

the Senate to talk about the death of two Americans last week. One tragedy is tearing our communities apart. The other may well show us a path back toward unity.

We all know about the brutal, senseless killing of George Floyd in Minneapolis last Monday. There is no excuse for what the police did to Mr. Floyd. His killers are being brought to justice.

His death, we hope, will not be remembered for the senseless violence launched falsely in his name but, rather, hopefully, in the long-term reform of policing policies across our country.

In my home State of Utah, the city of Ogden is mourning another death, that of Police Officer Nate Lyday.

On Thursday, May 28, a woman called 9-1-1 saying that her husband was threatening her life. Lyday and a group of officers arrived promptly at the house. The man began shooting at them from inside the home. Lyday was mortally wounded.

He was just 24 years old. He was about to celebrate his fifth wedding anniversary with his wife Ashley.

He had been on the job as a police officer for just 15 months. By all accounts, he did that job honorably and completely up to the last moment. Nate Lyday was an officer who sought to uphold justice and protect the innocent, even making the ultimate sacrifice on behalf of a threatened and fearful family.

Nate Lyday was a “son of Ogden,” as Police Chief Randy Watt said. Ogden was where he was born and raised, where he went to high school, and where he worked on a regular basis at the Fresh Market on 20th Street and where he got his degree in criminal justice from Weber State University.

And it was where he was proud to serve and protect his community as a sworn police officer. According to Lieutenant Brian Eynon, Lyday was an officer who “worked over and above the call of duty.” Eynon said that whenever he passed Lyday in the hallways, the young officer would always smile at him, even before he had a chance to smile first.

As his colleagues, his friends, and his classmates remember him, Nate Lyday made everyone around him feel like a friend, no matter how well they knew him because they were indeed his friends.

This Saturday, while far too many other communities throughout our Nation were tearing themselves apart, Ogden came together. Hundreds of Ogden residents gathered near the front steps of the Ogden Municipal Building to honor the memory of George Floyd and to call for nationwide police reform.

But this was not a divisive event designed to make everyone choose sides between police and protesters. As Malik Dayo, an Ogden activist and organizer, said that day:

This is a peaceful protest. . . . This is not an anti-cop rally. This is a solidarity rally.

The protesters at the event honored George’s memory, they condemned racism, and they called for policing reforms. They also thanked the officers who were there, the same officers there protecting them and protecting their First Amendment rights to speak freely and gather peacefully. And they honored the memory of Officer Lyday, who lost his life answering the call of duty just a few days before.

“I gave them my condolences for their fallen officer—our fallen officer—because we’re all part of the same community,” Dayo said of the police after the protest.

And Dayo is right. Nate Lyday’s loss is our loss. George Floyd’s loss is our loss. And we ought to honor and remember them both.

We must all work to uphold justice for all. Both of these tragic, horrific deaths last week show us just how far we still have to go to achieve this goal. It is work that must be undertaken by each and every one of us, each and every day. We cannot do that work by pitting ourselves against one another—race versus race, police versus protester.

We will never move forward if we continue to reduce human beings to the color of their skin or the color of their uniform. We are all one Nation, and it will only be in standing and in working together, in peaceful solidarity, that we can finally heal the wounds in our Nation.

What the people of Ogden did this weekend is an example for us all. And it is a reason for hope.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

THE GULF OF MEXICO

Mr. KENNEDY. Mr. President, I want to talk for a few minutes today about the Gulf of Mexico Energy Security Act, the Land and Water Conservation Fund, the Great American Outdoors Act, and fairness.

Let me start with the Gulf of Mexico Energy Security Act—GOMESA, as you know.

Louisianians started drilling off our coast in the Gulf of Mexico in the 1930s. They were Louisiana people, Louisiana companies. There were some other States represented, as well, but they were primarily Louisiana companies.

A lot of people laughed at us, said it can’t be done: We know you can drill for oil and natural gas and supply the country’s energy needs by onshore production, but offshore, man, you are dreaming.

We did it. Then we did it again and we did it again and we did it again.

All of a sudden, the Federal Government said: Huh, there is money to be had. And the Federal Government came in and said: Louisiana, you can’t do that anymore. We own all the land under the oceans and the Gulf of Mexico.

Well, predictably, Louisiana disagreed. We went to court. After 30

years of litigation, Louisiana lost. The courts ended up ruling that Louisiana owns the land in the gulf from its coastline out to 3 miles, and the Federal Government owns the rest. And the Federal Government owns the rest. That is a little bit of oversimplification but not much.

