

## HURRICANE KATRINA

Ms. LANDRIEU. Mr. President, I rise today as the senior from Louisiana. But I was not born a Senator. I was born a Louisianian. I am a daughter of the Crescent City, raised by a family of places whose names may seem strange and exotic to people in Washington, DC, and around the Nation places like Plaquemines, Cocodrie, Kenner, Slidell, St. Tammany, St. Bernard and Bogalusa.

Most people refer to this region of the country—Mississippi, Louisiana and Alabama—as the energy coast the maritime coast, the gulf coast. The largest city in this area is the city of New Orleans, almost 500,000 people, my hometown. At one time or another every Member of this body has told me their own story about what they love about New Orleans and south Louisiana. For some, it is our music. For others it is Mardi Gras. And yet others, it is that special magic. Each one of you has come away from our State with a special memory, a singular moment that reflects the vibrant culture and personality of our State. And what all of my colleagues have mentioned to me over many years is the special, special spirit of the people.

Today, I stand before my colleagues, Democrats and Republicans, to report to the Senate that our people are hurting. Some are despairing and many are still crying. But our spirit is strong and it will be this spirit, along with the best work the Senate has ever done, that we will lift this region and rebuild it.

Thousands are dead, and only God knows how many. Hundreds and thousands are homeless, jobless, and without their businesses, large and small. But amidst water, death, destruction, anguish and anger, our spirit is strong.

And today, there are thousands of heroes. Those heroes may not be anybody in this Chamber, but I will tell you who the heroes are. They are the leaders of Plaquemines Parish and St. Bernard and Orleans and Jefferson and counties in Mississippi that kept their government functioning even as much of their parish laid under water. In St. Bernard and Plaquemines Parish, that water was 8 to 20 feet high in places. And in New Orleans, the water still stands 6 to 10 feet in some places on the east bank. The only thing out of the water the last time I left was Jackson Square, the Cathedral and the French Quarter. Because the people who settled the city were smart enough to put it on the highest ground they could find, and that high ground has been serving this Nation so well and so magnificently for over 300 years. And it is still there.

The heroes are the New Orleans sheriffs who secured and evacuated the city jail, not because they were trying to coddle the prisoners, but because there was a threatened jail break when the system failed and the electricity went off. So the deputies who had lost their own homes and had lost maybe members of their own family, swam through

water to get the prisoners out of the prison, not to give them a warm meal but to secure them, so hardened rapists and murderers would not plague the city at its time of greatest distress.

Our local leaders never once flinched from their duty to protect their residents and save every man, woman or child, regardless of race or income.

It was so desperate that the law enforcement didn't have to triage. The people were triaging themselves. In other words, when the boat drove up, they would put the old people first in the boat. Then they would put the babies in the boat. And all the young, "healthy" people would just stay on the roof until the boat could come back. Sometimes it did and in some cases it was too late.

I flew back here after one plane that I got on had no fuel. I had to come back with the Commandant of the Coast Guard, and he told me himself yesterday the Coast Guard rescued 32,000 people either by boat or by helicopter. And that is not counting what Wildlife and Fisheries agents did in Louisiana, Mississippi, or Alabama. That is not counting what regular boat owners, once they could wade through water and turn their boats on went down and did themselves, of which the news media did not cover. Because the only thing the news media could focus on was the Convention Center and the Superdome because it made the best picture. We understand that as politicians. They need visuals. I am sorry I couldn't provide any more visuals for them, but there was a lot more going on than just at the Superdome and the Convention Center.

Across the State, perhaps the greatest heroes are those we don't know about the concerned and courageous friends who took care of elderly neighbors and ensured their safe evacuation. One brief story: An elderly African-American woman in a shelter came up to me. She was a retired teacher. Her feet were wrapped because she had cut up her feet in this episode. She said, "Ms. Landrieu, please go back and tell those people in Washington we were fine after the hurricane hit. It wasn't the hurricane that put us under. It was that water that came up from the levee. Don't they know anything up there about the 17th Street Canal? Don't they know anything about the Florida Street Canal?"

I said, "No, Ma'am, but we're going to tell them more about that."

She said, "I stood on my ladder for 2 days. I've never seen water like that. That water kept going up 6 inches and going down 6 inches." Do you know what she was experiencing with the water rising and receding? She was feeling the tide of Lake Ponchartrain. She said, "It kept going up to my nose and going down to my chest."

