should be. This is the time to adjust it. I think this is a reasonable adjustment, 50 percent for the imminent danger pay, $100 for the family separation allowance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

AMENDMENT NO. 437 TO AMENDMENT NO. 436

Mr. DURBIN. Madam President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN] proposes an amendment numbered 437 to amendment No. 436.

Mr. DURBIN. Madam President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

In the amendment strike all after the first word and insert the following:

(a) INCREASE IN IMMINENT DANGER SPECIAL PAY.—Section 310(a) of title 37, United States Code, is amended by striking ''$150'' and inserting ''$250''.

(b) INCREASE IN FAMILY SEPARATION ALLOWANCE.—Section 427(a)(1) of title 37, United States Code, is amended by striking ''$100'' and inserting ''$250''.

(c) EXPIRATION.—(1) The amendments made by subsections (a) and (b) shall expire on September 30, 2003.

(2) Effective on September 30, 2003, sections 310(a) of title 37, United States Code, and 427(a)(1) of title 37, United States Code, as in effect on the day before the date of the enactment of this Act are hereby revived.

Mr. DURBIN. Madam President, as copies of the amendment are being made, I say to my colleagues that my amendment raises the combat pay, imminent danger pay for the soldiers, sailors, airmen, marines, and coastguardsmen presently in combat from the figure of $225 a month suggested by Senator STEVENS to $250 a month, and the family separation allowance from $200 a month to $250 a month.

I have spoken to my colleagues, whom I respect very much and whom I acknowledge to be certainly doing the very best they can with an extraordinary bill at an extraordinary time, and urge them to consider this new figure. I have not pursued my original request, which was $500 a month for both, nor a modification of it of $400 a month. I have come down to what I consider to be a reasonable increase in light of the reality of the circumstances.

I do not know that any person in the Senate will stand before us and argue that he is going to find complaints from military families about this family separation allowance or even about combat pay. Thank God we have the very best people in America serving in our military. Their families are at home keeping the families together, praying for their safe return. They are not importuning and begging this Congress for more money. That has not happened. God bless them for not putting pressure on us to deal with that. But let us accept the reality of our responsibility. We have a responsibility not just to pass resolutions in support of the troops. We have a responsibility beyond the kind words which we offer in debate in this Senate. We have a specific responsibility to these men and women in uniform and their families.

Look at what they are facing. They are facing the separation of families, which undoubtedly has to be traumatic and difficult. They are trying to raise their children in a circumstance that may be more challenging than ever because of the need for child care costs, which certainly are extraordinarily large even under the best circumstances. They are dealing sometimes with activated reservists and guardsmen who have left a good paying job and are now on military pay, taking a substantial economic cut. That is why I have started this debate. That is why I offered the amendment on the budget resolution. And that is why I bring this issue up today.

I hope when my colleagues consider what I am offering today, they will remember the vote we cast last week. Last week, I asked my colleagues, with the support of Senator WARNER, Senator CHAMBLISS, and Senator LANDRIEU, to entertain an increase in combat pay and an increase in family separation allowance. I asked that $2 billion be set aside for that purpose in the budget resolution, and the record vote in this Senate was 100 to 0. That is a rare unanimous vote of the Senate in support of something that everyone agreed needed to be done.

Now let's look at what I am offering today. The cost of $250 a month in combat pay and the cost of $250 a month in family separation allowance comes to barely $500 million for the remainder of this year. That shows that I am really coming with a request that is a little more than one-fourth of what the Senate approved by a 100-to-0 vote last week.

So why would we stand here and say unanimously, by a 100-to-0 vote, that we are willing to spend four times as much in support of military personnel and now a week later, when the bill comes before us, we are saying, no, we will not?

I say to my friend from Alaska, I thank him for acknowledging the need for an increase but I want him to seriously consider the second-degree amendment which I have offered. This amendment does not reach my original goal of $500 or a compromise of $400 a month but comes to $250 a month, which we are offering the families of servicemen who are struggling with childcare costs, additional medical expenses, the need to deal with additional family pressures. That is not too much for us to give. The current reimbursement of $100 is inadequate. Going to $250 is not extravagant at all. It is important that we do it.

