

Treasury Secretary Timothy Geithner and Federal Reserve Chairman Ben Bernanke did manage to help stabilize financial markets.

But while the number of layoffs is now vastly less than in the first half of 2009, the number of new hires has not increased appreciably. Many more people have been unemployed for longer periods than in previous recessions, and many more have stopped looking for work altogether.

It's hard to avoid the conclusion that the threat of tax increases and increased regulatory burdens have produced something in the nature of a hiring strike.

And then there is the political posturing. On April 13, Barack Obama delivered a ballyhooed speech at George Washington University. The man who conservatives as well as liberal pundits told us was a combination of Edmund Burke and Reinhold Niebuhr was widely expected to present a serious plan to address the budget deficits and entitlement spending.

Instead, the man who can call on talented career professionals at the Office of Management and Budget to produce detailed blueprints gave us something in the nature of a few numbers scrawled on a paper napkin.

The man depicted as pragmatic and free of ideological cant indulged in cheap political rhetoric, accusing Republicans, including House Budget Committee Chairman Paul Ryan, who was in the audience, of pushing old ladies in wheelchairs down the hill and starving autistic children.

The signal was clear. Obama had already ignored his own deficit reduction commission in preparing his annual budget, which was later rejected 97-0 in the Senate. Now he was signaling that the time for governing was over and that he was entering campaign mode 19 months before the November 2012 election.

People took notice, especially those people who decide whether to hire or not. Goldman Sachs' Current Activity Indicator stood at 4.2 percent in March. In April—in the middle of which came Obama's GW speech—it was 1.6 percent. For May, it is 1.0 percent.

"That is a major drop in no time at all," wrote Business Insider's Joe Weisenthal.

After April 13, Obama Democrats went into campaign mode. They staged a poll-driven Senate vote to increase taxes on oil companies.

They launched a Mediscare campaign against Ryan's budget resolution that all but four House Republicans had voted for. That seemed to pay off with a special election victory in the New York 26th congressional district.

The message to job creators was clear. Hire at your own risk. Higher taxes, more burdensome regulation and crony capitalism may be here for some time to come.

One possible upside is that economic bad news may no longer be "unexpected." Another is that voters may figure out what is going on.

Mr. KYL. I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

ORDER OF PROCEDURE

Mr. LEAHY. Mr. President, I ask unanimous consent that the cloture

motion with respect to the Verrilli nomination be withdrawn, and at 5:30 p.m. the Senate proceed to vote, without intervening action or debate, on Calendar No. 118, the motion to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order with respect to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session, with the other provisions of the May 26 unanimous consent agreement remaining in effect.

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

EXECUTIVE SESSION

NOMINATION OF DONALD B. VERRILLI, JR., TO BE SOLICITOR GENERAL OF THE UNITED STATES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States.

The PRESIDING OFFICER. The time until 5:30 will be equally divided.

The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I don't believe there is going to be a huge number of people lined up to speak on this nomination, but I will first use part of my reserve time on the Verrilli nomination to speak of another matter within the purview of the Judiciary. So I ask unanimous consent, with the time being charged to my half hour, that I be recognized to speak as in morning business.

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

JUDGE RICHARD LINN

Mr. LEAHY. Mr. President, on the first day of this millennium, January 1, 2000, the newest Federal judge, and the first of the millennium, was sworn in. Richard Linn became a member of the Federal Circuit Court of Appeals at the stroke of midnight, standing in the Federal Circuit's courthouse, with a view of the Washington Monument lit behind him, and the oath being administered by Chief Judge H.R. Mayer.

President Clinton had been told of the hundreds of nominations he would make during his Presidency, one he would never regret would be that of Judge Linn. How true that prediction. Judge Linn has brought dignity, expertise, and judicial excellence that could set the model for all our Federal courts. His calm but brilliant analyses of our most complex intellectual property cases reflect the extensive experience he had before going on the bench.

This experience now benefits all Americans.

