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No. 153

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Ms. FOXX).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC  
September 13, 2018.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

PAUL D. RYAN,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 8, 2018, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties. All time shall be equally allocated between the parties, and in no event shall debate continue beyond 11:50 a.m. Each Member, other than the majority and minority leaders and the minority whip, shall be limited to 5 minutes.

### TRUMP ADMINISTRATION'S DISASTER RESPONSE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIÉRREZ) for 5 minutes.

Mr. GUTIÉRREZ. Madam Speaker, before I respond to President Trump's claim that the rescue and recovery effort in Puerto Rico a year ago after Hurricane Maria was "one of the best jobs that's ever been done," I want to make a few things clear.

First of all, everyone is praying for our friends and neighbors along the eastern seaboard who will be facing the

wind and rain of Hurricane Florence today. I support them and the first responders who are helping and the people running shelters and delivering medicine to the sick and the injured; and I fully support FEMA, Homeland Security, and State and local governments for what they are doing, especially the brave men and women on the front line in harm's way today.

Secondly, in the last few weeks, the official death toll of Hurricane Maria was raised to 3,000 based on a meticulous study by George Washington's Milken Institute of Public Health, and the number is based on facts and the truth. More people died in Hurricane Maria in Puerto Rico than died in Hurricane Katrina and that died in the attacks on September 11.

That is not fake news, Mr. President. The temptation is to fault FEMA and the job they did in Puerto Rico. I want to make clear, individuals at FEMA and FEMA as an agency did heroic work in Puerto Rico, and FEMA continues to do that work.

I flew with FEMA pilots 10 days after the storm hit, and I saw their work up close. It is clear that they saved lives.

But let me also be very, very clear. With 3,000 people dead, for the President to say that Puerto Rico was a success, a triumph of his Presidency, is simply delusional.

Only in the President's mind could he give himself an A-plus. Only in the President's mind could we go a year without an apology to the American people for his incompetence in managing a crisis where 3,000 people died, Mr. President. And now he denies that they are even dead.

It takes a man of humility, honor, and compassion to admit when he has made a tremendous and deadly mistake in caring for the American people; and we know we do not have a man in the White House who is capable of such emotions of empathy, of basic human decency.

This Congress has failed to provide any meaningful oversight for fear they might embarrass the President with the facts.

Thursday will mark 1 year since the storm hit, and think back a year ago. The popular and charismatic mayor of San Juan, Carmen Yulín Cruz, called for help on national TV, saying people are dying. The President had a meltdown because he doesn't like being criticized by women, so the mayor's words were more than the President could take.

Most of us knew at the time, and all of us know now a year after the storm, the mayor was right and the President was wrong. People died. He was dead wrong.

Disasters require preparedness and rapid response, but FEMA was not fully prepared, and they were not fully supported in the rapid response by the Trump administration, which was then and is now a disorganized mess. And we don't need Bob Woodward to tell us that.

Yes, the massive power of the storm was compounded by decades of neglect from Washington, which contributed to the debt crisis and infrastructure collapse. And to be clear, Puerto Rico's problems didn't happen overnight and didn't happen on President Trump's watch. But let us also be clear, it is his watch now.

As President of the United States, he is responsible for Puerto Rico, a U.S. territory that belongs to, is a possession, property of the United States of America.

Yes, islands are surrounded by water, Mr. President—in the case of Puerto Rico, deep water—but FEMA and Homeland Security never called the most powerful military in the world, the U.S. military, which has capabilities and capacities well beyond those of FEMA.

From the beginning, the President's focus was on damage control from a political standpoint, not damage control

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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**SEC. 1213. APPLICATIONS OF MILITARY LEASING AUTHORITIES.**

Not later than 2 years after the date of enactment of this Act, the Secretary shall—

(1) complete a study on the application of section 2687 of title 10, United States Code, enhanced use leasing authorities, and other military leasing authorities to the civil works program of the Secretary; and

(2) submit to Congress a report on the results of the study under paragraph (1), including a description of the obstacles that must be removed so that the Assistant Secretary of the Army for Civil Works may implement the authorities.

