

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

# BANNING SMOKING ON AMTRAK ACT OF 2019

Ms. NORTON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2726) to amend title 49, United States Code, to prohibit smoking on Amtrak trains.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2726

*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 “Banning Smoking on Amtrak Act of 2019”.

## SEC. 2. PROHIBITION ON SMOKING ON AMTRAK TRAINS.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is amended by adding at the end the following:

“§24323. Prohibition on smoking on Amtrak trains

“(a) PROHIBITION.—Beginning on the date of enactment of the Banning Smoking on Amtrak Act of 2019, Amtrak shall prohibit smoking on board Amtrak trains.

“(b) ELECTRONIC CIGARETTES.—

“(1) INCLUSION.—The use of an electronic cigarette shall be treated as smoking for purposes of this section.

“(2) ELECTRONIC CIGARETTE DEFINED.—In this section, the term ‘electronic cigarette’ means a device that delivers nicotine or other substances to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking.”.

(b) CONFORMING AMENDMENT.—The table of sections for chapter 243 of title 49, United States Code, is amended by adding at the end the following:

“24323. Prohibition on smoking on Amtrak trains.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Illinois (Mr. BOST) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

GENERAL LEAVE

Ms. NORTON. Madam 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. 2726.

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

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Today, I rise to ask that the House pass my bill, the Banning Smoking on Amtrak Act of 2019. I thank my friends, Transportation and Infrastructure Committee Chair PETER DEFazio and Railroads, Pipelines, and Hazardous Materials Subcommittee Chair DANIEL LIPINSKI, for marking up my bill in committee and allowing it to move forward to the full House.

My bill would codify Amtrak’s internal policy prohibiting smoking, including smoking electronic cigarettes, on trains, which, in light of all the evidence of harm, should be codified.

This bill is modeled on a bill I got enacted while in the minority as part of the FAA Reauthorization Act of 2018 that clarified that the smoking ban on airplanes includes electronic cigarettes. This bill is not only an outgrowth of my desire to ensure healthy environments on all the Nation’s transportation modes, which I strive to carry out as chair of the Highways and Transit Subcommittee, but importantly, it is also the result of the advocacy of an 11-year old child who was concerned to see electronic cigarette smoking on an Amtrak train.

Although Amtrak should be commended for implementing its own internal policy banning smoking on trains in 1993, that policy could always be repealed. My bill would make the ban a matter of federal law and put Congress on record in support of protecting passengers from secondhand smoke, as it has done in banning e-cigarettes on airplanes.

Smoking bans have been a critical tool in protecting people from the effects of secondhand smoke because it is known to increase the risk of serious cardiovascular and respiratory diseases, such as coronary heart disease, lung cancer, and emphysema, among others.

The World Health Organization considers the tobacco epidemic to be one of the largest public health threats in the world, killing more than 7 million people a year. While more than 6 million of those deaths are the result of direct tobacco use, around 890,000, close to a million, nonsmokers exposed to secondhand smoke die as a result every year.

Under my bill, smoking would be banned on Amtrak trains in the same manner as airline travel. According to the WHO—this is important to note—there is no safe level of exposure to secondhand smoke. Even short-term exposure can potentially increase the risk of heart attacks. All the more reason to ask the House to support my bill.

I strongly urge my colleagues to support the bill before them.

Madam Speaker, I reserve the balance of my time.

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

Mr. Speaker, H.R. 2726, the Banning Smoking on Amtrak Act of 2019, is commonsense legislation. I thank the gentlewoman from the District of Columbia (Ms. NORTON) for her leadership on this bill.

Current Amtrak policy prohibits smoking on Amtrak trains, Thruway buses, and in stations. This prohibition includes smoking tobacco products and electronic smoking devices such as e-cigarettes.

H.R. 2726 seeks to codify Amtrak’s internal policies prohibiting smoking, including electronic cigarettes, on its trains.

The bill is modeled after Congresswoman NORTON’s prior bill enacted into law in 2018 as part of the FAA Reauthorization Act that clarified the smoking ban on airplanes includes electronic cigarettes.

The Committee on Transportation and Infrastructure passed this bill by voice vote, and I urge my colleagues to support the bill.

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

□ 1530

Ms. NORTON. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Mrs. FLETCHER), my good friend.

Mrs. FLETCHER. Mr. Speaker, I rise in support of H.R. 2726, which simply codifies existing internal policy at Amtrak that prohibits smoking or use of electronic cigarettes on Amtrak’s trains.

Amtrak instituted this policy in 1993 and has since updated it to address the use of electronic smoking devices. I think this is very important.

Last year, we addressed a similar gap in the code and included a provision in the FAA Reauthorization Act to prohibit the use of electronic cigarettes on airplanes.

This bill once again puts Congress on the record as supporting protections for the traveling public from the risk of secondhand smoke.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. BOST. Mr. Speaker, obviously, from the conversations we have had here today, this is commonsense legislation.

You know, we have banned smoking and also know the problems we faced this last year with e-cigarettes, the reasons and concerns that are out there.

This is commonsense legislation that I believe a majority of our constituents are in agreement with. This just codifies into law the past practices of Amtrak.

Mr. Speaker, I urge all of my colleagues to support this legislation, and I yield back the balance of my time.

Ms. NORTON. Mr. Speaker, I appreciate the remarks of my friend from the other side.

You can see that this is a bipartisan bill, and no wonder. When my friend was in the majority, a similar bill was supported banning smoking. This is as quintessentially a bipartisan bill as one could have in the House, and I very much appreciate the remarks of my friend.

Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. TAKANO). The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 2726.

The question was taken.

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

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