My wife Marcelle and I and our children have been privileged to have known Dick and Patti Linn for over a generation, as well as their wonderful daughters, Debbie and Sandy, and all their family. This weekend, their children, son-in-law Erik, and grandchildren, Jaret and Dakota, as well as other members of their family, will gather to unveil a portrait of Judge Linn. I hope that as people visit the Federal Circuit Court of Appeals building or are there on business, that they will pause and look. It will give them a chance to see the face of justice and a man I admire greatly.

Mr. President, I ask unanimous consent that we go back on the matter before us, with the time still being reserved to me.

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

Mr. LEAHY. I thank the majority leader and the Republican leader for reaching an agreement for the Senate to debate and vote on the nomination of Don Verrilli to be Solicitor General of the United States. By doing so, we were able to vitiate the cloture motion and avoid another unnecessary filibuster. Had agreement not been reached, this would have been the first filibuster in history of a Solicitor General nomination.

Mr. Verrilli is by all accounts one of the finest lawyers in the country, whose extensive experience as an advocate for a wide variety of clients will serve him well as Solicitor General, the top advocate for the United States. In a long and distinguished career, Mr. Verrilli has argued numerous cases before the Supreme Court, Federal appeals courts and State appellate courts. He clerked for Judge J. Skelly Wright on the DC Circuit and for Justice William Brennan on the U.S. Supreme Court. Mr. Verrilli's impressive breadth of experience both in Government and in private practice led the Judiciary Committee to report his nomination by a vote of 17-1 nearly a month ago. Seven of the eight Republican members of the committee joined in supporting Mr. Verrilli's nomination.

The Judiciary Committee heard from many respected lawyers from across the political spectrum in support for Mr. Verrilli's nomination. Eight former Solicitors General from both Republican and Democratic administrations, among them Republicans Charles Fried, Kenneth Starr, Ted Olson, Paul Clement and Gregory Garre, concluded: "Mr. Verrilli is ideally suited to carry out the crucial tasks assigned to the Solicitor General and to maintain the traditions of the Office of the Solicitor General."

More than 50 prominent Supreme Court practitioners urged the Senate to confirm Mr. Verrilli's nomination, including conservatives like Maureen Mahoney, Peter Keisler, and Miguel Estrada. They wrote:

Don's approach to practicing law throughout his career—his meticulousness in understanding and presenting facts accurately and his insistence on coherently laying out reasons for the positions he is urging—proves beyond question that Don will protect and promote the rule of law.

I will ask that copies of the letters in support be printed in the RECORD at the conclusion of my remarks.

Don Verrilli is exactly the kind of superbly qualified, serious professional we should be encouraging to serve the American people in their government. I expect that he will be confirmed by a strong bipartisan majority of the Senate.

Like all of the nominations reported by the Judiciary Committee and pending on the Senate's Executive Calendar, Mr. Verrilli's nomination has been through the Judiciary Committee's fair and thorough process. We reviewed extensive background material on his nomination. All Senators on the committee, Democratic and Republican, had the opportunity to ask him questions at a live hearing. All Senators had the opportunity to meet with Mr. Verrilli individually, as well. Many also took advantage of the opportunity to ask him questions in writing following the hearing.

We then debated and voted on his nomination. I thank the members of the committee for their work, consideration and judgment. Many cited their meetings with Mr. Verrilli and his serious and thoughtful answers to hundreds of written questions for the record as a basis for their support of his nomination. The result of the process was that Senators, having raised whatever concerns they had and whatever differences they have with the policies of the Obama administration, voted nearly unanimously in favor of confirming Mr. Verrilli based on his qualifications, experience and appreciation for the responsibilities of the Solicitor General.

