Water levels are falling at a rate of 18 inches per day.

Dutch team arrived in New Orleans and was briefed on situation. They will begin to assist mission later today.

The German team began working at PS #19 last night and is scheduled to move on to PS #3.

Continuing to use boats to assist in containment of hazardous materials and working with EPA on this issue.

Actions for next 24 hours: We expect to add an additional 1,000 CFS at pump stations #3 and #7 in Orleans East Bank and 1,000 CFS in Plaquemines. We have identified a total of 27 levee breaches to date. Nineteen are attributable to Hurricane Katrina; eight are deliberate.

Twelve interim repairs have been completed.

Water and Ice: 52,848,000 liters of water and 188,150,000 lbs of ice delivered to date.

Moving excess ice to prepare for Hurricane Ophelia.

Debris:

Total tonnage of debris removed and projected: 390,487 CY removed; 77.5M CY estimated.

Plaquemine Parish declined USACE assistance as of Sept. 19th.

Roofing:

Total temp roofs projected and completed: 51,000 projected and 352 completed.

Contractors collect “Rights of Entry” in both MS and LA.

Power: 30 Prime Power soldiers working in the area.

Last 24 hours: Continued working assessments and generator installs in Mississippi and Louisiana:

We are experiencing problems with local personal moving installed generators without coordination. This makes it difficult to properly maintain, refuel, and ultimately recover them.

Have completed 699 assessments and 159 generator installs to date.

Next 24 hours: Continue working to install power to permanent pumping stations, health facilities and to pumping stations around the hydrogen plant.

Navigation:

Mississippi River is completely opened all the way to the Gulf to shallow and deep draft vessels less than 39’ (daylight only).

Inner Harbor Navigation Canal (IHNC) remains open due to bridge closures and sunken barges. Contractor expects to remove barges and open bridges by mid-week.

Housing:

We have completed the design review mission for FEMA Housing Area Command and are ready to perform quality assurance (QA).

We have completed dredging slips in Galveston for two cruise ships to dock and begin receiving evacuees.

Mr. WARNER. Mr. President, as we face an uncertain future as it relates to terrorism and the use of weapons of mass destruction, I have some thoughts with regard to this law which was passed in 1978 which restricts in certain ways—and the predicate for doing so is wise—men and women of the Armed Forces—that is, a permanent U.S. military as opposed to National Guard—in matters relating to law enforcement.

Traditionally, that has always been left to the local authorities, and that is the way it should be. But sometimes there may be one—I will have to examine the language—that becomes so overwhelming or so incapacitated by a natural disaster, or perhaps a terrorist attack, that the Armed Forces may have to perform some of those duties. We want to make sure the President has that capability.

Also, there are other permanent laws on the books called the Insurrection Statutes. At a very minimum, I would like to see the name changed that we put on this for reasons quite different than the threats and challenges that face this Nation today. But that statute also might be reviewed, along with the Posse Comitatus Act, to see whether other permanent pieces of law should be changed to meet the contingencies we face here in the future.

I see the distinguished chairman of the Homeland Defense Committee. I wonder if I might direct a question to him.

In the briefings we have had before our committee by members of various departments and agencies who had authorities to deal with this, I came away with an impression that we have to, in a very quick and careful manner, look at the totality of the permanent law and regulations to determine what changes should be made to meet a contingency of the nature we have experienced—indeed, whether it is a natural disaster or a terrorist attack in the future. I wonder if our distinguished chairman has progressed in her thinking on this point.

The PRESIDENT OFFICER, (Mr. VITTER). The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, if I may respond to the Senator from Virginia, the distinguished chairman of the Armed Services Committee, first, let me commend the chairman of the Armed Services Committee for his thoughtful approach to the issue of whether our laws and authorities are adequate to deal with a disaster of the magnitude of Katrina.

He has an intense interest in taking a hard look at the Posse Comitatus law and also the Insurrection Act, both of which put certain restrictions on the ability of Active-Duty Forces to be used for law enforcement purposes and in other ways. I commend him for raising these very important issues.