The Louisiana State flag depicts a pelican. The pelican takes from herself, her own breast to feed her young. Thousands of Louisianians this week brought that state symbol to life.

As brave and bold as my fellow Louisianians have been—and our heart goes out to the people in Mississippi and Alabama—we have been moved beyond measure by the generosity and selflessness of our fellow Americans. New York City itself sent 600 of its finest and bravest police officers and firefighters who were willing to run into a collapsing tower on September 11 knowing what we didn't know, knowing that the radios on their hips were not going to work. But they ran in the building anyway. Those police officers are on their way right now to help the city of New Orleans. And I want to thank the Senators from New York, the delegation from New York, for sending them.

Cities, suburbs, and States across the Nation have welcomed our citizens as their own. Senator LINCOLN told me yesterday on the phone, "Mary, send them north. As soon as they cross the borders, I've got them in my arms." I thank Senator Lincoln and thank all the Senators that have called.

And so, if it is possible that my heart is a little heavy today, I've seen more in the last 2 weeks than in my entire life, and I hope never to witness it again. But while my heart is heavy, my heart today is also lifted with gratitude for my fellow Americans.

Of course, already some in Washington are pointing fingers at State and local officials—officials who had little more than just the good sense that God gave them while trying to save everyone that they could, all amidst criticism that they have had to bear from other government officials.

In this Chamber alone, every one of you voted the other night to send billions of dollars of aid and assistance. As HARRY REID said earlier today, it will probably cost us a lot more. I am sorry I could not even report to you an accurate estimate of what that might be, but I predict it will be over \$200 billion.

As I stand here today, Senator VITTER, my partner, remains in the State to continue assessing damage. He has been a steady voice through this, and I want to acknowledge him.

This unprecedented catastrophe will require unprecedented support. I am concerned today because our Nation, our national government failed in its greatest responsibility, and that is protecting the lives of Americans. I am not saying the military failed, or the Coast Guard failed and most certainly not the National Guard that was there before the storm hit and is still there.

Let me talk a minute about my National Guard. Eight thousand of them have already been to Iraq and back, not once but twice. Three thousand of them are scheduled to come home in September. The Governor and I and Senator VITTER were planning a homecoming for them. They are going to get quite a homecoming because many of them are from south Louisiana, and they don't have houses to come home to. I am here to tell you, that while

they may not have houses, they do have a home. We will do the best we can, and General Landreneau is well aware of the situation with his men and women on their way back from Iraq to hold their families tight.

We must learn from this experience. If we do not, we will fail again.

I have learned more in 2 weeks than I could ever have hoped to learn. I am going to continue to learn, and I ask the Senators to open their hearts and minds and learn. We don't ever want this to happen to any other city or any other place in this country for as long as we are on this Earth.

It is not true that Louisiana was not prepared. Surely we could have done a better job in every case, but our evacuation plan—and I want to give credit to the Governor of Mississippi and the Governor of Louisiana—Haley Barbour and Kathleen Blanco, who have been planning since Hurricane Ivan struck a year ago where everyone got stuck on the interstates and the back roads, those two Governors worked out a plan because we share a highway. We don't have a Louisiana highway that goes north and a Mississippi highway. We share our highways, and those Governors made a plan to get everybody out, and it worked as well as something like that can work. We had 2 million people approximately to evacuate in about 2 days. We got a lot of people out.

But when the storm hit and the levees broke, our calls went unanswered. In years past, our bills have languished here on the calendar. Money we requested before has been postponed year after year, year after year. I don't even want to talk to my colleagues about coastal erosion. They have heard it from me so many times and from everybody in the Louisiana delegation. They can give that speech better than I can.

But I will tell you one thing about our Federal Government. Our Federal Government, whether it was FEMA or this administrator or former administration or us, gambled that the predictions that countless experts voiced time and time again were mere rhetoric. They gambled that no one would notice if Louisiana's critical and vital role in our national economy was threatened.

And Washington rolled the dice and Louisiana lost.

I cannot stand here today and tell you that if all the money we had asked for, if it would have kept the levees up, but I can tell you that it would have given us more protection than we had.

Nor can I say with certainty that full funding for restoring our coasts would have protected those who perished in St. Bernard or in Jefferson or Washington parish or the counties in Mississippi and Alabama. But I can assure you that we would have had at least had a fighting chance. And I intend to find out just how much of a fighting chance we would have had.

