

as a foreign terrorist organization. Radicals with ties to other terrorist groups were aboard the ships. The flotilla launch was marked by violent, anti-Semitic rallies. Flotilla participants spoke to al Jazeera of martyrdom and sang intifada songs. All this shows the grotesque hypocrisy of those who would portray the flotilla participants as somehow being harmless peace activists. Nothing could be further from the truth.

Madam Speaker, the response of the Israeli Government was extraordinarily restrained and responsible. Israeli troops boarded the ships in the flotilla carrying paint ball guns, but when the crew beat them with iron rods, stabbed and lynched them and threw one of them off the deck, they got the order to defend themselves with their side arms. This, too, was right. Every government permits its troops to defend themselves when they are attacked.

I call on President Obama to give Israel our government's full support and to make unmistakably clear our government's position that Israel, in its response to the Gaza flotilla, was fully in the right. Whether or not the Israeli Government decides to adjust the blockade, our government must make it perfectly clear to all that we will never permit an anti-Israel media campaign to isolate America's most faithful and trusted friend in the Middle East.

□ 1745

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DANIEL E. LUNGREN) is recognized for 5 minutes.

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I take these 5 minutes to speak on a subject that is of utmost importance but that does not regularly get discussed here on the floor, which is the First Amendment to the Constitution, that part of it which deals with freedom of speech—that is, with freedom of political speech.

Now, obviously, the First Amendment of the Constitution does not merely protect political speech, but in the decision by the U.S. Supreme Court, known as *Citizens United vs. Federal Election Commission*, the Supreme Court noted that the First Amendment has its fullest and most urgent application to speech uttered during a campaign for political office.

In other words, they said, if you look at the essence of the First Amendment protection, it goes, first and foremost,

to political speech. They had this in laying the premise for the decision that they came to because the Supreme Court realized that the First Amendment's protection for political speech had been under assault by various pieces of legislation passed by this body, not that it was done for evil purposes or intentionally to undercut the Constitution of the United States; rather, it was done in a good-faith effort to try and deal with political campaigns and with the position of money in political campaigns.

The Supreme Court decided back in the 1970s, in *Buckley vs. Valeo*, that money is speech, meaning that the money you have you can use as you see fit to further your speech. You can print pamphlets; you can buy a megaphone; you can buy a radio ad; you can buy a television ad; you can hire somebody to represent your interest to appear in an ad for you. In other words, the Supreme Court recognized that, in the way that we communicate, oftentimes, it takes the use of money to further that communication.

So they made a decision at that point in time that, by terms of the First Amendment, you could not stop one from using one's money to express one's point of view. Then they went to the point of asking, But how does that apply when you are giving money to a candidate?

In those instances, the Court said that the government might be able to put some restrictions on speech—that is the use of money—but only if it is for the purpose of avoiding the corruption of the process. That is the only basis upon which the government can put some limitations, or parameters, around political speech.

In the *Citizens United* case, they had to decide: As people individually and as associated with others—and the First Amendment talks about freedom of association—what are they allowed to do, permitted to do, protected under the First Amendment, when they expend funds to express a point of view during a period of time that is close to an election?

That is why the Court said that First Amendment freedoms are at their height when the speaker is addressing matters of public policy, politics and governance and has its fullest and most urgent application to speech uttered during a campaign for political office, because that is the point in time when you might have the most influence on your fellow citizens.

Now, what does this have to do with what we are doing here on the floor?

Well, there is a bill that has been introduced, called the DISCLOSE Act—Democracy is Strengthened by Casting Light on Spending in Elections Act. We are led to believe by the majority that all this does is promote disclosure. Yet, in fact, what it does under its very terms is chill political speech, so much so that the National Rifle Association came out with a large complaint about the bill, saying that it would have an

undue burden on its operations in expressing itself and would intimidate membership. Now, some people scoffed at it and said, Well, it's the National Rifle Association talking again.

But what happened?

We have found that the majority listening to the National Rifle Association has created a specific exemption for that group and for others similarly situated, but not for others. That is the crux of the question: Do we have a situation in which now we say not only too big to fail but, for some, too big to file?

It is an affront to the First Amendment, and my hope is that we will not bring this bill to the floor, because, of all things, we should be most protective of the speech of our fellow citizens when they engage in political debate.

#### NATIONAL SECURITY AND DEPENDENCE ON OIL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 2009, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the majority leader.

##### DISCLOSURE

Mr. GARAMENDI. Madam Speaker, I rise today to engage in a colloquy with my colleagues on the Democratic side of the aisle, who will be along shortly, but before I launch into the issue of national security and of our dependence on oil, I would like to just address what my colleague from California was talking about, give an example of why disclosure is important, and would like to recognize the fact that it was the Republican Party mantra for nearly 20 years that the solution to campaign finance reform was disclosure. Now, apparently, they want to stand up and say they don't want disclosure after having, for 20 years, said they want disclosure.

Go figure.

The fact of the matter is, in California, in an election held just 2 weeks ago, disclosure under the State law has played a critical role in stopping Pacific Gas & Electric from ripping off the ratepayers of California and has played a critical role in stopping Mercury Insurance Company from doing the same to their customers.

The California law required disclosure. PG&E spent over \$40 million in, what I think, was blatant, false advertising, and at the bottom of each one of those ads, they had to read, "Paid for by Pacific Gas & Electric." Similarly, with Mercury Insurance Company, the public took one look at those ads, which they saw repeatedly, and said, Oh, that's who's behind it. Well, I'm a "no" vote.

Disclosure works, my Republican colleagues. It's what you wanted for more than 20 years, and now that you're about to get it, you don't want it. Well, I think not.

