

that I will support him in his effort to bring this confrontation over judicial filibusters to an end.

There should be no question in anyone's mind about my intentions. I will work in concert with our leader, and with the distinguished majority whip, Mr. MCCONNELL, to end filibusters of judicial nominations in the Senate.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from North Dakota.

Mr. DORGAN. Mr. President, how much time remains?

The PRESIDING OFFICER. There remains 14 minutes 20 seconds.

Mr. DORGAN. My colleague from Connecticut is here. Let me take a couple of minutes and then yield to my colleague for the remaining time.

I must confess, it is hard sometimes to listen on the floor of the Senate without a big broad smile at the irony of this debate. Restoring the normal traditions of the Senate? There is a debate going on in the Senate, but that is not what it is about. This is about changing the rules in the middle of a game because one party in control doesn't get everything they want on every issue all the time.

We have confirmed 205 judges for this President and opposed the confirmation of only 10 of them. Because of that, the other side has an apoplectic seizure and decides they want to turn this Senate into the House, where there is no unlimited debate and one party can treat the other party like a piece of furniture they can sit on.

The Framers of this Constitution did not consider the Senate should be a compliant body during one-party rule. The minority has rights. One of those rights is unlimited debate.

I think it is very interesting to hear on the floor of the Senate how generously the Republicans treated nominees under the Presidency of President Clinton, when they—in 50 cases of people who were notified by the President they were nominated for a lifetime appointment on the Federal court—did not even have the courtesy of giving them 1 day of hearings. Not even a day of hearings. They didn't get to see the light of day in this Congress, let alone a filibuster.

What a shameful thing to do to someone to whom the President says, I am going to nominate you for a lifetime appointment on the court. They didn't give them 1 day of hearings.

Now they complain because we approved 204 and didn't approve 10. Now they complain the President didn't get every single judgeship he wanted. Have they ever heard of the words "checks and balances"? Did they take a course at least in high school to understand what it means?

No. If this nuclear option, as it is called in this town, is employed by the majority party, with an arrogance that I have never seen in the years I have served in the Congress—if they do that, they will rue the day because they, one day, will be in the minority and they,

one day, will wonder what on Earth did we do, to eliminate the unlimited debate provision in the United States Senate that George Washington and Thomas Jefferson said represents the cooling of the passions in this country, represents the one location of reasoned debate in this Government of ours.

I hear all these discussions about how this is about traditions and norms. Nothing could be further from the truth. What the majority is trying to do is change the rules of the Senate because the minority didn't approve 10 out of 215 judges. What an arrogant attitude and what damage they will do to this institution if they employ a tactic to change the rules at this point and turn this Senate into another House of Representatives. They will have done damage for the long term and damage I believe they themselves will regret because one day they, too, will be in the minority. Then they will again understand what this Constitution provides with respect to minority rights.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

DEATH BENEFITS IN THE SUPPLEMENTAL APPROPRIATIONS BILL

Mr. LIEBERMAN. Mr. President, I rise to speak in morning business about the provision of this supplemental appropriations bill before us that rights a wrong done with regard to death benefits of those who served the United States in uniform. I begin my remarks by thanking my friend and colleague from Alabama, Senator SESSIONS, and acknowledge his leadership on this very important humanitarian reform. I also thank the Senate Appropriations Committee, under the leadership of Senator COCHRAN and Senator BYRD, for bringing forward this emergency supplemental in a way that includes an important provision to improve the financial benefits for families of our fallen soldiers.

I am grateful that this supplemental uses the so-called HEROES bill, S. 77, which Senator SESSIONS and I cosponsored and introduced in January as the basis for the reforms to enhance the death benefit and the level of coverage under the Servicemen's Group Life Insurance Program.

Yesterday, the Senate amended this provision and voted to increase eligibility for the expanded death benefit to \$100,000, which was in our HEROES bill, to include all active-duty service men and women.

These reforms honor the brave men and women wearing America's uniform who have made the ultimate sacrifice to defend our liberty by giving them and their families what we the American people owe them. Obviously, nothing can replace the loss of life. But a decent death benefit and adequate life insurance can provide our service members and their loved ones with a sense of security about their future which they deserve. For too long, they

have not gotten that peace of mind, and indeed not the respect they deserve.

Senator SESSIONS and I have worked together for some time as members of the Senate Armed Services Committee to investigate and then to react to this wrong. We began looking at the question of what survivor benefits were in place for our men and women in uniform as we were concerned that the benefits being provided to families of those who lose their lives in the service of this country lagged behind benefits provided for public service employees in high-risk occupations, namely policemen and firefighters. The families of fallen policemen and firefighters deserve those higher benefits. But so, too, of course, do the families of fallen military personnel.

