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Senate

The Senate met at 1 p.m., and was called to order by the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, Sovereign of this Nation and Lord of our lives, grant us Your peace for the pressures of this week. May Your peace keep us calm when tensions mount and serene when strain causes stress. Remind us that You are in control and that there is enough time to do what You want us to accomplish.

Fill this Senate chamber with Your presence. May we hear Your whisper in our souls: ''Be not afraid; I am with you.'' Bless the women and men of this Senate with a special measure of Your strength for the demanding schedule ahead. You are our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable E. BENJAMIN NELSON led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 30, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable E. BENJAMIN NELSON, a Senator from the State of Nebraska, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. E. BENJAMIN NELSON thereupon assumed the Chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 2 p.m., with the Senators permitted to speak therein for up to 10 minutes each.

Under the previous order, the first half of the time shall be under the control of the majority leader or his designee.

The Senator from Nevada.

SCHEDULE

Mr. REID. Mr. President, originally we had announced there would be a vote this afternoon, but there will not be a vote today. The first vote will be approximately 12 p.m. on Tuesday on cloture on the Gramm-Miller amendment on homeland security.

I ask unanimous consent notwithstanding rule XXII, first degree amendments may be filed until 3 p.m. today and the live quorum with respect to the cloture motion filed be waived; further, the cloture vote on the Gramm-Miller amendment No. 4738 occur at 12 p.m. tomorrow, without further intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURES PLACED ON THE CALENDAR—S.J. RES. 45, S. 3009, AND H.R. 4691

Mr. REID. Mr. President, I understand that S. 3009, H.R. 4691, and S.J. Res. 45, are now at the desk, having been read the first time. Is that right?

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. REID. I ask unanimous consent it be in order for these bills and joint resolutions, en bloc, to receive a second reading, but then I would object to any further consideration.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the resolution and the bills for the second time.

The legislative clerk read as follows:

A resolution (S.J. Res. 45) to authorize the use of United States Armed Forces against Iraq.

A bill (S. 3009) to provide economic security for America's workers.

A bill (H.R. 4691) to prohibit certain abortion-related discrimination in governmental activities.

The ACTING PRESIDENT pro tempore. Objection having been heard, the resolution and bills will be placed on the calendar.

ORDER OF PROCEDURE

Mr. REID. Mr. President, Senator LANDRIEU is in the Chamber to report to the Senate on the devastation of the hurricane that struck her State. I ask unanimous consent she have the full 30 minutes, which would extend the time to 1:35 and then the minority have their full 30 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

TROPICAL STORM ISIDORE

Ms. LANDRIEU. Mr. President, I come to the floor today regarding Tropical Storm Isidore, which made landfall last Wednesday just south of New Orleans and dumped nearly 25 inches of rain in 24 hours. This massive and destructive storm brought winds of 60 miles per hour to Southeast Louisiana and a storm surge of up to 6 feet.

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I was able to see the flooding firsthand when I traveled to Louisiana on Thursday with the FEMA Director, Joe Allbaugh, to survey the damage.

I was relieved and grateful to learn that on Friday, the President declared a Federal disaster for the area. This declaration triggered the release of Federal funds to bring much-needed recovery assistance to the towns, communities, businesses, and citizens that suffered great loss. I would like to thank President Bush and FEMA Director Joe Allbaugh for their support of Louisiana's recovery efforts.

Although the final cost of Tropical Storm Isidore is still being determined, Louisianans know all too well the damage a storm on this particular path can bring. Had this storm reached the level of strength earlier predicted, it would have been a category 3 hurricane, packing winds of 130 miles per hour and a storm surge of up to 12 feet.

As nearly all of New Orleans area rests below sea level, a hurricane of that magnitude alone on the path that Tropical Storm Isidore has taken would devastate southeast Louisiana.

In Louisiana and throughout the Gulf South, we deal with the threat of hurricanes every year. From all reports, this storm could have been much worse, and we are thankful it was not. But I must take this opportunity to bring to light what is at stake when a hurricane or storm takes aim on the Louisiana coast. Not only is the safety, lives and property of Louisiana residents at risk the Nation's critical energy infrastructure and energy supply as well as crucial conservation measures are in danger.

