

Ms. NORTON. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

HAZARD ELIGIBILITY AND LOCAL PROJECTS ACT

Mrs. FLETCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2548) to modify eligibility requirements for certain hazard mitigation assistance programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2548

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 “Hazard Eligibility and Local Projects Act”.

SEC. 2. AUTHORITY TO BEGIN IMPLEMENTATION OF ACQUISITION OR RELOCATION PROJECTS.

(a) ELIGIBILITY FOR ASSISTANCE FOR INITIATED PROJECTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, an entity seeking assistance under a hazard mitigation assistance program shall be eligible to receive such assistance for a covered project if the entity—

(A) complies with all other eligibility requirements of the hazard mitigation assistance program for acquisition or relocation projects, including extinguishing all incompatible encumbrances; and

(B) complies with all Federal requirements for the project.

(2) COSTS INCURRED.—An entity seeking assistance under a hazard mitigation assistance program shall be responsible for any project costs incurred by the entity for a covered project if the covered project is not awarded, or is determined to be ineligible for assistance.

(b) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED PROJECT.—The term “covered project” means—

(A) an acquisition or relocation project for which an entity began implementation prior to grant award under a hazard mitigation assistance program; and

(B) a project for which an entity initiated planning or construction before or after requesting assistance for the project under a hazard mitigation assistance program qualifying for a categorical exemption under the National Environmental Policy Act.

(2) HAZARD MITIGATION ASSISTANCE PROGRAM.—The term “hazard mitigation assistance program” means—

(A) the predisaster hazard mitigation grant program authorized under section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133);

(B) the hazard mitigation grant program authorized under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c); and

(C) the flood mitigation assistance program authorized under section 1366 of the National Flood Insurance Act of 1968 (42 U.S.C. 4104c).

(c) APPLICABILITY.—This section shall apply to funds appropriated on or after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Texas (Mrs. FLETCHER) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Texas.

GENERAL LEAVE

Mrs. FLETCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2548, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

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

Mr. Speaker, I am delighted to bring my bill, H.R. 2548, the Hazard Eligibility and Local Projects, or HELP, Act to the floor today.

I am proud of the HELP Act and all that it represents. It is bipartisan, commonsense, meaningful legislation that was born out of conversations and a partnership with local officials in my home district that will benefit all Americans.

As many in this body will recall, Hurricane Harvey hit my district and the Texas Gulf Coast in August 2017, causing great devastation. It dropped nearly 60 inches of rain, it claimed 68 lives, and it caused an estimated \$125 billion in damage. It was the second most expensive hurricane in United States history.

Members of this body responded to Harvey’s devastation with the speed and purpose needed for recovery, passing three supplemental appropriations bills, sending billions of dollars in aid to Texas through different programs, but recovery was and is still slow, slower than many expected, and slower than any can afford.

Before I was sworn in this year, I met with our local officials at home to talk about the impediments to recovery: How could we speed up recovery? Where was recovery delayed? What could the Federal Government do?

One impediment that had a significant impact on recovery was the process for the award of mitigation project funding from FEMA.

As my colleagues may know, section 404 of the Stafford Act provides that FEMA may grant up to 75 percent of funds for cost-effective mitigation projects through a Hazard Mitigation Grant Program. Local municipalities, States, and Tribes are responsible for meeting the remaining local match. Their projects must be approved through FEMA.

When States or municipalities apply to the grant program, projects, regardless of size or scope, require a comprehensive review to make sure all requirements of the National Environ-

mental Policy Act, NEPA, and other statutory requirements are met.

Importantly, these Hazard Mitigation Grants do not allow for reimbursement of costs incurred before a grant is approved. As a result, many areas recovering from disaster must wait for the FEMA review to go forward for months or years at a critical time for decisionmaking and recovery.

In the case of natural disasters, local governments need to move quickly on projects like land acquisition, for example, buyouts of homes that have been damaged, and other projects.

