measures to cut redtape and bureaucratic tangles to help hurricane victims get the assistance they need. I expect the Senate over the week to clear legislation making it easier for evacuees to receive welfare benefits and student aid.

We also intend to boost FEMA's borrowing authority from $1.5 billion to $3.5 billion. The national flood insurance program administered by FEMA is facing its greatest losses in history. We need to make sure they have the resources they need so that victims receive appropriate, proper, and timely payment.

We are also working on ways to spur private investment in this overall rebuilding effort. Katrina is estimated to have swept away over 400,000 jobs. People need these jobs, and the Gulf Coast needs to be rebuilt bigger, more modern, and more prosperous so that it can provide economic opportunity. We will continue to press forward with the joint hearings announced last week on the preparations for hurricanes and that immediate disaster response. We need to find out what went wrong, what went right, what worked, and what did not.

It is clear that things did not turn out as we would like for them to at a response level, at the Federal level, at the State level, or at the local level. There have been problems at all levels of government, and we will get to the bottom of those problems.

Through it all, America will emerge smarter, stronger, and more effective in how we respond to disaster, natural and manmade. Nature has dealt a painful blow, but America does stand unified, and in the past 2 weeks her citizens have shown tremendous courage, generosity, and outpouring of spirit. Countless people are pouring out their hearts, time, and resources, and literally opening their homes to shelter and comfort the survivors. There are over 1.1 million people displaced. About half of those, or about 500,000, have been displaced to other States than those three most affected States. Private donations to hurricane relief funds have soared to nearly $700 million. The American Red Cross alone has received $500 million in gifts and pledges. Thirty-six thousand Red Cross volunteers are serving in over 675 shelters in 23 States.

The Salvation Army has received over $65 million. America's Second Harvest has raised nearly $12 million and delivered 16 million pounds of food. The list goes on. These are but a few examples.

Americans from all across the country and all walks of life are asking what they can do to help. The past 2 weeks stand as a testament to the depth and strength of our national character and civic bonds. Millions of citizens, millions of Americans, are committed to the care, nurture and well-being of one another. The rescue and recovery will continue. The cities and towns all across that Gulf Coast will be rebuilt. They will reemerge more modern and more prosperous than ever before. The Senate will continue moving forward on behalf of our fellow citizens and on behalf of future generations who will call the gulf coast home.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Minnesota is recognized.

NOMINATION OF JOHN ROBERTS TO BE CHIEF JUSTICE OF THE UNITED STATES SUPREME COURT

Mr. DAYTON. Mr. President, today the Senate Judiciary Committee began its hearings on President Bush's nomination of Judge John Roberts to be the next Chief Justice of the U.S. Supreme Court. I remain undecided and open minded, as I believe virtually all of my colleagues have also stated themselves to be, about the nominee. I will remain so until those hearings are complete. Nevertheless, I commend President Bush for acting swiftly and responsibly to nominate the successor to the very distinguished and dedicated former Chief Justice William Rehnquist. His tragic death, along with the announced resignation of Justice Sandra Day O'Connor, has created a second vacancy on the Supreme Court, a vacancy for which the President has not yet nominated a replacement but may do so any time in the future.

So it is not surprising that even while Judge Roberts confirmation hearings are just beginning, many Americans are already looking ahead and are attempting to influence the President's decision on this second Supreme Court nominee.

While President Bush unquestionably has the right to nominate the man or woman—I personally hope it is the woman—of his own choosing, and in fact the President has earned that right by his reelection last November, I believe he has the responsibility to select someone who would be the choice of the vast majority of all Americans, for this woman or man will be a Supreme Court Justice for all Americans living today and likely for all Americans yet to come for many years ahead. If confirmed, she or he will take an oath of office, as each of us has done, to uphold the Constitution of this great country, a 216-year-old document which still lives today to guarantee and protect the rights, the freedoms, and the responsibilities of all 290 million American citizens—not just the majority or the minority, not just Republicans or Democrats, not just conservatives or liberals, not just Christians, Muslims, or Jews, not just some but all Americans.

That responsibility—of the President, of this Senate, and of each Supreme Court Justice—to all Americans is why I found so disturbing an article in last Saturday's Washington Post. The front page lead-in said:

> In defense of Alberto Gonzales, supporters counter the idea that the Attorney General is too moderate for the High Court.