And I intend to find out why the Federal response, particularly the response

of FEMA, was so incompetent and insulting to the people of our States.

Already some in Washington are pointing fingers that something is wrong with my state and local officials, and if they would have been a little smarter, a little tougher, a little braver maybe this could have been avoided. This hurricane was a category four. It was one of the worst storms we have seen in this century. The eye of the storm went right over Slidell, LA. Waveland, MS, I understand from Senators COCHRAN and LOTT, is gone. Biloxi is quite damaged, and that is where the storm came.

I am sorry we couldn't do anything about that, but I want you to know the people of our States have survived storms before. That was not what put us under. It was the levee systems that broke in New Orleans, a city that invented the gravity pump, a city that helped the Dutch secure the Netherlands and sent our engineering to Venice to keep that city floating. We invented those pumps in south Louisiana. We know about pumps. HARRY REID's seen them himself.

We know that the head of the National Hurricane Center said that he briefed the President of the United States on the threat of Katrina in a video conference call the day before she hit land.

We know the President said, quote, I don't think anybody anticipated the breach of the levees. Everybody anticipated the breach of the levee, including computer simulations in which this administration participated. Even the clay figurine, Mr. Bill, from "Saturday Night Live" anticipated the breach. His creator, a friend of mine, has used him in public service announcements for over 2 years, saying this will be the effect if this happens. How can it be that Mr. Bill was better informed than Mr. Bush?

We know the Secretary of Homeland Security pronounced himself, quote, extremely pleased with the response of every element of the Federal Government, even as the cable news networks were broadcasting images telling how he was so tragically wrong.

We know that FEMA was unaware that 20,000 Americans were stranded at the Convention Center without food, without water, without security, without clothes, without buses, without toilets and with no way out, and I had to stand there and listen to the news media say these people were lawless. These were mothers and fathers trying to find water for their kids. I might have been a little upset under the circumstances myself.

We know that someone has to be accountable. Let me be the first to take any blame that is to be assigned.

I will not allow my local officials to be made into scapegoats for others. I will not allow carping from those who were not there to diminish my Governor, my Lieutenant Governor, who happens to be my brother, who spent 3 days in a rescue boat, despite the pleas

of his own wife, his sister, his mother and father not to go. He went anyway, and he lifted both the living and the dead out with his own hands.

Within 24 hours of the storm hitting the Gulf Coast, Senator FRIST called and Senator REID called. I appreciate so much that they were right there. I tried to reach THAD COCHRAN; he tried to reach me. I tried to reach TRENT LOTT. And DAVID VITTER and I were together the whole time, but we couldn't get through on our cell phones. I know they called, and I thank them very much.

The record for rebuilding costs will be staggering, but it will pale in comparison to the staggering incompetence of this national government which is responsible.

Black people suffered, White people suffered, poor people suffered, and rich people suffered. The whole city is under water on the east bank. The wealthy neighborhoods have 10 feet of water, and the poor neighborhoods have 10 feet of water. Water does not know boundaries. It doesn't know demographics. It doesn't know Democrat or Republican. It doesn't know to stop at rich neighborhoods. It doesn't know just to go to poor neighborhoods. It goes everywhere. And there are wealthy people who are desperate. They don't know how to restart their businesses and keep their employees paid. They have no idea where to put their businesses. Do they leave the state? Do they go to Atlanta? Do they come back? What do they do with their wife and children? Do they take them and put them to school in Atlanta, or do they set their businesses up on the highest ground they can find?

The poor people are very disoriented. They have a hard time normally and they are having a real hard time now.

I want to say a special word of thanks personally to Ted Koppel for the beautiful piece he did last night, because I haven't been able to watch much television myself, but I got to see his piece. And we need journalists like that. I kept thinking, where's Walter Cronkite, and all I had was Geraldo Rivera.

I want to personally thank my family, my parents, my children, who evacuated with me that morning.

And the final word is this to the President: Mr. President, we need you. We need your help. The last time I shook the President's hand he looked at me and he said, "Senator, I appreciate your passion."

And I said, "Thank you, Mr. President, because passion is what we need."

He said, "I'm sorry you lost your childhood home. I know that's upsetting to you." I want to be clear for the record in that piece that you all saw with me with George Stephanopoulos. I was not crying in anguish because the home that I walked out of with my children was gone. I knew it would be gone when I left. It was an anguished cry, a plea to the only one that I thought could hear, and that was God

himself, and I know he has heard, because the people of my state have cried out to him for now over a week and a half. But as he gives us the grace and the wisdom to do our job, I hope we can do it well because there are hundreds of thousands of families who are depending on us to do our best work.