It was evident from the briefing we had with FEMA and Coast Guard officials last week before the Homeland Security Committee that those on the front lines believe the current structures are inadequate to deal with a catastrophe of this magnitude. We talked directly to FEMA’s Director of Operations as well as to a Coast Guard admiral who has been in charge of the search-and-rescue operation. Each of them, in response to questions from both of us, indicated this catastrophe has overwhelmed the organizational structures and requires a new way of thinking. Both of them indicated interest in our taking a look, a close examination, at the two acts which the distinguished chairman has mentioned. I commend him for following up on this issue.

I think it is important that we look at that, as well as a host of other issues related to our preparedness and our response.

Mr. WARNER. Mr. President, I thank the distinguished chairman. I am privileged to serve on her committee.

As a consequence of the close relationship between the Department of Defense and the various departments and agencies that we respond to in situations such as this—I might note for the RECORD the person from FEMA who appeared before your committee for the briefing was a career employee. I found him to be very qualified. He has some 30 years of experience. I think he shared with our committee some of his most profound thoughts based on some, I believe, 30 years of experience. Am I correct?

Ms. COLLINS. The Senator is correct. He is a career employee, a member of the Senior Executive Service, with extensive experience.

Mr. WARNER. I thank the distinguished chairman.

I yield the floor.

The PRESIDENT OFFICER. The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, I ask unanimous consent to speak in morning business.

The PRESIDENT OFFICER. Under unanimous consent, it is so ordered.

The remarks of Ms. Collins pertaining to the introduction of S. 1690 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”

Mr. COLLINS. Mr. President, I ask unanimous consent Senator BYRD be recognized at 11 a.m. and Senator VITTER be recognized at 11:30 a.m. in order to address the Senate.

The PRESIDENT OFFICER. Without objection, it is so ordered.

Ms. COLLINS. I suggest the absence of a quorum.

The PRESIDENT OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDENT OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

Mr. DORGAN. Mr. President, let me ask that morning business be closed.

The PRESIDENT OFFICER. Morning business is closed.

MAKING APPROPRIATIONS FOR SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES FOR FISCAL YEAR 2006

The PRESIDENT OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2862, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for
Mr. DORGAN. Mr. President, I will describe very briefly this amendment—I shall come to the floor and talk about it more later—and then I will use the remaining minutes that are available to talk about an amendment I have previously offered to the bill.

This amendment, deals with the contracting that our country is paying for, particularly with respect to Iraq and Afghanistan. It especially deals with establishment of a special committee to investigate waste, fraud, and abuse.

Now, I indicated yesterday that whenever you speak of the company Halliburton, people think you are coming to the floor to criticize the Vice President. Let me say that is not the case. The Vice President was the president of Halliburton but not during any of the time that any of this has happened. But Halliburton has been, I believe, the largest contractor in Iraq. Halliburton and some other companies have made money out of the war, blood, and I believe it has the same reaction with the rest of the American people.

Let me read some headlines, if I might. Nobody, by the way, seems to want to investigate this, and nobody seems to care much about it.

“Halliburton Has Failed to Account for $1.8 billion in Charges” for work performed in Iraq and Kuwait. That is from the Wall Street Journal of August 11, 2004.


. . . the [Pentagon’s] top financial officer . . . alerted [Secretary] Rumsfeld of “significant issues regarding the timeliness and adequacy of KBR price proposals” and “deficiencies” in its billing, purchasing, and estimating systems.

“Whistleblowers Have Documented Halliburton Waste, Fraud, and Abuse.”


“Halliburton Overcharged $212 Million for Oil Deliveries.”

I could go through this. I have a sheet that is eight pages long. And, yes, it talks about $85,000 new trucks that are dumped on the side of the road because they have a flat tire or a fuel pump that is plugged. What do they do with it? Well, this is direct testimony from people who worked for Halliburton who drove the trucks, abandoned the trucks, let them torch the trucks for a flat tire. The list is unbelievable when you hear what has happened.

