

public on the importance of monthly breast self-exams and annual mammograms. It also gives us an opportunity to salute those who work every day in raising awareness about breast cancer and our health care professionals who work with patients to fight it.

Again, I want to commend the work of my colleague, Representative GINNY BROWN-WAITE, for her work on this important issue, and I urge all my colleagues to join me in supporting this resolution.

Mr. Speaker, I have no further requests for time and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Wisconsin (Ms. BALDWIN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 230.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

DAM REHABILITATION AND REPAIR ACT OF 2007

Mr. SALAZAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3224) to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H. R. 3224

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Dam Rehabilitation and Repair Act of 2007".

SEC. 2. REHABILITATION AND REPAIR OF DEFICIENT DAMS.

(a) **DEFINITIONS.**—Section 2 of the National Dam Safety Program Act (33 U.S.C. 467) is amended—

(1) by redesignating paragraphs (3), (4), (5), (6), (7), (8), (9), (10), (11), (12), and (13) as paragraphs (4), (5), (6), (7), (8), (9), (10), (12), (13), (14), and (15), respectively;

(2) by inserting after paragraph (2) the following:

“(3) **DEFICIENT DAM.**—The term ‘deficient dam’ means a dam that the State within the boundaries of which the dam is located determines—

“(A) fails to meet minimum dam safety standards of the State; and

“(B) poses an unacceptable risk to the public.”; and

(3) by inserting after paragraph (10) (as redesignated by paragraph (1)) the following:

“(11) **REHABILITATION.**—The term ‘rehabilitation’ means the repair, replacement, reconstruction, or removal of a dam that is carried out to meet applicable State dam safety and security standards.”.

(b) **PROGRAM FOR REHABILITATION AND REPAIR OF DEFICIENT DAMS.**—The National Dam Safety Program Act is amended by inserting after section 8 (33 U.S.C. 467f) the following:

“SEC. 8A. REHABILITATION AND REPAIR OF DEFICIENT DAMS.

“(a) **ESTABLISHMENT OF PROGRAM.**—The Director shall establish, within FEMA, a program

to provide grant assistance to States for use in rehabilitation of publicly-owned deficient dams.

“(b) **AWARD OF GRANTS.**—

“(1) **APPLICATION.**—A State interested in receiving a grant under this section may submit to the Director an application for such grant. Applications submitted to the Director under this section shall be submitted at such times, be in such form, and contain such information, as the Director may prescribe by regulation.

“(2) **IN GENERAL.**—Subject to the provisions of this section, the Director may make a grant for rehabilitation of a deficient dam to a State that submits an application for the grant in accordance with the regulations prescribed by the Director. The Director shall enter into a project grant agreement with the State to establish the terms of the grant and the project, including the amount of the grant.

“(3) **APPLICABILITY OF STANDARDS.**—The Director shall require States that apply for grants under this section to comply with the standards of section 611(j)(9) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(j)(9)), as in effect on the date of enactment of this section, with respect to projects assisted under this section in the same manner as recipients are required to comply in order to receive financial contributions from the Director for emergency preparedness purposes.

“(c) **PRIORITY SYSTEM.**—The Director, in consultation with the Board, shall develop a risk-based priority system for use in identifying deficient dams for which grants may be made under this section.

“(d) **ALLOCATION OF FUNDS.**—The total amount of funds appropriated pursuant to subsection (f)(1) for a fiscal year shall be allocated for making grants under this section to States applying for such grants for that fiscal year as follows:

“(1) One-third divided equally among applying States.

“(2) Two-thirds among applying States based on the ratio that—

“(A) the number of non-Federal publicly-owned dams that the Secretary of the Army identifies in the national inventory of dams maintained under section 6 as constituting a danger to human health and that are located within the boundaries of the State; bears to

“(B) the number of non-Federal publicly-owned dams that are so identified and that are located within the boundaries of all applying States.

“(e) **COST SHARING.**—The Federal share of the cost of rehabilitation of a deficient dam for which a grant is made under this section may not exceed 65 percent of the cost of such rehabilitation.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section—

“(A) \$10,000,000 for fiscal year 2008;

“(B) \$15,000,000 for fiscal year 2009;

“(C) \$25,000,000 for fiscal year 2010;

“(D) \$50,000,000 for fiscal year 2011; and

“(E) \$100,000,000 for fiscal year 2012.

“(2) **STAFF.**—There are authorized to be appropriated to provide for the employment of such additional staff of FEMA as are necessary to carry out this section \$400,000 for each of fiscal years 2008 through 2010.

