

divided on the LeMieux amendment No. 3774.

Who yields time?

The Senator from Florida.

Mr. LEMIEUX. Mr. President, this Chamber just supported and voted for the Franken amendment. My measure goes further. My measure says we are going to write these rating agencies out of the law. We should not reward bad behavior. There are other ways to determine creditworthiness. There will be a 2-year period to figure that out. There is a better way to solve this problem. These rating agencies were responsible for this debacle.

I yield the remainder of my time to my colleague, Senator CANTWELL.

Ms. CANTWELL. Mr. President, this language was also offered in the House by our colleague, BARNEY FRANK. It is appropriate that we don't require Federal agencies to just rely on these rating agencies. It is critical that agencies such as the FDIC and the Comptroller of the Currency use their discretion to come up with appropriate standards of creditworthiness and not rely on the monopoly of rating agencies. I hope my colleagues will support the amendment.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Connecticut.

Mr. DODD. Briefly, my concern with this amendment is we are replacing the rating agencies without having anything in their place. I urge my colleagues to vote no and yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. ENSIGN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 61, nays 38, as follows:

[Rollcall Vote No. 147 Leg.]

YEAS—61

Alexander	Crapo	Levin
Barrasso	DeMint	Lincoln
Bayh	Dorgan	Lugar
Begich	Ensign	McCain
Bennet	Enzi	McCaskill
Bennett	Feingold	McConnell
Bond	Graham	Menendez
Boxer	Grassley	Murkowski
Brown (MA)	Gregg	Murray
Brownback	Hatch	Reid
Bunning	Hutchison	Risch
Burr	Inhofe	Roberts
Cantwell	Isakson	Sanders
Chambliss	Johanns	Sessions
Coburn	Kaufman	Shelby
Cochran	Klobuchar	Snowe
Collins	Kyl	Specter
Corker	Landrieu	
Cornyn	LeMieux	

Thune
Udall (CO)

Vitter
Voinovich
NAYS—38

Wicker
Wyden

Akaka
Baucus
Bingaman
Brown (OH)
Burris
Cardin
Carper
Casey
Conrad
Dodd
Durbin
Feinstein
Franken

Gillibrand
Hagan
Harkin
Inouye
Johnson
Kerry
Kohl
Lautenberg
Leahy
Lieberman
Merkley
Mikulski
Nelson (NE)

Nelson (FL)
Pryor
Reed
Rockefeller
Schumer
Shaheen
Stabenow
Tester
Udall (NM)
Warner
Webb
Whitehouse

NOT VOTING—1

Byrd

The amendment (No. 3774), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

STUTTERING AWARENESS WEEK 2010

Mr. KAUFMAN. Mr. President, I rise today to mark National Stuttering Awareness Week.

Most of us take for granted the ability to speak comfortably and fluently. All we have to do is think of words, and they come out clearly. Introducing ourselves in meetings, holding conversations over the phone, ordering meals in restaurants—all of these are situations avoided by many people who stutter as a result of being self-conscious.

Approximately 3 million Americans stutter. Since President Ronald Reagan's proclamation in 1988, the second week in May has been observed as National Stuttering Awareness Week. It provides an opportunity for all of us—for all of us—to learn more about stuttering and ways to help those who stutter.

We have all encountered people who stutter. Contrary to popular misconception, stuttering is not a result of nervousness or emotional problems. It is not the fault of those who do it or of their families and friends. Stuttering is a speech disorder that is neurological and physiological. The cause to this day remains unknown, but a recent study indicates the likelihood that stuttering may be genetic.

While there is currently no cure, there are many treatment options available. Children usually begin stuttering between the ages of 2 and 5, and parents should not wait to seek treatment from a doctor or speech language pathologist. Early therapies have been shown to help reduce stuttering.

Those who continue to stutter in adulthood often face social and economic difficulties. Unfortunately, according to a 2009 study by the National Stuttering Association, 40 percent—40 percent—of adults and teenagers who stutter said they were denied a job or denied a promotion or denied a school opportunity as a result. Furthermore, 8 out of 10 children who stutter have reported being bullied and teased.