Today we are going to rebuild New Orleans and the coasts of Mississippi and Alabama because America needs New Orleans right where it is, as well as the parishes of St. Bernard, St. Tammany, Orleans, Jefferson, and Plaquemines, and Hancock, Harrison and Jackson counties in Mississippi; and Baldwin and Mobile counties in Alabama.

The gulf coast region of our Nation is simply too important to be left for dead. One of the founding geniuses of our freedom, Thomas Jefferson, understood that. Two hundred years ago he purchased Louisiana—then it stretched from the Mississippi to the Rocky Mountains. And that purchase put us on the road to greatness, from sea to shining sea.

It is an energy coast. It was put there for a reason. We did not go there to sunbathe. We went there to set up the Mississippi River, to tame that river, to create channels for this country to grow and prosper. The Higgins boats that saved us from World War II were built in New Orleans. Forty-three thousand people built those boats and headed them out to Normandy. We are going to rebuild our shipping industry, we are going to rebuild our maritime industry, and we are going to rebuild this great gulf coast of the United States.

I ask unanimous consent have printed in the RECORD a letter dated September 7, 2005.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,

Washington, DC, September 7, 2005.

Hon. BILL FRIST,  
U.S. Senate Majority Leader,  
Washington, DC.

Hon. HARRY REID,  
U.S. Senate Minority Leader,  
Washington, DC.

DEAR LEADERS: As the U.S. Senate begins work on further Hurricane Katrina relief and rebuilding legislation, we write to implore both of you to do everything in your power to ensure it is done in a spirit and through a process that is fully bipartisan.

Now, just nine days after this devastating storm hit, we have already detected some troubling signs in Washington and in the Senate. There are signs that some might try to maneuver in the debate on relief legislation specifically for partisan gain. We view any such attempt as abhorrent and injurious to the already suffering victims of the hurricane.

We implore both of you to lead in a completely different direction. This must be done not only through words and symbols but by developing all relief legislation in a fully bipartisan way.

The Senate has always acted this way in the past in developing disaster relief legislation, whether to address 9/11, Hurricane Andrew, or a myriad of other challenges. The need for this method of action and leadership is even greater now.

There is no question that there were mistakes made and lessons learned from this tragic experience. The Senate will have ample time to thoroughly investigate this event, and we plan to play a major role in these investigations. Now, all of our resources and efforts should be dedicated to the rescuing of victims, providing food, shelter, employment, education and healthcare to the victims of Hurricane Katrina. We must also begin laying the groundwork for the long-term recovery and re-building of our great state. Please do not make the citizens of Louisiana a victim once again by allowing our immediate needs to be delayed by partisanship.

In these past situations, committee chairmen and ranking members always developed legislation together and it passed with near unanimity.

Thank you for your leadership and your attention to this vital plea.

Sincerely,

MARY LANDRIEU.

U.S. Senate.

DAVID VITTER.

U.S. Senate.

Mr. LEAHY. Mr. President, as ranking member of the Subcommittee on Research, Nutrition, and General Legislation of the Agriculture, Nutrition and Forestry Committee I am today introducing a bill with Senator HARKIN, the ranking member on that committee, to provide additional emergency food assistance in response to the devastation caused by Hurricane Katrina, and the flooding in the aftermath of that massive storm. It is very similar to the efforts of Senator LANDRIEU and Leader REID but it just focuses on food assistance.

This legislation will provide USDA with additional funding and authorities to provide a strong and continuous response to the food needs of thousands of families adversely affected by Hurricane Katrina.

While thousands may have perished in America's largest natural disaster, we must turn to the living to do what we can to help. I am especially troubled by the horror stories I have heard about the treatment of the elderly. It was almost impossible to watch the images on television.

Another terrifying image was of children separated from their parents, trying to survive on their own. The most gruesome was the bodies floating in black water.

In the Federal response to this national catastrophe there is a bright spot.

The U.S. Department of Agriculture has done a good job. FEMA gets an "F," in contrast. In fact, I heard today on NPR that the Navy was not given the go-ahead by FEMA to send ships with hospital facilities down to New Orleans and that senior naval officers were very frustrated that they could not help earlier.