The chief recovery officer for the city of Houston has told us that FEMA’s pre-award cost policy, that is, not allowing the reimbursement of costs incurred before grant approval, is a limiting factor in recovery, especially in these cases of land acquisition.

Homeowners simply cannot afford to wait months or years for decisions to make their own decisions about whether to repair their homes or whether to take a buyout of the homes, and the result is not only inefficiency, but real hardship.

For example, the Harris County Flood Control District received \$25 million from the Hazard Mitigation Grant Program to conduct buyouts to reduce flood damages in areas located deep in the floodplain where structural projects to reduce flooding are not cost effective or beneficial.

But that was nearly a year after Hurricane Harvey that that grant money was awarded. It took a year because of the review period required at FEMA for all applications.

Most homeowners simply do not have the luxury of waiting a year or more to begin repairs or to decide what to do.

Many would be open to a buyout, but funds aren’t available, so instead, they take out an SBA loan or other loans to begin repairs. And if you already owe money on loans or repairs to your house, a buyout is no longer an attractive option or even an option at all.

Once a property owner has repaired their property, the less likely a buyout is a viable path forward for that individual and for the community.

It is not just anecdotal evidence. The data shows that, for acquisition buyouts, the quicker you can make an offer to buy out property after a flooding event, the more likely the disaster victim is to accept it and the more it reduces costs overall.

The quicker local governments are able to move, the more people they can help, and the more resources can be leveraged for recovery.

Having a one-size-fits-all approach to reviewing projects through the Hazard Mitigation Grant Program is not efficient or effective. It needlessly delays critical mitigation work.

So that is where the idea for the HELP Act came in.

The HELP Act will allow land acquisition projects and simple construction projects that do not require an Environmental Impact Statement under

NEPA to commence immediately without risk of losing potential Federal matching funds.

This will allow State and local governments to respond more quickly to the needs of their community and to plan disaster mitigation more efficiently and effectively.

It is simple, it is straightforward, and it is needed.

At home, I hear a consistent concern that Federal disaster money moves at a glacial pace.

This bill addresses some of that and will be a real improvement for communities across the country.

Mr. Speaker, I thank my colleagues Mr. MEADOWS, Mr. OLSON, and Mr. BUTTERFIELD, my original cosponsors who worked with me on this bill. I also want to thank all of the cosponsors of the bill who helped in the effort, in addition to Chairman DEFAZIO and Chairwoman TITUS, whose assistance in bringing this bill to the floor was essential.

Disaster mitigation is not and should never be a partisan issue.

I am glad to see the bipartisan consensus in support of this bill and that we can address these inefficiencies and these real impediments where they exist.

There is still much work to do when it comes to preparing for future storms that we know will come, but I am hopeful that the HELP Act will aid State and local governments when they do.

Mr. Speaker, I urge my colleagues to support this important legislation and help our families, businesses, and communities recover from disaster.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FINANCIAL SERVICES,
Washington, DC, December 11, 2019.
Hon. PETER A. DEFAZIO,
Chairman, House Committee on Transportation
and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: I am writing concerning H.R. 2548, the Hazard Eligibility and Local Projects Act. In order to permit H.R. 2548 to proceed expeditiously to the House Floor, I agree to forgo formal consideration of the bill.

The Committee on Financial Services takes this action to forego formal consideration of H.R. 2548 with our mutual understanding that, by foregoing formal consideration of H.R. 2548, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and that our Committee will be appropriately consulted and involved as this or similar legislation moves forward with regard to any matters in the Committee's jurisdiction. I appreciate your commitment to work with the Committee to address any outstanding issues as the bill is considered in the Senate. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation that involves the Committee's jurisdiction and request your support for any such request.

Finally, I would appreciate your response to this letter confirming this understanding, and I would ask that a copy of our exchange of letters on this matter be included in the

Congressional Record during Floor consideration of H.R. 2548.

Sincerely,

MAXINE WATERS,
Chairwoman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, December 11, 2019.