I always thought that was unfair. For example, Texas, our sister State—I love Texas—owns from its coastline 10 miles out. We only own 3 miles out.

More oil and gas wells were drilled in the Gulf of Mexico. It became one of the major—if not the major—sources of oil and natural gas for energy needs of America up to the point that we were producing and still are producing about \$5 billion that goes right into the Treasury of the United States of America.

In 2006, Congress passed GOMESA. Thank you, Congress, for doing this. GOMESA said that the Federal Government is going to start sharing some of those oil and gas royalties. We are not going to share all of them. We are just going to share the oil and gas royalties from lands under the ocean in the Gulf of Mexico for all future leases after 2006—not past leases, only future leases. Here is the new deal, according to Congress. On all these new leases drilled after 2006, the U.S. Treasury will take 50 percent of oil and gas royalties. The gulf-producing States will take 37.5 percent. By the gulf-producing States, I mean Louisiana, Texas, Mississippi, and Alabama. And 12.5 percent of the oil and gas royalties from these new leases—not old leases, these new leases—will go to the Land and Water Conservation Fund. I will come back to the Land and Water Conservation Fund in a moment.

Keep in mind, I said that under GOMESA, Louisiana, Texas, Alabama, and Mississippi share in 37.5 percent of all the oil and gas royalties from the new leases, not the old leases. But the amount that we are entitled to receive is capped.

To give you an idea of the money we are talking about, in 2019, the four Gulf producing States received about \$350 million in offshore oil and gas royalties. Louisiana received \$155 million of that \$350 million. There is a formula that apportions the money between and among the four gulf-producing States.

GOMESA caps, in a fairly complicated formula, the amount the gulf-producing States can receive under GOMESA at \$375 million. Our four States will hit that cap in 2024. It doesn’t matter how much drilling increases in the Gulf of Mexico, the four gulf-producing States can only receive \$375 million, split among themselves, until, I think, 2055.

Other States not located on coastlines also have Federal lands on which oil and natural gas and coal and other minerals are produced. I am happy for them. They, as a result of congressional legislation—by “they” I mean those other States, 24 of them—get 50

percent of the royalties of all the oil and gas and coal and other minerals produced from Federal lands in their States. The Feds get 50 percent; the States get 50 percent.

I am happy for them. I couldn't be more pleased for my sister States. I wish we got 50 percent—"we" meaning the gulf-producing States. It seems unfair to me that we don't. We only get 37.5 percent on certain leases. Our sister States onshore get 50 percent of all leases. Their money isn't capped; ours is.

Let me talk about the Land and Water Conservation Fund. As you know, this is a fund that was set up in 1964. It had to be authorized every now and then. We made it permanent 2 years ago—"we" meaning, of course, Congress. The purpose of the Land and Water Conservation Fund is to take money appropriated by Congress and put it into that fund and use it to buy land and water to make that land and water public so that all Americans can enjoy it. I am supportive of that. I think most of us are.

The only money dedicated to the Land and Water Conservation Fund is that 12.5 percent I talked about dedicated to the fund through GOMESA. The other moneys that have been put into the fund through the years, other than the GOMESA moneys, have had to be appropriated by Congress on a year-to-year basis. Once again, I am supportive of the concept, and I am happy as a clam at high tide that my sister States out west get 50 percent. I just think it is unfair that we only get 37.5 percent.

As you know, we are going to consider a bill next week called the Great American Outdoors Act. Here is what it would do. No. 1, it will set up a dedicated automatic funding source for the Land and Water Conservation Fund. That dedicated source is going to come from oil and gas royalties produced in the Gulf of Mexico.

Remember, I told you that under GOMESA, the Federal Government automatically gets 50 percent of the royalties from the new leases. Henceforth, at least half of the 50 percent that is going into the Federal Treasury will now go into the Land and Water Conservation Fund. That is No. 1—permanent source of funding for the fund.

Some have argued that we are—I mean, we are not having to borrow this money, and that is a good thing. But this money didn't fall from Heaven. It is coming out of the moneys the U.S. Treasury would receive otherwise from oil and gas production offshore. That means if the Land and Water Conservation Fund takes this money from the share that goes to the Federal Government and uses it for the fund, somebody else is going to get screwed because the money is going to be taken from somebody else and given to the Land and Water Conservation Fund.