In contrast, USDA has quietly and efficiently assisted thousands of displaced persons. Secretary Johanns, Deputy Secretary Conner and Under Secretary Bost have done a great job within the limitations of their authority. They responded immediately.

I also appreciate the work of the Food and Nutrition Service within USDA. I thank them.

This bill provides USDA with additional funding to continue its efforts and gives USDA some additional authorities regarding the food stamp program and child nutrition programs. Our effort on this legislation should be taken as a supplement to what they are already doing, and an enhancement of their authority.

USDA is not only helping in areas which will need to be rebuilt, but they are helping those families who have been displaced and been forced to move.

There has been a huge outpouring of sympathy from every corner of every county in my home State of Vermont. In addition to the assistance already provided, Vermont stands ready to help the displaced families, the unemployed workers, the distraught children, and the destroyed communities.

This bill was written to be referred to the Agriculture, Nutrition and Forestry Committee where nutrition bills have always been handled in a bipartisan fashion.

I look forward to working with all the Senators on that committee.

Chairman CHAMBLISS has tackled every issue the committee has faced this year in a direct and effective fashion and I look forward to working with him, and all members of the committee, on an emergency food assistance package that goes to the White House for signature.

I know that he and his staff have been coordinating with USDA and that Senators on the Committee will, of course, work with Senators from all of the affected States on any advice or changes that are appropriate. Some of the provisions in the bill are modeled after ideas that worked well in responding to Hurricane Andrew where, once again, USDA was commended for handling the emergency very well.

This bill is a starting point, not an end point. I know that, but I wanted to get the ball rolling to have language to run by my colleagues who represent areas demolished in this disaster. I want to thank Senator REID and Senator LANDRIEU for coordinating with Senator HARKIN and me on this matter.

All the Senators in the affected areas have been working day and night on trying to get aid to those in need, whether from local, State, charitable, non-profit or Federal Government sources. I will continue to work with all of them.

I ask unanimous consent that a summary of Hurricane response to food stamps and food assistance be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUMMARY OF HURRICANE RESPONSE/FOOD  
STAMP AND FOOD ASSISTANCE RESPONSE

THE FOOD STAMP PROGRAM

This proposal would provide USDA with additional funding and authorities to provide

a strong and continuous response to the food needs of thousands of families adversely affected by Hurricane Katrina. It would improve the Food Stamp Program's response to Hurricane Katrina. It generally would expire no later than the end of federal fiscal year 2006. The President would have the authority to terminate its provisions earlier if conditions improved. The proposal would target three groups of low-income households: those living in areas Katrina hit, those that lost jobs in the disaster area, and those relocated from the disaster area to other parts of the country.

The proposal would incorporate the terms of USDA's Hurricane Katrina disaster relief policy for the period specified above:

States must act within seven days on all food stamp applications from affected households.

Households doubled up with friends or relatives could apply for food stamps on their own.

Work requirements and the three-month time limit on childless adults regarding finding a job would be suspended for disaster victims.

The legislation would expand food stamp assistance to disaster victims:

To account for higher food costs for people in disaster areas and people displaced by Hurricane Katrina, the maximum benefit provided through the food Stamp Program is increased by 10 percent.

The gross income limit for disaster victims would increase from 130 percent of the poverty line to 150 percent. This would help disaster survivors that suddenly incur high shelter costs when, for example, they temporarily live in a motel. (The net income limit would remain at 100 percent of the poverty line to ensure that only low-income people receive food stamps.)

All vehicles of disaster survivors, both those that they have with them and those they left behind, would be excluded from determining the household's resources.

For one year, all vehicles and bank accounts would be exempt from the \$2,000 resource limit in recognition that households are facing many extraordinary expenses and should not be required to spend down to \$2,000 when their savings may have to last them until they can find new jobs. In addition, disaster relief aid from federal, state, or local governments, charities, insurance settlements, and other sources would not count as resources.

Assets owned by a household, but which are currently inaccessible to the household due to the emergency, will not be counted for purposes of determining food stamp eligibility. For example, a family should not be rendered ineligible because of a house or car the family had to leave behind in the disaster area.

Food stamp benefits would not be prorated for the month based on the date the household applies. Under disaster conditions, families' applications may be postponed through no fault of their own. During this time, the families are forced to spend their scarce funds on food and remain just as needy as families that were able to get a ride to the food stamp office sooner.