I appreciate the effort made by the Republican members of the Judiciary Committee in considering the Verrilli nomination on its merits and voting to support him, with one exception. I appreciated the thoughtful statement by the ranking Republican at our markup, nearly 1 month ago, in which he set forth his concerns and the painstaking process he followed to evaluate the nomination and his judgment to support him. Senator GRASSLEY attended the hearing, met personally with the nominee, and engaged in extensive written questioning, as well. In his statement he commended Mr. Verrilli "for his serious approach to the task of providing responses" and for his "thoughtful answers." After that rigorous process, Senator GRASSLEY became more comfortable that Mr. Verrilli "understands the duty of the Solicitor General." He emphasized that Mr. Verrilli had made clear to him that "he would not lend his name or that of the office to carrying out any order which he believed to be based upon partisan political considerations or other

illegitimate reasons" and that rather than do so, he would resign from office. Senator GRASSLEY concluded that he has "every expectation that Mr. Verrilli, if confirmed, will honorably live up to his duties, obligations, and assurances."

The committee process left no doubt that Mr. Verrilli has an extensive knowledge of the law and an understanding of the independence required to represent the interests of the government and the American people as the Solicitor General of the United States. He is well qualified and well suited to serve in the role of what is often called "the tenth Justice."

The Senate has a longstanding practice of giving deference to the President to make nominations for positions in the executive branch. However, as we have seen with more and more of President Obama's nominations, Senate Republicans have dramatically departed from our Senate standards. This does great harm to the interests of the American people, the ability of good people to serve, the capacity of the government to fulfill its responsibilities and the proper functioning of the Senate. Subjecting consensus nominees to unnecessary and damaging delays and unjustified and harmful filibusters is wrong. I am glad the Senate leaders have been able to come to agreement to avoid the threatened filibuster of this qualified nominee to serve as Solicitor General of the United States.

Before the Memorial Day recess, the Senate should have confirmed the nomination of Lisa Monaco to be the Assistant Attorney General in charge of the National Security Division at the Justice Department. That is a key national security position. The Judiciary Committee held a hearing on Ms. Monaco's nomination in April and reported her nomination unanimously in early May. Her nomination has since been considered by the Senate Select Committee on Intelligence at an additional hearing and was reported unanimously by that committee, as well, nearly 2 weeks ago. After such a thorough process, there is no doubt that President Obama has made a first-rate choice to fill this very critical national security position. The value of Ms. Monaco's wealth of experience and institutional knowledge has been supported by the many former Justice Department officials who have written in support of her nomination, including former Attorney General Mukasey, who served during the President George W. Bush administration. Without cause or explanation, the Republican leadership still has not consented to a vote on this important national security nomination.

Even more egregious is the unprecedented filibuster of the nomination of Jim Cole to be Deputy Attorney General, the No. 2 position at the Justice Department also with key national security responsibilities. There is no excuse or justification for the continued failure to act on Mr. Cole's nomination

to fill this critical position. It was blocked last year when it was pending for 5 months in the Senate. The nomination was reported favorably by the Judiciary Committee again in March, and incredibly, has been filibustered for another 10 weeks while the country faces concerns about terrorism in the aftermath of the President's successful operation against al-Qaida and Osama bin Laden. It is hard for me to understand how, at a time when experts are concerned that al-Qaida will seek reprisals, the Senate has not acted to ensure that President Obama has his full national security team in place. Instead, Senate Republicans have chosen to delay action on those nominations and to seek to use them as leverage against the administration.

I have urged Senate Republicans to reject this partisan approach and to come together to work with our President to keep America safe. In the aftermath of 9/11, we expedited law enforcement nominations, confirming an additional 58 officials to posts at the Justice Department before the end of 2001. We should have done the same with the nominations of Lisa Monaco and Jim Cole. We should treat Mr. Cole's nomination with the same urgency and seriousness with which we treated all four of the Deputy Attorneys General who served under President Bush. All four were confirmed by the Senate by voice vote an average of 21 days after they were reported by the Judiciary Committee. No Deputy Attorney General nomination has ever been subjected to a filibuster before. It is wrong and should end.

I am confident that Mr. Verrilli's qualifications, experience, ability, temperament and judgment will lead to an overwhelming bipartisan vote in support of his confirmation to serve as the next Solicitor General of the United States.

Mr. President, I ask unanimous consent to have printed in the RECORD copies of the letters to which I referred.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FEBRUARY 8, 2011.