Hon. MAXINE WATERS,
Chairwoman, Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR CHAIRWOMAN WATERS: Thank you for your letter regarding H.R. 2548, the Hazard Eligibility and Local Projects Act, which was ordered to be reported out of the Committee on Transportation and Infrastructure on June 26, 2019. I appreciate your willingness to work cooperatively on this legislation.

I acknowledge that by foregoing formal consideration on H.R. 2548, the Committee on Financial Services does not waive any future jurisdictional claims to provisions in this or similar legislation, and that your Committee will be consulted and involved on any matters in your Committee's jurisdiction should this legislation move forward. In addition, should a conference on the bill be necessary, I would support your effort to seek appointment of an appropriate number of conferees to any House-Senate conference involving provisions within this legislation on which the Committee on Financial Services has a valid jurisdictional claim.

I appreciate your cooperation regarding this legislation, and I will ensure that our exchange of letters is included in the Congressional Record during floor consideration of H.R. 2548.

Sincerely,

PETER A. DEFAZIO,
Chair.

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

Mr. Speaker, I am pleased to be a cosponsor of H.R. 2548, the Hazard Eligibility and Local Projects Act.

Mr. Speaker, I want to thank the gentlewoman from Texas (Mrs. FLETCHER) for her fine work on this.

And I would like to give her a compliment. It is always interesting to see how we can name these bills in the most creative ways to actually let them resonate with the voters back home. So my congratulations on calling this the HELP Act, and congratulations to Mrs. FLETCHER's staff as well, as they always, as you know, Mr. Speaker, get very creative on how we can figure out acronyms to make these bills have more pizzazz.

So this bill is a commonsense approach. It is certainly critical to communities that have been impacted by disasters, where they can start recovery in a much more efficient, smarter, and faster way.

Buyouts and relocation projects, in particular, are critical tools for getting people and property out of harm's way, yet these projects take time to plan and carry out.

This bill would allow communities to be eligible for mitigation assistance for those projects commenced prior to their request for assistance.

The bill ensures such projects must comply with all other eligibility requirements.

Mr. Speaker, I would encourage the gentlewoman opposite, perhaps we can

even look at going a little bit further. She made mention of the current NEPA standards and all of those that apply.

As we know, in the gentlewoman's home State of Texas, in my home State of North Carolina, some of those Federal regulations actually are part of the impediment of getting some of this disaster relief to the people that are most affected.

I know that we have billions of dollars—that is billions with a B—waiting to be deployed in my State of North Carolina, as in the gentlewoman's State of Texas, so it is critically important that we come together in a bipartisan fashion.

It doesn't help us to appropriate billions of dollars here on this floor if it never reaches the ultimate destination, which is our constituents who have been tragically, and many times horrifically, put out of their homes and their communities.

This will allow communities to select early on the best mitigation approach and begin these projects earlier to ensure a faster recovery.

Mr. Speaker, I encourage all of my colleagues to support this legislation.

If the gentlewoman is prepared to close without any further speakers, I would ask her to just give me a nod one way or another.

Mr. Speaker, I am going to go ahead and close right here and just say, I encourage my colleagues to go ahead and vote for this bill.

Mr. Speaker, I thank the gentlewoman for her leadership, and I yield back the balance of my time.

□ 1545

Mrs. FLETCHER. Mr. Speaker, I appreciate Mr. MEADOWS' partnership on this, and I look forward to working together on many more projects that are of real assistance to the people who we represent.

Mr. Speaker, the HELP Act, as we have discussed, is a commonsense, bipartisan, meaningful piece of legislation. It is exactly what we are sent here to do, and I am pleased to see it on the House floor today. I urge all of my colleagues to vote in support of it, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Texas (Mrs. FLETCHER) that the House suspend the rules and pass the bill, H.R. 2548, 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.

Mrs. FLETCHER. Mr. 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, further proceedings on this motion will be postponed.

