Mr. REID. Madam President, there is one thing I didn't do. I apologize to my friend for interrupting him and express my appreciation for his usual cooperation.

Mr. SESSIONS. Madam President, I know the majority leader has many challenges, and he certainly is entitled to respect to make this kind of announcement.

NATIONAL GUARD

Mr. SESSIONS. Our Governor has called up 300 National Guardsmen, and I think it needs to be done under title 32, which is Federal status under State control.

The President on Tuesday evening said:

> I have authorized the deployment of over 17,000 National Guard members along the coast. These service men and women are ready to help stop the oil from coming ashore, clean beaches, train response workers, or even help with processing claims, and I urge the governors in the affected states to activate these troops as soon as possible.

Well, the Federal status under State control is the procedure by which the Guard people operate under State control, which eliminates some of the prohibitions on military people being used, Federal military people being used for nonmilitary matters, and it allows payment by the Federal Government.

I guess I would just say that this is not worked out yet. As a matter of fact, Governor Riley has personally been engaged in this, and I have been so proud of his leadership. He has called these guardsmen for some time and has been requesting that they be approved under title 32.

The Admiral told me today that there are still bureaucratic problems—the Department of Defense says this and some law says this. I would just say that the Commander in Chief, the President of the United States, said: Call them up and let's get busy about it. And I hope somehow this can be taken care of promptly, as it is impacting the budget of the State of Alabama in a significant way.

Madam President, I thank the Chair. And I thank Senator LEMIEUX for driving home the problem that, to me, is most inexplicable; that is, our failure to maximize our ability to have skimmers available to protect our beaches.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. LEMIEUX. Madam President, I just wanted to speak for another moment, if I may, and compliment my colleague from Alabama, who has been very vigorous on this issue. I appreciate his voice to make sure we find out what is going on with these resources, especially as he spoke about the National Guard, which is an important topic.

To follow up on my comments before, I have two documents that I ask unanimous consent to have printed in the RECORD.

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

DEEPWATER HORIZON RESPONSE

Charlie Crist
Governor

David Halstead
State Coordinating Officer

Snapshot Report # 22
Wednesday, June 16, 2010 at 0900 hrs EDT

Mobile Unified Command Boom Operations:

Tier	Proposed/ Need	Deployed	Staged	Shortage	Percent Under
1	148,475	185,100	56,050	0	0%
2	282,600	123,500	0	159,100	56.30%
Total	431,075	308,600	56,050	159,100	36.90%

**Changes in FL GRP site numbers as well as boom required will be changing pending approval of Unified Command **

County Contracted Boom Tier 3 Totals

County	Deployed	Proposed	Staged
Escambia	20,000	N/A	0
Santa Rosa	10,260	N/A	0
Okaloosa	16,950	N/A	19,550
Walton	0	N/A	0
Bay	0	N/A	78,900
Gulf	0	N/A	11,900
Franklin	0	139,800	70,000
Wakulla	N/A	71,500	0
Jefferson	N/A	18,835	0
Taylor	N/A	N/A	N/A
Total	47,210	230,135	180,350

Vessel Assets Deployed:

Type	Working	Staged	Ordered	Notes
Off-Shore Skimmer	79 (7 are skimmers)	7 In area of Op.	5	-TF702 Off Shore Pensacola Area -TF704 South of Ft. Walton Beach -TF705 Moving to "stand-by" in Key West
Near Shore Skimmer	25 (no breakdown on types of vessels)	0		- TF1 Pensacola Pass - TF4 Perdido Pass
Total	104	7	5	

Vessels of Opportunity (VOO):

VOO Ordered/ Deployed	In-Shore Contracted Assets	Near Shore Contracted Assets	Total Contracted Assets	Deployed Contract Assets
Pensacola	75	40	115	302 2 using Sorbent, Snare & Containment
Destin	200	100	300	
Panama City	153	60	213	
Port St Joe	100	50	150	
Apalachicola	100	50	150	
Total	628	300	928	

County EOC Activations:

County	Activation Level
Bay	2
Escambia	2
Gulf	2
Okaloosa	2
Santa Rosa	2
Wakulla	2
Franklin	2

Small Business Administration Loan Applications:

Issued	Accepted	Declined	Approved
331	72	14	2
Loan amount approved: $255,000.00			

Clean-up Teams:

Team	Personnel	Staging Location
Emergency Response Team (USCG)	22	Pensacola
Emergency Response Team (USCG)	3	Panama City
Emergency Response Team (USCG)	2	Port St. Joe
Total	27	