The legislation also would streamline procedures for aiding affected households by:

Having the federal government assume 100 percent (rather than the usual 50 percent) of the administrative costs of serving disaster victims. State expenses to address the range of issues presented by these disaster victims are rising constantly and this change will assist states in their time of need.

Encouraging states to work aggressively to serve affected households by excluding any errors in applying disaster procedures from error rate calculations.

Waiving any claims for inaccurate issuances to affected households except in cases of fraud.

Requiring USDA to work with states to eliminate duplication between households initially certified for food stamps in their home state that are then relocated to a different state. Except where someone deliberately lies to get double benefits, displaced persons would not be required to keep track of which food stamps they received from which state while this overlap is being resolved. Recipients should be encouraged to spend food stamp benefits to feed their families even when they are uncertain about the status of their cases. This is particularly true since overburdened state food stamp agencies may be ill-equipped to answer their questions.

#### THE EMERGENCY FOOD ASSISTANCE PROGRAM AND COMMODITY DISTRIBUTION

In terms of immediate emergency relief, food stamp receipt may, in some cases, not be the most timely form of assistance that a family may access. Emergency commodities may be a faster and more efficient manner by which to provide immediate food assistance through food banks, food pantries, and congregate meal sites. In order to provide USDA with sufficient funding by which to provide emergency funding, this food assistance emergency package includes:

\$200 million for The Emergency Food Assistance Program (TEFAP), to be spent either on commodities or for transportation, processing, and administrative costs.

\$200 million for USDA to procure bulk commodities using Section 32 authority.

\$20 million for USDA to replenish Commodity Supplemental Food Program commodity stocks destroyed by Hurricane Katrina.

#### SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

To allow for unexpected increases in WIC caseload as well as the possibility of rising food costs in the WIC program, this package provides \$200 million dollars (available October 1) for the WIC program.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TO ALLOW UNITED STATES COURTS TO CONDUCT BUSINESS DURING EMERGENCY CONDITIONS

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. 1634 and H.R. 3650, en bloc.

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

The clerk will report the bills en bloc.

The assistant legislative clerk read as follows:

A bill (S. 1634) to allow United States courts to conduct business during emergency conditions, and for other purposes.

A bill (H.R. 3650) to allow United States courts to conduct business during emergency conditions, and for other purposes.

There being no objection, the Senate proceeded to consider the bills.

Mr. SPECTER. Mr. President, I seek recognition to support legislation that is urgently needed in light of the devastation caused by Hurricane Katrina. This legislation would authorize Federal circuit, district, and bankruptcy courts to conduct special sessions outside their respective boundaries in times of emergency. Currently there is no authority in the law for Federal courts to hold session beyond their geographical districts.

The need for such authority initially became apparent following the terrorist attacks of September 11, 2001. Those attacks seriously impaired Federal court operations in New York City at the time. Court facilities available in nearby districts, such as New Jersey, could have alleviated the disruption in court services, but the authority provided in this legislation did not exist.

The recent impact of Hurricane Katrina on the Federal courts in Louisiana, Alabama, and Mississippi has heightened the urgency of congressional action on this proposal. When emergencies, whether they be natural disasters or terrorist attacks, make shifting court operations to other court facilities within the affected district impossible, a Federal court facility in an adjoining district or circuit might be more readily and safely available to court personnel, litigants, jurors, and the public.

The widespread flooding and vast destruction caused by Hurricane Katrina has created precisely this scenario. All of the Federal court facilities in the Eastern District of Louisiana are severely damaged and will not be available for a significant period of time. Courthouses have roof and window damage, extensive water infiltration, and no electrical power. Senior court management are meeting in Lafayette to discuss finding viable and possibly long-term alternative sites for court operations for that entire district, but such alternative sites most certainly must be outside the geographical boundaries of that district.

Federal courts in the Middle and Western Districts of Louisiana are expected to remain open for business and possibly could provide temporary courtroom facilities, and the judiciary will be exploring these and other possibilities if given the authority proposed in this bill.

In the Southern District of Alabama, seawater has flooded the basement of the Mobile, AL, courthouse, and debris is scattered throughout the grounds. The court does not know when that facility will become operational again, and this court too, may have to be temporarily relocated outside of the district. Similarly, in the Southern District of Mississippi, seawater has flooded the Gulfport facility, and communications and electrical power are down. Court operations in the Gulfport area have been shifted within that district to the court facility in Jackson, MS.

The Fifth Circuit operations in New Orleans are completely closed and will