##### NATIONAL SECURITY AND DEPENDENCE ON OIL

Let me go to the subject at hand that we are to talk about this evening,

which is really the issue of national security.

For more than 40 years now, America has talked about energy independence, about literally breaking our addiction to oil. America is addicted to oil. We consume more than 25 percent of all the world's oil supply. Yet we have a very small portion of the reserves. We are literally sending overseas \$1 billion a day, with much of it going to countries that are actively supporting people who don't agree with us and people who are actually—well, perhaps—supporting terrorist organizations. Certainly, our national security is dependent upon going after the terrorists, and no one is going to do it more aggressively than the Obama administration, which has increased the antiterrorist activities of this Nation far more than during the Bush period—but back to oil.

If we doubt for a moment that our Nation's security is at risk with the current way in which we produce oil, you only need to take a look at the Gulf of Mexico. In the last 20 years, there have been more than 38 blowouts, none of them as large as what we now see with the Deepwater Horizon situation. Nonetheless, it is, in fact, a common occurrence, which has averaged more than one and a half per year over the last 20 years.

So is it safe?

Well, not so much. We just heard that saying from our Republican colleagues that the moratorium imposed by the President is somehow wrong. Hello? When two Air Force jets crashed within a month several years ago, the United States Air Force did what it calls a "stand-down." They grounded the entire fleet until they found out what was wrong. They corrected the problem and went on their way. That is exactly what President Obama has done. He did a stand-down of additional drilling in the Gulf of Mexico because, hey, there is a problem. This is an extraordinary blowout, one that is now exceeding everybody's estimate. The result: Oil on the beaches, dead birds and, according to *The Wall Street Journal* today, hmm, "Oil Spill Delivers Recovery Setback." This is specifically looking at the real estate industry along the gulf coast. They cite five or six projects here that may be jeopardized because of the oil spill.

This is a national security issue in the sense of how we get our oil, in the sense of our addiction to oil. It is time for us to recognize that. Because we have, in the past, consumed all of the easy oil, we are now going to the most difficult, the most dangerous, and the most risky places in the world, certainly to the deep waters. The Deepwater Horizon blowout is, perhaps, as much as 60,000 barrels a day. This is a very serious problem, and it deserves our attention.

Last night, the President spoke to the problem and committed his administration and this Nation to everything necessary to clean up and to plug the

well. My colleagues on the Republican side mentioned that, just 37 days ago, they started the relief. That's not true. They actually started the relief program on the very day of the blowout. It took a while to get it going, and it is going to take even longer to get it done.

So where are we going to go with this?

I've been joined by a couple of my colleagues today, and I would like to ask my colleague from California, Congresswoman JUDY CHU, to give us her thoughts on this situation.

Ms. CHU. Thank you, Congressman GARAMENDI, and thank you for bringing this very, very important order to the floor tonight.

I would like to focus for a moment on the oil spill and its impact on the victims.

Kim Tran doesn't know how he will pay this month's car insurance, and he has got no idea how he will take care of his mortgage, but what he is most in the dark about is when he will be able to get back in the water and start working again.

Kim is a deckhand on a commercial fishing boat which is stationed near Buras, Louisiana, in Plaquemines Parish. He is part of a close-knit community of Vietnamese and Cambodian shrimpers whom the gulf oil spill has hit particularly hard. Many of them came to the gulf coast in the 1980s as war refugees from Vietnam. They did well. It is estimated that the Vietnamese Americans own between one-third and one-half of all of the fishing vessels on the gulf coast.

After Katrina, they were one of the first groups to rebuild, but figuring out how to recover from the recent man-made disaster has been difficult. You see, for many of these fishermen, language is a barrier as bottomless as the Deepwater Horizon's well. Because English isn't essential for fishing, many have never learned it, so they rely on interpreters to help them cross the language barrier. It takes 14 words to translate the word "dispersant" into Vietnamese—and don't even get me started on what to do with acronyms like "EPA."

So not only have these fishermen lost their normal sources of work, but they have been locked out of the cleanup effort, too. Many have even had problems filing basic claims for lost income. These Vietnamese fishermen are just one group affected by the tragic gulf oil spill. Indeed, this spill has devastated lives up and down the gulf coast. It is the biggest environmental disaster in our Nation's history.

Yet Congress is working hard to repair the damage that has been done. I've joined in the effort to secure \$85 million in emergency funding to assess and respond to damages from the oil spill. This money improves the Federal response and guarantees compensation to out-of-work fishermen, but we know that is not enough.

I am proud also to sponsor a very, very important bill on the Judiciary

Committee. This bill is called the SPILL Act. It fixes our outdated liability laws, and it ensures that we can hold those who caused this spill accountable for the damage that they have done, but we know that's not enough either.

□ 1800

So I've cosponsored the bill to impose a moratorium on new drilling off the western coast of our country. The suspension is a great step forward to ensuring that a disaster like this never happens again. And even then, it's still not enough. Indeed, the only solution to this disaster, the only thing that truly makes sense, is to finally end this country's addiction to oil.

For decades, oil companies and lobbyists killed energy reform to keep their profits. For decades, our dependence on oil has hurt our economy and put the security of our country and our environment at risk. For decades, we knew that offshore drilling was just a disaster waiting to happen. Well, the news is that it has happened. And the Gulf oil spill shows that it's time to take back control of our energy policies—with clean power made right here in America.

We will never be able to undue this spill. As much as we wish it didn't happen, we can't pretend it never did. If we do, Kim Tran's worries about his car and house payments will only be afterthoughts because his town of Buras, and countless others like it along the Gulf Coast, will just disappear. But we will not let that happen.

