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House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, May 11, 2010, at 12:30 p.m.

Senate

MONDAY, MAY 10, 2010

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty everlasting God, in Your light we would see life. Open the eyes of our lawmakers so that they can see the path on which You want them to travel. Lord, strengthen them for their daily work and minister to their deepest needs. In their moments of perplexity, fill them with the spirit of Your wisdom so that their decisions will reflect Your guidance. Use our Senators to discover and communicate Your answers to our Nation and world.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 10, 2010.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 3 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Tennessee.

TENNESSEE FLOODING

Mr. ALEXANDER. Mr. President, there is no bigger, no more heart-wrenching, no more inspiring story today than what happened in Nashville in the 48 hours on May 1 and 2, over that weekend, when 2 to 4 inches of rain were expected and up to 17 inches came. As a result of that—from the Opryland Hotel outside Nashville to the Millington naval station near Memphis—all across Tennessee there have been devastating floods.

It is, according to the Weather Service, a 1,000-year rainfall event. I do not know how anybody knows what a 1,000-year rainfall event is—that is a long time—but this was not a 20-year flood or a 100-year flood, this was a 1,000-year rainfall event that overtook the people of Tennessee.

As a result, our Governor, Phil Bredesen, has asked the President to identify 52 counties—from the Nashville area to all the way across our State to the Mississippi River—as disaster areas. The President has responded swiftly. Forty-two of those 52 counties have been designated as disaster areas.

Some people say to me: Well, there has not been so much news about this Tennessee flood. There are two reasons for it. One is, there has been a lot of other news. Greece has been collapsing. A bomber tried to blow up Times Square. There is turmoil over immigration in Arizona. There is the gulf oil-spill which threatens to be the worst in history.

But it is important for the American people to know the Tennessee flood last weekend is by far the largest disaster in our country since President Obama came into office, except for the oilspill in the Gulf of Mexico, and it may be that the Tennessee flood affects more people than what is happening in the Gulf of Mexico.

The other reason we have not heard so much about it is this: Tennesseans have been busy cleaning up and helping each other instead of complaining and looting. So people are hurt. Thousands of people are hurt. But they are going

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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about their business helping themselves and helping others in remarkable and inspiring ways.

I have many images from over the last few days of the visits I have made in Tennessee: being at the Bellevue Community Center on Saturday morning, where there were dozens of volunteers in red T-shirts that were headed out in teams to help people in that area whose homes have been devastated; the image of 502 soldiers from Fort Campbell—those are the most deployed soldiers in America—yet the commanding officer gave them a day's leave, and 502 of them formed teams and cleaned up three neighborhoods in Clarksville-Montgomery County.

I spent an hour that same day with Mayor Bowers and Congresswoman BLACKBURN and the team that is responding in Montgomery County, and it is an impressive response. I would say the same for Governor Bredesen of Tennessee and Mayor Dean of Nashville, whose metro services have worked overtime.

This is true all the way across our State to Dyer County—badly hurt; thousands of people have homes damaged there—to the Navy's principal personnel and recruiting station at Millington, just outside Memphis, where the Secretary of the Navy saw personally, on Saturday, the damage that had been done there.

According to the Tennessean, the American Red Cross had recorded more than 1,300 volunteers by Friday. Whole congregations, on Sunday, showed up en masse to help at places such as Cross Point Community Church, which had more than 1,600 members of the congregation on Saturday. Hands-On Nashville saw more than 5,100 volunteers log more than 19,000 hours to help out across the city by Saturday.

Our own church, Westminster Presbyterian Church, in Nashville—we had a lot of people going down to help with Katrina and in Gulfport after those disasters—will be the center for people coming in to help the people in Tennessee. If you go through Nashville today—or other parts of Tennessee, all the way down to Memphis—you will see thousands of front yards littered with damage from the basements of homes.

FEMA has been on the ground from the beginning, and I thank them for their prompt response. Unfortunately, we have worked with them before on tornadoes and other disasters, so they know Tennessee pretty well. By Saturday morning, 16,000 persons in Tennessee had registered with FEMA, and there had already been 750 inspections.

I talked with the sheriff of Montgomery County Saturday night. He was flooded out, but he had been in touch with FEMA. He was already registered. He had arranged for his inspection. He was very well satisfied by that.

