

on U.S. Navy ships have operated without killing one sailor. Why? The career of a ship's commander can be ended by one mistake. Incidentally, the number of deaths from nuclear accidents at U.S. commercial reactors is also zero.

No. 3, what was the President's cleanup plan and where were the people and equipment to implement it? In 1990, after the Exxon Valdez spill, a new law passed by Congress required that the President "ensure" the cleanup of a spill and have the people and equipment to do it. That is what the law has said since 1990. President Obama effectively delegated this job to the spiller, BP. Is that the President's only real option today? If so, what should future Presidents have on hand for backup if the spiller of oil cannot perform?

No. 4, put back on the table more onshore resources for oil and natural gas. Drilling in a few thousand acres along the edge of the 19 million-acre Alaska National Wildlife Refuge and at other onshore locations would produce vast oil supplies. A spill on land could be contained much more easily than 1 mile deep in water.

No. 5, electrify half our cars and trucks. This is an ambitious goal, but it is the single best way to reduce U.S. oil consumption. Electrifying half our cars and trucks could cut our oil consumption by about one-third, to about 13 million barrels of petroleum product a day. A Brookings Institution study says we can electrify half our cars and trucks without building one single new powerplant if we plug in our cars at night. Last week, Senator DORGAN, Senator MERKLEY, and I introduced legislation to jump-start America's effort to electrify half our cars and trucks. This is a subject about which Republicans and Democrats in the Senate agree.

No. 6, invest in energy research and development. This is another subject about which Republicans and Democrats in the Senate agree. A cost-competitive 500-mile battery would virtually guarantee eventual electrification of half our cars and trucks. While we are at it, reducing the cost of solar power by a factor of 4 would be a good response to a clean energy challenge, as would finding a way for utilities to actually make money from the CO<sub>2</sub> their coal plants produce.

No. 7, stop pretending wind power has anything to do with reducing America's dependence on oil. Windmills generate electricity, not transportation fuel. Wind has become the energy pet rock of the 21st century, as well as a taxpayer ripoff. According to the Energy Information Administration, wind produces only 1.3 percent of U.S. electricity but receives Federal taxpayer subsidies 25 times as much per megawatt hour as subsidies for all other forms of electricity production combined. Wind can be a useful energy supplement, but it has nothing to do with ending our dependence on oil.

No. 8, if we need more green electricity, build nuclear plants. This is

another subject upon which Republicans and Democrats agree. The 100 commercial nuclear plants we already have produce 70 percent of our pollution-free, carbon-free electricity. Yet the United States has not broken ground on a new reactor in 30 years, while China starts one every 3 months and France is 80 percent nuclear. We would not put our nuclear navy in mothballs if we were going to war. We should not put our nuclear plants in mothballs if we want low-cost, reliable green energy.

Finally, Nos. 9 and 10.

No. 9, focus on conservation. In the region where I live, the Tennessee Valley Authority could close four of its dirtiest coal plants if we residents of the TVA region reduced our per capita use of electricity just to the national average.

No. 10, make sure liability limits are appropriate for spill damage. The Oil Spill Liability Trust Fund, funded by a per-barrel fee on industry, should be adjusted to pay for cleanup and to compensate those hurt by spills. An industry insurance program like that of the nuclear industry is also an attractive model to consider.

So I offer this afternoon these 10 grownup steps—grownup steps forward that could help turn a tragic event into a stronger America.

I thank the Acting President pro tempore and yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, are we in morning business?

The ACTING PRESIDENT pro tempore. Yes.

#### OILSPILL CLOSES IN

Mr. NELSON of Florida. Mr. President, my worst fears are coming true. The wind that had so blessed us in our State of Florida for going on 7 weeks now shifted a few days ago, and this big spill of oil is moving to the east and to the northeast, and it is closing in on the gulf coast, the northwest gulf coast of Florida.

Thus far, most of the more concentrated oil is well off shore. Under the command of the Coast Guard, there are skimmers 25 to 50 miles out from the coast that have a boom that goes out from a fairly decently sized ship that then scoops up that oil into a concentrated area. Then they have what is kind of like a vacuum pump. It is almost like a vacuum cleaner. It sits and floats on top of the water, on top of the oil, and it sucks it up into a pipe, and that goes into a tank or a rubber bladder on top of the ship. Thus far, they

have been able to take care of a good bit of that oil.