Tropical Storm Isidore should serve as a wake-up call to the Federal Government, which must do more to protect the nation's resources in Louisiana.

Because the City of New Orleans is below sea level and surrounded by levees, every drop of rain that lands there must be pumped out. This important job is accomplished by local, State, and Federal agencies working together to ensure that the necessary infrastructure is in place and working much of this work is done by the U.S. Army Corps of Engineers. However, in the President's budget request submitted to Congress this year, funding for the southeast Louisiana Flood Control Project, (SELA), was cut by an astonishing 50 pecent.

The SELA flood control project is a smart investment. By investing in these flood control projects, we could prevent the expenditure of hundreds of millions of dollars that will otherwise be spent in Federal flood insurance claims and other disaster assistance programs. Fortunately, the Senate Appropriations Committee understands this investment and has approved an increase for this project, which will allow the construction already underway to continue. However, this is not enough. I urge the administration to rethink its priorities and to include sufficient funding for the SELA project in its budget request for fiscal year 2004.

Although protecting life and property should be reason enough to invest in infrastructure in Louisiana, there is an even bigger problem that faces the entire Nation when severe flooding occurs in South Louisiana. More than 80 percent of the Nation's offshore oil and gas is produced off Louisiana's coast and 25 percent of all the Nation's foreign and domestic oil comes across Louisiana's shores by tanker, barge or pipeline. In fact, according to the Minerals Management Service, (MMS), of the 571 million barrels of oil produced from the Outer Continental Shelf in 2001, 502 million were produced offshore Louisiana. That translates to 88 percent of production.

Let me also tell you all about a very special highway in south Louisiana. This highway also happens to be a main artery for the Nation's energy supply. This highway is aptly named Louisiana Highway 1. Nearly one-fifth of the Nation's entire energy supply depends on Louisiana 1, and we cannot continue to leave its future to the whims of mother nature.

Louisiana Highway 1 connects Port Fourchon, Louisiana with the rest of the country. Why is it important? Consider these facts: 85 percent of the deep-water drilling rigs working in the Gulf are supported by Port Fourchon; the Department of Interior's Mineral Management Service has identified Port Fourchon as the focal point of deep-water activity in the Gulf; it is estimated that Port Fourchon services approximately 16 percent of the U.S. domestic crude oil; natural gas production and imported crude oil; the Gulf of Mexico has 20,000 miles of pipelines, which is the most extensive network of offshore oil and gas pipelines in the world; Louisiana 1 is the only road servicing Port Fourchon, and it spends heavy rain days underwater; Louisiana 1 is the only means of land access to the Louisiana Offshore Oil Port, (LOOP); LOOP is the only offshore oil terminal in the United States and alone is responsible for 13 percent of the United States' imported crude oil. LOOP transports approximately one million barrels of foreign oil a day and approximately 300,000 barrels of domestic crude from the Gulf of Mexico Outer Continental Shelf. The U.S. Army Corps of Engineers estimates that 60 percent of all the Louisiana offshore drilling over the next 30 years will be in the service area of Port Fourchon. –In the event of a hurricane, this lonely little road is the way out for tens of thousands of my constituents.

Last year, after giving a similar speech on this floor about the critical importance of Louisiana 1, it was finally designated as a federal ''high priority corridor.'' But Louisiana 1, like much of south Louisiana, is washing away, and we must act now to preserve it. You can see from this picture that even without a severe hurricane, this highway is in a precarious situation. Can you imagine what would happen if a hurricane hit us head on? It would be gone, and there would be great difficulty in servicing one-fifth of our nation's energy supply. I urge the administration and my Congressional colleagues to think about these facts and to invest more resources in critical improvements to this and other highway systems in south Louisiana.