**SEC. 1214. COMMUNITY ENGAGEMENT.**

(a) **REPORT.**—Not later than two years after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on any potential disproportionate and adverse health or environmental effects of programs, policies, and activities of the Corps of Engineers related to water resources development projects on minority communities, low-income communities, rural communities, and Indian Tribes.

(b) **CONSULTATION.**—In preparing the report under subsection (a), the Secretary shall provide public and private meetings with representatives of minority communities, low-income communities, rural communities, and Indian Tribes, as well as representatives of State and local governments, and shall ensure that sufficient meetings are held in different geographic regions of the United States to ensure that a diversity of views are obtained.

(c) **RECOMMENDATIONS.**—The report submitted under subsection (a) shall include—

(1) the identification of any disproportionate and adverse health or environmental effects to the communities and Tribes; and

(2) any recommendations of the Secretary for addressing such effects, including recommended changes to the statutory or regulatory authorities of the Corps of Engineers, or changes to the policies or guidance of the Corps of Engineers.

**SEC. 1215. TRANSPARENCY IN ADMINISTRATIVE EXPENSES.**

Section 1012(b)(1) of the Water Resources Reform and Development Act of 2014 (33 U.S.C. 2315a(b)(1)) is amended by striking “The Secretary” and inserting “Not later than 1 year after the date of enactment of the Water Resources Development Act of 2018, the Secretary”.

**SEC. 1216. ASSESSMENT OF HARBORS AND INLAND HARBORS.**

Section 210(e) of the Water Resources Development Act of 1986 (33 U.S.C. 2238) is amended—

(1) in paragraph (1), by striking “shall assess the” and inserting “shall assess, and issue a report to Congress on, the”; and

(2) in paragraph (2), by adding at the end the following:

“(C) **OPPORTUNITIES FOR BENEFICIAL USE OF DREDGED MATERIALS.**—In carrying out paragraph (1), the Secretary shall identify potential opportunities for the beneficial use of dredged materials obtained from harbors and inland harbors referred to in subsection (a)(2), including projects eligible under section 1122 of the Water Resources Development Act of 2016 (130 Stat. 1645; 33 U.S.C. 2326 note).”.

**SEC. 1217. MAINTENANCE OF HIGH-RISK FLOOD CONTROL PROJECTS.**

(a) **ASSESSMENT.**—With respect to each project classified as class III under the Dam Safety Action Classification of the Corps of Engineers for which the Secretary has assumed responsibility for maintenance as of

the date of enactment of this Act, the Secretary shall assess—

(1) the anticipated effects of the Secretary continuing to be responsible for the maintenance of the project during the period that ends 15 years after the date of enactment of this Act, including the benefits to the State and local community; and

(2) the anticipated effects of the Secretary not continuing to be responsible for the maintenance of the project during such 15-year period, including the costs to the State and local community.

(b) **REPORT.**—Not later than 90 days after completion of the assessment under subsection (a), the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report summarizing the results of the assessment.

**SEC. 1218. NORTH ATLANTIC DIVISION REPORT ON HURRICANE BARRIERS AND HARBORS OF REFUGE.**

Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with State and local experts in the North Atlantic Division of the Corps of Engineers, shall submit to Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the durability and resiliency of existing hurricane barriers and harbors of refuge in the North Atlantic Division, giving particular consideration as to how such barriers and harbors will survive and fully serve their planned levels of protection under current, near, and longer term future predicted sea levels, storm surges, and storm strengths.

**SEC. 1219. GREAT LAKES COASTAL RESILIENCY STUDY.**

(a) **IN GENERAL.**—The Secretary shall carry out a comprehensive assessment of the water resources needs of the Great Lakes System under section 729 of the Water Resources Development Act of 1986 (33 U.S.C. 2267a).