Join me and make sure that these fishermen, these people, these families haven't suffered in vain. And let's make sure we clean up this spill, hold those who caused it accountable, and make sure it never happens again. Together, we will end our addiction to oil and create a better, cleaner future for our country.

Mr. GARAMENDI. Representative CHU, thank you very much for your statement and also mentioning the end of new oil leases off the West Coast. We call it the West Coast Ocean Protection Act. And it would prohibit new leases off the West Coast of the United States. This is a \$32 billion a year industry along the West Coast—California, Oregon, and Washington—that is dependent upon the pristine nature of that coast. In addition to that, the West Coast has a much different environment than the Gulf of Mexico. It's downright dangerous out there. High waves, high wind, and earthquakes, and a lot of other things that we'd say, Oh, that's not a good place to be drilling.

It's not enough to talk about the West Coast. I see my colleague from New York here, and I know that he, too, along with the residents of New York, are terribly interested in what is happening and in our natural energy policies and our move away from oil.

Congressman TONKO, if you would, please join us.

Mr. TONKO. Representative GARAMENDI, thank you for bringing us

together in this very thoughtful way. It's great to join you and Representative CHU and others who will be participating in this hour of dialogue where we really look in a very laser-sharp, focused way at this very tragic occurrence in the Gulf. Obviously, I think it's important to recognize the commitment made by the President and his administration to make certain that we do everything we can possible to make certain that we stay on this case of cleanup and capping.

Certainly, shutting off that leak of that oil well is incredibly important and the cleanup in that Gulf area that impacts the Gulf States is absolutely essential. And to have the President recognize that we have deployed some 30,000 workers that will be in the midst of that activity, helping, is important; to know that over 5,000 vessels have been solicited and that our National Guard numbers—over 17,500 forces—out there making a difference is important. But let's really look at the some of the situation here.

I really get concerned and joined with some Members in this House to advance correspondence to the BP CEO, stating very clearly with my colleagues that their priorities spoke volumes as to where they rest as a corporation. To have suggested that payments be made to investors as a high priority, be established as a high priority; to suggest that dollars going to marketing go to revamping their image, enhance their image, while we sit there and look for ways to cap this leak, while we continue to make certain that we need resources to clean up the Gulf, that didn't seem to be a very high priority with this company. And so it was, I think, very appropriate for us to respond in very forceful measure to address this strong language in a letter to the organization, to BP management, and state that what you really need to do is re-prioritize to make certain that what comes as the most important, essential bit of work here as you invest dollars—and they best ought to—as you do that, the priority has got to be to cap that leak, to clean up the Gulf, to make certain that we make whole the individuals, the States, the communities that surround that given region; to make certain that businesses are allowed to function again. When we think of the impact on agriculture, on tourism, on the seafood industry, to name a few, the impact on our ecosystem, on the environment, on the wildlife, it is painful to watch the news accounts of this continuing saga of a tragedy. And so their priorities were misplaced and totally insensitive to the needs of people and industries and certainly the wildlife in this given region.

I had stated clearly at a press conference where we aired this letter that it was important for them to not be so concerned about their image but rather deal with the basics. And I said, Before you shore up your image, clean up our shores. I think it's straightforward and

easily understood. That's where I would like to see the priorities. And today, after pressure from the President and many of us in Congress, I think the company has heard the message. They have been given this forceful statement, and they are now responding to the pressure by suggesting they are setting up an account that will respond to some of these needs. They are setting up an account that will deal with the compensation fund for oil workers who are out of work because of the catastrophe.

Now, one can only imagine what would have been the outcome, how much less impacting the outcome would have been, if they had embraced the same order of integrity when it came to the technology they should have utilized with the drilling operation. You know, they asked to go 5,000 feet deeper. They want to drill a mile deeper. But the impact of the damage, without the right technology and discipline and regulation, meant hundreds of miles of spread. From that 1 mile deeper, hundreds of miles of impact because of that lack of integrity.

And so I am here with you this evening in spirit and in voice to say that we need to stay on this dilemma, we need to stay on this catastrophe, until all of the essentials are done—the clean up, the capping, the reforms that are essential—and making certain that the dollars, the resources are coming from the source—the source of the pollution here—in this case, BP.

So, thank you, Representative GARAMENDI, for bringing us together, and it's great to join you and our colleagues here this evening.

Mr. GARAMENDI. Representative TONKO, thank you once again for being both eloquent and right on the target of the issue that's out before us. When you talk about the nature of the spill, this map is a recent one from the US Geological Survey and NOAA—actually, NOAA. And if you look at the size of that spill, it looks like it's getting about the same size as Louisiana itself, and of course, the Gulf Coast along here is seriously threatened and the extraordinary wildlife and habitat of the Mississippi Delta is at risk and already seriously hurt by it.

You mentioned BP—and maybe, maybe, but I'm not convinced that BP has actually gotten the message that their first task is to clean up. Their \$50 million PR campaign, I've seen some of the ads. If they had spent that \$50 million on the proper blowout protector and actually had put in the most modern protection at the well head and not cut the corners, as is becoming increasingly obvious, in the drilling techniques and in securing the well itself, they wouldn't have to be spending multiple billions of dollars cleaning up.

They absolutely must put that money into a trust fund. BP is not to be trusted to adequately distribute that money to the people that have been harmed. So the President is right. Create the trust fund. Put an inde-

pendent party in charge of it and let the money go to those that have been seriously harmed by this, as well as the wildlife and the damages there.

By the way, we really ought to pass a bill to increase the liability limit. And I know that bill will be moving through here.

Joining us from—well, my neighbor in California, Congresswoman BARBARA LEE, who about 2 years ago, you experienced an oil spill on the shores of your district.

Representative LEE, thank you for joining us.