FUNDING INSTRUCTION FOR SAFETY, HEALTH, AND SECURITY AVOIDS FISHING EMERGENCIES ACT

Mrs. FLETCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4719) to amend the Federal share of the fishing safety standards grants, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4719

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 “Funding Instruction for Safety, Health, and Security Avoids Fishing Emergencies Act” or the “FISH SAFE Act”.

SEC. 2. AMENDMENT OF FEDERAL SHARE OF THE FISHING SAFETY STANDARDS GRANTS.

(a) AMENDMENT.—Section 4502 of title 46, United States Code, is amended—

(1) in subsection (i)(3), by striking “50” and inserting “75”; and

(2) in subsection (j)(3), by striking “50” and inserting “75”.

(b) RETROACTIVE EFFECTIVE DATE.—The amendment made by subsection (a) takes effect on the day after the date of enactment of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282).

SEC. 3. COST SHARE.

The cap on the Federal share of the cost of any activity carried out with a grant under subsections (i) and (j) of section 4502 of title 46, United States Code, as in effect prior to the date of enactment of the Frank LoBiondo Coast Guard Authorization Act of 2018 (Public Law 115–282), shall apply to any funds appropriated under the Consolidated Appropriations Act, 2017 (Public Law 115–31) for the purpose of making such grants.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS AMENDMENTS.

Section 4502 of title 46, United States Code, is amended—

(1) in subsection (i)(4), by striking “2019” and inserting “2021”; and

(2) in subsection (j)(4), by striking “2019” and inserting “2021”.

SEC. 5. AIDS TO NAVIGATION.

(a) Section 541 of title 14, United States Code, is amended—

(1) by striking “In” and inserting “(a) In”; and

(2) by adding at the end the following:

“(b) In the case of pierhead beacons, the Commandant may—

“(1) acquire, by donation or purchase in behalf of the United States, the right to use and occupy sites for pierhead beacons; and

“(2) properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever the Commandant is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierheads has been completed.”.

(b) Subchapter III of chapter 5 of title 14, United States Code, is amended by adding at the end the following:

“§ 548. Prohibition against officers and employees being interested in contracts for materials, etc.

“No officer, enlisted member, or civilian member of the Coast Guard in any manner connected with the construction, operation, or maintenance of lighthouses, shall be interested, either directly or indirectly, in any contract for labor, materials, or supplies for

the construction, operation, or maintenance of lighthouses, or in any patent, plan, or mode of construction or illumination, or in any article of supply for the construction, operation, or maintenance of lighthouses.

“§ 549. Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction

“(a) No lighthouse, beacon, public pier, or landmark, shall be built or erected on any site until cession of jurisdiction over the same has been made to the United States.

“(b) For the purposes of subsection (a), a cession by a State of jurisdiction over a place selected as the site of a lighthouse, or other structure or work referred to in subsection (a), shall be deemed sufficient if the cession contains a reservation that process issued under authority of such State may continue to be served within such place.

“(c) If no reservation of service described in subsection (b) is contained in a cession, all process may be served and executed within the place ceded, in the same manner as if no cession had been made.

“§ 550. Marking pierheads in certain lakes

“The Commandant of the Coast Guard shall properly mark all pierheads belonging to the United States situated on the northern and northwestern lakes, whenever he is duly notified by the department charged with the construction or repair of pierheads that the construction or repair of any such pierhead has been completed.”.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 14, United States Code, is amended by inserting after the item relating to section 547 the following:

“548. Prohibition against officers and employees being interest in contracts for materials, etc.

“549. Lighthouse and other sites; necessity and sufficiency of cession by State of jurisdiction.

“550. Marking pierheads in certain lakes.”.

SEC. 6. TRANSFERS RELATED TO EMPLOYEES OF THE LIGHTHOUSE SERVICE.

(a) Section 6 of chapter 103 of the Act of June 20, 1918 (33 U.S.C. 763) is repealed.