(b) **COOPERATION.**—In carrying out the assessment pursuant to subsection (a), the Secretary shall cooperate with stakeholders and coordinate with all ongoing programs and projects of the Great Lakes Restoration Initiative under section 118(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1268).

(c) **DEFINITIONS.**—The term “Great Lakes System” has the meaning given such term in section 118(a) of the Federal Water Pollution Control Act (33 U.S.C. 1268(a)).

**SEC. 1220. MCMICKEN DAM, ARIZONA, AND MUDDY RIVER, MASSACHUSETTS.**

(a) **REPORT.**—The Secretary shall submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate on the status of—

(1) the project at McMicken Dam, Arizona, authorized by section 304 of the Act of August 7, 1953 (67 Stat. 450); and

(2) the project for flood damage reduction and environmental restoration, Muddy River, Brookline and Boston, Massachusetts, authorized by section 522 of the Water Resources Development Act of 2000 (114 Stat. 2656).

(b) **REQUIREMENTS.**—The report under subsection (a) shall include a description of the reasons of the Secretary for deauthorizing the projects described in subsection (a).

**SEC. 1221. TABLE ROCK LAKE, ARKANSAS AND MISSOURI.**

Not later than 120 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environ-

ment and Public Works of the Senate a report on the implementation of section 1185(c) of the Water Resources Development Act of 2016 (130 Stat. 1680).

**SEC. 1222. FORECAST-INFORMED RESERVOIR OPERATIONS.**

(a) **REPORT ON FORECAST-INFORMED RESERVOIR OPERATIONS.**—Not later than one year after the date of completion of the forecast-informed reservoir operations research study pilot program at Coyote Valley Dam, Russian River Basin, California (authorized by the River and Harbor Act of 1950 (64 Stat. 177)), the Secretary shall issue a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate on the results of the study pilot program.

(b) **CONTENTS OF REPORT.**—The Secretary shall include in the report issued under subsection (a)—

(1) an analysis of the use of forecast-informed reservoir operations at Coyote Valley Dam, California;

(2) an assessment of the viability of using forecast-informed reservoir operations at other dams owned or operated by the Secretary;

(3) an identification of other dams owned or operated by the Secretary where forecast-informed reservoir operations may assist the Secretary in the optimization of future reservoir operations; and

(4) any additional areas for future study of forecast-informed reservoir operations.

**SEC. 1223. CEDAR RIVER, IOWA.**

Not later than 90 days after the date of enactment of this Act, the Secretary shall complete and submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report summarizing the path forward and timeline to implement the project for flood risk management at Cedar River, Cedar Rapids, Iowa, authorized by section 7002(2) of the Water Resources Reform and Development Act of 2014 (128 Stat. 1366).

**SEC. 1224. OLD RIVER CONTROL STRUCTURE, LOUISIANA.**

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate a report on the structure and operations plan for the Old River control structure authorized by the Flood Control Act of 1954 (68 Stat. 1258), based on the best available science, improved monitoring capabilities, and other factors as determined by the Secretary, including consideration of—

(1) flood control;

(2) navigational conditions;

(3) water supply;

(4) ecosystem restoration and ecological productivity; and

(5) hydroelectric production.

(b) **PUBLIC PARTICIPATION.**—In developing the report required by subsection (a), the Secretary shall provide opportunity for public input and stakeholder engagement, including public meetings.

**SEC. 1225. UPPER MISSISSIPPI RIVER PROTECTION.**

Section 2010 of the Water Resources Reform and Development Act of 2014 (128 Stat. 1270) is amended by adding at the end the following:

“(d) **CONSIDERATIONS.**—In carrying out a disposition study with respect to the Upper St. Anthony Falls Lock and Dam, including a disposition study under section 216 of the Flood Control Act of 1970 (33 U.S.C. 549a), the Secretary shall expedite completion of such