Year after year, revenues from the oil and gas production off the coast of my State provides most of the funds for the Land and Water Conservation Fund but receives precious little in return. Since 1968, and for most of the life of the Land and Water Conservation Fund, OCS revenues have served as the primary source of funding. In fact, since 1990, OCS funds have accounted for more than 90 percent of the deposits in the Land and Water Conservation Fund each year.

While approximately 80 percent of the OCS revenues collected during this period came from offshore Louisiana, only 1.1 percent, $27 million, of the total Federal side Land and Water Conservation Fund allocated during this period actually went toward Louisiana. On the other hand, 23 percent, $650 million, of the funding allocated during this period from the Federal side of the fund went to California, but only 4 percent of the total OCS funds during this period came from offshore California. In addition, 11 percent, $327 million, of the funding allocated during this period went toward Florida but no OCS revenues come from offshore Florida. The Nation must beware. Louisiana cannot continue to serve as the Nation's energy and conservation platform for much longer without adequate revenue sharing and investment. If we do make these investments, there could be severe consequences to both the State and the Nation.

So, what is at stake? The wetlands in Louisiana that have vanished so far represent an area the size of Rhode Island. Every 30 minutes, a parcel of low lying land the size of a football field disappears. If current trends continue, this will result in the loss of nearly 40 percent of our Nation's coastal wetlands. Not only do these wetlands and barrier islands offer invaluable protection from hurricanes and storms such as Isidore for more than 2 million people living in the coastal zone, including the City of New Orleans, they also protect our Nation's energy infrastructure so much of which is found in Louisiana's coastal zone. Here one will find not only LOOP but also two storage sites for the Strategic Petroleum Reserve (SPR) and Henry Hub, one of the Nation's major natural gas distribution centers.

From Wednesday to Friday of last week, MMS estimated that 4.5 million barrels of oil and 25 billion cubic feet of natural gas were unavailable for U.S. consumption because of Isidore. With over 4,000 oil and gas platforms in the Gulf, storm events such as Isidore

threaten 95 percent of crude oil and 60 percent of natural gas production from offshore federal lands. Louisiana's rapidly eroding wetlands are invaluable in absorbing the surge of storm events like Isidore. Without them, one can only imagine the damage a hurricane could wreak on South Louisiana and the nation's energy infrastructure.

One-third of the commercial fish harvested in the lower 48 States comes from Louisiana's coastal zone. As Louisiana's coastal wetlands disappear, so will these fisheries.

Louisiana's wetlands are home to the Nation's largest flyway, serving as habitat for more than five-million birds and many endangered species. As the wetlands wash away this habitat is lost. Also, they act as a buffer for the number one port system in the United States that moves the Nation's goods from middle America to world markets.

Louisiana takes pride in its role as the country's most crucial energy provider. Ours is a state rich in natural resources. However, given the contribution my State makes to the Nation, it is time for the Nation to carefully consider its deficient investment in South Louisiana and the Gulf Coast Region and to consider what would happen if, God forbid, a major hurricane travels the same path as Tropical Storm Isidore. The Land and Water Conservation Fund is just one example of a Federal revenue stream that will suffer. It is long past time for the Federal Government to adequately and fairly invest in a State that gives so much to the rest of the country.

As I said a few moments ago, Tropical Storm Isidore should serve as our wake-up call. The examples I mentioned today, the SELA flood control project, Louisiana Highway 1 and other highways such as Interstate 49, and our Nation's wetlands, are too important to ignore.

It is too early to tell what the final damage will be from Tropical Storm Isidore. However, one thing is guaranteed: it will not be the last. Let us act now to invest in the infrastructure necessary to protect the life and property of our citizens.

Mr. THOMAS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE SENATE AGENDA

Mr. THOMAS. Mr. President, I rise to talk a little bit about what I think is the future of some of the things that are being talked about in terms of this Senate session which probably will expire in 2 weeks, and the many things that we have to do prior to that time.

Some of the things that are being talked about seem to me to be a little contradictory from time to time. I guess my hope is that we can together, of course, based on the leadership in the Senate, set some priorities, make some decisions, and accomplish some of the things that are necessary for us to accomplish prior to the recess.