Re Nomination of Donald Verrilli as Solicitor General.

Hon. PATRICK J. LEAHY,
Chairman, U.S. Senate Committee on the Judiciary, Washington, DC.

Hon. CHARLES E. GRASSLEY,
Ranking Member, U.S. Senate Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN LEAHY AND RANKING MEMBER GRASSLEY: We write in enthusiastic support of the nomination of Don Verrilli to become the next Solicitor General of the United States. We write as lawyers who are deeply familiar both with the work of the Solicitor General and with Don's own work and character. Some of us have worked jointly with Don, some of us have appeared opposite him in cases, all of us have seen his work. We believe that Don is ideally suited to carry out the crucial tasks assigned to the Solicitor General, chiefly the representation of the United States in the Supreme Court, and to maintain the traditions of the office that the Solicitor General leads. We urge the Senate to confirm him as Solicitor General.

With experience representing a wide variety of clients, and several years serving the United States from within the government at its highest levels, Don is unusually experienced in the vast range of legal issues over which the Solicitor General is responsible on behalf of the United States. He is a quick study, careful listener, and acute judge of legal arguments. He is a masterful writer and oral advocate who knows the importance of clarity, candor, vigor, and responsiveness. The array of departments and agencies the Solicitor General represents, the Congress that enacts the laws being executed, and ultimately the Supreme Court in the performance of its functions all rely on these qualities in a Solicitor General, and all would be well served by Don Verrilli in that position.

As important, the successful functioning of the Solicitor General's office requires an ability to see the effects of particular arguments on the overall interests of the United States, both across agencies and over the long term. Shaping arguments to respect those interests, and to protect the special credibility the office has acquired over the decades of its existence, while maintaining clarity and force in presentations, demands the whole range of knowledge, intelligence, judgment, and other capacities that Don has in abundance. More generally, the rule of law depends on a consistent commitment to reason in the unfolding of legal principles. Don's approach to practicing law throughout his career—his meticulousness in understanding and presenting facts accurately and his insistence on coherently laying out reasons for the positions he is urging—proves beyond question that Don will protect and promote the rule of law.

Finally, Don has a deeply ingrained habit of civility. Not only in court, but in private interactions, with co-counsel, colleagues, and lawyers who are adverse to his clients, Don maintains his equanimity and politeness and engages in calm, reason-based discussion. His character will serve the highest traditions of the Solicitor General's office.

We expect that the Senate, after full inquiry, will see all the virtues we know from firsthand experience that Don possesses. He is the consummate professional, and we hope that the Senate will confirm Don promptly to serve as the Solicitor General.

Sincerely,

RICHARD G. TARANTO,
Farr & Taranto.
CARTER G. PHILLIPS,
Sidley Austin LLP.

The following people have signed on to this letter:

Akin Gump Strauss Hauer & Feld, LLP: Patricia Ann Millett; Arnold & Porter: Lisa S. Blatt; Covington & Burling: Jonathan Marcus; John P. Rupp, Robert Long; Crowell & Moring: Clifton S. Elgarten, Susan Hoffman; Farr & Taranto: Bartow Farr; Finnegan, Henderson, Farabow, Garrett & Dunner: Donald Dunner; Gibson Dunn & Crutcher LLP: Theodore B. Olson, Miguel Estrada, Theodore J. Boutros Jr., Thomas G. Hungar; Goldstein, Howe & Russell, P.C.: Thomas Goldstein, Amy Howe, Kevin Russell; Hogan Lovells: H. Christopher Bartolomucci, Catherine E. Stetson; Howrey: Gerold Ganzfried; Jenner & Block LLP: Paul Smith; Jones Day: Donald Ayer, Craig E. Stewart, Meir Feder; Kellogg Huber: David Frederick, Michael Kellogg; Aaron M. Panner; Kirkland & Ellis: Christopher Landau; King & Spalding: Daryl Joseffer; Latham & Watkins: Richard P. Bress, Maureen E. Mahoney, Matthew Brill; Jonathan Massey; Mayer Brown LLP: Stephen M. Shapiro, Andrew L. Frey, Andrew Pincus,

Evan M. Tager, Charles Rothfeld, Lauren Rosenblum Goldman, David M. Gossett, Jeffrey W. Sarles.