Of course, that is the strategy—to keep the oil offshore; don't let it get to shore because when it does, it messes up your beach and, even worse, it messes up the wetlands. As a matter of fact, when oil gets into wetlands, into marsh grass, into mangroves, you have a problem. More than likely, it is going to take a while for that marsh grass to come back. Mangroves and oil do not mix. Of course, then we are talking about these unique estuaries that spawn so much of our marine life in the Gulf of Mexico. So what we have is a nightmare that potentially is coming to reality.

There are a lot of people who are working awfully hard. The Coast Guard is working hard, but right now the Coast Guard is stretched to the limit. There are only so many Coastguardsmen. They still have to do all the things the Coast Guard has to do all over the world, including the gulf coast. They still have to do rescue. They still have to do search missions. Down in south Florida, we still have to have the Coast Guard there going after the drug runners. So there is a limited amount we can have. As good as those men and women are, they are stretched to the limit. They are going around the clock.

As the oil continues to gush, this problem is going to become more and more acute. It could become acute in a number of ways. We are being told—and I can certainly say this Senator has become a skeptic about what is correct information. Remember when we were told it was only 1,000 barrels of oil a day that was gushing into the gulf? A couple of weeks later, that was revised to 5,000 barrels of oil a day, and then that was revised to 12,000, but the report was omitted that said it could be as high as 25,000.

Now we are told that this attempt called the top hat; that is, an attempt to put a cap on the top of that blowout preventer where they cut off the riser pipe, and the oil is going up to the surface to a tanker—they are saying that is now 10,000 barrels a day, but look at the live video and see how much of it is still gushing outside of that top hat.

So how much is going into the gulf? Well, if it is 25,000 barrels a day, if that is the accurate figure, there is still 15,000 barrels of oil a day going into the gulf. And if it keeps going—and the Coast Guard admiral said yesterday it is going to go until September, until they can get the relief wells down and try to plug it with cement down near the oil reservoir, which is some 18,000 feet below the seabed. If it keeps gushing that amount all the way to September, it will be close to the largest oilspill there has ever been on planet Earth in the sea, which was the Ixtoc in the Bay of Campeche spill that spewed for 10 months. By the way, it was only in 150 feet of water, and they couldn't get it stopped. This is in 5,000 feet of water.

If I sound a little distressed and frustrated, it is that I am because this Senator is reflecting the feelings of his people.

What about the fishermen—those fishermen who have offered to use their boats for BP but have not been contracted to use them, but they can't use their boats because the waters are closed or even if the waters are not closed, the fish houses won't buy their fish because fish houses from all over the country are calling in and saying: We don't want your gulf fish; we think it is tainted.

What about those charter boat captains, in the height of the season, summer, on the gulf coast of Florida? Those boat captains don't have the recreational fishermen coming and chartering their boats to go out because over a third of the gulf is closed, and for the same reasons—they are worried about the fish. Are they getting hired by BP? Why are they hiring people from Tennessee and Arkansas and North Carolina with boats? Why aren't they hiring the Florida fishermen whose livelihoods have vanished?

I am expressing some of the frustration my people are expressing to me.

What about the poor hotel owners? They are at the height of the season. It starts Memorial Day and goes all the way to Labor Day. What about them? What about the restaurants that are in the height of the season? We hope people will come, because the beaches are still some of the most beautiful in the world. But the fact that they now see these silver-dollar-size tar balls—in some cases, hamburger-patty-size tar balls—that are all over the beach, are they still going to come and honor their reservation at the hotel? Will they go to the local restaurant? And if they do go there, will they order the local seafood?

There are a lot of frustrated folks. By the way, Mr. President, the Presiding Officer is the former chief executive of his State. What about the local and State revenues? The State of Florida doesn't have an income tax. The State of Florida has a sales tax. The sales tax—if people are not staying in hotel rooms, and they are not buying meals in restaurants, and if they are not buying down at the local stores, the revenue is starting to dip. What is going to happen to the budgets of the local and the State governments and the revenues they come to expect?

