

I ask my colleagues to review H.R. 5676, the REMEDIES Act, so that we can go forward and establish a pathway to solve this problem and not have it happen again.

Mr. Speaker, I rise today to introduce a far reaching, comprehensive piece of legislation to help address some of the many issues created by the recent disaster in the Gulf of Mexico, the "Right to Equitable Means of Ensuring Damages for Injuries are Efficiently Secured" Act of 2010.

For over two months, the blown out well-head beneath the wreckage of the Deepwater Horizon platform has spewed tens of thousands of barrels of crude oil into the Gulf of Mexico and Gulf Coast communities on a daily basis. The initial explosion killed eleven people, seriously injured seventeen others, and destroyed a multi-million dollar platform, but the extent of the damage done is far, far greater. The disaster and its aftermath have wrecked local industries and polluted or outright destroyed precious natural resources, and people are unable to work and to earn the money to pay for food, mortgages, and other basic expenses.

It is obvious that the existing body of law is antiquated and therefore inadequate to cope with the current situation. The liability caps under current law will allow the responsible parties to pay a mere fraction of the damages they have inflicted on the people of the Gulf, legislation enacted in the early part of the last century does not properly cover all the workers in the contemporary industry, and BP is nickel and diming the people its recklessness has put out of work.

Damage from the oil spill in the Gulf region will almost certainly total in the billions of dollars, but current law caps liability for damages at \$75 million. While that seems like a huge number, it is less than 20 percent of the cost of the platform itself. My bill would establish a tiered liability system, so that the oil industry pays all the costs for cleanup and damages caused by the spills it creates, while still allowing independent operators to stay in business. This provision would be retroactive.

The REMEDIES Act will also make some needed changes to two 1920's era laws regarding injuries or death at sea. It will change the Jones Act so that the engineers and others who were killed or injured on the Deepwater Horizon, but who were not technically "seamen," will be covered, and allow actions against anyone whose acts or omissions were a cause of those deaths or injuries.

My bill will also amend the Death on the High Seas Act, so that victims or their survivors will be able to receive compensation for their suffering, or the loss of their loved ones' companionship, rather than just the economic damages allowed under current law. It will also allow for punitive damages in cases involving gross negligence.

Of course, part of the cause of the explosion was the lax permitting processes. In 2008, the Minerals Management Service, MMS, and Department of the Interior changed regulations so that BP was not required to file a detailed blowout plan, and simply accepted BP's assertion that it was "unlikely that an accidental surface or subsurface oil spill would occur from the proposed activities," and al-

lowed the project to go forward. The REMEDIES bill will change that, requiring that operators file detailed spill mitigation and recovery plans, and detail their backup plans as well. Those plans would have to be vetted by impartial experts instead of simply rubber-stamped by industry insiders.

Under my bill the MMS will be allowed to suspend permits and cease operations when specific operators' safety records show that they are so focused on production that they risk the safety of their workers as well as the environment. Since 2007, BP had over 872 serious safety violations—a staggering 97 percent of the serious violations in the entire industry—at just two of their refineries.

BP is currently facing a criminal investigation for possible similar violations on the Deepwater Horizon platform, and new information strongly suggests that BP consistently made decisions that increased risk in order to save time or costs. While nobody wants to shut down such an important sector of our economy, it is important to make sure that the penalties for blatant disregard of our safety laws and regulations are strong enough to be taken seriously, rather than just paid as the cost of doing business. Making the continuation of production contingent on good safety records should be something BP and others commit to wholeheartedly. My bill imposes such requirements.

While there is now a \$20 billion escrow account for third party claims against BP, administered by an independent third party, that took months to establish. Before that, the process BP had set up for the people of the Gulf Coast communities was a disgrace. BP's claims department engaged in a process in which people who are out of work because of the disaster on the Gulf Coast received some compensation, but by BP's own estimates, roughly twenty thousand of the forty thousand claims that have been filed had not been paid. The \$5000 payment that most claimants have received was barely a drop in the bucket against the payments on loans for boats and other necessary equipment, and small business owners had frequently been given the run-around as to what exactly a "legitimate" claim was under BP's standards. Under my bill, the Secretary of Homeland Security will have the power to require businesses responsible for claims for oil spills to set up a more streamlined process, with guidelines for the proof necessary, so that legitimate claims are no longer delayed or denied.