A contractor pays $45 for a case of soda, $100 for cleaning a 15-pound bag of laundry. We had one fellow who was buying towels—towels—for our soldiers. He held up two towels: This is a towel we would normally purchase, but we were asked by Halliburton subsidiary, Kellogg, Brown, & Root, KBR, to buy towels with their logo on it. So you doubled the price of the towel to ship to the soldiers because it has the logo of the company on the towel.

In 1941, Harry Truman was in this Chamber. We had a Democrat in the White House. A Democratic Senator had an investigation of waste, fraud, and abuse, and a special committee was established called the Truman Committee. They went after waste, fraud, and abuse. I am sure it was not very pleasant for Franklin D. Roosevelt, but a Democrat in the White House with a Democrat in the Senate demanding an investigation of waste, fraud, and abuse. The fact is, the Truman Committee uncovered massive waste, fraud, and abuse.

Now we have a President and a Congress controlled by one party. We do not even have oversight hearings on these things. I am the only one who has been holding hearings in the Democratic Policy Committee and having the whistleblowers come forward and talk about the massive fraud, and waste, and abuse. The fact is, the Truman Committee uncovered massive waste, fraud, and abuse.

My amendment, very simply, says there ought to be established a special committee to investigate this kind of waste, fraud, and abuse. Let me say to those who say, Well, you are trying to legislate on an appropriations bill, yes, I am. I am. I tried to offer this on the Defense authorization bill, which is where it belongs, to the Defense authorization bill, and the Defense authorization bill was taken off the floor of the Senate; we are told never to reappear again. So the only option we have is to offer this kind of amendment on this appropriations bill.

So I wanted to describe what this amendment is. It would establish a type of a Truman Committee to investigate waste, fraud, and abuse. It is not about politics. It is about, on behalf of the American people, asking the tough questions about waste, fraud, and abuse. We are shoveling money out the door, shoveling money—billions and billions, tens of billions of dollars—to be spent in the country of Iraq for rebuilding Iraq. Then we hear stories about the American taxpayer paying for the air-conditioning of a building in Iraq, and then it goes to a contractor and a subcontractor and somebody else who subcontract from that, and by the time it gets installed, it is a ceiling fan, and the American taxpayer paid for air-conditioning.

Guess what. It is going on all over. The company orders 50,000 pounds of nails, 25 tons of nails, and they order the wrong size, so Halliburton’s nails are lying in the desert in Iraq. Does anybody care about that?

We are talking about billions of dollars of no-bid contracts. I am going to hold a hearing on Friday with the woman who rose to the highest rank in the highest civilian employee in the Corps of Engineers, Bunnatline Greenhouse. And what is happening to her? Well, she had the guts to speak up and
speak out, saying these no-bid contracts were being awarded to Halliburton in an inappropriate way without following the rules.

Well, guess what happened to Bunnatine Greenhouse for raising those wages? He is losing those teenagers back over in the Pentagon at the Corps of Engineers. She is being demoted. She always had excellent, sterling evaluations—until she said: You can’t do this. This isn’t a buddy system. You can’t be awarding contracts this way.

For her honesty and for her courage, she is told she is either going to be fired or going to be demoted, against, I might say, the wishes of the inspector general who is investigating it.

AMENDMENT NO. 160

Mr. President, let me talk for a moment about the other amendment I have offered to this bill. As you know, today’s trade announcement is we had a $58 billion—$58 billion—trade deficit in the last month; about $700 billion a year, we are going to see. That is $700 billion a year more than we send out in exports that we purchase in imports. So let me talk about this.

Here is what is happening in American trade. We are drowning in trade deficits. As you know, attendant to that, are sending jobs overseas at a rapid rate.

Fruit of the Loom—you all remember the people dressed up as grapes, singing their little Fruit of the Loom song. It used to be American underwear. But American underwear is no longer American. If you are wearing Fruit of the Loom somewhere in America today, you are wearing Mexican shorts or probably Chinese shorts and T-shirts. So Fruit of the Loom is gone, and 3,200 people who used to work for Fruit of the Loom are no longer employed.