Alberto Gonzales, as we all know, is the Attorney General of the United States and is widely considered to be one of the President's most likely considered nominees to fill this second Supreme Court vacancy. The Washington Post story's headline reads: ''Gonzales is Defended as Suitable for the Court.''

The article begins:

> Supporters of Attorney General Alberto Gonzales have launched a campaign to rebut criticism that he is not reliably conservative enough to serve on the Supreme Court.

I find those words bizarre. Accurate, I have no doubt, in portraying a bizarre situation caused by the bizarre behavior of some bizarre people who are—and this is where it becomes frighteningly bizarre—seriously trying to determine who the President of the United States will or will not nominate to the U.S. Supreme Court.

It shall not be, they decree, someone too moderate to be suitable for the Supreme Court. Too moderate to be suitable to serve on the U.S. Supreme Court? What terrible acts of moderation has Attorney General Gonzales committed to make himself unsuitable, unfit or unqualified?

According to the article, as a justice on the Texas supreme court 5 years ago, then-Judge Gonzales sided with the court's majority in upholding the constitutionality of a Texas State law that provided a judicial bypass to allow a State judge, in exceptional circumstances, to allow a minor woman to obtain an abortion without her parents' notification. According to the article, Judge Gonzales:

> . . . wrote that he felt a duty to follow the law without imposing my moral view, even if the ramifications may be personally troubling to me as a parent.

In other words, he did what a State or Federal Supreme Court Justice is sworn to do, to decide upon the constitutionality of legislation that State legislatures or the Congress passes and that Governors or Presidents sign into law, based upon the written State and U.S. Constitutions, regardless of their personal views. If that is considered too moderate to be suitable for the Supreme Court, then this country is headed for the extreme deep end.

On the other side, to prove that the Attorney General is not too moderate to be suitable for the Supreme Court, his supporters reportedly note that, as President Bush's White House counsel, he successfully excluded the American Bar Association from the judicial selection process. That proves he is suitable? As I said, this political psychodrama has taken the bizarre twist of Alice in Wonderland, where black is white and up is down; where suitable is unsuitable and unsuitable becomes suitable, except that this is no play, and these people are not playing around. The stakes couldn't be higher, and these people are playing for them all. The stakes are the future of the

country and all the people, all of the people who live in this great United States of America.

One conservative activist is quoted in the Post story:

> You finally get a Republican President a real Republican majority in the Senate and then you don't move the country to the right? It would be totally demoralizing to the President's supporters.

First of all, this notion that the U.S. Supreme Court is some liberal bastion is itself bizarre and wrong. Seven of the nine Justices on the current Court were named by Republican Presidents. Chief Justice Rehnquist and three Associate Justices were nominated by President Reagan, two by former President George W. Bush, one by President Ford and two by a Democratic President, President Clinton. But that composition of the Court, 7 of 9 nominees by Republican Presidents, that is not enough for the activist zealots. They believe that some of those Republican judicial nominees had become too moderate, once they were safely confirmed and placed on the Supreme Court.

Too moderate for them is a judge who has independent views. Too moderate is a judge who has sworn to uphold the Constitution and not to impose his or her views on that process of legislation and enactment into law as prescribed by the U.S. Constitution. Too moderate for them means refraining from judicial activism, which they profess to oppose but in fact oppose only when they disagree with the Court's findings.

Government is not a Burger King. You are not supposed to all ''have it your way.'' People who think getting their own way all the time, especially from the U.S. Supreme Court, is somehow a measure of Presidential greatness are seriously wrong. People who are demoralized if they do not get it all their own way, especially from the U.S. Supreme Court, are dangerously misguided. I implore President Bush to rise above his base, as it is described in the article. If it is not to be Attorney General Gonzales, then someone else who is moderate and who is therefore suitable, who is therefore qualified to serve in this highest Court of the land. It may not serve the perceived interests of some of his misguided supporters, but it will serve the best interests of all of his supporters, who are all of us—all of the American people. He is the President of all of us. He was elected through our process to represent all of us, to be supported when we can, and ultimately, in the office he serves, by all Americans. It is the process for him to nominate and for this body to confirm a U.S. Supreme Court Associate Justice who will also serve, look out for and serve all Americans.