Molo Lamken: Jeffrey Lamken; Morgan, Lewis, & Bockius LLP: Peter Buscemi, Allyson N. Ho; Morrison Foerster: Deanne E. Maynard, Brian R. Matsui; O'Melveny & Myers: Walter Dellinger, Sri Srinivasan, Jonathan Hacker; Orrick, Herrington & Sutcliffe LLP: E. Joshua Rosenkranz; Paul Hastings: Stephen B. Kinnaird; Pillsbury Winthrop: Kevin M. Fong, Claudia W. Frost; Quinn Emanuel Urquhart & Sullivan LLP: Kathleen Sullivan; Robbins Russell: Roy Englert; Ropes & Gray LLP: Douglas H. Hallward-Driemeier; Sidley Austin LLP: George W. Jones, Paul Zidlicky, Rebecca Wood, Jeffrey Green, Jacqueline Cooper, Peter Keisler, Eric Shumsky, Mark Haddad, Joseph Guerra, Robert Hochman, Michelle Goodman; Skadden, Arps, Slate, Meagher & Flom LLP: Cliff Sloan; Venable: John Cooney; Wiley Rein LLP: Andrew G. McBride, Helgi C. Walker; Williams & Connolly: Kannon K. Shanmugam, Stephen Urbanczyk; Wilkie Farr: Richard Bernstein; Wilmer Cutler Pickering Hale and Dorr: Seth P. Waxman, Paul R.Q. Wolfson, David Ogden, Randolph Moss; Zuckerman Spaeder LLP: David Reiser.

WASHINGTON, DC,

March 17, 2011.

Re Nomination of Donald B. Verrilli Jr. for the Position of Solicitor General.

Hon. PATRICK J. LEAHY,
Chairman,

Hon. CHARLES GRASSLEY, *Ranking Member,*
U.S. Senate Committee on the Judiciary,
Washington, DC.

DEAR CHAIRMAN LEAHY AND RANKING MEMBER GRASSLEY: We have served as Solicitors General in the administrations of Presidents Ronald Reagan, George H.W. Bush, William Clinton, and George W. Bush. We write in strong support of the nomination of Donald Verrilli to become Solicitor General of the United States.

Some of us have worked alongside Mr. Verrilli as co-counsel; some of us have appeared opposite him in cases; all of us are familiar with his work, his demeanor, and his well-deserved reputation as a leading member of the Supreme Court bar. We believe Mr. Verrilli is ideally suited to carry out the crucial tasks assigned to the Solicitor General and to maintain the traditions of the Office the Solicitor General.

Mr. Verrilli's long experience representing a wide array of clients, in combination with his recent experience serving in senior positions in government, render him particularly well qualified to address the range of legal issues over which the Solicitor General is responsible on behalf of the United States. His well-deserved, stellar reputation as both a writer and oral advocate, and his deeply ingrained civility and dedication to the rule of law will well serve all three branches of government. We wholeheartedly endorse his confirmation.

Respectfully,

SETH P. WAXMAN

For:

Charles Fried (1985–1989).
Kenneth W. Starr (1989–1993).
Drew S. Days III (1993–1996).
Walter E. Dellinger III (1996–1997).
Seth P. Waxman (1997–2001).
Theodore B. Olson (2001–2004).
Paul D. Clement (2004–2008).
Gregory G. Garre (2008–2009).

Mr. GRASSLEY, Mr. President, I will vote to confirm Donald B. Verrilli, Jr.,

to be Solicitor General of the United States, but I do so with little enthusiasm. Mr. Verrilli has impressive credentials and noteworthy accomplishments. In addition to his government service in the White House Counsel's Office and at the Department of Justice, he has been a litigator in private practice for more than 20 years. He has argued 12 cases, and participated in more than 100 cases, before the Supreme Court of the United States. Mr. Verrilli served for over 15 years as an adjunct professor of constitutional law at the Georgetown University Law Center. He clerked for Associate Justice William J. Brennan, Jr., of the U.S. Supreme Court, and Judge J. Skelly Wright of the U.S. Court of Appeals for the District of Columbia Circuit.