“(3) **PERIOD OF AVAILABILITY.**—Sums appropriated pursuant to this section shall remain available until expended.”.

SEC. 3. RULEMAKING.

(a) **PROPOSED RULEMAKING.**—Not later than 90 days after the date of enactment of this Act, the Director of the Federal Emergency Management Agency shall issue a notice of proposed rulemaking regarding the amendments made by section 2 to the National Dam Safety Program Act (33 U.S.C. 467 et seq.).

(b) **FINAL RULE.**—Not later than 120 days after the date of enactment of this Act, the Director of the Federal Emergency Management

Agency shall issue a final rule regarding such amendments.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado (Mr. SALAZAR) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentleman from Colorado.

GENERAL LEAVE

Mr. SALAZAR. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3224.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

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

Mr. Speaker, many people are not aware that there are approximately 80,000 dams in the United States; and, of these, the Association of State Dam Safety Officials has identified 3,500 dams that are considered deficient or unsafe. In my State of Colorado, we have over 1,800 dams. Of those, 131 are high hazard public dams, and an additional 19 dams are deficient. The State has determined that they are in serious need of repair.

Without proper maintenance, these dams are an obvious threat to public safety. It is critical that we help to ensure the safety and security of these dams. H.R. 3224, introduced by myself and the gentleman from New York, Mr. RANDY KUHL, is a bill that does help to ensure such safety and security by addressing rehabilitation and repair of safety-deficient State-owned dams.

This bill is direct, quite simple, and will go a long way to mitigate significant hazards to our communities. First, the bill adds “deficient dam” and “rehabilitation” to the definition section of the Dam Safety Act and thus makes this category of dams eligible for funding for rehabilitation. Second, the bill directs the administrator of FEMA to establish within FEMA a program to provide grant assistance to States for use in rehabilitation of publicly owned deficient dams. The grants will be awarded so that each State will get an equal share of one-third of the total amount, while the remaining two-thirds will be awarded by risk. The Federal cost share is capped at 65 percent.

The program’s goal is to reduce the risks to life and property by establishing an effective national dam safety rehabilitation program that utilizes the resources and expertise of the Federal and non-Federal communities to achieve the reduction of dam safety hazards. In other words, one of the primary purposes of the Dam Rehabilitation and Repair Act of 2007 is to provide financial assistance to the States for strengthening their dam safety programs.

Mr. Speaker, I support this bill and urge its passage.

I reserve the balance of my time.

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

Mr. Speaker, H.R. 3224 amends the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams.

I would like to commend Congressman RANDY KUHL for his steadfast leadership on this issue. He was the original sponsor of similar legislation this year, and he was instrumental in the reauthorization of the National Dam Safety Program last year. I would also like to thank Mr. SALAZAR, again, for his leadership in this issue also.

This bill would authorize a program at the Federal Emergency Management Agency to provide funding for repairs to publicly owned dams that would pose a direct risk to human life if they failed. The number of unsafe dams has risen by 80 percent since 1998 to more than 3,200.

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This grant program would fund repairs of the most critical dams, which the Association of State Dam Safety officials estimates is a \$10 billion need over the next 12 years. Dams require ongoing maintenance, monitoring, and rehabilitation. Many States are unable to fund necessary repairs to publicly owned dams without assistance from the Federal Government. This new program will provide assistance up to 65 percent of the cost of the repairs. H.R. 3224 authorizes the program for 5 years at \$200 million.

Mr. Speaker, this is an important issue throughout the country in areas with numerous old and abandoned dams. Too often, the 19th century companies that built the dams no longer exist and local governments are left with orphaned dams in their jurisdiction. These downstream communities have a responsibility to protect their population, but they rarely have the tax base or revenue to repair the failing dams.

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

Mr. SALAZAR. I want to thank the gentleman from Arkansas for his leadership also on transportation issues. This is a very important piece of legislation. Mr. Speaker, this legislation has strong bipartisan support and outside groups, including the Association of State Dam Safety Officials, American Rivers, the American Society of Civil Engineers and the Associated General Contractors, who all have endorsed this important piece of legislation.

I want to thank the gentleman from New York, Mr. RANDY KUHL, for working with us on this critical bill, as well as other committee members of the Transportation Committee who have supported this bill as well. I would urge my colleagues to swiftly pass H.R. 3224.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 3224, as amended, a bill to further enhance the safety of and bring to a state of good repair our Nation's aging

dam infrastructure. This important bill has broad bipartisan support.