For combat pay, let me quickly add, there is no amount of money we could pay our men and women in uniform that would compensate them for putting their lives on the line for our country, but I hope what we do today will be an important message and symbol to them that we not only stand with them when it comes to holding our flag and saying kind words on the Senate floor but we stand with them when it comes to combat pay and imminent danger pay.

When we look at the images of men and women on the television risking their lives, the prisoners of war, and all the horrors they face, $250 a month in combat pay seems like something this Senate should approve without controversy, and $250 a month for their family back home should not be controversial. It is, in fact, an effort to accept the reality of family obligations.

Senator DANNY INOUYE, one of my heroes in the Senate, last year gave a speech which I recall today as we stand and talk about this issue. He reminded us that back in World War II, when he served with such great distinction, over 80 percent of the men and women in uniform were not married, they were single. Today, we know that 60 percent of those serving in the Iraqi war, Afghanistan, and in combat zones have families back home. The face of the military has changed. Where family separation allowance used to apply to a very small group for very limited expenses, families today have additional expenses.

A year or two ago, I had a detailee in my office from the U.S. Army, MAJ Pat Sargeant, who works with medical evacuation now and is currently serving our country with his wife. He recently sent an e-mail to my office. He noted an article in the Army Times, which said: ''Legislators set out to boost war pays.''

The article stated I had sponsored an amendment to include an increase in monthly imminent danger pay from $150 to $250 and family separation allowance from $100 to $250.

Pat Sargeant—wherever you are—sent me the greatest note and said: You cannot believe what it did to morale for us to hear that the Members of Congress were going to try to help our families and try to help the individuals involved.

Let's stand together today on a bipartisan basis for all the States, as we did last week; 100 to 0 should be the vote in favor of $250 a month for combat pay, $250 a month for family separation allowance. That is a reasonable amount. It is not an exorbitant amount.

Some have argued that is just for the remainder of this fiscal year; we may have to face this expense in the future. I say, so be it. So be it. If we are going to activate guardsmen and reservists, if we are going to ask the men and women in uniform in this country to risk their lives, the first obligation we have is to them and their families before we discuss the myriad of other issues that will come before the Senate.

In this supplemental appropriations bill, there is a substantial amount of money to pursue this war in Iraq. I believe it will receive a unanimous vote in the Senate. There is also $9 billion in this bill for foreign aid, which I will support.

Put in perspective what we are asking for: $500 million first and foremost to the men and women in uniform and to their families. That is not an unreasonable request in a bill that may total $80 billion; $500 million for the men and women in uniform so that $250 a month in combat pay will be there for them, $250 a month will be there to help their families get through this very difficult time.

I hope the Senators who have considered this issue will consider my second-degree amendment in friendly terms and accept it so we can vote for this on a bipartisan basis. The Senate should stand together. I urge my colleagues to accept the amendment.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Madam President, I must state my surprise at the distinguished chairman having offered an amendment that would provide for an open-ended increase in the national debt. I didn't even know this was going to happen. No one spoke to me about this. Yet this is open ended.

I had hoped to finish this bill tomorrow night, by tomorrow night. I don't think that I would ever offer an amendment of this nature without consulting with my colleague.

Mr. STEVENS. Will the Senator yield?

Mr. BYRD. I yield.

Mr. STEVENS. I am sorry. It is my memory we discussed that ceiling problem and the Senator said he did not want to take it up.

Mr. BYRD. I don't have that memory.

Mr. STEVENS. We don't have the same memory, as a practical matter.

I understand the Senator's position. I did introduce it and set it aside because I wanted people to understand I believe it is my duty to see to it that this subject is addressed during the consideration of this bill. I am informed we will reach this problem sometime in June, July, or August, unless we do lift the debt ceiling. I do not think we can go through this period of war and have that hanging out there and be a subject that might constrain defense spending.

What I have done is introduced an amendment to this bill that says we will increase the debt ceiling by the amount we have spent since September 11 to meet the interests of our Department of Defense, homeland security, and reaction to September 11. If the Senator says that is open ended, I don't think it is open ended. I can figure it out fast and we will be glad to put the number in there if that will satisfy the Senator's objection. I do think it will be an interesting debate. We, undoubtedly, will have to raise the question, but based on our long friendship, I sincerely apologize if my memory is incorrect.