(BP) Contractor Personnel	Personnel	Staging Location
Beach cleanups	1047	Pensacola, Panama City
Qualified Community Responders	302	Pensacola, Panama City
Gross Vessel Decon	27	Pensacola
	27	Panama City
Boom Operations	541	Pensacola, Panama City
Total	1944	

SCAT Teams:

Team ID	Personnel	County	Staging Location
SCAT 4	5	Escambia County	
SCAT 6	5	Santa Rosa	
SCAT 9	5	Gulf	
SCAT 10	4	Bay	

Recon Teams:

County	ATVs Staged	ATVs Deployed
Escambia	0	7
Franklin	0	1
Santa Rosa	0	1
Okaloosa	0	5
Walton	0	4
Bay	0	5
Gulf	0	1
On Stand-By	2	0
Total	2	24

County or Agency	Resources Staged	Resources Deployed
Walton	0 – Command Bus	1 – Command Bus
FWC	0 – Boats	38 – Boats
FWC & Civil Air Patrol	1 – Planes	2 – Planes
FWC	0 – Helicopters	3 – Helicopter
FLNG	0 – Planes	1 – Planes
FLNG	0 – Helicopter	1 – Helicopter

BP Reported Product Recovered:

Staging area	Product Collected	Amount Collected
Pensacola	Trash and Product Debris	15.23 tons
Panama City	Trash and Product Debris	1.46 tons
Total		16.69 tons

BP Claims: *Updated detailed BP Claims report can be found in EM Constellation*

BP Claims in Florida	Claims	Approx. Paid
Grand Total	*13,978*	$11,248, 856.44
One claimant has one claim which may have multiple events		

Recovered Oiled Wildlife:

	Recovered alive*	Released	Died or euthanized	Still in Rehab	Recovered dead
6/16/10	9		4	18	0
Total #	36	2	16		18

*Does not include marine mammals or turtles. *Primarily northern gannets and brown pelicans
See the consolidated wildlife report updated by noon each day:
http://www.deepwaterhorizonresponse.com/go/doctype/2931/55963

SHORE OPERATIONS - FLORIDA (Panhandle)

National Incident Command Daily Situation Update - INTERNAL DHS USE ONLY

Prepared By: CDR Becker/CDR Hein

0600 EDT 16 June - 0600 EDT 17 June 10

Operational Highlights

WX: Heat index 100-105.
SHORELINE: Continued beach cleanup efforts in Escambia and Okaloosa Counties.
NEARSHORE: Deployed boom in Gulf and Franklin Counties. Relocated Task Force III to East Side of Pensacola Bay. Continued night VOO operations. Recovered 565 bags of tar balls; of the 565 recovered 17 have come from Okaloosa.
OFFSHORE: Transitioned Task Forces to work nearshore in order to stay ahead of the leading edge of the spill.
BOOM: 45,100' deployed last 24 hours.

State and Local Concerns

-Unified Incident Command and Liaison Officers working to address Local and State Officials' concerns about available booming and skimming capacity as well as more innovative and effective onshore and offshore cleanup tools.
-Boom required by plan numbers have changed to reflect refined ACP priorities and include three additional Florida counties.
- FL Responders: 70%. (Does not include workers from impacted neighboring States. Out-of-State workers include those brought in possessing pollution response expertise and include adjacent

Future Operations - Next 72 Hours

WX: Morning showers or storms over the coastal waterways may contain waterspouts. Heat index 100-105.
OIL EXPECTED ASHORE: Tar balls and patties in Destin.
OIL RESPONSE PRIORITIES: Boom maintenance in Pensacola. Ramping up beach cleanup operations in all areas. Increasing personnel for cleanup by 200. Conduct night operations in Pensacola and increasing boom operations in Panama City. Ordering 30,000 ft of boom and relocating 14,000 ft from Pensacola to Choctawhatchee.