I commend the gentleman from Colorado (Mr. SALAZAR) and the gentleman from New York (Mr. KUHL) for introducing this legislation and for their strong support. I would also like to thank Subcommittee Chairwoman NORTON for her leadership and for diligently guiding the work of the Subcommittee on the issue of dam safety and rehabilitation.

During a May 8, 2007 hearing, the Subcommittee on Economic Development, Public Buildings, and Emergency Management received compelling testimony about the need to rehabilitate our Nation's dams. The statements of witnesses reinforced some troubling statistics. There are approximately 80,000 dams in the United States; of these, approximately 10,000 dams are considered to have high-hazard potential, meaning their failure could result in loss of life or severe property damage. From 2000 to 2006, the number of high-hazard dams increased by almost 20 percent.

Further, States have identified approximately 3,400 dams as currently deficient or unsafe. These dams have been identified as having hydrologic or structural deficiencies that make them susceptible to failure triggered by a storm, an earthquake, progressive deterioration, or inadequate maintenance.

Since 1972, Congress has helped to mitigate the risk of dam failure by establishing a program to provide technical and financial assistance to States for dam safety. Through the National Dam Safety Program, the Federal government has helped to increase the level of knowledge and preparedness to prevent and mitigate the effects of dam failures across the country. Dam safety inspections have increased significantly and greater direct assistance has been provided for training State officials and providing technical seminars and workshops.

H.R. 3224 builds on this successful program and authorizes the Administrator of the Federal Emergency Management Agency ("FEMA") to provide grants for the rehabilitation and repair of publicly-owned dams. States must provide at least 35 percent of the funds necessary to rehabilitate a dam. While all States are eligible to apply, grants will be distributed after prioritization by the Administrator, along with the National Dam Safety Review Board, of all applications, based on degree of deficiency.

The bill is a necessary step in the right direction to upgrade our Nation's aging dam infrastructure.

I urge my colleagues to join me in supporting H.R. 3224.

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

The SPEAKER pro tempore (Ms. LORETTA SANCHEZ of California). The question is on the motion offered by the gentleman from Colorado (Mr. SALAZAR) that the House suspend the rules and pass the bill, H.R. 3224, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PRICE of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

HURRICANES KATRINA AND RITA RECOVERY FACILITATION ACT OF 2007

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3247) to improve the provision of disaster assistance for Hurricanes Katrina and Rita, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3247

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hurricanes Katrina and Rita Recovery Facilitation Act of 2007".

SEC. 2. DEFINITIONS.

In this Act, the following definitions apply:

(1) COVERED HURRICANE DAMAGES.—The term "covered hurricane damages" means damages suffered in the States of Louisiana and Mississippi as a result of Hurricanes Katrina and Rita.

(2) PRESIDENT.—The term "President" means the President acting through the Administrator of the Federal Emergency Management Agency.

(3) STAFFORD ACT.—The term "Stafford Act" means the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 3. SPECIAL RULES FOR COVERED HURRICANE DAMAGES.

(a) LIEU CONTRIBUTIONS.—In providing contributions under section 406(c) of the Stafford Act (42 U.S.C. 5172(c)) for covered hurricane damages, the President shall substitute 90 percent for the otherwise applicable percentage specified in paragraphs (1)(A) and (2)(A) of such section.

(b) PARTICIPATION IN PILOT PROJECTS.—The States of Louisiana and Mississippi and local governments in such States shall be eligible to participate in the pilot program established by section 689j of the Department of Homeland Security Appropriations Act, 2007 (6 U.S.C. 777) with respect to covered hurricane damages.

(c) ALTERNATIVE DISPUTE RESOLUTION PROCEDURES.—

(1) IN GENERAL.—Notwithstanding section 423 of the Stafford Act (42 U.S.C. 5189a) or any regulation, the President is authorized and encouraged to use alternative dispute resolution procedures for appeals of decisions made under sections 403, 406, and 407 of the Stafford Act (42 U.S.C. 5179b, 5172, and 5173) regarding the award or denial of assistance, or the amount of assistance, provided to a State, local government, or owner or operator of a private facility for covered hurricane damages.

(2) DENIALS OF REQUESTS.—

(A) WRITTEN NOTICE.—If a State, local government, or owner or operator of a private facility requests the use of alternative dispute resolution procedures for an appeal pursuant to paragraph (1) and the President denies the request, the President shall provide to the State, local government, or owner or operator written notice of the denial, including the reasons for the denial.

(B) QUARTERLY REPORTS.—The President shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on