Ms. LEE of California. Yes, Congressman GARAMENDI, we did experience a devastating oil spill 3 years ago, and that's why many of us know from personal experience and from a history of trying to find a way to help our country become energy independent and end this addiction of oil. We have worked on this issue for many, many years. So I am very pleased that you've taken the lead in sponsoring a bill, which I am proud to cosponsor, H.R. 5213, which would really create a ban, mind you. We need more than moratorium. We need a ban on offshore oil and natural gas drilling from platforms in Federal waters, particularly near California, Oregon, and Washington, which your bill addresses. I think what we have seen in the Gulf really explains why we're doing this, first of all, on the West Coast, but this needs to be done nationwide.

The fact is, offshore drilling poses too great a risk to our coastal communities, economies, and our ecosystem. This has been made painfully clear by the recent British Petroleum oil spill disaster in the Gulf of Mexico. Every day, we have seen more and more damage to our Gulf Coast, with really no end in sight. Over the course of weeks, estimates of the damages have risen from, I think it was \$14 billion, now to \$34 billion. Who knows how many billion this is going to end up being. As millions of gallons of oil flow into the Gulf each day, I can't imagine what this will be like in a few months, let alone in the years to come.

Over 50,000 claims have been filed by small businesses for economic losses and thousands more workers have lost their jobs. Every day, new fishing areas are closed off, new coastline is contaminated, and more communities are affected. BP must be held accountable, and they must pay for this tragedy. The fragile ecosystem, which once sustained over 400 species of wildlife, are so ravaged that experts cannot even begin to assess the damage. However, they all agree on this—that the long-term health and environmental effects of this spill will plague the region for generations to come. We cannot continue to put our economy and our environment and the health of our children on the line. We must stop the drilling.

Just a few decades ago, California experienced a similar spill. That oil spill was so toxic and ruinous that it led to the creation of the Environmental Protection Agency and the declaration of

the first Earth day by the Santa Barbara City Council. We understand just how devastating these chemicals can be both to our Nation's ecosystem and to our economy. It's time we start making decisions for our future. This is a terrible, tragic wake-up call. We cannot continue to endanger our natural treasures or economic prosperity for a paltry reward in the form of a decade or so of oil and natural gas protection.

The Deepwater Horizon explosion was really not an isolated incident. According to the Minerals Management Service, there were 38 blowouts, mind you—38—in the Gulf of Mexico between 1992 and 2006. Just yesterday, the CEO of ExxonMobil admitted that when spills happen, we are, "not well-equipped to handle them." I don't know what they do with the billions of profits that they make. But if we aren't prepared, then we really shouldn't be drilling.

Perhaps the greatest tragedy behind the BP oil spill disaster is that it really did not need to happen. Today, we have the power to learn from history and to chart a new path. In order to safeguard the natural beauty, wildlife, and ocean-based economies of California, Oregon, and Washington, Congressman GARAMENDI's bill really does set the standard. We've got to move forward with a permanent moratorium or permanent ban on offshore oil drilling in Federal waters off the West Coast.

The environmental disaster that we're witnessing in the Gulf is a symptom of a much larger problem; that is our perilous dependency, as I said earlier, on, really, dirty fossil fuels. We must work to end that addiction today or really risk sacrificing our environment for the future. The best and most responsible way forward is one in which our coastlines remain free of offshore oil and gas drilling and our demand for fossil fuels is diminished through the use of renewable energy sources and the deployment of energy-efficient technologies.

It's time to take a stand, and it's time to declare that enough is enough. We must be committed to a cleaner, greener future—and that future starts with putting and end to offshore drilling. I think the President is right on point. I think we need to move forward and support Congressman GARAMENDI's bill. And we need to really recognize that the horrific tragedy that we're seeing today is really a sign of what could happen tomorrow, and use this as a defining moment to regroup and to become clearer about our future in terms of our energy independence.

Thank you, again, Congressman GARAMENDI, for your leadership.

□ 1815

Mr. GARAMENDI. Thank you very much, Representative LEE. And thank you for all the work you did dealing with that problem in the San Francisco Bay when the ship hit the bridge. We had our own little spill over there.

I had pulled this placard up with the pictures of the oil and the birds. And I

didn't realize until you started talking about the escalation and the estimate of the amount of oil that spilled—my staff put this together actually about 4 weeks ago—and they said by Father's Day it would be the worst spill ever. At 60,000 barrels, it was actually the worst spill after about the first 3 weeks. So in any case, we have got a real serious problem there.

I notice that I have fortunately been joined by three Representatives from a wide, diverse part of America. From the west coast, in the great metropolitan area of Los Angeles, Congresswoman WATSON, if you would care to join us.

Ms. WATSON. Yes. I want to thank you, Congressman GARAMENDI, for your leadership. As a Californian, I am so proud of the leadership you are taking here. Former Lieutenant Governor, you know our State so well, and your charts are depicting the problems that not only the gulf coast has, but we've had our disasters as well. And I just want the public to understand our commitment.

From day one, the Obama administration has been committed to containing the damage from the BP oil spill and extending to the people of the gulf the help they need to confront what is the worst environmental disaster America has ever faced, and we will continue to fight this spill with everything we have for as long as it takes. That is a commitment that is made from the top and all the way through every level of government. We will make BP pay for the damage that their company has caused our country, and we will do whatever is necessary to help the gulf coast and its people recover from this massive tragedy.