The Great American Outdoors Act also does something else. It sets up another sort of separate fund that a good

bit of the oil and gas money is going to flow into for deferred maintenance on public lands that we already own. Of course, we all support that. I do. A lot of our parks are falling apart. I mean, they have roads that have holes big enough for a Mack truck to fall through. They have a backlog of deferred maintenance of \$12 billion. And we are going to dedicate some money to try to chip away at that deferred maintenance. That is a good thing too.

Here is what we end up with. We end up with a lot of our States getting 50 percent of all of the oil and gas and coal produced in their State with no cap. Now these States that have national parks—again, I am happy for them; I love national parks—they are going to get an extra big slug of money from the Gulf of Mexico. In the meantime, the gulf-producing States—primarily Louisiana, but also Texas, Alabama, Mississippi—we are going to be stuck at 37.5 percent. It is capped. It is capped. It is capped at a weeny \$375 million a year from now until 2055. With inflation, by 2055, it will be worth about 7 bucks and 23 cents.

That doesn't seem fair to me. It especially doesn't seem fair to me when you consider that basically the Gulf of Mexico is producing the money—actually, oil companies are. But how do the oil companies do that? They do it with Louisiana. Most of the leases and wells are off Louisiana's coast. I am not putting down Mississippi, Alabama, or Texas because there is drilling off their coast as well. But facts are facts. Most of the drilling is off Louisiana's coast. A lot of the workers are from Louisiana.

Do you know what makes that drilling possible? Louisiana tax dollars. We pay for the roads that support Port Fourchon, which is vital and located in my State for that oil and gas production. We pay for the schools that educate the kids of the workers. We take all the risk.

We know what happened with the BP oilspill. If there is another oilspill in the Gulf, it is Louisiana and Texas and Alabama and Mississippi that are going to get slammed. It is not going to be the inland States. That is where I said I am going to talk about fairness.

Senator CASSIDY—and I don't see speak for Senator CASSIDY. Understand, he is my senior Senator. But he and I are working on a way to improve the Great American Outdoors Act. It is going to make it so much better.

I am introducing a bill tomorrow, and I am going to offer an amendment to the Great American Outdoors Act—once again, I don't speak for Senator CASSIDY, but I think he will support it—that is going to remove the cap on the amount of oil and gas royalties that the four gulf-producing States can receive under GOMESA.

Let me say it again. Right now, nobody else is capped. We are capped. The most that Louisiana, Alabama, Mississippi, and Texas can receive, split among ourselves, is \$375 million. We

are going to hit that cap in 2024, and it will remain until 2055. We all know with inflation it is not going to be worth \$375 million in 2055. It is capped.

All I am saying and all Senator CASSIDY is saying, and I think—I don't speak for them either, but my colleagues from the gulf-producing States—all we are saying is: Let's be a little fair here. If you don't have a cap onshore, let's don't have a cap offshore. My little old amendment would just remove that cap and make the Great American Outdoors Act even greater.

Senator CASSIDY and I and other Senators from the gulf-producing States are also working on some other ideas that I don't feel comfortable talking about today, but we have some other ways we think we can improve the Great American Outdoors Act.

I wanted to come here today and say, once again, I am not criticizing any of my sister States. I am happy as I can be for all the States that don't have caps and that do get to share in 50 percent of the royalties. I am just asking for a little fairness and equity, just a little bit for the gulf-producing States by allowing us to remove that cap.

With that, I either yield the floor or I suggest the absence of a quorum, whichever the Parliamentarian tells me to do.

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

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

PROTESTS

Mr. REED. Mr. President, for the past week, our Nation has been engulfed by protests in dozens of cities over the senseless murder of George Floyd and Breonna Taylor at the hands of police officers. Americans are angry, frustrated, and grieving, not just for Mr. Floyd's and Ms. Taylor's deaths but for centuries of injustice and brutality against African Americans. The instances are too numerous to count. Yet these instances of violence keep happening while meaningful reforms have not taken place.

The protests are set against the backdrop of the deadly novel coronavirus pandemic. As our country copes with this crisis, African-American communities have suffered disproportionately high infection and death rates. Compounding this tragedy, we are in the midst of an economic downturn that rivals the Great Depression, with communities of color bearing the brunt of the economic fallout. Millions of hard-working Americans have lost their jobs through no fault of their own. They are struggling to provide for their families, put food on their table, and keep a roof over their head.