PalmPilot—if anybody has worked on a PalmPilot, here is the last message from a woman who worked for PalmPilot. By the way, she was forced to train her replacement, who is a worker from India, because those jobs went to India. Here is her last message on her PalmPilot: “My job’s gone to India!”

I have spoken at length about Huffy bicycles. I will not speak longer about them today, but all the folks in Ohio were fired. They used to make Huffs. Incidentally, this little thing between the handle bars and the front fender, that used to be an American flag decal. They cleverly changed it to a globe once the jobs went to China, and all the American workers were fired. Oh, it is still an American brand, it is just that Americans do not get a chance to make them any more because the American workers were paid $11 an hour, and now they are made in China, but with workers who make 33 cents an hour and work 7 days a week, 12 to 14 hours a day. They are still sold in Wal-Mart, kmart, and Sears. They are called an American bicycle. They are not. They are not an American bicycle.

And the Maytag repairman—all those television commercials about this old fellow having nothing to do. Well, 1,600 U.S. Maytag jobs went to Mexico and Korea. I could do this for a long time.

Even as it proceeds to lay off up to 13,000 workers in Europe and the United States, IBM plans to increase its payroll in India by more than 14,000 workers.

That was 2 months ago in the New York Times.

Now, what does all this mean for our country?

It means our country is losing economic strength, losing jobs. We are hollowing out America’s manufacturing base. In the last 20 years, our manufacturing base has shrunk by half. We are told it is all right, and it is going to be okay. We look at those who produce, yes, American companies that produce, search for the lowest cost production anywhere in the world and then they land in Sri Lanka, Bangladesh, Indonesia, China or somewhere else and hire someone else for 16 cents an hour. They do this. They will hire 12-year-old kids for 12 cents an hour and work them 12 hours a day. If you doubt it, I will show you where it happens.

People say: Well, that is all right because all those jobs, they are going to go somewhere, but we will have higher wage, higher skilled jobs in this country. They are all wrong. It does not work that way. This country is losing economic strength and losing economic opportunity. The people who are losing their jobs because American jobs are moving elsewhere, in search of lower wages, those are people who are not able to find jobs that are equivalent jobs. In almost all cases, they find the next jobs at a lower rate. This is a race to the bottom. Rather than aspiring to lift other countries up, it is driving down wage rates and opportunities in our country.

There is a man named James Fyler. James Fyler died of lead poisoning. He was shot 54 times. I suppose that is acute lead poisoning. He was shot 54 times long ago because he had the temerity to stand up for the ability and the right of workers to organize. So he lost his life, and many other who lost their lives standing up for the right of people to organize as workers. Apparently, there are companies who have decided to pole-vault all over that and produce elsewhere where workers cannot organize, produce in China, where if a worker tries to organize, he or she can be sent to prison. If you want names, I will give you names of at least a dozen people—and there are hundreds more—who are sitting in prisons in China because they wanted to organize workers.

Producing in China is easier, producing in other countries is easier because you don’t have to worry about child labor, about dumping chemicals into the air and water. You don’t have to worry about workers organizing.

What is going wrong in trade is going to dramatically injure this country and its future and opportunities. I am offering an amendment today that say have trade negotiators now negotiating in the Doha round who have indicated it is all right and we will consider negotiating away our opportunity to protect ourselves against the dumping of products in this country, into our marketplace at below their cost of acquisition, which is an opportunity to ruin the domestic industry and drive domestic industry out of business.

We protect ourselves with antidumping laws. We protect ourselves against deep subsidies of products that are dumped into our marketplace with countervailing duties. Our trade negotiators have signalled that that which our trade partners want, to get rid of our countervailing duties or antidumping duties, is a simple amendment but important in terms of the future.

I notice my colleague from West Virginia has arrived. I know he is set to assume his address to the Senate. Let me, in courtesy to him, close my remarks and simply say, I intend to come to the floor later this afternoon to speak again about both of these amendments which are important, the addition of which will add significantly to this appropriations bill. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from West Virginia is recognized.

