

[Rollcall Vote No. 193 Leg.]

YEAS—41

Alexander	Crapo	McCain
Barrasso	DeMint	McConnell
Bennett	Ensign	Murkowski
Bond	Enzi	Nelson (NE)
Brown (MA)	Grassley	Risch
Brownback	Gregg	Roberts
Bunning	Hatch	Sessions
Burr	Hutchison	Shelby
Chambliss	Inhofe	Snowe
Coburn	Isakson	Thune
Cochran	Johanns	Vitter
Collins	Kyl	Voinovich
Corker	LeMieux	Wicker
Cornyn	Lugar	

NAYS—57

Akaka	Feinstein	Mikulski
Baucus	Franken	Murray
Bayh	Gillibrand	Nelson (FL)
Begich	Hagan	Pryor
Bennet	Harkin	Reed
Bingaman	Inouye	Reid
Boxer	Johnson	Rockefeller
Brown (OH)	Kaufman	Sanders
Burris	Kerry	Schumer
Byrd	Kohl	Shaheen
Cantwell	Landrieu	Specter
Cardin	Lautenberg	Stabenow
Carper	Leahy	Tester
Casey	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Dodd	Lincoln	Warner
Dorgan	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feingold	Merkley	Wyden

NOT VOTING—2

Graham	Klobuchar
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**THE PRESIDING OFFICER.** On this vote, the yeas are 41, the nays are 57. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

Under the previous order, the amendment is withdrawn.

The Senator from Florida.

**MR. LEMIEUX.** Madam President, I ask unanimous consent to speak as in morning business.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

#### GULF OILSPILL

**MR. LEMIEUX.** Madam President, I come to the floor again today to talk about the situation in the Gulf of Mexico.

Yesterday, I came to report on my meeting with the President of the United States, as well as JEFF MILLER, our Governor, and ADM Thad Allen, that we had on Tuesday in Pensacola. I am pleased to report what the President has done with this fund. It is a good idea to get the \$20 billion in claims that can be made and can be paid.

However, there is another issue. The most pressing issue right now is keeping the oil off the coast of the gulf. We do not have a handle on this situation with the skimmers. We just met with Admiral Allen, and the information isn't any better than it was 2 days ago. In fact, for Florida, the information appears to be worse.

On Tuesday, there were 32 skimmers, according to the Florida Department of Environmental Protection and the Florida incident command off the coast of Florida—32. There is a plume of oil 2 miles wide and 40 miles long off the coast of Pensacola. There is another

plume that ranges from Pensacola, FL, all the way over to Fort Walton, and we had 32 skimmers. Today, the report is we have 20 skimmers—20 skimmers. That is like me and my buddies getting in our boats out there and trying to clean this up. That is not the Federal Government doing its best effort to clean up this oilspill.

The incident command from the Coast Guard's report says there are 100-some skimmers off the coast. It is unclear whether those are off the coast of Florida or completely off the coast. It could be the coast of all of the States. I asked Admiral Allen to clarify that. He said he would.

Admiral Allen tells us there are 2,000 skimmers in the United States of America. Why aren't those skimmers, where available, steaming toward the Gulf of Mexico? He said he is going to put a process in place where we can request them. It has been 60 days since the oil started spilling. Why are we waiting until now to request skimmers? Why are we contacting Governors now to request skimmers? Why are there only 20 skimmers off of my home State when we have this huge mass of oil?

The State Department reported Tuesday morning that 21 requests have come in from 17 countries—rather, 21 offers of support from 17 countries to give us skimming equipment. The State Department says they have been declined. I talked about it to the President on Tuesday and Admiral Allen, and they say: No, it is not true; we have gotten things in from other countries. What is the truth? What is the answer? Are we refusing foreign country assistance or not?

Now there is this thing about, we are going to have a process to let people request waivers of the Jones Act. We are 60 days into this. On Monday, I sent a letter to the President, along with Congressman JEFF MILLER, asking for the Jones Act to be waived. Why aren't we doing everything possible to bring skimmers to the Gulf of Mexico? What is the problem?

I am going to come to the floor of the Senate every day we are in session until this oilspill stops, until every drop of oil is cleaned up, and make a point about this skimmer issue. It is not acceptable. Who is in charge of this? Is it the President? Is it Admiral Allen? Is it BP? Who is in charge? There are only 20 skimmers off the coast of Florida. It doesn't make any sense. Somebody has to do something about it. In my position, what I can do is complain, and that is what I am doing today and will continue to do. I am going to press Admiral Allen and this administration to get as many skimmers there as possible. We need engagement from this administration on this issue, and no other question should be answered until we find out where all those skimmers are.

Thank you, Madam President.

**THE PRESIDING OFFICER.** The Senator from Alabama.

**MR. SESSIONS.** Madam President, I wish to thank Senator LEMIEUX for raising this matter.

I was at the Alabama gulf coast on Friday. We were told there was a batch of oil 30 feet wide, 2 miles long that they could see coming onto the shores of the beaches that had not yet been hit in any significant way. In my mind, a good skimmer, even at 1 or 2 miles per hour, could get every bit of that, virtually. I first thought skimmers wouldn't be that effective. I assumed the oil would be very thin and it would come in and be hard to skim, but apparently it is coming in patches and bunches, which makes it more skimmable than I had originally thought.

The admiral, whom we spoke to less than an hour ago, indicated that he was requesting of the Navy, as I heard what he said, a certain number of skimmers, and they had 400, and we haven't gotten them yet. Perhaps some plan somewhere calls for them to have skimmers in this bay or this harbor in case something happens, but when we have a national catastrophe as we have going on, every one that could possibly be spared should have already been moved to the gulf coast. I really feel as though this is a frustrating event. It is more serious than I had realized.

Also, I think there are several thousand worldwide that have not been asked for that could be asked for. So I think we can do better. I am going to find out if the decisionmaking process is so bureaucratic that for no good reason, we have been delayed in receiving help that could make a big difference on the gulf coast.

I asked him about President Obama's speech last night. As a result, he made comments—

Mr. REID addressed the Chair.

**THE PRESIDING OFFICER.** The majority leader.

Mr. REID. Madam President, would my friend yield?

Mr. SESSIONS. I would be pleased to yield.

#### MORNING BUSINESS

**MR. REID.** Madam President, I would say to my friend from Alabama, we are trying to work something out for votes this afternoon, and we are in the process of doing that. I think it would be appropriate that until 1 o'clock we be in a period of morning business, with Senators allowed to speak for up to 10 minutes each during that period of time. I want to hopefully come back with an arrangement to move forward on the legislation.

**THE PRESIDING OFFICER.** Is there objection?

Without objection, it is so ordered.

The Senator from Alabama.

**MR. SESSIONS.** Madam President, I ask unanimous consent to speak in morning business and be notified in 5 minutes.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

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.

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#### 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: