Clerk read as follows:

S. 2735

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DAM SAFETY.

(a) SHORT TITLE.—This section may be cited as the “Dam Safety Act of 2006”.

(b) NATIONAL DAM INVENTORY.—Section 6 of the National Dam Safety Program Act (33 U.S.C. 467d) is amended to read as follows:

“SEC. 6. NATIONAL DAM INVENTORY.

“The Secretary of the Army shall maintain and update information on the inventory of dams in the United States. Such inventory of dams shall include any available information assessing each dam based on inspections completed by either a Federal agency or a State dam safety agency.”.

(c) NATIONAL DAM SAFETY PROGRAM.—

(1) DUTIES.—Section 8(b)(1) of the National Dam Safety Program Act (33 U.S.C. 467f(b)(1)) is amended by striking “and target dates to” and inserting “performance measures, and target dates toward effectively administering this Act in order to”.

(2) ASSISTANCE FOR STATE DAM SAFETY PROGRAMS.—Section 8(e)(2)(A) of the National Dam Safety Program Act (33 U.S.C. 467f(e)(2)(A)) is amended—

(A) in the matter preceding clause (i), by striking “substantially”;

(B) by redesignating clauses (iv) through (x) as clauses (v) through (xi), respectively;

(C) by inserting after clause (iii) the following:

“(iv) the authority to require or perform periodic evaluations of all dams and reservoirs to determine the extent of the threat to human life and property in case of failure.”; and

(D) in clause (vii) (as redesignated by subparagraph (B)), by inserting “install and monitor instrumentation,” after “remedial work.”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 13 of the National Dam Safety Program Act (33 U.S.C. 467j) is amended—

(1) in subsection (a)(1), by striking “\$6,000,000 for each of fiscal years 2003 through 2006” and inserting “\$6,500,000 for fiscal year 2007, \$7,100,000 for fiscal year 2008, \$7,600,000 for fiscal year 2009, \$8,300,000 for fiscal year 2010, and \$9,200,000 for fiscal year 2011”;

(2) in subsection (b), by striking “\$500,000 for each fiscal year” and inserting “\$650,000 for fiscal year 2007, \$700,000 for fiscal year 2008, \$750,000 for fiscal year 2009, \$800,000 for fiscal year 2010, and \$850,000 for fiscal year 2011”;

(3) in subsection (c), by striking “\$1,500,000 for each of fiscal years 2003 through 2006” and inserting “\$1,600,000 for fiscal year 2007, \$1,700,000 for fiscal year 2008, \$1,800,000 for fiscal year 2009, \$1,900,000 for fiscal year 2010, and \$2,000,000 for fiscal year 2011”;

(4) in subsection (d), by striking “\$500,000 for each of fiscal years 2003 through 2006” and inserting “\$550,000 for fiscal year 2007, \$600,000 for fiscal year 2008, \$650,000 for fiscal year 2009, \$700,000 for fiscal year 2010, and \$750,000 for fiscal year 2011”; and

(5) in subsection (e), by striking “\$600,000 for each of fiscal years 2003 through 2006” and inserting “\$700,000 for fiscal year 2007, \$800,000 for fiscal year 2008, \$900,000 for fiscal year 2009, \$1,000,000 for fiscal year 2010, and \$1,100,000 for fiscal year 2011”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR) each will control 20 minutes.

The Chair recognizes the gentleman from Alaska.

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Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 2735, known as the Dam Safety Act of 2006, reauthorizes the National Dam Safety Program for 5

years, through fiscal year 2011, and makes a number of improvements to the national inventory of dams.

I want to thank Mr. KUHL of New York for his dedication to the National Dam Safety Program. He has been a steadfast proponent of reauthorization and deserves credit for strengthening the program.

The National Dam Safety Program is administered by FEMA and was established to improve safety around dams. The program provides grants to State dam safety agencies to assist them in improving their regulatory programs, training, and research, and to create a national inventory of dams in existence.

With the passage of S. 2736 today, we clear the bill for the President and ensure authorization of this successful program through the year 2011. I support the bill and encourage my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

(Mr. OBERSTAR asked and was given permission to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, the structural integrity of dams throughout the United States has been a concern of the Committee on Transportation and Infrastructure and its predecessors going back to the Rivers and Harbors Committee in the very beginning of this Nation. We have repeatedly visited the issue of dam safety and enacted dam safety programs in years past, reauthorizing in 1996, and this legislation is an update of the 1996 legislation.

The Corps of Engineers, at the direction of our committee and through the reauthorization we provided, working with the Federal Emergency Management Agency, has identified 79,777 public and private dams in the United States of which 11,811 are high-hazard dams. What is troubling to us on the committee is that the number of high-hazard dams has increased by over 20 percent in the last 6 years. Clearly action has to be taken. We have had 125 failures between 1999 and 2004.

This legislation will put FEMA on alert, put the Corps of Engineers on alert, raise visibility of these issues and provide the tools necessary to take action to protect citizens living below these structures from catastrophic failure that can wipe out whole communities.

Mr. Speaker, I rise in strong support of S. 2735, the National Dam Safety Program Act, which reauthorizes and amends the National Dam Safety Program. The National Dam Safety Program is a partnership of the States, Federal agencies, and other stakeholders to encourage individual and community responsibility for dam safety.

The purpose of the National Dam Safety Program is to “reduce the risks to life and property from dam failure in the United States through the establishment and maintenance of an effective national dam safety program to