A NATIONAL DEBATE: OUR COUNTRY’S FUTURE

Mr. BYRD. Mr. President, chapter 3, verses 1 through 8, of the Book of Ecclesiastes in the Holy Bible begins:

To everything there is a season and a time for every purpose under heaven.

Let’s read that again:

To everything there is a season and a time for every purpose under heaven.

It is time for a national debate, and its purpose is our country’s future. Sometimes it takes a catastrophe to put everything into perspective, to shake us and to sharpen our clarity of vision. The wrath of Katrina, tragic and devastating for thousands, must certainly
has caused many thinking Americans to consider anew the proper priorities for our country.

Who among us has not wondered if the efforts to rescue and evacuate Gulf Coast residents suffered because too many National Guardsmen have been deployed to Iraq? What thinking American has not pondered why we had such a painfully slow response to a behemoth storm which we knew for days would likely turn New Orleans into an urban Noah’s Ark? Who among us did not shrink in dread from the specter of our fellow citizens’ bodies floating in the murky flood waters or stacked in hospital stairwells for want of anyone anywhere else to house them? Could this be happening in America? I think every American who has asked himself these questions can answer for himself: Could we be so inept at dealing with this tragedy?

The events of the past several days seem to have reduced our much touted American know-how and technology to little more than pathetic hollow words. We have been told that no one could have prepared for Katrina. We have been told that no one could have predicted the size of Katrina or the path it would take. We have been told that no one could have prevented the damage Katrina caused. But what about the storm’s impact on the people of America? What about the national soul of this nation?

Iraq. The war in Iraq created a hot bed of distortion of what has happened in Afghanistan. I have never bought the absurd claim by some that we are not having to fight them here at home. I would be willing to make a bet that many of our countrymen and women would not have been turned into battle casualties were it not for the war in Iraq. The war in Iraq created a hot bed of distortion of what has happened in Afghanistan. I have never bought the absurd claim by some that we are not having to fight them here at home.

I said it then, that Hussein did not pose a threat to our national security. I didn’t believe the stories that were told. And as it turned out, the stories were wrong.

The invasion of Iraq was never supposed to be an open-ended peacekeeping mission with our troops mired amid the chaos of continuing urban warfare, the most dangerous place in the world. How would you like for your son or daughter to go? How would you like for your grandson to go? For what?

They were needed in Alabama. They are an integral part of our first responder team in the event of a terrorist attack, God forbid, or if another national disaster were to strike.

It is time to come home—come home, America. It is time to come home. It is time to come home. It is time to come home. It is time to come home.

To everything there is a season, saith the Bible. The season has come for America to look homeward instead of continuing to spend billions of dollars in Iraq. Let us husband our hard-earned tax dollars and spend them here at home. Look homeward. The American people must slowly find their own way now.

Further, U.S. dictated deadlines are counterproductive. We cannot force-feed democracy in Iraq. To keep large numbers of American soldiers in Iraq means that we are opposing the United States more enmity, reinforcing our unfortunate global image as conqueror, not liberator.

Haven’t we learned that? The Iraqi people must begin to take it from here. It is time for the United States to begin to bring our troops home. The President says we are a nation at war. We are not a nation at war. The U.S. military is at war. The Nation pays little attention to it. The newspapers seldom mention it. The administration is deaf, dumb, and mute on the war.

A national war? Guardsmen know about it. They know there is a war, and their families know there is a war. We started that conflict. We started that conflict, and we met the goals established at its outset. Now there is a slow, festering, internal political struggle pitting Shiite against Sunni against Kurd which will play itself out perhaps for decades until it either de- solves into something or the conflict resolves into some sort of compromise which suits those who live in the country of Iraq.

We cannot resolve Iraq’s internal issues. It is time for the United States to begin to bring our troops home. What are we waiting on?

There are those who say if we were to leave, we would not be honoring those who gave their lives in vain. That is an argument that is eternal. We continue to feel lives lost in the war in Iraq. The invasion of Iraq was never supposed to be an open-ended peacekeeping mission with our troops mired amid the chaos of continuing urban warfare, the most dangerous place in the world. How would you like for your son to go? How would you like for your daughter to go? How would you like for your grandson to go? For what?

