



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 111th CONGRESS, SECOND SESSION

Vol. 156

WASHINGTON, TUESDAY, JUNE 15, 2010

No. 89

Senate

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Spirit of God, descend on our hearts, for apart from You, life is sound and fury signifying nothing.

Make our lawmakers great enough for these momentous times. Deliver them from pride and prejudice as they seek to live worthy of Your great Name.

Lord, transform common days into transfiguring and redemptive moments because of the power of Your presence and the wisdom of Your words. Cleanse the fountains of our hearts from all that defiles and make us fit vessels for Your honor.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN 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, June 15, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.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

SCHEDULE

Mr. REID. Madam President, following leader remarks, there will be a period of morning business until 11:30 a.m., with Senators permitted to speak for up to 10 minutes each. The majority will control the first 30 minutes, the Republicans will control the next 30 minutes, and the remaining time will be equally divided.

Upon the conclusion of morning business, the Senate will proceed to executive session to consider several district court nominations: Tanya Pratt, of Indiana; Brian Jackson, of Louisiana; and Elizabeth Foote, of Louisiana. There will be up to 20 minutes of debate equally divided and controlled between Senators LEAHY and SESSIONS or their designees prior to a series of roll-call votes, which could be as many as three.

Upon disposition of the nominations, the Senate will recess until 2:15 p.m. today for our weekly caucus meetings.

At 2:15 p.m., we will resume consideration of the House message with respect to H.R. 4213, the tax extenders

legislation. We currently have six amendments pending. We hope to reach an agreement to dispose of several of the pending amendments today.

As a reminder, cloture was filed on the motion to concur with an amendment with respect to the tax extenders legislation. The only applicable filing deadline in this situation is for second-degree amendments. Under the rule, second-degree amendments must be filed 1 hour prior to the cloture vote tomorrow.

Madam President, I have spoken to the Republican leader on a number of occasions—the latest just a few minutes ago—to see if we can work out an orderly system to not have to have a vote on cloture tomorrow. We are working on that, and hopefully we can conclude that with an agreement sometime in the near future.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

GULF OILSPILL

Mr. McCONNELL. Madam President, the President will speak to the American people from the Oval Office tonight about a crisis in the gulf that is now in its ninth week. If early reports are accurate, the President will use his remarks not as an occasion to unite the Nation in a common effort to solve the immediate problem but to make his case for a new national energy tax commonly known as cap and trade. If true, this means the President plans to use this justifiable public outrage over an explosion that killed 11 people and the oilspill that followed as a tool for pushing a divisive new climate change policy even as hundreds of thousands of gallons of oil continue to spill into the gulf each day.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Most Americans are baffled by all this. The crisis, as they see it, is a broken pipe at the bottom of the ocean, miles-long oil slicks, and threatened coastlines. The first thing they want to know is what the administration plans to do to plug the leak, clean up the oil, and mitigate the spill's effects on the livelihoods of those affected. Yet day after day, as the oil continues to flow, what we hear from the administration is how tough they plan to be with BP and now, apparently, how important it is that we institute a new tax which will raise energy costs for every single American but which will do absolutely nothing to plug the leak. Never has a mission statement fit an administration as perfectly as Rahm Emanuel's "never allow a crisis to go to waste." Climate change policy is important, but first things first.

Americans are saying two things at the moment: Stop this spill and clean it up. So with all due respect to the White House, the wetlands of the bayou, the beaches of the coast, and our waters in the gulf are far more important than the status of the Democrats' legislative agenda here in Washington. Americans want us to stop the oilspill first, and until this leak is plugged, they are not in any mood to hand over even more power in the form of a new national energy tax to a government that, so far at least, hasn't lived up to their expectations in its response to this crisis.

Republicans are happy to have an energy debate. Like most Americans, we support an all-of-the-above agenda that seeks to produce more American energy and use less. But while American livelihoods are in immediate danger and we watch oil gush into our waters and wash up on our beaches, now is not the time to push ideology; it is the time to fix the problem.

But if the White House insists on using this event as an opportunity to push the same kind of government-driven agenda that got us the health care bill, then they will need to answer some questions. Since the outset of this crisis, they have clearly been more focused on identifying a scapegoat than in taking charge. But questions persist about the administration's response. Here are just a few:

First, the administration acknowledges that it took BP at its word early on about its ability to respond to a crisis such as this. The question is, Why? Why? Why did the Minerals Management Service under this administration accept BP's word that it was prepared to deal with a worst-case spill such as the one we are now experiencing in the gulf?

