

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

now. Now we must determine whether someone who is a member of the President's administration will be an independent and impartial jurist on the Nation's highest Court.

The American people also want a nominee with the requisite legal experience. They instinctively know a lifetime position on the Supreme Court does not lend itself to on-the-job training. Of course, one does not need to have prior experience as a judge before being appointed to the country's highest Court, but it strikes me that if a nominee does not have traditional experience, they should have substantial litigation experience. Ms. Kagan has neither, unlike Justice Rehnquist, for instance, who was in private practice for 16 years prior to his appointment as Assistant Attorney General for the Office of Legal Counsel, a job he had at the time of his appointment to the Supreme Court.

But exploring these questions is precisely what the nominations process is all about. Starting today, both parties will begin the process of carefully reviewing Ms. Kagan's brief litigation experience as well as her judgment and her career in academia, both as a professor and as an administrator. Fulfilling our duty to advise and consent on a nomination of this office requires a thorough process, not a rush to judgment. Senate Republicans will have vigorous debate on the importance of equal justice under law. This principle lies at the very heart of our judicial system. We will diligently review Ms. Kagan's record to ensure that she shares this principle and that she possesses the requisite experience to serve on the Supreme Court.

Mr. President, I yield the floor.

---

#### RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Illinois is recognized.

---

#### SCHEDULE

Mr. DURBIN. Mr. President, today the Senate will resume consideration of the Wall Street reform legislation. There will be no rollcall votes today. Senators should expect votes in relation to amendments tomorrow morning.

The ACTING PRESIDENT pro tempore. The Senator from Oregon.

Mr. MERKLEY. Mr. President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. We are in morning business.

---

#### NATIONAL NURSES WEEK

Mr. MERKLEY. Mr. President, in honor of National Nurses Week, I wish to recognize the more than 3 million nurses who work hard day-in and day-out to give patients the care they de-

serve. Because my wife Mary is a nurse, I have seen firsthand what an enormous impact nurses have on both patients and families. Their compassion and devotion to their patients give families the peace of mind that their loved ones are in good hands. They also play an irreplaceable role in making sure our hospitals and clinics run smoothly. Unfortunately, many nurses are overworked, underpaid, and our hospitals and clinics have trouble retaining them.

Through the Health Care Reform Act Congress passed earlier this year, we made significant strides in addressing many of the challenges nurses face. We expanded the nursing student loan program to help make nursing programs more affordable. We also expanded the nursing loan repayment program and scholarship programs to students who commit to working at an accredited nursing school for 2 years. This will help ensure our nursing schools have the teachers they need to train additional nurses. We invested \$1.5 billion over 5 years in the National Health Service Corps scholarship and loan repayment program for primary care providers, including nurses who practice in underserved areas. In addition, we included \$50 million in grants for nurse-managed health clinics that offer primary care and wellness services to low-income and uninsured Americans.

While we made good progress easing many of the difficulties nurses face, much more still needs to be done. Nurses play such a crucial role in the delivery of care. We need to provide them with the resources they need to do their jobs.

The nursing shortage also remains a serious issue, especially in hard-hit rural areas. To find commonsense solutions to the problems nurses face, I formed the Senate Nursing Caucus with Senator JOHANNIS, Senator MIKULSKI, and Senator SNOWE. I urge all of my colleagues to join the caucus to help strengthen the nursing profession and advance the goals of the nursing community. Together, we will explore ways we can enhance the role nurses play in our health care system and address the nationwide nursing shortage.

I ask my colleagues and my fellow Americans to take a moment during National Nurses Week to show your appreciation to nurses across the country for their hard work, commitment, and dedication to their patients. Their dedication is invaluable to the success of our health care system and, most of all, to the patients who depend on them.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. Mr. President, I wish to join my colleague from the State of Oregon in speaking on behalf of nurses across America.

We know that with the baby boom generation, we are going to need more nurses than ever, and with these nurses, we will have the professional

medical care we need across this Nation, but we better get busy. We are falling behind. We don't graduate enough nurses now to take care of the anticipated needs, and we have to change that.

Sadly, in many instances we have been poaching nursing talent from other poor nations around the world. Filipino nurses in Chicago play a major role at many hospitals, particularly inner-city hospitals, and nurses from other parts of the world. Many times, the Philippines, for example, generates more medical professionals and expects they will serve overseas, but some places in Africa lose their best medical professionals to higher and more predictable pay in places such as the United States, England, France, and Germany. So we have to reach a point where we are graduating more nursing students each year. Last year in Illinois, 2,000 qualified nursing applicants were turned down because we didn't have the capacity in our nursing schools.

We don't have enough nursing faculty, enough clinical opportunities. We need to really focus on that. So in addition to lauding the nursing profession—I certainly echo my colleague in that regard—we also need to think ahead to make sure we have more nurses when we need them, and that day is going to be fast upon us. So I thank the Senator from Oregon for his words.

#### FINANCIAL REGULATORY REFORM

Mr. DURBIN. Mr. President, for those who are here following the Senate today, as announced earlier, we are resuming consideration of this bill, and, of course, it is the Wall Street reform bill, the Financial Stability Act. It is over 1,400 pages long.

The Senator from Virginia who is presiding over the Senate now is a member of the Senate Banking Committee. Senator MARK WARNER has worked on this bill, and large sections of it are his handiwork in an effort to try to deal with changes on Wall Street which will protect our economy and make certain we don't relive some of the horror stories we have seen over the last several years, and we all know those stories pretty well.

There was a time not that long ago—about a year and a half ago—when, under the previous President, I was brought into a meeting just a few steps away from the Senate floor with the chairman of the Federal Reserve, Ben Bernanke, and the Secretary of the Treasury, Henry Paulson. They basically sat down in the first meeting and said: We wanted to let you know the largest insurance company in the world, AIG, is about to go broke. When it goes broke, it is going to bring down so many companies and corporations with it that it can literally crater the American economy. At that point, Chairman Bernanke said: So the Federal Reserve is giving \$85 billion to AIG Corporation.

There was a moment of silence in the room, and finally someone in the