My concern with this nomination is whether or not the nominee will demonstrate appropriate independence in the office. His testimony at his hearing raised doubts about his ability and commitment to uphold that principle. Mr. Verrilli seemed to buy into the notion that he was still the President's lawyer. He gave lip service to the two traditional exceptions to the Solicitor General defending a statute—first, if the statute violates separation of powers by infringing on the President's constitutional authority; and second, if there is no reasonable argument that can be advanced in defense of the statute. Mr. Verrilli then appeared to create a third exception one that is not supported by practice or tradition. He stated he would defend a statute's constitutionality “unless instructed by my superior not to do so.”

This position advocated by the nominee—that interference in the rule of law, by the President or by the Attorney General, is an appropriate reason not to defend statutes—was extremely troubling to me and other members of the committee. That position is not the standard of the office. It is not what the Nation expects from its Solicitor General. His response gave me great pause about supporting his nomination.

Following his hearing, I gave Mr. Verrilli ample opportunity to address my concerns. In extensive written questions I asked the nominee to review and comment on testimony given by previous Solicitor General nominees. In particular, I asked many questions regarding statements by prior Solicitors General regarding the independence of the office. I asked him to review cases where the Department of Justice had made a determination not to defend a statute. I asked him to analyze those cases as to the rationale for not defending the statute. In addition, I asked him to review and comment on a number of Supreme Court cases that address serious constitutional issues.

I reviewed his answers to my written questions for the record. I commend Mr. Verrilli for his serious approach to the task of providing responses. In most cases he gave thoughtful answers.

In many instances he declined to provide his views on the topic but gave general assertions that he would follow the law. In other instances he claimed confidentiality. I do not agree with his assertion of confidentiality in most of the instances where he raised that as a basis for not responding. In other circumstances, such a response would be unacceptable. In the past, such responses, or allegations of similar responses, have resulted in a failed confirmation or withdrawal of the nomination.

Based upon my review of his responses, I am more comfortable with the notion that Mr. Verrilli understands the duty of the Solicitor General. I believe, because of my questions and the time he spent contemplating the issues, he will be a better Solicitor General than he otherwise would have been. Mr. Verrilli has been exposed to decades of thought and experience by this review. On the whole, I concluded that Mr. Verrilli now has a greater sensitivity to the necessity of independence in the office. In numerous answers he provided a much better response than he did at his hearing. He indicated he would not lend his name or that of the office to carry out any order which he believed to be based on partisan political consideration or other illegitimate reasons. Rather than do so, he said he would resign from office. I will hold him to that pledge.

I want to be clear about my tepid support for Mr. Verrilli. He is nominated to an executive branch position, not a lifetime appointment. My lukewarm support is based largely on the nature of the office to which he will be appointed, if confirmed.

I will put the administration on notice, as well as Mr. Verrilli, the Senate, the media, and any other interested party. My less than enthusiastic vote for Mr. Verrilli to be Solicitor General of the United States is limited to that office alone. No entity or individual should presume my support for Mr. Verrilli for any other future office to which he may aspire or to which he may be nominated—be it in the executive, judicial, or legislative branch of government.

Furthermore, as ranking member of the Judiciary Committee, I will vigorously carry out my oversight responsibilities to ensure the Solicitor General and his subordinates are performing as they should. I will be watching to make certain Mr. Verrilli complies with his oath of office, with his obligation to the Constitution and statutes of the United States, with his duties of the office, and with the assurances he has given the Senate in his oral and written testimony. I expect nothing less from all officials of government. I have every expectation that Mr. Verrilli, if confirmed, will honorably live up to those duties, obligations, and assurances.