In the midst of all of this, we hear that BP says it will be accountable. Yet, we come out here on this floor—Senator MENENDEZ, Senator LAUTENBERG, and I—and ask unanimous consent that in order to eliminate the artificially low cap of \$75 million on liability for economic losses, there is always an oil State Senator who will stand up and object to our consent request to raise this artificially low cap. BP says it is going to, in fact, take care of legitimate expenses. But at the same time, BP was quick to point out in hearings that have gone on for sev-

eral weeks—and certainly the nine hearings this week will go on—it will point out that there is a certain responsibility of the operator of the rig, Transocean, and the operator of putting the cement down into the well, around the casing that was supposed to be set, but obviously was imperfect—that operator was Halliburton.

So, in effect, what we are going to have, and already have, is people pointing both ways. There are going to be so many lawsuits that will go on by the time they get to the bottom of this. And the investigation is going to go on for so long. In the meantime, what about our people and their livelihoods? What are they going to do?

I was told by the fishermen that you have to have 14 days in which to actually send in the requisition after you have done your work, once you have been signed up, and you then expect to be paid within 14 days after you submitted your request for payment. Plus 14 is 28, so where is the fisherman going to get any money within that month in order to pay his deckhands, his assistants, and to pay his bills? It can continue to multiply. You wonder why I sound frustrated? There is so much uncertainty and people are scared.

In the meantime, BP indeed has given some money for an advertising campaign—and that is a good thing—for Florida to run advertisements to say that our beaches are open, come on. But you know the reality of what they are hearing. I hope people will, because I can tell you those tar balls that are there—if people will get out there and clean it up—oh, by the way, it has to be an appropriately recognized group to go out and clean up the tar balls contracted by BP. Why can't we get our local governments to go out there and get those tar balls off the beach, so our guests and visitors can enjoy our God-given assets?

All of these are questions that are still to be answered. So I am going to try several times with my colleagues to continue to get this artificially low cap raised so it will send a message to any oil company that in the future you better not cut corners. You better not have that cozy, incestuous relationship with the government regulator you have had for the last two decades. You better not think you are going to influence the government regulator as you have—as has been stated by the inspector general's report in 2008—with sex, drugs, booze, gifts, trips. And the revolving door, as stated by the most recent IG report last month—the revolving door, where they come out of the industry, the door revolves, and they come in as the MMS, the Minerals Management Service, the government regulator; and then the door revolves and they go right back into the employ of the oil industry. That is a conflict of interest. That is not government oversight of an industry, and it has led to this circumstance, where three apparatuses did not work as back-up mechanisms on the blow-out preventer,

and it has led to the sad condition that we now have, where oil is gushing, and has been for 49 days, into the Gulf of Mexico and is ruining a culture and a way of life.

I want to say that the Presiding Officer's State is not immune, and the other Senator on the floor right now, his State—an Atlantic coast State as well—is not immune, because, sadly, sooner or later the winds are going to continue to carry this oilspill to the South. It is going to get in what is known as the Loop Current and some of it is already entrained in the Loop Current.

The Loop Current goes up into the northern Gulf of Mexico and loops back South, all the way down around the Florida Keys, and it becomes the gulf stream. It then moves North as the gulf stream up the coast of Florida, off the Keys. It then comes in and hugs the southeast coast of Florida quite close—very close—mostly in places less than a mile off the beach. It continues on up to the middle of the peninsula of Florida, and then it takes a turn to the Northeast and parallels the east coast of the United States. It goes up to Cape Hatteras, NC, and depending on winds, I would say to the two Senators who are hearing my words, even though that current, called the gulf stream, that goes off of Cape Hatteras across the Atlantic to Scotland—depending on winds and wave action, it can carry some of that oil to the rest of the Atlantic seaboard and to the States represented by the two very distinguished Senators here on the floor. So this could have profound effects.

The question is, how do we get it stopped and, thus far, nothing has happened. So I think it is time for all hands on deck. I think it is time to realize that we have to throw in every asset we have to try to keep this oil off the coast, and especially out of the wetlands, and don't let what happened to Louisiana happen to the rest of our States, especially those delicate wetlands where you cannot get oil out of them. Then maybe this nightmare will be over.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. KAUFMAN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.