Shoreline Impacts (Verified by SCAT Assessments)

County	Current Shoreline Impacts (Miles)	Type of Impact	People Assigned	Estimated Clean Date (Range for County)	SCAT Assessed to Date	Removal[1] (cubic yards)
Escambia	32.0	Mousse	870	23-Jun	45.1	
Santa Rosa	0.0		2		0.0	
Okaloosa	12.0	Mousse	108	17-Jun-10	25.7	
Walton	6.0	Mousse	74	17-Jun-10	24.6	
Bay	20.0	Mousse	124	19-Jun-10	42.5	
Gulf	26.0	Mousse	186	20-Jun-10	0.0	
Franklin	0.0		3		0.0	
Wakulla	0.0		0		0.0	
Jefferson	0.0		0		0.0	
Taylor	0.0		0			
TOTAL	96.0		1,367		137.9	908

Claims Summary

# of Claims	$ Dispersed	Denied	Checks Dispersed	> 30 days	Centers	People
15,946	$12,649,271	0	3,768	*[2]	12	141

Wildlife

Type	Collected Alive	Collected Dead	Total	Released
Birds	36	220	256	2
Sea Turtles	9	37	46	0
Mammals	2	1	3	0

Resources

Boom Stats[3]	
Boom Required by Plan	431,075
Required (w/ wear & tear)	474,183
Boom Deployed	308,600
Boom Staged	56,050
Percent Complete	85%
Surplus/Shortfall	-66,425
Requested above Plan	0
Deployed above Plan	0
Boom rcvd in last 24hrs	0
Boom Ordered[4]	0

Personnel Totals ("Other" Category Includes Volunteers)	
Component	Number
USCG	8
Nat'l Guard	59
Contractors	5,639
BP	6
Other	27
Grand Total	5,739
SCAT/RAT	7

Equipment Assigned[5]

Platform	Number	Platform	Based (acft)	Spot/Recon (sorties)	Spray (sorties)	Logistics (sorties)
Vessels of Opportunity	568	Fixed Wing	2	4	0	1
Barges	22	Helo	3	10	0	1
Other Vessels	212					
Skimmers	110					

[1]New Metric: recovery of contaminated debris/solid waste in cubic yards beginning 16 June.
[2]Deepwater Integrated Services Team meeting with state officials to clarify processes and data access.
[3] Boom requirement for Franklin, Wakulla and Jefferson counties not included. Requirement anticipated to change as ACP priorities are refined. Stats reflect previous operational period; boom inventory results pend.
[4] 1.35M ft of boom ordered for entire response. 532,000 ft of boom due to arrive by 26 June & will be allocated as needed.
[5] Flight sorties conducted throughout the entire gulf region. Near/Offshore skimmers are UAC assigned assets.
Qualified Community Responders: To date, 2,177 volunteers have been trained to assist in land-based clean-up efforts.

Mr. LEMIEUX. Madam President, these are two documents from yesterday. I spoke a moment ago of 20 skimmers. That is a Thursday document; this is the Wednesday document.

This is the Snapshot Report No. 22, Deepwater Horizon Response, Wednesday, June 16, from the State of Florida's Governor Crist to Dave Halstead, State coordinating officer. This says, as of yesterday, 32 skimmers off the coast of Florida. The report we have from today has 20, so that is a drop of 12.

This is the National Incident Command Daily Situation Update, Shore Operations—Florida panhandle, Department of Homeland Security document.

It says there are 110 skimmers. We just found out that is for the entire gulf coast. What is being reported to us is that there are 110 skimmers for the entire gulf coast. Thirteen of those skimmers are off of Florida. We are told that those 13 are encapsulated within this number of 32. As of yesterday, 32; as of today, 20. Only 110 skimmers are off the entire gulf coast to fight this problem.

We are calling upon this administration to get its act together. We commend them for this fund yesterday. That is good work. We give credit where credit is due. But we have to stop this oil from coming to shore. These skimmers can do the job.

If there are 2,000 skimmers in this country, why aren't they headed to the gulf? If there are thousands of them around the world, why aren't they headed to the gulf? This question must be answered as quickly as possible.

My colleague from Alabama and I and others will continue to come to the Senate floor and urge this administration to get on top of this problem and get these skimmers where they need to be.

Mr. SESSIONS. Before the Senator leaves, I will ask a question to my colleague, because he has come to this lately. He might share with us—the Senator has had personal conversations with Admiral Allen, the point person, about this for some time, has he not? We still have difficulty getting firm numbers, as the Senator pointed out, about how many might be available and what prospects we have for the arrival of more skimmers, is that correct?

Mr. LEMIEUX. That is correct. We have been talking to the Coast Guard for weeks about trying to muster every skimmer available to the gulf for not just Florida but for Alabama, Mississippi, and Louisiana. I met with the President, Admiral Allen, Governor Crist, Congressman JEFF MILLER, and other State officials in Pensacola. We met for an hour. I asked about the skimmers and about the report from the State Department, and I asked: Did we decline foreign assistance? I asked about the skimmers. He said that, of course, Admiral Allen wants to get as many skimmers as possible, and he is working on it. That sounds good, but we need results. It is not just about effort; we need results. These reports are showing that we are not getting the results.