When Senator SESSIONS and I began this review, the death benefit paid to the families of service men and women who were killed in action was \$6,000, an embarrassing sum. A small step forward was taken last year when the death benefit was increased to \$12,000, but obviously that was still woefully inadequate.

Two studies, one done by the Department of Defense and the other done by the Government Accountability Office, documented that survivor benefits provided to some of the public employee groups I have mentioned in high-risk positions were greater than those provided for our soldiers killed in combat. That was evidently unfair, and that is why our legislation, the HEROES bill, was worked on for over 2 years with the Pentagon's service member group and veterans groups which resulted in a bill to correct that imbalance by adjusting military survivor benefits to more equitably reflect today's world.

I am very gratified that idea has taken hold, and it is reflected in the emergency supplemental before the Congress today.

With the changes adopted, if soldiers buy the servicemen's group life insurance, their families will receive \$250,000, for which the soldier pays, and then an additional \$150,000 of insurance the U.S. Government will pay for. In addition to that will be the \$100,000 death benefit. That is half a million dollars, which in these times is not a lot when we consider families left behind, a parent or a spouse and children who will need to go to college and all the expenses related to it. These families who have lost a family member have a terrible void. All of us who have visited with them in our respective States or elsewhere have felt that void and have tried to the extent we could to let them know we share it with them. But, of course, it is uniquely and singularly theirs as they go through their life. Nothing can fill that void. But the least we can do is what we do in this bill—give them some sense of financial security as they go forward, with a kind of security in a much more fundamental sense that their loved one's service has given each and every American.

Theodore Roosevelt once said:

A man who was good enough to shed blood for his country is good enough to be given a square deal afterward.

Of course, in our time we say a man and a woman.

T.R. was right, and the men and women who are shedding blood for our Nation today in the cause of liberty and doing so in a way that has fundamentally improved the security of the American people here at home should know their families will be taken care of no matter what happens to them.

I can't think of a piece of legislation which I have been involved in my over 17 years in the Senate that I have felt better about. This is one of those occasions that doesn't get celebrated quite enough where we forget the party labels, Republican and Democrat, and act in a higher calling, which is our status as Americans which unites us all. I am glad to see we are about to put these reforms in place.

We all recognize we have to keep faith with our service men and women. We have to give them a square deal. They are doing their duty to protect us, and it is our duty to protect their families, should they give their lives in defense of our liberty. That is what the provisions in the supplemental do. I am proud to have been a part of it. I am grateful to my colleagues for supporting it. I urge its adoption.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I associate myself with the comments of Senator LIEBERMAN and say how he expressed my feelings about this important legislation. It has been a pleasure to work with him in a bipartisan way. He has demonstrated time and again his interest in matters of national defense and national security and his commitment to those who serve us. I, too, believe, as was discussed not too long ago at one of the hearings, there is a bond between the American people and those we send out to defend our interests in dangerous areas of the world. We as American people need to honor that bond.

One of the commitments I think we must make as a people is to say to those who go in harm's way to execute the just policies of the United States that if something happens to you, we are going to try to take care of your family. That is one thing you don't need to worry about.

I believe the HEROES bill, as we named it, honoring every requirement of exemplary service, is the legislation that moves us a long way in that regard. I couldn't be more excited. I thank the Appropriations Committee Chairman, Senator COCHRAN, and the ranking member, Senator BYRD, for their support of making this a part of the supplemental.

We certainly have worked hard in trying to gain support from the military community and the Department

of Defense which understands exactly how and what we should do to better support those who lose their lives in the service to their country. We did a number of things.

Two years ago, as part of the Defense bill I asked that we put in language to study this. Senator LIEBERMAN and I talked about it. And they put that language in. We have gotten some studies back. We began to figure and think about what we could do to make families more secure in the case of the loss of a loved one. Last year, they completed the study and we began to look at it. The President and the Secretary of Defense responded to our request promptly and, I believe, honestly and objectively.

The Senate report that is before us today recommended increasing the death gratuity benefit from \$12,420 to \$100,000 for our service members who die on active duty in a combat theater, and then we amended the bill to include those who serve on active duty who lose their lives. It also allows, as I have proposed, for every member of the military to raise the level of coverage under the servicemen's group life insurance which is capped out at \$250,000 to \$400,000. I believe that is a more legitimate sum for a family suffering this kind of loss.

Additionally, for those serving in the combat zone or a designated contingency, the Department of Defense will pay the member's premium for the first \$150,000 of insurance to guarantee they are participants in that program.

The report before us also makes these changes retroactive to cover those who lost their lives since the beginning of the global war on terrorism which began October 7, 2001. Families of our service members who have died since October 7, 2001, will receive a one-time cash payment of \$238,000 which is a sum of the added coverage of life insurance, \$150,000 more life insurance, coupled with proposed increase of the death gratuity of \$88,000.