(b) Subchapter II of chapter 25 of title 14, United States Code, is amended by adding at the end the following:

“§ 2532. Retirement of employees

“(a) OPTIONAL RETIREMENT.—Except as provided in subsections (d) and (e), a covered employee may retire from further performance of duty if such officer or employee—

“(1) has completed 30 years of active service in the Government and is at least 55 years of age;

“(2) has completed 25 years of active service in the Government and is at least 62 years of age; or

“(3) is involuntarily separated from further performance of duty, except by removal for cause on charges of misconduct or delinquency, after completing 25 years of active service in the Government, or after completing 20 years of such service and if such employee is at least 50 years of age.

“(b) COMPULSORY RETIREMENT.—A covered employee who becomes 70 years of age shall be compulsorily retired from further performance of duty.

“(c) RETIREMENT FOR DISABILITY.

“(1) IN GENERAL.—A covered employee who has completed 15 years of active service in the Government and is found, after examination by a medical officer of the United States, to be disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct of such officer or employee, shall be retired.

“(2) RESTORATION TO ACTIVE DUTY.—Any individual retired under paragraph (1) may,

upon recovery, be restored to active duty, and shall from time to time, before reaching the age at which such individual may retire under subsection (a), be reexamined by a medical officer of the United States upon the request of the Secretary of the department in which the Coast Guard is operating.

“(d) ANNUAL COMPENSATION.

“(1) IN GENERAL.—Except as provided in paragraph (2), the annual compensation of a person retired under this section shall be a sum equal to one-fortieth of the average annual pay received for the last three years of service for each year of active service in the Lighthouse Service, or in a department or branch of the Government having a retirement system, not to exceed thirty-fortieths of such average annual pay received.

“(2) RETIREMENT BEFORE 55.—The retirement pay computed under paragraph (1) for any officer or employee retiring under this section shall be reduced by one-sixth of 1 percent for each full month the officer or employee is under 55 years of age at the date of retirement.

“(3) NO ALLOWANCE OR SUBSISTENCE.—Retirement pay under this section shall not include any amount on account of subsistence or other allowance.

“(e) EXCEPTION.—The retirement and pay provision in this section shall not apply to—

“(1) any person in the field service of the Lighthouse Service whose duties do not require substantially all their time; or

“(2) persons of the Coast Guard.

“(f) WAIVER.—Any person entitled to retirement pay under this section may decline to accept all or any part of such retirement pay by a waiver signed and filed with the Secretary of the Treasury. Such waiver may be revoked in writing at any time, but no payment of the retirement pay waived shall be made covering the period during which such waiver was in effect.

“(g) DEFINITION.—For the purposes of this section, the term ‘covered employee’ means an officer or employee engaged in the field service or on vessels of the Lighthouse Service, except a person continuously employed in district offices or shop.”.

(c) CONFORMING AMENDMENT.—The table of sections for chapter 25 of title 14, United States Code, is amended by inserting after the item relating to section 2531 the following:

“2532. Retirement of employees.”.

SEC. 7. TRANSFERS RELATED TO SURVIVING SPOUSES OF LIGHTHOUSE SERVICE EMPLOYEES.

(a) BENEFIT TO SURVIVING SPOUSES.—Subchapter II of chapter 25 of title 14, United States Code, is amended by adding after section 2532 the following:

“§ 2533. Surviving spouses

“The Secretary of the department in which the Coast Guard is operating shall pay \$100 per month to the surviving spouse of a current or former employee of the Lighthouse Service in accordance with section 2532 if such employee dies—

“(1) at a time when such employee was receiving or was entitled to receive retirement pay under this subchapter; or

“(2) from non-service-connected causes after fifteen or more years of employment in such service.”.

(b) TRANSFERS RELATED TO SURVIVING SPOUSES OF LIGHTHOUSE SERVICE EMPLOYEES.—

(1) Subchapter II of chapter 25 of title 14, United States Code, is amended by adding after section 2533 the following:

“§ 2534. Application for benefits.

(2) (A) Section 3 of chapter 761 of the Act of August 19, 1950 (33 U.S.C. 773), is redesignated as section 2534(a) of title 14, United States