

type of American family that constitute the pillars of our Armed Forces, and are the reason our Nation remains safe from its enemies.

Joseph's father, SFC Eugene Cemper, has made service to the Army his life's work. As an Army recruiter, Sergeant Cemper had the unique experience of personally recruiting his son into the Army.

As a father and a leader, Sergeant Cemper inspired both Specialist Cemper and his younger brother, PFC Noah Cemper, to wear the uniform of an American soldier with pride.

The Cemper family laid their son to rest in Papillion, NE, on April 29, 2011. Specialist Cemper returned to his birthplace with valor and honor having been awarded both the Purple Heart and the Bronze Star Medals.

I know I speak for all Nebraskans, and all Americans, when I say that despite our sorrow, we are deeply honored to have him.

I cannot imagine the pain the Cemper family is suffering today. The loss unexpectedly of a son in combat is one of the most extreme trials a parent or loved one could face. I know, at this point, my words cannot ease their hurt.

So I will end this tribute by saying what Specialist Cemper held close to his heart, so close that his family has inscribed it in a scrapbook which will one day be seen by his son. It reads:

When I stand before God at the end of my life, I hope that I would not have a single bit of talent left, and I could say that I used everything you gave me.

I hope he rests knowing that he died the bravest and most honorable death an American could. May God bless the Cemper family, their father and son still serving in the Armed Forces, and all our fighting men and women in harm's way.

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

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

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. 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 President, I ask unanimous consent that the order for the quorum call be rescinded.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. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes.

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

#### SOUTHEASTERN TORNADOES

Mr. SESSIONS. Mr. President, I want to discuss today the tragedy that has occurred in Alabama and other States across the Southeast as a result of the tornadoes that hit our region in a 24-hour period between 8 a.m. in the morning on April 27 and 8 a.m. in the morning on April 28. The National Weather Service estimates there were a total of 312 tornadoes across the

Southeast. The worst outbreak previously reported occurred in April of 1974, and that was with 148 tornadoes.

The Birmingham-Tuscaloosa F4 tornado had a path with a maximum width of 1.5 miles and a length, from the Tuscaloosa to Birmingham area, of 80 miles. It stayed on the ground almost continuously—very unusual. It went through a number of populated areas, and that tornado alone resulted in 65 deaths. Alabama's current death toll is nearing 250, with thousands injured. Frankly, after seeing the damage to the affected areas, I am amazed we did not lose more lives. As I talked to mayors and others on the ground, they said the same thing.

I talked to Mayor Gunnin in Hackleburg today. I believe he was the one who told me there were about 18 killed, and he was pleased it was that low. They were hammered with an F5, the highest, strongest tornado, which basically destroyed his whole town. All his businesses, including the distribution center for a jeans manufacturing company, have been destroyed. It is very difficult for them to pay for anything. Their businesses that pay a sales tax that goes to the city have been damaged, and he has made the point—and it is a good example—that he, in this little town of Hackleburg, had emergency funds, but they have been on massive overtime for the week since the event and other costs are arising and it is very difficult for him.

I want to thank President Obama for the quick response he made to the tragedy. The people of Alabama appreciated the fact that he, and later Cabinet members, actually visited some of the devastated areas. We appreciate the quick action in declaring Alabama and other areas major disaster areas. That does help in a lot of different ways.

I also had the opportunity to be with him in Tuscaloosa when he came there. Mrs. Obama, of course, did a beautiful job also of talking to the people who have lost so much and comforting them. Secretary Napolitano came on Sunday to the Pratt City area in Birmingham, along with several other Cabinet members. I think they also got a real appreciation for the severity of the damage and reassured Alabamians that help would be on the way in an appropriate fashion.

It is certain that it will take, for a number of our communities, an integrated, coordinated State, local, and Federal response to get these communities back on track. That is why we have a Federal Emergency Management Agency. That is why we have monies in the budget for these kinds of things, although this one is a particularly damaging event, I have to say.

As the ranking member on the Budget Committee, I am aware we have to be careful about how we spend money. We certainly don't have any money—not a dime—to waste.