TENNESSEE TORNADOES

Mr. ALEXANDER. Mr. President, on Wednesday I traveled to Greene and

Washington Counties in Upper East Tennessee—up near Virginia and North Carolina—to visit with the victims of tornadoes that swept across our State on April 27 and to see firsthand how the recovery is going.

What I found was what I expected to find. In Washington County and Greene County, the citizens are not complaining. They are cleaning up, and they are helping each other. I also found out there are some things that still need to be ironed out, but so far the recovery from a devastating disaster is going well in East Tennessee. The real work is being done by people affected by those storms and by volunteers, and I think it says that Tennesseans are doing what Tennesseans usually do.

I first met with Alan Broyles, who is the mayor of Greene County, and Bill Brown, who is director of Greene County's Emergency Management and Homeland Security Agency. Seven people lost their lives in Greene County. We visited the Camp Creek and the Horse Creek communities. We saw many of the homes that have been completely leveled, and debris was still being removed. We saw one home where a couple—the Harrisons had been helping neighbors into their basement when the tornadoes swept through and killed both Mr. and Mrs. Harrison, but spared the lives of the neighbors in the basement. There were two crosses there next to what was left of the basement structure of the home.

At the Camp Creek Elementary School where FEMA has set up a disaster recovery center, I met Pamela Ward and her mother-in-law, Betty Ward. Mrs. Ward's home had been completely destroyed by the tornado, and her husband Kevin and their three daughters were staying in a hotel after discovering that the insurance on their home only paid off their mortgage. Mr. Brown and Q. Winfield, who is FEMA's Federal Coordinating Officer for Tennessee, immediately began working to help the Wards. By the next day, Mr. Winfield had called to let me know that FEMA had approved the maximum award to help Pamela Ward and her family get back on their feet.

I also visited Washington County, where I met with Dan Eldridge, who is the mayor of the county, as well as local emergency management officials and families affected by the disaster. One resident was killed in a tornado that touched down in Washington County. Hundreds of homes were damaged. However, it was clear that families and volunteers had been hard at work putting their community back together. Rebuilding had begun, and the debris had already been removed in many areas.

FEMA is doing an excellent job working with State and local officials, but the generosity of the volunteers and the entire community working in a collective way with the churches to help families get back on their feet is an amazing sight. It is still very impor-

tant for victims to register with FEMA by calling 1-800-321-FEMA (3362). Families are also eligible for other forms of disaster assistance, including loans from the Small Business Administration and unemployment and food stamp benefits. While we cannot make these families whole, there are people who still need help, and we have to make sure they know help is available. I want to make sure that whatever the Federal Government is able to do, it is doing.

Over the past year, Tennessee has experienced disasters of historic proportions. We know very well we are not the only State or the only community where this has happened. Beginning with the 1,000-year flood that struck middle and west Tennessee last May, to the devastating tornado outbreak and river flooding this year in both the eastern and western parts of our State, 74 of Tennessee's 95 counties are currently Presidentially declared disaster areas. Thousands of people are still recovering, and many are only just beginning to put their lives back together. In spite of everything this past year has thrown at us, Tennesseans are going about their business helping themselves and helping others in remarkable and inspiring ways.

Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Alabama.

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

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

THE ECONOMY

Mr. SESSIONS. Mr. President, I wish to share a few thoughts about the state of the American economy and the lack of effectiveness of this Congress in confronting it—in particular, the lack of the leadership of the U.S. Senate to deal with the crisis we are facing both economically and financially as part of our economic condition. We can't separate those two.

The leading economic indicators are not good. Last week, we were pummeled with a series of reports that were bad news. The numbers continue to be disturbing, actually. The share of our population that is employed today declined to 58.4 percent—the lowest level since 1983. So the percentage of people working today is the lowest we have had since 1983.

The May jobs report that just came in fell well short of projections. The consensus view of economists was for a gain of 165,000 jobs, but, in fact, we gained 111,000 fewer than that. We had a very low job creation month, and it marks the worst jobs report in 8 months. Everybody is saying things are getting better and jobs are getting better, but this is a wake-up call. The numbers have not been strong. They