Mr. BYRD. Madam President, ours has been a long friendship. It is going to continue. But I expect to be a partner in this fight. I expect to be told at least by the chairman that he anticipates calling up an amendment of this nature.

A point of order would lie against this amendment. That would have been the very reaction I would have had if he had mentioned such an amendment to me. I would say a point of order might lie against it.

Mr. STEVENS. Unless it is perfected as the Senator suggests in terms of a problem with regard to the money.

Mr. BYRD. That constitutes legislation on an appropriations bill.

Mr. STEVENS. The whole bill is legislation.

Mr. BYRD. Well, I know.

I hope in the future I will not be taken by this kind of surprise.

Mr. STEVENS. I repeat my apology. My memory is we discussed whether we should address it, the debt ceiling.

Mr. BYRD. When did we discuss it; I ask where did we discuss it?

Mr. STEVENS. In my office, sir.

I apologize. I have addressed this with several other Senators. I apologize and I have taken it upon myself to say it is my error, but the amendment is there and it is my duty to raise the subject of the debt ceiling.

Mr. BYRD. Well, that is quite all right, but I would at least like to know in advance that it is being done, that is No. 1.

No. 2, this is an open-ended increase in the debt ceiling.

Mr. STEVENS. Will the Senator yield?

Mr. BYRD. I yield.

Mr. STEVENS. That is the reason I introduced it and had it set aside so we could address the question of whether we should make it a closed subject. We can calculate that amount right now. But it may be changed before this bill is over. The bill keeps going up. It is already up more than the President asked for, and I believe it to be another $5 or $6 billion before we get the bill to conference.

In any event, the problem is, what are we going to do? Do we proceed with the three wars we have going up on, and then, my God, we may not be able to do that because if we do that we will exceed the debt ceiling.

The President has the power—under food and forage—to start spending money. We have a program for other purposes, for the conduct of these three wars. I take the position he should not be constrained at all by a debt ceiling. It is my duty to raise that debt ceiling.

Again, I apologize to my friend. I would like to address, when the Senator is finished, Senator DURBIN's comment about the pending amendment. This is not the pending amendment.

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

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

Mr. REID. Madam President, I have spoken to the manager of the bill and the ranking member, Senator BYRD, and I am going to speak on an amendment I will offer at some subsequent time. Senator STEVENS has indicated the amendment that is the first one that was offered here today will not be discussed until after we have the cloture vote on the Estrada nomination. That will be at around 2 o'clock. After that time, we will again discuss that, if necessary.

Madam President, as I indicated, at some subsequent time, I will offer an amendment. The Democratic leader has indicated he wants just a few amendments offered. He has gone over the amendments he feels would be appropriate, and this is one of them.

So I would just simply say, if you watch television—as we all do every night—you see the explosions going off in Baghdad and other places in Iraq. Lights coming up, flashes—they go away very quickly. These violent occurrences we see on television are tiny, little babies compared to what this amendment is all about.

A nuclear explosion makes everything that has happened in Iraq appear as if it is nothing. For everything that has happened in Iraq to this point, one nuclear explosion would be far more devastating than everything that has taken place throughout the country of Iraq these past 2 weeks.

We have some knowledge in Nevada of the violence of a nuclear explosion. For those who have been to the Nevada test site, as you drive through the very remote area, you see holes in the ground that are bigger than the United States Capitol, where a nuclear explosion has taken place—bigger than the United States Capitol.

You see where they have done aboveground tests. They still have the remnants of a small town that was destroyed. There are parts of it left, but not much.

And then throughout the desert, where you do not see the large holes bigger than the United States Capitol, there are almost 1,000 indentations in the land where shafts have been sunk and these nuclear devices set off far in the ground, thousands of feet into the ground—not hundreds, thousands of feet in the ground—but yet the ground settles. And as you drive through it, it is like the landscape of the moon.

And then, things you cannot see are the tunnels. There are tunnels all over those mountains in the Nevada test site, where scores of nuclear explosions have been set off. We cannot see the devastation that takes place inside the earth, but it has taken place.

We were concerned here in the Capitol when Senator DASCHLE's office was anthraxed. Somebody sent him some poisonous material, and it took millions of dollars to clean up the building the anthrax was in, the Hart Office Building—millions of dollars. It took several months to clean that up.