I have to tell you, every time I have been there or I have talked to people

on the ground, they tell me how impressed they are with the volunteers who are arriving from all over the country, bringing food and water and helping people who are already working. They are bringing chainsaws to help clear roads and highways and driveways to people's homes. That has been real encouraging, and it makes me very proud to represent a group of people who have the integrity and the work ethic and the determination to overcome tragedy. It has been encouraging to me.

Having walked through the devastated neighborhoods less than 24 hours after the tornado, I can tell you people were stunned at the damages, at the complete loss of homes and belongings. Many of the people believed themselves lucky to be alive. Their entire roof was gone, most of the walls were gone, and yet somehow they came out with minor injuries or less severe injuries. Others, of course, did not survive, and others received severe injuries. It is always amazing to me in a tornado situation how a house can be just obliterated, and persons can come out of it with not too severe an injury, and for that they were expressing great appreciation. I think it is a reflection of the faith these individuals have in a higher being who, I think, gives them the courage to go on.

One of the things that is perfectly clear is that housing in some areas will be a critical matter. Many houses are totally destroyed—nothing but a concrete slab left. Of course, many mobile homes or manufactured homes were completely lost. They are not on a slab, so those homes have been rolled over and completely demolished or disappeared basically. So we are going to need to work in a way that FEMA has done before to provide emergency housing.

In the larger areas where there is more housing around—there is vacant housing in some of our areas—they ought to be moved promptly into that vacant housing that currently exists. In some areas there is just not housing for individuals to move into. I was told today by two mayors that they have people still in recreational areas—gyms and that kind of thing—using those as a place for shelter. We are definitely not where we need to be.

Yet some FEMA trailers are being moved into areas of the State. That may have to be done. I wish we could avoid that step, but in many areas it cannot be avoided—avoided in the sense that, to me, the best way to handle a situation where a person's home is gone is to help that person move as quickly as possible into what could be a permanent residence—either through rental or purchase. The longer that person is in a temporary residence the more likely they are also often receiving Federal assistance. As long as they are in this temporary limbo circumstance, their life is less stable, and the Federal Government is spending more money, money that could be utilized better if we can avoid spending it

for temporary housing so it could be used to facilitate permanent housing. That would be a more effective policy, but it is not easy. In some instances, it cannot be done.

Initial reports indicate that Alabama's losses may rival or surpass its \$1 billion loss in Hurricane Katrina. That is a factor we do not normally expect from tornadoes. We will wrestle with those costs as we go forward. But dollar losses are nothing compared to the severe loss of life. We have a record-setting loss of life.

Going through the Rosedale Court area of Tuscaloosa, AL, seeing first responders and volunteers frantically trying to help—in particular, they were searching for a missing young girl. They kept on and there were a large number of people there throughout this area where metal was twisted and roofs were gone and no walls, hardly, were standing. Materials were 3 feet deep on the floor, of plywood, roofing and the like. They found that young child, but unfortunately it was too late and her life had been lost.

That is the kind of thing that has been happening throughout the State. Our people are responding with courage and dignity and hard work. Volunteers from all over the country and all over Alabama are assisting. I was with a seafood group Friday, down from Bayou La Batre, AL, the seafood capital, in many ways, of the Gulf of Mexico, and they had been helped so many times over the decades because of various hurricanes that came through, they wanted to help so they brought large amounts of shrimp and seafood and their cooks. They were going to Tuscaloosa or some of the other areas and serving people out there who were volunteering or were emergency responders who were working to help in that neighborhood. That is the kind of thing that makes us proud and makes us all recognize the good that we have in our people.

I wished to share these thoughts and to note I have filed a resolution that deals with this disaster, expressing the condolences of the United States and noting many of the factors that are relevant to this damage and I will be asking the Senate agree to that. I note it has been cosponsored by Senator SHELBY, my colleague from Alabama, Senators ALEXANDER and CORKER from Tennessee, Senators COCHRAN and WICKER from Mississippi, Senators CHAMBLISS and ISAKSON from Georgia, and I understand others are signing on as we proceed.

I thank the administration for helping to respond properly. I thank the volunteers from all over America who have come to our State to assist those in need.

I yield the floor and 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. SESSIONS. 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. SESSIONS. Mr. President, I ask unanimous consent that I be able to speak as in morning business for up to 15 minutes.

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

#### COLE NOMINATION

Mr. SESSIONS. Mr. President, I want to speak in opposition to the nomination of James Cole to be Deputy Attorney General of the United States, on whom we will be voting a little later this afternoon.

Despite President Obama's recess appointment of Mr. Cole, who has had significant opposition in the committee, and was not looking at smooth sailing—I do believe we should oppose his confirmation and his permanent appointment based on some concerns I have with his record, specifically his criminal justice view on the war on terror, which I believe is utterly wrong, and his questionable decisions as an outside consultant for AIG, the big insurance company that had to be bailed out to the tune of, I think, \$170 billion.

He was an independent consultant, supposed to be monitoring that company for other errors they had made previously. So that is a concern to me.

I served 15 years in the Department of Justice—as the U.S. attorney for almost 12, and as an assistant U.S. attorney. I respect the Department. I love the Department of Justice, but I am getting concerned about it. I am not happy with some of the decisions and philosophies that are emanating from the Department. I believe they do not reflect the highest standards and qualities that we expect from that great Department.

This nominee has a lot of good qualities. I believe he has a number of strengths that—has management and some experience in the Department for which I would give him credit. But at this point in history, I believe his approach, particularly to the war on terror, along with the Attorney General's approach to the war on terror are not good. I have just about had enough of them.

I am just going to say this: I am not voting for another nominee—I am not going to vote for this one—who spent their time defending terrorists before they went to the Department. It is all right to defend an unpopular person, but 13 to 16 members of the Department of Justice, political appointees by this administration, have had as their background defending terrorists, including the Solicitor General nominee who is going to be coming up in committee this week, and also working for or representing the ACLU.

So when we get this much of a tilt in the leadership of the Department, it gives me great concern that the great Department I love and respect is getting off base. So I think it is important to note that right now one of the top priorities at the Department of Justice must be the recent warnings we received that the terrorist groups “almost certainly” will try to avenge the death of Osama bin Laden, and the continuing economic crisis that faces our country.

So I believe the President should be nominating proven prosecutors—prosecutors of terrorists, frankly—for top positions in the law enforcement agency, the U.S. Department of Justice. I do not think we need any more terrorist defense attorneys. When I was the U.S. attorney I hired a lot of assistant U.S. attorneys. I looked for proven prosecutors wherever I could find them. I did not go around to look for people who spent their spare time volunteering to defend terrorists or writing papers defending criminals. That is just the way I see it, frankly. I have to be honest about it.

So we have had this one, we have had that one, we have had another one, and another and another. Now we have 13 to 16 who have been appointed to the Department of Justice who have had this background.

Defending the unpopular is not disqualifying. We voted, and I voted, for a number of people in the Department who have been involved in these kinds of defense efforts, who filed lawsuits against President Bush. They thought they were doing something great. I guess they did not turn down the evidence if it helped in any way lead to the location of Osama bin Laden.

We do have standards about how we should gather evidence, and lines should not be crossed. But that does not mean we are not in a war. It does not mean the people who are attacking us are common criminals who need to be tried in civilian courts. They are at war with us. Bin Laden said he is at war with us. He declared war on us. You do not treat prisoners of wars, captured enemy combatants, like you treat common criminals. This is fundamental.

I served in the Army Reserve a number of years, some of that time as a JAG officer. I taught courses on prisoners of war and how to treat prisoners and the standards of the field manual. I do not claim to be a great expert at it, but I did it. I had some experience in it.

Mr. Cole consistently—and some of these nominees to the Department—takes the view that terrorists are criminals and not unlawful combatants. Let me just say briefly, if a person is caught—a murderer, a rapist, or virtually any kind of criminal—when they are taken into custody, as the Presiding Officer knows, who was a good prosecutor himself, they have to be—before you can interview them, once they are in custody you have to