This has already been the largest environmental cleanup effort in our country's history. We now have nearly 30,000 personnel who are working across four States to contain and clean up the oil, thousands of ships and other vessels are responding in the gulf, and the President has authorized a deployment of over 17,000 National Guard members along the coast. And because of these response efforts, millions of gallons of oil have already been removed from the water through burning, skimming and other collection methods. Over 5.5 million feet of boom have been laid across the water to block and absorb the approaching oil. We have approved the construction of new barrier islands in Louisiana to try to stop the oil before it reaches the shore. We're working with the affected States to implement creative approaches to their unique coastlines, and we will offer whatever additional resources and assistance they may need.

Now the President is meeting and has met with the chairman of BP and will inform him—and has—that he is to set aside whatever resources are required to compensate the workers and business owners who have been harmed as a result of his company's recklessness.

This fund will not be controlled by BP, but instead by an independent third party in order to ensure all legitimate claims are paid out in a fair and timely manner.

But we also need to be committed to a long-term plan for restoration that goes beyond responding to the crisis of the moment. So the President has asked the Secretary of the Navy and former Mississippi Governor Ray Mabus to develop a long-term gulf coast restoration plan as soon as possible. And the plan will be designed by States, local communities, tribes, fishermen, businesses, conversationalists, and other gulf residents. And BP will pay for the impact this spill has had on the region.

We also are taking steps to ensure a disaster like this does not happen again, and that's why the President has established a national commission to understand the causes of this disaster and offer recommendations on what additional safety and environmental standards need to be put in place. The President has issued a 6-month moratorium on the deepwater drilling. He is mindful that this creates difficulty for the people who work on these rigs, but for the sake of their safety and for the sake of the entire region, we need to know the facts before we allow deepwater drilling to continue.

And while the President urges the commission to complete its work as quickly as possible, he expects them to do that work thoroughly and impartially. We have already begun to take action at the Minerals Management Service to ensure more effective oversight and end the close relationship between oil companies and the agency that regulates them. The President has asked Michael Bromwich, a former Federal prosecutor and inspector general, to lead this effort and to build an organization that acts as the oil industry's watchdog, not its partner.

So we must look towards the future, Mr. GARAMENDI. We must look at our energy future, and we must get off this addiction to oil. You know, the globe is speaking to us. We've gone too deep this time. And at the core of this Earth there is a lot of static and volatile motion, and we're seeing it bubble up. And when we look around this globe, and we see the volcano explosion in Iceland that grounded planes for weeks, when we look at the earthquake down in Haiti, and we see other effects on the globe natural, we're getting the message.

So we must take action to look at our planet, to notice the environmental tragedies that really underscore the need for this Nation to embrace a clean-energy future. I look forward to having conversations on this floor with all of my colleagues. And with you leading those conversations, we will make plans that will sustain a future for those yet unborn, and that is the purpose of looking towards new energy sources that don't violate the surface of our planet or go down so deep

they disturb the powers underground. I thank you so very much.

Mr. GARAMENDI. Thank you so very much for your eloquent comments on what has happened, what we must do.

I notice that sitting next to you is a Representative from the other side of the American continent, Representative MORAN from the Commonwealth of Virginia.

Mr. MORAN of Virginia. Mr. GARAMENDI, thank you for having this Special Order. We in Virginia—not all of us, but many of us—watch with sadness at what happened to the California shores, and we don't want it repeated in Virginia. Even though the Governor and the Republican Party have pushed and pushed with these silly mantras, Drill, baby, drill, and Drill here, and drill everywhere, we're not going to let it happen. If we had not been diligent, we might have some drilling rigs off the shore of Virginia today, but we don't. And they're not going to go there until there is substantial modification of the industry practices with regard to offshore drilling.

Let's bear in mind that what we are talking about is our Nation's oil. It's not oil that's owned by these oil companies or by the private sector. It's owned by us, the taxpayer. It's public land. It's owned by our children and our grandchildren. And instead of being put to our benefit and their benefit, because of neglect, carelessness, irresponsible decisions, it is destroying the ecology of the gulf and could well destroy the ecology of the Everglades along the Florida shore, and could even go up the east coast. We have no idea how extensive this damage is going to be, nor how expensive it will be to clean it up. But we're now getting an idea of why it happened.

And I would say to the gentleman and to the Speaker that we ought to be mindful, first of all, that this was not under President Obama's watch. It was not under any kind of Democratic policy. It was under the administration of a President who owned an oil drilling company, an oil exploration company, a Vice President who was the CEO of Halliburton, who made money from manufacturing and installing drilling rigs—in fact, continued to own thousands of shares of Halliburton while they made enormous profits not only from drilling rigs but from the wars in Iraq and Afghanistan. So while these two folks sit back, the damage is being inflicted upon people who bore no fault but, in fact, became dependent upon this industry. And our hearts go out not just to those who lost their lives but to those who have lost their livelihoods.

Now, when we trace back how this particular drilling rig exploded, we find that there were a number of points along the way where it could have been avoided. Back in 2003, the Interior Department—the Bush administration's Interior Department—agreed with BP and other oil companies that installing

a \$500,000 acoustical shutoff switch on every offshore rig would be unreasonably expensive, even though such a shutoff switch would have prevented all of this oil from spewing out. Now it's costing BP billions of dollars. It's costing our country billions of dollars in tourism, to the fishing industry, and it's costing the lives of thousands and thousands of people because they cut corners. They weren't even willing to spend \$500,000—a half million dollars on a shutoff switch.

And then they feel badly. They think they are being beaten up on by the Congress. Well, let me share some of the reasons why they've lost their credibility. For one, they started out telling us that it was about 1,000 barrels a day that were leaking. I think the gentleman will remember that. Of course there are 42 gallons in a barrel, which would mean that every day, about 200,000 gallons of oil were being emitted. Well, it wasn't 1,000. Then they went up to 5,000, which means that—well, with 5,000 instead of 42,000 gallons of oil a day, it was 210,000. But the 5,000, even though the scientists at the Minerals Management Service say, We think it's much larger than this, the scientists continued to be ignored. And now we find that every second, 18 gallons of oil is being emitted from this spill.