We hear so much about dirty bombs. The explosion in most dirty bombs would not be real big. It would be plenty big, but not as big as what I have described at the Nevada test site. But one dirty bomb would so contaminate a building, a neighborhood, a community, that it would be basically useless for scores of years.

The amendment I am going to offer provides $400 million to the Department of Energy to safeguard nuclear weapons and nuclear material in the United States and throughout the world.

I want to make sure that Members in the Senate understand what I am doing, what this amendment is attempting to do. The amendment provides $300 million for the Nuclear Nonproliferation Program and $100 million in additional funding to the Department of Energy to fund enhanced safeguards and security programs at the Nation's nuclear weapons laboratories and plants, at environmental management cleanup sites throughout the Nation, and at DOE Office of Science laboratories. All of these sites are home to nuclear material which needs to be protected.

There are large amounts of money in the supplemental appropriations package for the Department of Homeland Security. And I supported that. It is for first responder training and chem-bio detection and related activities. It is a good thing. There will be efforts made to increase that.

However, most of our Nation's nonproliferation activities and nuclear detection activities are not housed within the Department of Homeland Security. These activities are funded under the National Nuclear Security Administration, a semiautonomous organization within the Department of Energy. The administration request for nonproliferation and nuclear security was zero—nothing.

The broad authority to transfer funds to meet homeland security needs would placate me a little bit if it were not for the fact that the transfer authority is only available within the Department of Homeland Security, and the Department of Homeland Security is not in a position to transfer funds to the National Nuclear Security Administration for nuclear nonproliferation or security activities.

This is really a big concern. The GAO issued a Weapons of Mass Destruction report last week concerning the faltering cooperation the United States is receiving from Russia in terms of securing fissile nuclear material, and other weapons of mass destruction, in the former Soviet Republics. After years of effort, the United States is still struggling to get access to most locations where nuclear material is stored. The ramifications of this report should frighten everyone. More importantly, it is time for Congress to get moving on doing something about this problem.

We have not even talked much about it, let alone done anything about it. It is incumbent upon this and all future administrations to get the material secured as quickly as possible just as it is critical to ensure that we do a better job protecting nuclear material in the country. However, since September 11, it has been like pulling teeth, for lack of a better description, to get this administration to request supplemental funding to better secure nuclear material at our weapons labs and plants, DOE sites, and other laboratories run by the Department of Energy.

The administration has paid little heed to calls from within the Department to do a better job of transporting this stuff safely. Last year, the Department requested hundreds of millions of dollars but OMB simply wouldn't approve anything other than $26 million. In response, Congress appropriated $300 million in contingent emergency funding. The President refused to release this.

These moneys go to making a safer world. The reason we are doing this is to try to make sure that homeland security really means something and we have a program to do something about nuclear materials.

The neglect we have shown as a country is frightening. I am grateful to my colleagues and good friends, Senators DOMENICI and STEVENS, for adding almost $100 million to this supplemental for many activities about which I have spoken. They also added $54 million in additional safeguards for Army Corps of Engineers and Bureau of Reclamation facilities. That was important. My amendment seeks to build on that base. This amendment pays for everything in the underlying amendment Senator DOMENICI worked to put in this and then funds many additional activities that are crucial to our Nation's efforts to keep nuclear materials safe and secure.

The $400 million in this amendment is spread out as follows: The largest proportion of this money goes to nuclear detectors at mega-seaports around the world, not here in the United States necessarily. The global shipping system can deliver a containerized weapon of mass destruction more accurately than a missile from the Soviet Union, according to the Department of Energy. This isn't something I am making up. Vessels move 90 percent of our warfare fighting material and the bulk of goods our Nation purchases from abroad. Current U.S.-based systems for protecting radioactive weapons are not oriented toward when a port itself is a target of a weapon of mass destruction.

The Department of Energy has performed an analysis of shipping in the United States and has identified 60 foreign mega-seaports overseas where goods/containers from many nations first go before they are shipped to the United States. DOE indicates that, for example, about 10 percent of all containers shipping to the United States go through Hong Kong and about 6 percent go through Shanghai and Singapore.