Mr. SESSIONS. Does the Senator understand that Admiral Allen has the power—or the President does—to enter into Jones Act waivers that need to be entered into, and that presumably could be done in a matter of minutes or hours? What is holding this up? Has the Senator been able to ascertain that?

Mr. LEMIEUX. I don't know what is holding it up. The Jones Act is not a barrier. That can be waived. The Jones Act was waived, as I understand it, after Katrina. There is power under the U.S. Code—I believe it is 46 U.S. Code, section 500, but I will check that—that gives the ability of agency heads of the Federal Government to waive the Jones Act.

The President and Admiral Allen tell us there are ships that have come from foreign countries. I hope that is true. I assume it is if they told us that. Why is the State Department on the one hand reporting that they are declining offers of assistance from 17 countries, and then we hear some ships are being used?

It comes back to the point my colleague, Senator NELSON from Florida, made about having a command and control unit. I am believing that Admiral Allen is running this operation, and I like him and commend him for his service. But we obviously need to have a better top-down control situation here so that we get some results.

Every person in America has to be scratching their head as to why these skimmers aren't there. Why aren't there hundreds of them off the coasts of Alabama, Florida, Louisiana, and Mississippi? We just celebrated the anniversary of Dunkirk a couple days ago, where the British civilians took their boats out and rescued the British soldiers who were retreating, and saved the day. Why aren't there boats there to save the day for the gulf coast?

Mr. SESSIONS. Well, has the Senator ascertained that anybody in our government is scouring the world and the United States to try to move every single skimmer that could possibly be brought to the gulf coast? If not, we are awfully late, wouldn't the Senator think? Shouldn't that have been done weeks ago?

Mr. LEMIEUX. That is a great point. There doesn't seem to be a sense of urgency. Job 1 is stopping the oil from leaking, and job 2 is stopping the oil from coming ashore. They are doing some good work. The President tells us that by the end of the month 90 percent will be contained. Let's hope that happens. Let's stop the oil from getting on our beaches, in our estuaries, our coastal waterways. The best way to do that with booming is skimming. As the Senator mentioned, skimming is working and the oil is able to be skimmed. Why are we waiting to ask Governors? As Admiral Allen told the Senator and me a moment ago, they are going to put in a request to Governors to free up skimmers. There are skimmers around the country that have to be on duty because there could be a spill someplace else. They have to request waivers. One, why are we waiting until now? Two, that is like saying your house is burning down, but the fire truck is covering another area in case a fire breaks out. Well, the fire is happening now. The skimmers need to go to the gulf now. Why there isn't that sense of urgency and followup, I cannot explain.

Mr. SESSIONS. I thank the Senator. I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

SHIPPING JOBS OVERSEAS

Mr. DORGAN. Madam President, I have filed an amendment to the underlying legislation. I know there is discussion about who might get an amendment. A lot have been filed. There is negotiation about which amendments might be made pending and debated. I hope this amendment will be. It has had a long and tortured history. It is an amendment I offered when the now-President, Barack Obama, was a Senator, and he strongly supported it. In fact, during his campaign, he talked a lot about this subject. It is the issue of shutting down a perverse tax incentive that exists in this country for shipping jobs overseas.

We provide tax incentives if you are willing to shut down your factory, fire your workers, and move your product elsewhere; we say we will give you a tax break. That is unbelievable. We have had four recorded votes in the Senate. I have lost all of them.

As it seems, many people believe we ought to continue this tax incentive. I think we ought to continue to try to get a majority in the Senate to agree with the proposition that, at long last, we have to stop subsidizing shipping American jobs overseas.

On this chart is a description of the ''cool, refreshing taste of mint dipped in dark chocolate.'' The ad, by Hershey's, is for their York Peppermint Patty, and it says, ''the cool, refreshing taste of mint dipped in dark chocolate will take you miles away.'' Little did we know that it will actually take you to Mexico, because that is where they began to make these mint patties. They used to be American made, all-American mint patties. But now they have gone to Mexico. In fact, 260 jobs were moved to Monterrey, Mexico, as part of a long-term Hershey's strategy. So that is mint patties. I suppose they