Now, think about that. Most of us, to fill our tank, the gas tank in our car, it takes about 18 gallons. All of that is going out into the gulf every second, which means that we've got more than 1,000 a minute. We've got 65,000 gallons an hour, and we have 1.6 million gallons every day. It's hard for the mind to comprehend that, but 1.6 million gallons of oil is coming out into the gulf every day. And this has gone on for, what, 50 days.

Now, what has to happen in the future is there needs to be a time-out. No more deepwater drilling until, number one, we have the technology on hand. The Minerals Management Service has been assured that this cannot happen again.

□ 1830

We had a 30-day open window when they had the ability to determine whether permits should be issued. Under the Bush administration, it was automatic. They didn't take any of that time.

But in the future, we need trained personnel. We need tested equipment. We need all of the technology to be on hand. And all of that research that should have been done, it needs to be paid for by the oil companies. The taxpayers shouldn't have to pay for that research. The taxpayers shouldn't have to pay for the training. And the taxpayers, obviously, shouldn't pay for the equipment. All of it needs to be tested because it is the taxpayers' oil. It is the taxpayers' land, and it has been exploited and a lot of people have made billions of dollars by drilling off our land, drilling the oil that really be-

longs to our children and grandchildren.

Well, it is time to put a stop to this. As far as I am concerned, there should be a moratorium until we can assure the American public and our children and grandchildren that this can't happen again because the government is going to be the sheriff in the future. The Obama administration is going to put in the people that care about our environment that are going to regulate this oil drilling and are going to ensure that this kind of catastrophe never happens again because we are not going to show the kind of negligence and greed that drove this situation to occur.

So I thank you, Mr. GARAMENDI. Again, let me conclude by ending where I started, that we feel bad for what happened to California. We feel worse for what is now the worst ecological disaster in the gulf, but we have to make sure that we learn from this and we never, ever let something like this happen again.

Mr. GARAMENDI. Mr. MORAN, how correct you are: never let this happen again. It is not just drill, baby, drill. What we have seen is spill, baby, spill. There have been 38 blowouts in the gulf between 1992 until 2009. You used the words irresponsible actions, corners being cut, and decisions being made that led to this blowout. You mentioned the \$500,000 that could have been spent and should have been spent on an acoustical switch.

I was talking to one of our colleagues here who was a former Federal prosecutor, and the colleague said to me, if there is evidence that two of the BP executives worked together to circumvent a law or regulation, it may very well be criminal conspiracy. To that end, the Obama Justice Department has initiated a criminal probe of BP's actions with regard to this spill. We know that this is not the first time BP has been involved in a serious accident that has cost lives: 11 at this drilling rig; at their refinery in Texas, another large number of employees were both injured and killed. It is time for this industry to get its act together.

I know that the gentleman from New York (Mr. TONKO) has been involved in this for very long. If you would pick this up and carry us for a little while.

Mr. TONKO. Representative GARAMENDI, listening to Representative MORAN from Virginia reminds us of the investment in technology that should accompany this situation. There should have been the checks and balances, and there should have been the investment; as he suggested, a drop-in-the-bucket investment compared to the damages now associated with this catastrophe. I know the people I represent in the 21st Congressional District watch with sadness as they see the news accounts that show us the day-to-day responses with regard to this disaster.

We have heard a lot of talk about alternatives and technology that needs

to be embraced to carry us into a clean energy economy. My region in the capital region of New York State is ripe with that sort of opportunity. It is investing in high-tech opportunities for clean energy jobs, in innovation, energy intellect, energy ideas, energy technology that will enable us to move forward with a progressive agenda.

The fact that we have been held back by slogans and mantras such as “drill, baby, drill” have held back the progress. Even the likes of T. Boone Pickens has said we can’t drill our way out of the energy crises of this country or the world. We need to embrace that new technology. We need to bring about the type of jobs that will allow for a clean energy economy to take hold, and to make certain that we invest in those subsidies that will take us into renewables like utilizing our sun and our wind and our soil and our water to create and respond to the energy generation that we require. I think that is so very important.

Mr. GARAMENDI. If I might interrupt you for a second, well, maybe more than a second.

We prepared a little diagram here, and let’s consider this a quiz for the American public.

Which of these energy sources gets the most Federal subsidies? Would it be solar, maybe the algae, the new technologies of algae-producing fuel? How about wave action? Or maybe it is wind? Or maybe it is the oil industry? Which ones?

Mr. TONKO. I think we are going to have a sad answer there.

Mr. GARAMENDI. I am going to let people ponder that for a few minutes while I turn to the gentleman from California (Mr. FARR) who has been a champion of protecting the ocean for many, many years.

Mr. FARR. Thank you, Congressman GARAMENDI. It was such a pleasure serving with you in the California legislature when we adopted a lot of legislation dealing with handling oil.

Tonight I would like to share with you essentially a tale of two States, States that are both oil-producing States, States that both have offshore oil drilling, and those two States are California and Louisiana.

Mr. Speaker, the comparison here is one that essentially I really want to ask Governor Jindal: Ask not what the Federal Government can do for Louisiana, but what Louisiana should be doing for its own constituency, as California has done for its constituency, knowing that we have an oil economy, somewhat of an oil economy in the State, and certainly an offshore oil economy.