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

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

The assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF JOHN ROBERTS

Mr. REID. Mr. President, the Senate Judiciary Committee, as we know, has started hearings on the nomination of John Roberts to be the Chief Justice of the United States. I am confident that Chairman SPECTER, Ranking Member LEAHY, and the other committee members will do a good job exploring the nominee's qualifications for the job and thoroughly explore his judicial philosophy.

There is much at stake in these hearings. If confirmed, Judge Roberts will serve as Chief Justice for the next several decades. He will be the head of the third branch of the Federal Government and the most prominent judge in the world.

The Senate's duty to render advice and consent, with respect to his nomination, is one of the most critical tasks we will face in this Congress. I am very happy that no Democrat has prejudged the Roberts nomination. Not a single Democratic Senator has stated how they will vote on this nomination. Some may be leaning toward supporting him; others may be leaning against him. But every Democrat knows that we need to wait for these hearings, the questions and answers, the statements by Mr. Roberts and the independent witnesses before making a final decision. That is the responsible way to approach a nomination such as this.

I look forward to hearings, hearings that I know will be respectful, dignified, and thorough. I, personally, have encouraged Judge Roberts to answer questions fully and forthrightly. I, for one, am enormously impressed with Judge Roberts career and his obvious legal skills. I met him in my office right across the hall.

I said: How many trials have you had, Judge?

He said: None.

This man is an appellate advocate. He has argued nearly two score cases before the U.S. Supreme Court and many others at various appellate levels. I enjoyed meeting with him. It was soon after he was nominated. I saw him last week at the funeral for Justice Rehnquist. The only thing that I am troubled about, and I am troubled, is some of the memos he wrote during the Reagan administration regarding women's rights and other civil rights issues. In more recent years, he appears to have been a thoughtful, mainstream judge on the DC Circuit. I want to give Judge Roberts an opportunity to convince the Senate, the American people and myself that, as a Supreme Court Justice, he could continue to be a fair, evenhanded judge and not revert to his ideological roots that we saw during the Reagan years. If he can meet that test, I can support him. If he doesn't, if he is not persuasive on that point, I cannot support him. The burden is on John Roberts.

The Supreme Court hearings are likely to dominate the news today, but let's all remember, these hearings are about whether one man is qualified to fill one job. While we carefully weigh that important decision, I remind all my colleagues that, as we speak, there are hundreds of thousands of Americans without jobs, without homes, and they are losing hope as a result of our inaction. These are the people in the Gulf Coast region. We must get our priorities in line. It has been nearly 2 weeks since flood waters poured into Louisiana, Mississippi, and Alabama, and the terrible windstorms hit them. That is 2 weeks. Thousands of families have gone without shelter, schools for their kids, health care for their injuries and the resources they need to pick up and move on with their lives.

In the Senate, we passed two supplemental appropriations bills. That is good. It is a start, but it is not nearly enough. Along with Senator LANDRIEU, my colleagues and I introduced the Katrina Emergency Relief Act last week. The act would make changes in law that we need to give survivors health care, housing, education, and personal financial relief. We are trying to add these provisions to the Commerce, Justice, and Science appropriations bill. We had hoped the Senate would act on these items promptly, but it appears the majority will use procedural devices to prevent them from passing or even allowing votes on them. That is unfortunate. Thousands of survivors still are living on cots in the Astrodome and other places, makeshift shelters all across the country. These victims do not care about Senate procedures. They know that they need help now, not more redtape.

I believe America can do better, and we Democrats will continue to press for action on these items in the days ahead. The Government turned its backs on Katrina's victims once. We can't let it happen again.

In addition to votes on the four amendments to the Commerce appropriations bill that we want, we should help victims and help our troops by bringing to this floor the Defense authorization bill. Unlike the Commerce bill, the Defense bill is an amendable vehicle. Through this bill, the Senate would be able to get legislation here now and act on it. The Katrina relief emergency matter could be brought before the Senate and we could vote on it to help Katrina victims now.

But just as importantly, we need to act on the Defense authorization bill so we can get to our troops serving in Iraq and Afghanistan and their families the resources and support they deserve. The Defense bill delivers a better quality of life, state-of-the-art equipment, new housing for our troops, and relief for their families. This bill provides critical health care benefits for guardsmen and veterans. It also increases the