I am not just speaking about stuttering today because it is an important

issue for so many Americans, and I am not just speaking about it because my friend and predecessor, JOE BIDEN, the Vice President, has shared his story—his incredible story—of overcoming stuttering. This is a personal issue for me because stuttering runs in my wife's family, and I have been around people who stutter for many years.

When my wife Lynne was a child, her parents took her to a therapist for her stuttering, who recommended immobilizing her right arm with a solid tube. At that time, the theory was that if she were forced to learn to write using her left hand instead of her right, she could somehow be distracted from her stuttering. Suffice it to say, the tube did not work. She is just one example of what stutterers have historically had to endure. Thankfully, today there are great treatment options available from licensed professionals.

I am glad—very, very glad—there are great organizations, such as the National Stuttering Association and others, that are raising awareness on this important issue. There are important steps all of us can take to help those who stutter feel more confident and comfortable speaking. I hope people will go out and learn more about what they can do themselves, especially if they know someone who stutters.

In recognition of National Stuttering Awareness Week, I have submitted a resolution to mark this observance. I am proud to say I am joined by 27 of my colleagues in sponsoring this resolution supporting the goals and ideals of National Stuttering Awareness Week 2010, and I thank them for their support. They include Senators BARRASSO, SHERROD BROWN, BURRIS, CARDIN, CARPER, CANTWELL, CASEY, CORNYN, DURBIN, ENZI, GREGG, HAGAN, ISAKSON, LEMIEUX, LEVIN, MIKULSKI, PRYOR, REED, RISCH, SESSIONS, SHAHEEN, SNOWE, STABENOW, TESTER, WARNER, WHITEHOUSE, and TOM UDALL.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 524, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 524) supporting the goals and ideals of National Stuttering Awareness Week 2010.

There being no objection, the Senate proceeded to consider the resolution.

Mr. KAUFMAN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 524) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 524

Whereas an estimated 3,000,000 Americans are affected by stuttering;

Whereas stuttering is a communication disorder experienced by children and adults alike;

Whereas individuals who stutter frequently experience embarrassment, anxiety about speaking, and physical tension in their speech muscles;

Whereas many different types of stuttering exist, and the symptoms of stuttering can range from mild to severe;

Whereas the cause of stuttering is unknown, but research suggests stuttering may be genetic;

Whereas stuttering commonly begins in children between the ages of 2 and 5;

Whereas parents are encouraged to consult with pediatricians or qualified speech-language pathologists as soon as stuttering becomes apparent in a child in order to take advantage of early-intervention therapies;

Whereas it is known that stuttering is not—

- (1) a nervous disorder;
- (2) the result of emotional problems; or
- (3) the fault of the individual who stutters or the family of that individual;

Whereas a 2009 survey by the National Stuttering Association found that—

(1) 40 percent of adults and teenagers who stutter feel that they have been denied a job, a promotion, or a school opportunity as a result of stuttering; and

(2) 8 out of 10 children who stutter report being bullied or teased;

Whereas many individuals who stutter do not have access to qualified speech-language pathologists or helpful resources;

Whereas several treatments for stuttering exist that can help individuals who stutter learn to speak more easily and gain confidence in themselves and their ability to communicate effectively;

Whereas organizations like the National Stuttering Association have been working for many years to raise awareness about stuttering, the effect stuttering has on the lives of individuals who stutter, available treatment options, and research being conducted to investigate the causes of stuttering;

Whereas, on April 13, 1988, the President of the United States signed a proclamation designating the week of May 9 through 16 of that year as National Stuttering Awareness Week;

Whereas since 1988, individuals who stutter and the families and friends those individuals, as well as medical practitioners, speech language pathologists, researchers, and others have marked the second week of May as National Stuttering Awareness Week; and

Whereas the goals of the National Stuttering Awareness Week 2010 include increasing awareness among the people of the United States about stuttering and educating the people of the United States about ways to improve the lives of those who stutter: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Stuttering Awareness Week 2010; and

(2) encourages all of the people of the United States to learn more about stuttering and ways to help individuals who stutter feel more confident and comfortable speaking with others.

Mr. KAUFMAN. Thank you, Mr. President. I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 1:23 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. BURRIS).