Finally, the report will place language in the law to require service members to inform their spouses of the level of coverage that may be enacted.

As I conclude my remarks, let me be clear on this issue. There is no amount of compensation that can replace the loss of a loved one. Not for a soldier, not for a police officer, not for a teacher, or a fireman. However, our military service members volunteer to leave their families and engage in a very difficult and dangerous campaign to defeat terrorists and secure peace and prosperity not only for America but for countless millions around the world. The training and operations conducted to ready them for combat are also dangerous and will also be included in the death gratuity section of the report. The enhancements of the death gratuity and SGLI outlined in this bill reflect the risks and dangers faced by our service men and women as they serve us around the world.

The language stays true to what our President requested in the supple-

mental and what Senator LIEBERMAN and I put in S. 77, the HEROES bill. This report and the death benefits enhancements offered are based on a sound analysis of this highly important and emotional issue. We can never do enough to thank these brave Americans. Each and every one of them who serves us in our military today is a national treasure.

I am thankful and grateful that the Senate has included the HEROES provision in this report, and I look forward to voting on this bill and seeing it enacted into law.

I note that not too many months ago I flew from Baghdad to Kuwait in a C-130 late at night, and there were two flag-draped coffins of soldiers who had given their lives in service to our country. Yesterday, I talked with the daughter, 25 years old, of Sergeant Major Banks. Her mother, a sergeant major in the Army, was one of the soldiers who died in the tragic helicopter crash in Afghanistan recently. I talked to her about her mother, and how much she admired her mother, and to think how she had risen through the ranks to become a sergeant major, growing up in a poor area of Alabama, African American, who inspired her daughter, Shante Banks, as she described her mother's influence on her life. She gave her life serving our country, as many have.

I believe we have done the right thing here. I think it is going to be a good step forward. I have enjoyed the opportunity to work with Senator LIEBERMAN as we have moved this legislation forward.

I thank the President and yield the floor.

The PRESIDING OFFICER (Mr. VITTER). The Senator from South Dakota is recognized.

Mr. THUNE. I thank the Senator from Alabama and the Senator from Connecticut for the great work they have done in recognizing the sacrifice of our men and women who are fighting for freedom's cause in Iraq and Afghanistan and other places around the world. This is important legislation. I am pleased to be able to support their efforts and to see it becomes a matter of law.

(The remarks of Mr. THUNE pertaining to the introduction of S.J. Res. 12 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ENSIGN). Without objection, it is so ordered.

CONCLUSION OF MORNING
BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EMERGENCY SUPPLEMENTAL
APPROPRIATIONS ACT, 2005

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1268, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, to establish and rapidly implement regulations for State driver's license and identification document security standards, to prevent terrorists from abusing the asylum laws of the United States, to unify terrorism-related grounds for inadmissibility and removal, to ensure expeditious construction of the San Diego border fence, and for other purposes.

Pending:

Mikulski Amendment No. 387, to revise certain requirements for H-2B employers and require submission of information regarding H-2B nonimmigrants.

Feinstein Amendment No. 395, to express the sense of the Senate that the text of the REAL ID Act of 2005 should not be included in the conference report.

Bayh Amendment No. 406, to protect the financial condition of members of the reserve components of the Armed Forces who are ordered to long-term active duty in support of a contingency operation.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CORZINE. Mr. President, I was about to call up amendment No. 366, which I am going to pull back from at this point. We are working with a number of subcommittees to get exact language, but I would like to go ahead and frame the debate. Senator BROWNBACK will be joining me.

This is actually the Darfur Accountability Act which we had introduced on the floor at an earlier point. We have 30 cosponsors of the amendment. We will continue to work with the appropriate subcommittees and others to refine the language before we bring it back.

This amendment we will be offering is one that parallels the importance which is now being placed on moving this supplemental, which is absolutely essential to support our men and women in uniform. They deserve our support. We all know that. It is most certain that I will be voting positively with regard to making sure that our deeds and words match in our support of the troops and that we allocate our resources accordingly. That is what the debate on the supplemental is about. I look forward to working on that.

But so, too, there are those the Congress and the administration have already acknowledged are being subjected to acts of genocide, the Black Muslim villagers of Darfur, Sudan. This genocide is being committed by their own countrymen with the support of their Government. It is time for action. Here, too, we need to put our

words and deeds into a match. They need to be congruent. This amendment is intended to deal with the emergency, the urgently needed response to this ongoing genocide taking place in Darfur as I stand here, a place where there have been killings of up to 10,000 people every month, 300 to 350 human beings almost every day.

Never have we been so aware of mankind's horrible history, and yet so reluctant to act on its lessons as it applies to this situation in Darfur. This month we are commemorating the 11th anniversary of the Rwandan genocide. "Hotel Rwanda," the movie, is showing on thousands of screens in homes across the country, and we continue to recall our shameful failure to prevent the slaughter of 800,000 people. Do we need to have a play 5 years from now or 10 years from now called "Hotel Darfur"?

