

CONCLUSION OF MORNING
BUSINESS

The PRESIDING OFFICER. Morning business is closed.

WATER RESOURCES
DEVELOPMENT ACT OF 2005

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 728, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 728) to provide for the consideration and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I would like to start off by making a general statement about the amendments we are going to offer, and I assume that time will come off the time of the amendment I will offer, the amendment on independent peer review. Is that correct?

The PRESIDING OFFICER. Without objection, that is the case.

Mr. FEINGOLD. Mr. President, I will make a few remarks, and then I would like to turn to the distinguished ranking member of the committee, my friend, Senator JEFFORDS, for a few remarks. Then after he has talked, I will offer the amendment.

Mr. President, today the Senate will consider two tremendously important amendments to the Water Resources Development Act. Those amendments are the Feingold-McCain-Carper-Lieberman-Jeffords-Collins independent peer review amendment and the McCain-Feingold-Lieberman-Feinstein prioritization amendment.

As many know, I have tried to work for a long time to modernize the Army Corps of Engineers to ensure that this Federal agency is best situated to serve our great Nation. I have worked alongside Senator MCCAIN in these efforts, and I thank him for his dedication to helping me bring attention to the need for congressional leadership to address what many have noted as fundamental problems with the Corps.

I want to be clear about my intentions with the amendments we will offer this morning, as well as our other efforts involving the Corps. We just want to get this agency back on track to serve the interests of all Americans. That is what it is about, period.

As many have noted over the past few days, I have been trying to bring up this issue for quite some time. In fact, I have waited 6 long years to come down to the floor of the Senate to push for meaningful reform of the U.S. Army Corps of Engineers.

Back in 2000, during debate on final passage of the last enacted WRDA, the former chairman of the Environment and Public Works Committee and the current ranking member of the sub-

committee of jurisdiction, my friend from Montana, Senator BAUCUS, made a commitment to me to address the issues that plagued the Corps.

At that time I sought to offer an amendment to WRDA 2000 to create an independent peer review process for the Army Corps. In response to my amendment, the bill managers adopted language to authorize the National Academy of Sciences to study peer review. This study has long been complete, and the final recommendation was clear. In a 2002 report—Review Procedures for Water Resources Planning—the National Academy of Sciences recommended creation of a formalized process to independently review costly or controversial Corps projects.

Four years later, and with Corps reform bills in the 106th, 107th, 108th, and 109th Congresses, we are still trying to enact such a mechanism.

I would just like to note that I am pleased to see my friend involved in this issue, particularly given the role he played in 2000. My only hope is, after 6 years of work on this issue, we can go home tonight knowing we did right by the taxpayers, by the citizens of our country who rely on sound Corps projects to protect their families, their property, and the natural systems they want to protect for future generations.

Yes, Corps reform has been a work in progress. In 2001, I introduced a stand-alone bill to modernize the Corps. Later that Congress, I cosponsored a bill with Senator SMITH from New Hampshire, Senator Daschle of South Dakota, Senator ENSIGN of Nevada, and Senator MCCAIN, the senior Senator from Arizona. In March 2004 I introduced another stand-alone Corps reform bill along with Senator Daschle and Senator MCCAIN. Then in the spring of 2005, Senator MCCAIN and I offered another bill detailing the changes we hoped to see in the agency. And, finally, this spring we introduced another stand-alone bill.

What these efforts have been about is restoring credibility and accountability to this Federal agency that has been rocked by scandal, overextended to the tune of a 35-year backlog, and constrained by a gloomy fiscal picture. We can do that today. We can restore credibility and accountability to the Corps by passing the amendments that my friend, the Senator from Arizona, and I will be offering.

Some have said I have an ax to grind with the Corps. That is not true. The reason I am dedicated to improving this embattled agency is that I care about the Corps, and I want it to succeed. My home State of Wisconsin and numerous other States across our country rely on the Corps. From the Great Lakes to the Mississippi, the Corps is involved in providing aid to navigation, environmental restoration, flood control, and many other valuable services.

I want to improve the way this agency operates, so that not only Wisconsinites but all Americans—particularly

those who help pay for Corps projects either through their Federal tax dollars or, in many cases, through taxes they pay at a local level as part of a non-Federal cost-sharing arrangement—can rest easy knowing that their flood control projects are not going to fail them, their ecosystem restoration projects are going to protect our environmental treasures, and their navigation projects are based on sound economics and reliable traffic projections.

Much of the work that has gone into reforming the Corps was done before our Nation saw a major U.S. city laid to waste. When Hurricane Katrina rocked New Orleans, none of us imagined the horrors that would ensue. None of us imagined that much of the flooding—much of the flooding—that occurred could have possibly been prevented had some of the reforms we will be discussing today been in place decades ago.

Despite every wish to the contrary, the aftermath of Hurricane Katrina exposed serious problems that this body will be addressing for years to come. Many have stood on this floor and in their States and talked about what must be done to responsibly move forward in a post-Katrina landscape. And many of those discussions have, of course, centered, appropriately, on the Federal Emergency Management Agency.

I am here to say that if you were outraged by FEMA's poor response, like me, then you should be equally outraged by problems with the Corps and the process that has determined where limited Federal resources are spent.

While any hurricane that makes landfall will leave some level of destruction behind, the country has been shocked to learn that there were engineering flaws in the New Orleans levees, and that important information was ignored by the Corps. According to one of the independent reviewers looking into what happened with the levee failures, the causes of the failures "are firmly founded in organizational and institutional failures that are primarily focused in the Corps of Engineers."

Now, I had the chance to visit New Orleans a little over a week ago, and I can attest that the sentiment toward the Corps is anything but cordial. There is a lot of anger toward the Corps down there, and we have a responsibility in Congress to address it.

Additionally, following the hurricane, we have faced questions from our constituents about where the Corps was spending its limited budget and why. We have a responsibility to address those legitimate concerns, too.

The Times-Picayune of New Orleans recently said the following:

Efforts to reform the agency, the Corps, are critical for this state [meaning Louisiana, of course] which—after the levee failures during Hurricane Katrina—could serve as the poster child [the poster child] for the Corps' shortcomings.