Clearly, we have to do something about homeland defense. I can't imagine anything that is more important to us than to complete this discussion and allow the President to establish what is necessary for homeland defense. It is interesting. It reminds us. This morning, for example, over in the Hart Senate Office Building, we were told we couldn't leave our offices and no one could come in because there was a suspicious package over there on the floor. It reminds us that there is indeed a continuing threat of terrorism which we need to do something about.

Clearly, we have to make some decisions with regard to our position on Iraq. Whatever that decision is, it seems to me it is terribly important that Congress join with the President, and that we make some decisions which cause something to happen there. Hopefully, it will be some kind of a peaceful settlement. But that isn't going to happen—and it hasn't happened for years—until we do something that is very definitive. We can do that.

We clearly have to do something about defense appropriations. I suspect that we will end up—and I have no problem with that—with a continuing resolution for the rest of the appropriations, none of which we have passed at this time, so they can continue at last year's level until whenever—November or February. Defense appropriations and military construction have to be changed because the demands are higher for more money, and we can't go on last year's numbers.

These certainly are some of the things we must do. Then we have to have this continuing resolution.

I hope we will get back to this matter of homeland defense. The President made a recommendation, and the House passed a bill. It is something that is unusual, it is something that is different, and it is something patterned after the threats up to now. I think it has to have management flexibility.

That has been one of the controversial points—organizational flexibility, putting together a Department made up of a number of different departments that have had these specific responsibilities and bring it together so it will be coordinated.

Some of the things we are finding that might have been done better prior to September 11 will be done better in the future. We can do that. We have to assign personnel responsibilities, do budget transfers, and do many of these things that pretty clearly need to be done.

I think one of the interesting things that has happened in recent times because of Iraq and terrorism discussions and home defense discussions is that on homeland defense we see an effort being made increasingly to shift the division from the economy to these issues. I think both of these issues are very important. But when you have threats and you have terrorism, you aren't able to choose the time. When it is there, you have to do something about it.

Some of the talk, particularly in the media, I suppose comes basically from here. It has been interesting. One of the columnists in my home State of Wyoming—one of the few liberal columnists—has written one that I think is interesting. The first point he makes is that President Bush, in his campaign, was for bringing troops home. At that time, that was a reasonable thing to do. We were deployed over the world and beyond where we needed to be.

Now he said the contradiction is that he is willing to commit thousands of young people overseas. Times have changed. September 11 changed things. September 11 indicated to us that there is a different kind of threat from terrorism, and indeed a different kind of war in this world than there was before. Should our position change? It seems to me that it should.

Then he goes on to talk a little bit about the fact that the administration hasn't even shown the need to do this. It seems to me, if you go back and examine what happened in the last 10 years in Iraq, it is pretty clear that the agreements that were made after the 1991 war have not been lived up to. And that is the basis for the kind of threat we have now. It is pretty clear.

It is very interesting. He goes on to say we should never attack anyone unless we have been attacked. I wonder if he has forgotten the 3,000 people who died in New York City. It shows the different changes that have taken place. Years ago, an attack was by 17 divisions with tanks and landing barges. That is what you defended yourself against. That is not the case now. The case is you can bring some kind of a secret thing into a building in New York City and kill 3,000 people.

We are having some strange conversations—all of them valid. We need to go through it. We also hear from some of our friends on the other side of the aisle that we are no longer paying any attention to the economy.

I simply say that I believe we ought to review where we have been and where we could have been—and the number of things talked about here that have an impact on the economy that the leadership has not brought up, and has not been willing to go forward on. One of them is the budget. It is the first year in 20-some years that we haven't had a budget; that has something to do with an economy, of course.

Policy for energy: We have been moving along, but we still haven't gotten an energy policy. It is one of the things that most impacts both our economy and our safety against terrorism. We are hoping to get that. There is still no movement there.

Terrorism insurance on buildings, for example: We have reduced the ability of people to invest their money to help