In addition to the various provisions already identified, my bill will prevent unnecessary delays in the legal process for claims arising from this disaster. Under current class action law, BP and other defendants are allowed to have lawsuits brought against them by the states and municipalities it has harmed removed to Federal courts. While our federal judicial system is more than competent to handle these claims, it is also overloaded. By having cases filed in state courts removed to Federal court, defendants would be able to greatly and unfairly delay every step of the process, prolonging the damage their recklessness has caused and possibly pushing many to settle for less than they are fully entitled to. The REMEDIES Act will create a carve-out for cases brought by states and their subdivisions

on behalf of their citizens, allowing them to remain in state courts and acted on quickly.

There has been overwhelming legislative action surrounding the oil spill by various Committees of this House with jurisdiction over this issue, including the Judiciary Committee of which I am a Member. I am an original co-sponsor of H.R. 5503, "the Securing Protections for the Injured from Limitations on Liability Act," introduced by our distinguished Chairman JOHN CONYERS, and supported by Representative CHARLIE MELANCON. My bill adds a new dimension to the debate and to the evolving legislative process. In this regard, I plan to work closely with Members from both sides of the aisle to forge an effective legal response to address this crisis and to prevent similar disasters in the future, and ask my colleagues to join me in my efforts.

U.S. EXPORT-IMPORT BANK DECISION KILLS 1,000 NEW JOBS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. THOMPSON) is recognized for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, the thing that people need across this Nation, from shore to shore today, more than anything else is jobs. Yet, the United States Export-Import Bank just recently made a decision that kills 1,000 new jobs. The recent U.S. Export-Import Bank denial of a loan guarantee to help finance the purchase of U.S.-made coal mining machinery by an Indian power company exposes the hypocrisy of the Obama administration and many in the environmental community.

According to its mission statement: "The Export-Import Bank of the United States, known as Ex-Im Bank, is the official export credit agency of the United States with the mission to assist in financing the export of U.S. goods and services." Well, at least that's what it states.

The mined coal in India that the U.S.-manufactured machinery would have produced would be used for a new power plant in one of India's poorest regions.

A subsidiary of Reliance International Limited of India was to use the loan guarantee to buy \$600 million worth of Wisconsin Bucyrus International mining machinery, which represents 1,000 U.S. jobs.

In a party-line vote of two Democrats to one Republican, the loan guarantee was turned down, not for economic reasons, but because it was contrary to the new White House policy of not funding "projects with heavy carbon emissions," in this case a coal fired power plant.

One of the Democrat Members who voted against the loan said he was following President Obama's commitment to a clean energy future and voted against the loan because of the "projected adverse environmental impact."

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If the two Democrats who denied the loan were at all interested in the environmental impact, they would have voted for the loan. Likewise for the President, who should overturn this denial. The decision will not help the environment. In fact, it damages the environment, contributes to poverty, and instead of creating U.S. jobs, as the President promised, destroys at least 1,000 of the United States' jobs.

Forty percent of India's 1.15 billion people have no access to the power grid. That is 1½ times the population of the United States. India is estimated to have one-third of the world's poor. Without access to electricity, 70 percent of which is provided by coal, the challenge of daily life for 460 million of India's poor will remain as stagnant as their water, and they will have no choice but to continue to burn wood and dung for their energy sources.

As Barun Mitra, president of Liberty University of Delhi, India, stated, quote, "The human health, economic, and environmental impact of burning these 'renewable fuels' is immense. Young children and women spend hours each day in the drudgery of collecting firewood or squatting in mud laced with animal feces and urine, to collect, dry, and store manure for use in cooking, heat, and light rather than attending school or engaging in more satisfying or productive economic activity. The refrigerators, televisions, computers that environmentalists take for granted are not to be seen here."

Mitra further notes that the environmentalists conspicuously ignore the real risks that poor people face today, including indoor air pollution caused by burning, quote, "renewable biomass fuel." Quoting the World Health Organization, "More than half of the world's population rely on dung, wood, crop waste, or coal to meet their most basic energy needs. Cooking and heating with such solid fuels on open fires or stoves without chimneys leads to indoor air pollution.

Exposure is particularly high among women and children, who spend most of their time near the domestic hearth. Every year, indoor air pollution is responsible for the death of 1.6 million people. That's one death every 20 seconds. The use of polluting fuels poses a major burden on the health of poor families in developing countries such as India. The dependence on such fuels is both a cause and a result of poverty, as poor households often do not have the resources to obtain cleaner, more efficient fuels and appliances. Reliance on simple household fuels and appliances can compromise health, and thus hold back economic development, creating a vicious cycle of poverty.