RESTORING AMERICAN FINANCIAL STABILITY ACT OF 2010—Continued

The PRESIDING OFFICER. The Senator from New Jersey.

UNANIMOUS-CONSENT REQUEST—S. 3305

Mr. MENENDEZ. Mr. President, I rise to discuss legislation I have offered with some of my colleagues here: The Big Oil Bailout Prevention Act. It is legislation that would make absolutely certain big oil polluters pay for oil spills and the consequences of those spills, and not the American taxpayer, not small business owners, not States or the Federal Government.

For some time now we have been told by big oil companies that what is happening in the gulf simply couldn't happen; that it was impossible; that multiple redundant safety systems were in place to prevent it. Well, we have learned there is no such thing as too safe not to spill. Supposedly, the unthinkable has happened, and not only that, but it has happened before.

Last year in Australia, the Montara oil spill began on August 21. By some estimates, the spill sent over 80,000 gallons of oil a day into the waters off the coast of Australia. It was months before they could staunch the flow of oil, and it resulted in one of the largest environmental disasters in Australian history. We should have learned from that experience. But, no; we now have the challenge before the Nation today. In comparison, the deepwater well that is leaking in the gulf is sending nearly 210,000 gallons of oil a day into the gulf; over twice the flow from the Australian spill; several million gallons already; and just like the Australian spill, it could take months to drill the relief well. Two disasters in 1 year, yet big oil companies say over and over again that the technology was simply so safe, a spill such as this could never happen.

The reality is much different than industry claims. There simply is no safety system too safe to fail and no rig that is too safe not to spill. There is no doubt the damages that will be caused by this spill will be enormous. Unfortunately, Federal law sets a \$75 million limit on how much an oil company has to pay for damages—not the cleanup; that, they are clearly going to have to pay—but for the damages. So BP would not have to pay more than a total of \$75 million to small businesses from lost revenues for fishing, tourism, damage to the environment, the coastline, or the lost tax revenues of State and local governments.

That is why, along with Senators NELSON and LAUTENBERG, I have introduced the Big Oil Bailout Prevention Act to raise the liability cap for offshore oil well spills from \$75 million to \$10 billion. That will make sure that taxpayers, small business owners,

States, and local and Federal governments will not bail out big oil polluters for this spill or any other.

This spill should serve as a rallying cry for holding big oil accountable for the damages of this disaster and any future one, but it should also be a rallying cry to rethink expanding offshore drilling in places that are not already open to offshore drilling, such as my home State of New Jersey. Instead of expanding drilling and doubling down on 19th century fuels, we should be investing in a new 21st century green economy that will create thousands of new jobs, billions in new wealth, and help protect our oil and water from pollution.

We will revisit that debate soon enough, but for now I think we all should be able to agree that when an oil company causes damage by spilling oil into American waters, the oil company bears the responsibility to pay for the damage it caused. My mom taught me growing up that when you mess up, you clean up, and you are responsible for it. Oil companies should get that message as well. This will help make gulf communities whole and it will provide a stronger safety net for our communities along places such as the New Jersey shore who are looking warily at future plans for drilling along the east coast.

With that, Mr. President, I plan to ask unanimous consent on this issue, but first I wish to yield to my other colleagues who wish to speak on this issue as well. I yield 5 minutes to Senator LAUTENBERG and then 5 minutes to Senator NELSON.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. LAUTENBERG. Thank you, Mr. President. I thank my colleague for initiation of this bill. It will protect the American taxpayers and say to big oil: You did it, you pay for it; that is the way it goes.

I was lucky. I had two lifetime experiences that have stayed with me. One was growing up in a blue-collar family where we worried almost daily about how we would pay our bills. My father was sick for 13 months before he died at age 43 and we owed everybody—the pharmacist, the hospitals, the doctors. No insurance. No protection for the average person. Then I was fortunate enough to be able to be engaged in a business with two other fellows who had success beyond our wildest dreams. The company we started with nothing now has 46,000 employees in 26 countries, headquartered in New Jersey, of course.

I learned something in those experiences. I learned that if you fouled up, you were responsible for cleaning up, as mentioned by Senator MENENDEZ.

The American people want those responsible for doing dirt to clean up that mess, just as families do in their own lives. But the oil executives and