The comparison is this. Both States have an oil response. California has a strong law on oil response. Louisiana has a very weak law on oil response. Why? That is something that Louisiana ought to correct. The California statute has stations throughout California, places to clean up wildlife. It is paid for, it is implemented. It is essen-

tially large, wildlife veterinary hospitals. The one in my district, you could even bring a small whale in there and operate on it. Louisiana has no such network, no such program, and no such allocation of resources.

Another big disability, big difference between the two, liability caps. Louisiana has a cap on liability. California has no cap on damages. Louisiana has a cap on damages. When you and I and our colleague, JACKIE SPEIER, who has joined us here, were all members of the State legislature, I authored legislation that you sponsored to put a strict liability on oil spills in California, a remarkable law. There is strict liability that has no cap on damages under State law.

Louisiana, being a friend of the oil companies, puts caps on damages. They are not asking for that cap right now, they are asking it to be raised.

The big difference number three between California and Louisiana, both offshore oil drilling States, is civil and criminal penalties. California sets up involved civil and criminal penalties, a whole section of law. Louisiana has no civil or criminal penalties.

Louisiana, come on. If you are going to cry now where is the Federal Government when you have a problem, why haven’t you risen to the occasion? California has had that law in place since 1990. Your law was enacted in 1991 with no teeth. It is about time you took responsibility for putting some teeth into your State law.

Lastly, what both States have is a Coastal Zone Management Act created by the Federal Government. There is a nifty provision in that act. It is called consistency provision. What that means is the State can review any proposal to do offshore oil drilling, whether it is in Federal waters or State waters. And as long as you have an adopted plan and that plan can explain why you should condition that oil drilling, or even deny that oil drilling in Federal waters, you have the power at the State level to do that. We in California have used that power and prevented the Federal Government from expanding its offshore oil drilling.

We are going further now with the bill that Mr. GARAMENDI has because we realize that drilling for oil off coast is high risk and low gain. You really don’t get a lot out of it. And the risk we can see in spades from what is happening in the gulf right now.

So Louisiana, don’t cry for what the Federal Government is not doing, cry for yourself as to what you are not doing to help your own constituency, put teeth in the laws that would allow you to deny those offshore oil drilling rigs, to put conditions on those offshore oil drilling rigs, to allow you to have the money to clean up the mess and help the wildlife, to put teeth in the penalties and to raise those caps. So we want to see our coastal States have a strong law. And most of all, we think if you really look at it, we shouldn’t be drilling offshore at all.

Lastly, I want to change the issue because one of it is about money. There is money that comes into the Federal Treasury from offshore oil drilling. It produces \$23.2 billion; \$23.2 billion. Out of that, Congress has authorized the expenditure of about \$5 billion in five programs: American Indian tribes get some of that money; historic preservation gets some of that money; lands and water conservation fund which is essentially land more than water, it is on land not offshore, get some of that money; the reclamation fund gets some of the money; and there are two funds that go back to the States.

But out of the \$23 billion fund, \$5 billion, less than 20 percent, is spent. Where does the rest of it go, into the United States Treasury. And guess what, all of that money made from offshore oil drilling and not a penny spent on the ocean. We have a big source of income that the United States Government can use to start with renewable resources, start investing in the oceans, and create an ocean fund and ocean governance plan so it isn’t chaos at sea, it is a planned, organized, smart way to use the ocean, just like we have learned smart ways to use the land.

I commend you on your bill and on your work, and thank you for inviting me to be here tonight.

Mr. GARAMENDI. Congressman FARR, thank you very much.

I am going to go back and answer the question about where did the Federal subsidies go in just a moment, but I see our colleague, Representative JACKIE SPEIER, arrived with the next generation that is going to have to live with our decisions that we are making right now with regard to climate change and the extraordinary consumption of carbon-based fuels.

Ms. SPEIER. Thank you, Congressman GARAMENDI, and thank you for your leadership in this area and for recognizing the next generation. Marianne Larson will be part of that next generation that is going to be asking the question: Did we do enough?

The question I have tonight that I would like to pose is when will we see enough damage to say enough is enough. How many oil spills do we need before we take decisive action to end our dependence on fossil fuels?

Just last week, probably not heard because we have been focused on the BP oil spill, but last week we saw yet another spill in Salt Lake City, Utah. Any oil spill is one too many, and the era of our planet being constantly contaminated by crude oil must come to an end.

The preventable accident in the gulf claimed 11 lives, tragically, and is now the worst environmental disaster in this country’s history, and the biggest environmental cleanup that we have ever undertaken. It serves as a terrible reminder of our country’s dangerous dependence on foreign oil. As long as we remain addicted to that oil, foreign and domestic, spills are inevitable. The question we have to ask ourselves: How



many more do we want to somehow live with? Live with the damage to our ecosystem, live with the damage to the people that are afflicted by it, the jobs that are lost, the tourism that is lost. They have been with us for over a century, these oil spills, and they will be with us for centuries more unless we break that addiction to oil.

□ 1845

We must replace oil in our energy supply with clean fuel. And it's right here. We have it. We know what it is. You pointed to some of them in that chart. And the stunning figure that I just heard that I would like to share with you tonight, Mr. GARAMENDI, is that, by just retrofitting 75,000 homes in this country, we would save the equivalent of all the oil that has spewed into the gulf by BP. Just retrofitting 75,000 homes.

Now, we have passed in this House legislation, the Home Star bill, which will spur the retrofitting of 3.3 million homes and create over 600,000 jobs. The energy saved from these retrofits, if the Senate passes that measure, would save more than 44 times the wasted energy floating in the gulf and would do so at one-fortieth of the cost.

Mr. GARAMENDI. You know, that's really, really interesting. And if I recall the vote, when that was on the floor, the Republicans voted against that. They didn't vote for one of the most important conservation programs we have that not only would save all that energy, but help each homeowner's utility bill. Go figure.