According to the 2004 assessment of the International Energy Agency, the number of people relying on biomass such as wood, dung, agricultural resi-

dues for cooking and heating will continue to rise. I might add, especially if the Obama administration anti-coal policy continues.

If the President is serious about cleaning up the world's environment and creating American jobs, he should tell his followers at the U.S. Import-Export Bank to approve the loan guarantee. The irony is that the coal-fired generation plant will be built no matter the Obama policy, but U.S.-manufactured mining machinery won't be used thanks to the President and his followers at the congressionally-funded U.S.-job killing Import-Export Bank.

SECURING AMERICA: PRESIDENT OBAMA AND NUCLEAR WEAPONS

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

Mr. SCHIFF. Mr. Speaker, the recent vote in the United Nations Security Council to impose a new round of tougher economic sanctions on Iran was a significant national security success for the United States, and part of President Obama's broader push to reduce the threat of nuclear terrorism or accidental nuclear exchange.

For years there has been a broad consensus that a terrorist attack with a nuclear weapon is the gravest threat facing our country. During the 2004 Presidential debates, both Senator JOHN KERRY and President Bush pointed to such an attack as the ultimate nightmare scenario. Unfortunately, the prior administration failed to make nonproliferation a priority and blocked any progress at the 2005 Nuclear Nonproliferation Treaty Review Conference, putting the international nonproliferation regime at risk.

President Obama came into office pledging to make nuclear nonproliferation a priority, and he has delivered on multiple fronts: First, by increasing American and international pressure on Iran; and second, by working with Russia and others to reduce both countries' stockpiles of nuclear weapons and material.

The Iran resolution, one of the most important to emerge from the Security Council in years, is a triumph for American diplomacy. When the President took office last January, the United States was diplomatically isolated, and unwilling to engage in the hard work of diplomacy that would pressure Iran to engage seriously with the international community. But that has now changed.

The U.N. resolution increases the pressure on Iran to abandon its quest for nuclear weapons by expanding the list of organizations and individuals subject to financial restrictions and travel bans. And significantly, it also prevents and prohibits most conventional arms sales to Iran, a major step

considering that veto-wielding Russia and China have been Iran's major arms suppliers for years.

While Iran has remained outwardly defiant in the wake of the June 9 resolution, the U.N. resolution was quickly followed by a fresh round of European Union sanctions, and by our passage of the Comprehensive Iran Sanctions Accountability and Divestment Act, which was signed into law today by President Obama. These new sanctions have had an immediate effect. Just days after Congress passed the legislation, France's Total, the last major Western energy company dealing with Iran, announced that it would stop providing refined petroleum to Tehran, while South Korea's GS Engineering and Construction canceled a \$1.2 billion gas project in Iran.

The stakes are clear. If Tehran's nuclear weapons program were to bear fruit, elements of the Iranian regime could divert a weapon or materials to a terrorist group under its control, perhaps Hamas or Hezbollah. An Iranian bomb could also trigger a nuclear arms race in the world's most volatile region. This cannot be allowed to happen. And President Obama and this Congress are determined that it shall not happen.

The last 2 years have also seen a revitalization of our efforts to assert American leadership in nuclear nonproliferation. President Obama was the leader in the Senate on nuclear terrorism and nonproliferation issues. I had the pleasure of working with him then to strengthen the International Atomic Energy Agency's inspection program. Now as President, we are again working together, and the President recently signed legislation that I authored to develop our nuclear forensic capability.

The President has also proposed budgets that significantly increase investment in nonproliferation efforts and technologies. He understands we can't face this threat alone. There are 50 tons of unsecured nuclear material around the world. And to succeed in bringing it under lock and key, we must convince many Nations that this is a security risk for all.

Last September, the President led an extraordinary meeting of the Security Council to bring nuclear security the worldwide attention it needs. And this April he hosted the largest summit meeting that America has ever seen to convince world leaders that this is not only an important problem, but an urgent one. The summit produced a worldwide consensus to secure nuclear materials around the world within 4 years, a groundbreaking plan that the administration and Congress are now implementing.

On April 8, President Obama signed a treaty with Russia to cut nuclear weapons by 30 percent. This too is a crucial step forward. By working with