Channel 4—Nashville television—had a telethon on Thursday night. Vince Gill and a group of stars raised \$2 million in the Nashville area for the vic-

tims of the flood. Taylor Swift gave \$500,000. Bud Adams of the Titans gave \$400,000. So people in large and small ways are pouring out their hearts and their help and their money to help one another.

As we look forward—this is not a time to complain. I did not hear anybody complain this past week. As I said before, maybe that is why there is not so much news about this. But as we look ahead, I want to make sure in the future we make sure we do the best possible job of handling floods, particularly that we have clear and correct information about the rising water, and that we communicate it as broadly as we should.

We have learned how to do that with tornadoes. Using the media, we can tell you whether a tornado is coming across your house in 14 minutes in a remarkable set of cooperation between the National Weather Service and the media broadcasters.

I have asked Chairman BOXER and Ranking Member INHOFE of our committee, the Environment and Public Works Committee, to look at perhaps holding a hearing on how well the Army Corps of Engineers and other Federal agencies and State agencies are delivering accurate, clear information to businesses and individuals who might be hurt by the rising water.

This morning, I flew up to Nashville with a person from Sumner County who was trapped in a Chevrolet Blazer with her 12-year-old son and her husband and nearly killed except they were rescued by emergency services. Another person on the plane lives on a high hill near River Road, and the National Guard helicopters landed four times in her front yard to rescue 50 people who could not get out except in that way.

I have talked with Colin Reed, who is the chief executive officer of the Opryland Hotel, who had to make an evacuation order. They evacuated 1,500 guests rather than risk what happened during Katrina because the water suddenly came into the Opryland Hotel—many people are familiar with that—and the water became 10 feet high. It is still several feet high there. So there is a lot of long-term damage, and I want to make sure we have clear and consistent information.

I would have to add, I thank the Congress for approving my request over the last few years for additional funding to make two of the four dams on the Cumberland River safer. If they had not been made safer, their water levels would have been lower and tons more water would have poured into the Cumberland River, creating millions of more dollars of damages and perhaps taking lives.

I am simply here this morning to say I am very proud of Tennessee, from Nashville to Memphis. There is no bigger, more heart-wrenching, more inspiring story than of these thousands of Tennesseans who have suffered a 1,000-year flood, thousands of whom

have losses they understand will not be fully made whole. But they are busy—not looting, not complaining—they are cleaning up and they are helping one another.

As the days go on, I will be meeting with Senator INOUE and Senator COCHRAN to make certain the Federal accounts that fund FEMA, economic development, the Community Development Block Grant, and other projects and accounts in the Federal Government that respond to natural disasters have enough money in them to meet the Federal part of the responsibility. But so far the President, his Cabinet, and others have been doing very well.

The Governor of Tennessee and the mayors across our State have been doing extraordinarily well. But the people, who are the real heroines and heroes, are the men and women of Tennessee who have been hurt, or their neighbors who have been busy cleaning up and helping one another.

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I thank the Senator from Tennessee for his update on flood damage in Tennessee. The Commonwealth of Kentucky was impacted as well, not quite as severely but in a significant fashion. It was gratifying to get the report from the Senator from Tennessee about the status of the flood damage in his State.

NOMINATION OF ELENA KAGAN

Mr. MCCONNELL. Mr. President, I want to congratulate Solicitor General Kagan on her nomination. Senate Republicans will treat Ms. Kagan with the same courtesy and fairness with which we treated Justice Sotomayor when she was nominated to the Supreme Court last year. The rest of the Republican Conference and I appreciated that at the end of her confirmation process, then-Judge Sotomayor recognized that she had been treated fairly by everyone. Unfortunately, that has not always been the case with Supreme Court nominees of Republican Presidents.

The American people know what they want in a Supreme Court Justice. They want someone who will apply the law fairly and impartially “without respect to persons,” as the judicial oath requires. They do not want someone to be a rubberstamp for any administration.

Ms. Kagan is currently a member of President Obama's administration and serves at his pleasure in a position that lasts no longer than the administration itself. By contrast, today she was nominated for a lifetime appointment to the Nation's highest Court. The standard of scrutiny is clearly much higher