We need to bring them home with a hearty “job well done”—a hearty “job well done.” We should begin with the National Guard. Praise God, the National Guard. Obviously, they are needed here. They were needed in New Orleans. They were needed in Mississippi. We have taken on too much. We have taken our backs on cooperation with the international community, decided to go it alone, and pursued some grandiose scheme of remaking the world in our own image. How silly.
By now it should be clear to all that grand experiments are very costly. It is time for a national epiphany. The sound of Katrina’s bugle must be heed- ed. We cannot continue to commit bil- lions of dollars in Iraq when our own people are so much in need—not only now in New Orleans but all across America—for everything from edu- cation to health care to homeland se- curity to securing our own borders. We need to stop making excuses, stop spin- ning the facts, and come to grips with the unpleasant truth. The Government of the United States is failing the American people. Failing. That is the catastrophe.

Where is the national debate about our priorities which Katrina should prompt? What does it take to wake us up? Hey, listen, hear me: It is a debate that must begin, if not on this Senate floor, then in the barber shops and in the grocery stores of America and in the print and broadcast media of this great nation.

It is past time for that debate and high time for all of us to realize that there is nothing more patriotic than taking a good, hard, honest look at our national priorities. We, the people—we, the people—have that power. A strong republic depends upon just that kind of periodic soul-searching. Does our moral sense of ourselves translate into Government policies? I believe that. Presently, it does not. We have a disconnect. We point and pocket every- thing from a tarnished U.S. image abroad to a failure to address gasoline shortages and skyrocketing prices that will certainly slow our economic en- gine and take their toll on working people.

Instead of asking the public not to buy more gas than needed, I wish some- body would ask the giant oil companies to pass up some profits and help hold down gas prices as a patriotic gesture for our country. Why would they have that power? It is our power. The American people are so much in need—no longer can it last? Prudence demands that we reassess our posture. Our inept- ness goeth before destruction, and an haughty spirit before a fall.

For years we have been getting it wrong here in Washington. But if we have the will, we can begin to get it right. The American people deserve the leaders with the honesty to take re- sponsibility for failures—quit making excuses, quit spinning the facts—and the wisdom to change when change is obviously and so urgently needed. And may God, may almighty God, grant us the grace.

Mr. President, I yield the floor.

THE PRESIDING OFFICER (Mr. SUNUNU). Under the previous order, the Senator from Louisiana is recognized.

HURRICANE KATRINA

Mr. VITTER. Mr. President, I thank my colleagues, especially the senior Senator from Louisiana LANDRIEU, and the distinguished Sen- ators from Mississippi and Alabama for all of their leadership during this Hur- ricane Katrina crisis. I thank all of my colleagues who have offered their heartfelt thoughts and prayers and very concrete help over these past 2 very difficult weeks.

I arrived back yesterday from the battlefields of the other gulf war. I stand before you to offer my firsthand report. I don’t mean to be overly dra- matic in my use of the analogy to war. I mean to be accurate. I mean to effec- tively convey the magnitude of the de- struction, the enormity and com- plexity of the ongoing human impacts, and, perhaps most important, the level of national resolve and commitment that we need to win the recovery ef- fort.

We have all seen very powerful and devastating storms before. We have seen them cause enormous dam- age, create short-term flooding, even take lives. And then the next day we respond and the residents of the strick- en area walk through their community and try to begin picking up the pieces. This is different. It is not just fiercer or bigger, it is wholly different.

Yes, Katrina was one of the most powerful hurricanes ever. When it hit Louisiana’s coast, it was the most powerful storm in the United States. But when it hit the human heart, it was also one of the most powerful storms ever to hit the United States, along with Camille in 1969 and the Labor Day Storms of 1935. But it was much more than that. Yes, Katrina was also one of the largest hurricanes ever geographically. Those ferocious winds extended 100 miles from the eye of the storm, which means they pounded the stricken area for hour upon hour upon hour. The size of Great Britain; roughly 2½ times larger than the area hit by Hurricane Andrew in 1992.