Second, why were the inspections MMS performed on the Deepwater Horizon, and presumably on other rigs as well, unable to detect the problems that eventually became so apparent? What changes need to be made to make these inspections effective?

Third, the law requires the President to ensure the effective cleanup of an

oilspill when it occurs. Specifically, it requires the President to have a national contingency plan in place, and that plan is supposed to provide for sufficient personnel and equipment to clean up a spill. Clearly, the administration's National Contingency Plan was not up to the task. Why not? Did it rely too much on the oil companies to perform the cleanup?

Also, why, as has been widely reported, has the administration been slow to accept offers of assistance from countries that have offered skimming vessels and other technologies to help clean up the spill? Since the cleanup is clearly not going as planned, shouldn't we be accepting legitimate offers of assistance wherever we can get them?

The first priority, as I have said, is plugging the leak. Then we must turn our attention to questions such as these and to a thorough investigation of what went wrong on the Deepwater Horizon and how we can prevent anything like it from ever, ever happening again. That will be a monumental, months-long job, as there were so many failures at so many levels. Once that process begins, perhaps the administration can work to unite the country in the aftermath of this crisis in a way that, frankly, it has failed to do up to now.

Legislation to respond to this oilspill should be an opportunity for genuine bipartisan cooperation of the kind the President so frequently says he wants and of the kind that has been sorely needed and sorely lacking in the midst of this calamity.

Madam President, I yield the floor.

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 be a period of morning business until 11:30 a.m., with Senators permitted to speak for up to 10 minutes each and with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

The Senator from Washington.

GULF OILSPILL

Mrs. MURRAY. Madam President, as we close in now on 2 months since the deep water explosion that set off the gulf oilspill, the toll of this disaster is continuing to mount—from the oil-soaked pelicans we see on the front cover of each newspaper everyday, to the tar balls that dot a previously pristine coastline, to the closed fishing grounds and half-empty hotels. The human impact is felt in Louisiana, Mis-

issippi, Florida, throughout the gulf coast region. This disaster has reached into our economy, our environment, and the way we see our energy future. But there is one place it also threatens to reach and that is into our pocketbooks.

When it comes to BP's promises to cover all the costs associated with this disaster, I am sorry but I am not ready to take them for their word. That is because as a Senator from the Pacific Northwest, Washington State, I have seen firsthand what happens when big oil is allowed to make promises and not required to take action. When the *Exxon Valdez* oilspill happened in 1989—I remember it so well—that company assured the public that the economic and environmental damage would be paid for. Then I remember them fighting tooth and nail all the way to the Supreme Court, to deny fishermen and families from my home State the compensation they were due.

So I am not impressed by BP's promises and I am not ready to take the word of a company with a track record of pursuing profit over safety. Instead, I believe it is time for us to answer some very fundamental questions, such as who should be responsible to clean this up? Who is going to bear the burden of big oil's mistake? Should it be the taxpayers or families and small business owners who paid such a high price already or should it be the companies that are responsible for this spill, including BP, which, by the way, is a company that made a \$6.1 billion profit in the first 3 months of this year alone?

I cosponsored the Big Oil Bailout Prevention Act because the answer is clear. I believe BP needs to be held accountable for the environmental and economic damages of this spill and I am going to fight to make sure our taxpayers do not wind up losing a single dime to pay for this mess. To me, it is an issue of fairness. If an oil company causes a spill, they should be the one to clean it up, not our taxpayers. This bill eliminates the current \$75 million cap on oil company liability so taxpayers will never be left holding the bag for big oil's mistakes. This is straightforward, common sense, and fair.

I have to say, I am extremely disappointed that this commonsense bill continues to be blocked by the Republicans every time we have tried to bring it up. But I want everyone to know I am going to keep fighting for the Big Oil Bailout Prevention Act until we get it passed.

That alone is not enough in response. This week I also signed on to a letter to BP's CEO, asking them to back up the promises they are making to pay with action by requiring them to set up a \$20 billion fund to begin covering the damages we will see.

It is also why I am working to make sure this never happens in any other part of our country. I have always been opposed to drilling off the coast of my