April 17 marks the 30th anniversary of the Khmer Rouge takeover in Cambodia, the beginning of a genocide that killed between 1 and 2 million people. Do we need to revisit the killing fields? In January, the liberation of Auschwitz was commemorated by the Congress and by a special session of the United Nations General Assembly. Throughout all of these commemorations and remembrances, we hear the same words: Never again. Never again will we accept the slaughter of our fellow human beings. Never again will we stand by and let this happen.

As Vice President CHENEY said eloquently at the Holocaust commemorations in Poland:

[We] look to the future with hope—that He may grant us the wisdom to recognize evil in all its forms . . . and give us courage to prevent it from ever rising again.

There is perhaps no more powerful moral voice over the last half century than author and Holocaust survivor Elie Wiesel. Last year he spoke to the Darfur issue.

He said:

How can a citizen of a free country not pay attention? How can anyone, anywhere not feel outraged? How can a person, whether religious or secular, not be moved by compassion? And above all, how can anyone who remembers remain silent? That is what the issue in Darfur, Sudan, is about. That is why this Darfur Accountability Act—this amendment that we are speaking to today—is so important.

I ask unanimous consent that the full remarks by Mr. Wiesel on Darfur be printed in the RECORD.

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

[Remarks delivered at the Darfur Emergency Summit, New York, July 14, 2004]

ON THE ATROCITIES IN SUDAN

(By Elie Wiesel)

Sudan has become today's world, capital of human pain, suffering and agony. There, one part of the population has been—and still is—subjected by another part, the dominating part, to humiliation, hunger and death. For a while, the so-called civilized world knew about it and preferred to look away. Now people know. And so they have no

excuse for their passivity bordering on indifference. Those who, like you my friends, try to break the walls of their apathy deserve everyone's support and everyone's solidarity.

This gathering was organized by several important bodies. The U.S. Holocaust Memorial Museum's Committee on Conscience (Jerry Fowler), the Graduate Center of the City University of New York, the American Jewish World Service (Ruth Messinger) and several other humanitarian organizations.

As for myself, I have been involved in the efforts to help Sudanese victims for some years. It was a direct or indirect consequence of a millennium lecture I had given in the White House on the subject, "The Perils of Indifference". After I concluded, a woman in the audience rose and said: "I am from Rwanda." She asked me how I could explain the international community's indifference to the Rwandan massacres. I turned to the President who sat at my right and said: "Mr. President, you better answer this question. You know as well as we do that the Rwanda tragedy, which cost from 600,000 to 800,000 victims, innocent men, women and children, could have been averted. Why wasn't it?" His answer was honest and sincere: "It is true, that tragedy could have been averted. That's why I went there to apologize in my personal name and in the name of the American people. But I promise you: it will not happen again."

The next day I received a delegation from Sudan and friends of Sudan, headed by a Sudanese refugee bishop. They informed me that two million Sudanese had already died. They said, "You are now the custodian of the President's pledge. Let him keep it by helping stop the genocide in Sudan."

That brutal tragedy is still continuing, now in Sudan's Darfur region. Now its horrors are shown on television screens and on front pages of influential publications. Congressional delegations, special envoys and humanitarian agencies send back or bring back horror-filled reports from the scene. A million human beings, young and old, have been uprooted, deported. Scores of women are being raped every day, children are dying of disease hunger and violence.

How can a citizen of a free country not pay attention? How can anyone, anywhere not feel outraged? How can a person, whether religious or secular, not be moved by compassion? And above all, how can anyone who remembers remain silent?

As a Jew who does not compare any event to the Holocaust, I feel concerned and challenged by the Sudanese tragedy. We must be involved. How can we reproach the indifference of non-Jews to Jewish suffering if we remain indifferent to another people's plight?

It happened in Cambodia, then in former Yugoslavia, and in Rwanda, now in Sudan. Asia, Europe, Africa: Three continents have become prisons, killing fields and cemeteries for countless innocent, defenseless populations. Will the plague be allowed to spread?

"Lo taamod al dam réakha" is a Biblical commandment. "Thou shall not stand idly by the shedding of the blood of thy fellow man." The word is not "akhikha," thy Jewish brother, but "réakha," thy fellow human being, be he or she Jewish or not. All are entitled to live with dignity and hope. All are entitled to live without fear and pain.

Not to assist Sudan's victims today would for me be unworthy of what I have learned from my teachers, my ancestors and my friends, namely that God alone is alone: His creatures must not be.

What pains and hurts me most now is the simultaneity of events. While we sit here and discuss how to behave morally, both individually and collectively, over there, in Darfur and elsewhere in Sudan, human beings kill and die.