You mentioned this. We've got to go back here because I've got to answer this question. Please help me with this. Who gets the most subsidies; solar, algae, wave, wind, or oil?

Ms. SPEIER. The answer is?

Mr. GARAMENDI. The answer is oil. If you take a look, 2002 to 2008, where did the subsidies go? Well, the oil industry got over \$70 billion of taxpayer money in direct tax subsidies, \$72 billion. The green renewable energy got \$12.2 billion over that same period of time, 2002 to 2008. And in addition to that, the ethanol industry got \$16.8 billion.

So we really, if we took this money, this subsidy, \$70 billion over a 6-year period and shifted it over to this side, particularly up here to the renewable energy—this is solar, wind, advanced biofuels like algae and the rest—where would we be? Where would that young lady's future be? Renewable energy of all kinds. You shift the subsidies around.

Is that possible? Can we do that? What do you think?

Ms. SPEIER. Of course we can do it. It's all about whether we have the will. We can even allow Big Oil to continue to have some little subsidies, or equalize the subsidies that we are providing there and take that other money, take \$6 billion, retrofit 3.3 million homes in this country, create hundreds upon hundreds of thousands of jobs, and we would be better off.

Mr. GARAMENDI. Duh. Why didn't the Republicans vote for that? It makes eminent sense.

Ms. SPEIER. Well, it's the same reason that they sat in this Chamber a year-and-a-half ago and chanted over and over again, "Drill, baby, drill." It was like a high school football field. And they couldn't say it loud enough or long enough or repeat it often enough.

Mr. GARAMENDI. I wasn't here at that time. I got a special election last November. You are telling me that it was just less than a year ago?

Ms. SPEIER. About 18 months ago.

Mr. GARAMENDI. About 18 months ago they sat here and they said, "Drill, baby, drill"? I heard the same thing tonight. They said, End the moratorium on deepwater drilling. Drill. And I am going, You want another oil spill? Thirty-eight in the last 18 years in the gulf plus this big one. That's not the solution.

The solution lies in moving to a new energy source, the green technologies, the renewable energy, so that it is the sun that gives us the power in the future so that that young lady doesn't have to face the extraordinary impact that climate change will bring. We have to move away from carbon-based fuels.

Would you agree with that?

Ms. SPEIER. Oh, I absolutely agree with that. And I think that we have got to just face some very fundamental facts. If you continue to drill at 18,000 feet, you are asking for trouble.

Mr. GARAMENDI. Let's see, that fellow Murphy was right. Everything that can go wrong will go wrong. And BP didn't plan for what could go wrong. In fact, they ignored it. They put together an application that just ignored the possibility of the worst case. In situations like this, we must force the industry to assume the worst case will happen. We have seen it. No more.

Mr. Speaker, thank you so much for the time. I yield back.

#### CONGRESS MUST ACT TO DEFEND THE GULF

The SPEAKER pro tempore (Mr. BRIGHT). Under the Speaker's announced policy of January 6, 2009, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the minority leader.

Mr. CARTER. Mr. Speaker, I thank you for this hour. It's going to be an interesting couple of weeks on this issue of this oil spill, because we are going to get two conflicting points of view. I actually heard, I believe, that somehow this oil spill is now George W. Bush's fault. It reminds me of the game, the Kevin Bacon game that your job is no matter what actor or movie you lay out before the public, you have got to bring it back in seven cycles to Kevin Bacon. And it seems that everything that goes on in the United States, that the majority party seems to somehow think whatever goes on in the United

States they can somehow track it back to George W. Bush.

And what I heard was that Mr. Bush had used a drilling rig at some point in his life, and therefore it's Bush's fault that there was a failure, or something to that extent, a failure on this BP drilling rig. It's time to really stop. It's getting a little old for the American public, for them to hear constantly that no matter what goes wrong in the Obama administration it's George W. Bush's fault. I think this is getting a little old and getting a little bit, it seems to be sort of a fantasy that seems to be prevailing.

We have got a great disaster in the gulf, and nobody's denying we have a great disaster in the gulf. Today I heard a man who actually knows something about drilling in the gulf. I haven't heard anyone stand up that has talked on the majority side tonight and said, By the way, I have drilled these, and let me tell you what has happened in the gulf.

But TRENT FRANKS came before us today and showed us what has happened in the gulf—it is very interesting—and why the cap failed that they first started, and why the wells that are being drilled to intersect this well, the relief wells should be successful. And, you know, if you want to know how you do something, you ought to talk to somebody that's actually done it. And TRENT, a Member of this body, has actually done it.

So we will find out, whenever we get this spill stopped, we will find out what happened in the gulf to cause this thing to blow out. And it may be human error. It may be the company's error. It may be shortcuts they took. It may be the inspector's error. It could be just about anybody's error. We don't know.

Now, the truth is we don't have to know yet because the presumption is overwhelming that it's BP's responsibility, and they admit it. It's their responsibility. But blame-gaming is not going to stop the oil from flowing into the gulf. Putting our resources together at every level from every source is part of what you do when you have a national emergency. I don't care whether that national emergency has the name Katrina or Rita or Ike or any of the other names, or Carla or any of the other names of hurricanes that have swept across our gulf and attacked all Gulf States at some point in time, or it has the name—what's the name of this well? I can't even remember anymore. Anyway, just call it the BP well in the Gulf of Mexico that blew out. Blame game's not solving the problem.

What's the problem? When it's the hurricane, the wind's blowing and things are getting torn down, and we need to put our resources together to help the people and the industries that are attacked by that hurricane. Today we have animals, we have sea life, we have wildlife, sea life, human life that is threatened by this BP oil spill.