

cannot afford to challenge FEMA's preliminary flood insurance study. These communities are left in the untenable position of paying thousands of dollars for an engineering firm to develop the revised flood insurance study required to appeal FEMA's preliminary study, or to accept FEMA's preliminary flood insurance study as is, even if there are valid grounds to dispute the study's findings. It is clear that an improved appeals process could help correct errors made during FEMA's map modernization and thus prevent unneeded flood insurance expenses.

Please provide a detailed list of the steps your agency is taking to accommodate the special needs of rural communities during the map modernization process. Specifically, detail how your agency accommodates appeals to a preliminary flood insurance study by small communities with small budgets.

Thank you for your prompt response to this request.

Sincerely,

MAX BAUCUS.

U.S. SENATE,

Washington, DC, February 18, 2010.

Hon. JO-ELLEN DARCY,

Assistant Secretary of the Army (Civil Works),
U.S. Army Corps of Engineers, G Street,
NW., Washington, DC.

DEAR ASSISTANT SECRETARY DARCY: I am writing to you regarding the January 23, 2008 memo establishing priorities for Fiscal Year 2008 Levee Safety Program Inspection Funds. Specifically, I would like you to provide additional justification for your policy determination that levee certification is a non-Federal responsibility and that these certifications will not be funded using Federal funds.

Throughout Montana and the rest of the country, non-Federal sponsors for Federally-constructed levees are struggling to work through the FEMA floodplain re-mapping process and the associated requirements for levee certification. I recognize the need to ensure that accurate information is provided to property owners and decision-makers regarding the residual risk of flooding that exists behind a flood control structure and to ensure that such properties are adequately insured to prevent excessive disaster payments by the Federal government. I understand that FEMA's map updates will portray a floodplain area protected by a certified levee as an area with 1 in 100 year flood protect and a floodplain area that is protected by an uncertified levee as unprotected.

Therefore, the levee certification process is a critical step in the nation's efforts to ensure that our existing flood control system offers viable protection for life and property. First and foremost, from an engineering perspective, it is important that any flaws or shortcomings in our existing levees are identified and repaired before a disaster, not after. Second, because the certification of a levee is the determining factor in how a particular floodplain will be mapped and what insurance requirements will apply, it is important that communities have access to a clear, reasonable process to obtain this certification.

Prior to January 2008, the Corps performed levee certifications for Federally-constructed levees. On January 23, 2008, a memorandum regarding prioritization of fiscal year 2008 funds was released by your office, which precluded the Corps from using fiscal year 2008 funds to perform levee certifications and stated that levee certification is a non-Federal responsibility. Please provide your justification for this abrupt change in policy, in addition to a cost analysis of the impact of this change to non-Federal sponsors. Please describe the outreach that was

performed prior to and after this decision to ensure that levee managers throughout the country were properly informed. Please articulate, in detail, the options available for levee districts seeking certification of their Federally-constructed levee. In determining the effective date of your new policy, was a transition plan considered and/or implemented for those levees that were already moving through the remapping process and were anticipating that the certification process would be conducted by the Corps? Was consideration given to the differing technical and financial capabilities of levee districts throughout the country to ensure that small, rural communities are not adversely impacted by this policy change when compared to large communities? Has the Corps considered the lack of engineering resources in certain parts of the country as a planning factor for implementing the new January 2008 policy? The January 23 memo states that the Corps can perform levee certification on a reimbursable basis. How do the limitations adopted in 31 U.S.C. 6505, as amended, affect the ability of the Corps to perform these certifications? Have levee districts in small, rural communities elected to pay the Corps to perform levee certifications since January 2008? Please describe how this decision was and continues to be coordinated with the FEMA remapping process. Thank you for your attention to this critical issue.

Sincerely,

MAX BAUCUS.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 451—EX-PRESSING SUPPORT FOR A DESIGNATION OF A "WELCOME HOME VIETNAM VETERANS DAY"

Mr. BURR (for himself, Mr. INHOFE, Mr. BROWN of Massachusetts, Ms. MURKOWSKI, and Mr. JOHANNIS) submitted the following resolution; which was referred to the Committee on Veterans Affairs:

S. RES. 451

Whereas the Vietnam War was fought in the Republic of South Vietnam from 1961 to 1975, and involved North Vietnamese regular forces and Viet Cong guerrilla forces in armed conflict with United States Armed Forces and the Army of the Republic of Vietnam;

Whereas the United States Armed Forces became involved in Vietnam because the United States Government wanted to provide direct military support to the Government of South Vietnam to defend itself against the growing Communist threat from North Vietnam;

Whereas members of the United States Armed Forces began serving in an advisory role to the Government of the Republic of South Vietnam in 1961;

Whereas, as a result of the Gulf of Tonkin incidents on August 2 and 4, 1964, Congress overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 88-408), on August 7, 1964, which provided the authority to the President of the United States to prosecute the war against North Vietnam;

Whereas, in 1965, United States Armed Forces ground combat units arrived in Vietnam;

Whereas, by the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969, a peak of approximately 543,000 troops was reached;

Whereas, on January 27, 1973, the Treaty of Paris was signed, which required the release

of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam;

Whereas, on March 30, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam;

Whereas, on April 30, 1975, North Vietnamese regular forces captured Saigon, the capitol of South Vietnam, effectively placing South Vietnam under Communist control;

Whereas more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded;

Whereas, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing-in-action in Vietnam;

Whereas the Vietnam War was an extremely divisive issue among the people of the United States and a conflict that caused a generation of veterans to wait too long for the United States public to acknowledge and honor the efforts and services of such veterans;

Whereas members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were often wrongly criticized for the policy decisions made by 4 presidential administrations in the United States;

Whereas the establishment of a "Welcome Home Vietnam Veterans Day" would be an appropriate way to honor those members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War; and

Whereas March 30, 2010, would be an appropriate day to establish as "Welcome Home Vietnam Veterans Day": Now, therefore, be it

Resolved, That the Senate—

(1) honors and recognizes the contributions of veterans who served in the United States Armed Forces in Vietnam during war and during peace;

(2) encourages States and local governments to also establish "Welcome Home Vietnam Veterans Day"; and

(3) encourages the people of the United States to observe "Welcome Home Vietnam Veterans Day" with appropriate ceremonies and activities that—

(A) provide the appreciation Vietnam War veterans deserve, but did not receive upon returning home from the war;

(B) demonstrate the resolve that never again shall the Nation disregard and denigrate a generation of veterans;

(C) promote awareness of the faithful service and contributions of such veterans during their military service as well as to their communities since returning home;

(D) promote awareness of the importance of entire communities empowering veterans and the families of veterans to readjust to civilian life after military service; and

(E) promote opportunities for such veterans to assist younger veterans returning from the wars in Iraq and Afghanistan in rehabilitation from wounds, both seen and unseen, and to support the reintegration of younger veterans into civilian life.

SENATE RESOLUTION 452—SUPPORTING INCREASED MARKET ACCESS FOR EXPORTS OF UNITED STATES BEEF AND BEEF PRODUCTS TO JAPAN

Mr. JOHANNIS (for himself, Mrs. LINCOLN, Mr. CHAMBLISS, Mr. ROBERTS, Mr. BROWNBACK, Mrs. HUTCHISON, Mr.