DOE has developed nuclear detectors that can be given to port authorities in such mega-seaports in conjunction with U.S. Customs which provide portwide alert of nuclear material. Detecting and impounding illicit nuclear material before it is even sent to the United States provides the best protection we can get.

We have the technology; it is just expensive. This amendment would pay for our going to Shanghai, to Singapore, to Hong Kong, these mega-ports where we get so much of our material, and determine if any of those shipments are nuclear in nature before they get here.

DOE is in the process of deploying the first radiological detection system to a foreign mega-seaport, but it has no funds appropriated in the 2003 fiscal year or even budgeted for 2004 to do this. They are in the process of deploying, but you can't deploy if you have no money. This additional $135 million would provide protection for nine mega-seaports. It would not get all of them, but it would get the big ones. This would be for a total of 10—the 1 they are trying to work out and the 9. This additional money would allow screening of approximately half of all containerized shipping entering the United States. Right now, we basically check none of it. This amendment would allow us to check 50 percent of it. This is something that is vitally important.

I talked about dirty bombs; radiological dispersal devices is the technical name. On March 11, Secretary Abraham addressed an International Atomic Energy Agency meeting, which he initiated to discuss the menace of radiological dispersal devices, with over 600 people from 100 nations in attendance. It was our meeting, the United States of America. The use of radioactive sources for peaceful purposes is widespread. They have many beneficial industrial, agricultural, research, and medical applications, but terrorists also may seek such devices for their radiological content to construct dirty bombs and cause panic and economic disruption by spreading radioactive material over a wide area and detonating high explosives. I repeat, what happened in the Hart Building with anthrax is nothing compared to any dirty bomb.

The Secretary said at that international gathering:

"It is our critically important job to deny terrorists the radioactive sources they need to construct such weapons. The threat requires a determined and comprehensive international response. Our governments must act, individually and collectively, to

identify all the high-risk radioactive sources that are being used and have been abandoned.'' The Secretary told the conference ''We are ready to assist other interested countries to speed the needed improvements, and we want to begin immediately.''

I am sure his heart was in the right place, but he had no ability to deliver on the statement he made to this conference.

He went on to say:

We are prepared to work with other countries to locate, consolidate, secure, and dispose of high risk radiological sources by developing a system of national regional repositories to consolidate and securely store these sources.

The administration has never requested a penny for this purpose. It seems now that this supplemental appropriations bill is where we should make the Secretary's offer of assistance to the international community credible.

This bill calls for $20 million for nonproliferation assistance to nations other than the former Soviet Union. The Materials, Protection, Controls, and Accounting Agency nuclear nonproliferation programs to date have only targeted nations of the former Soviet Union. There is no money to do anything about it, to assist countries all over the world, especially in Southeast Asia—no money. Obviously, the point is made there.

We have $20 million in this bill for funds that are needed to develop the analytical capability to determine the nature and origin of a stolen nuclear weapon or captured improvised nuclear device or what happened and who did it in the event of nuclear detonation on U.S. soil.

We need research and development. If a nuclear device is found, we need to be able to determine what kind of a device it is, how it will detonate, how to defuse it. We have $20 million, a relatively small amount, the Department needs to improve material and radiochemical analysis methods, the sampling and modeling of nuclear explosion debris, and the implications of nuclear weapons design.

Our weapons labs around this country have the best scientists in the world. I have been to the weapons labs: Livermore, Sandia, Los Alamos. They have the best and the brightest. But they can't do anything to help us unless they have money to do the research. That is what this will do.

In this amendment, we have $15 million for nuclear nonproliferation verification, $12 million for nonproliferation assistance to Russian strategic rocket forces. What is this amount? Certain elements of the Russian military prefer to deal with our Department of Energy rather than the Department of Defense. For example, all work by the United States to secure Russian Navy warheads has been done by DOE. The fiscal year 2004 budget proposes for the first time for DOE to assist the Russian strategic rocket force ICBMs to secure its weapons. It contains funds to secure 2 of the first 10 most viable sites. Additional funds in the supplemental would start the program much earlier and increase the number of sites to be protected.

I have worked with Senator DOMENICI for many years, as the ranking member and chairman—going back and forth—of the Energy and Water Subcommittee on Appropriations. We have the responsibility to take care of our nuclear weapons. Large amounts of money are appropriated every year. We in the United States appropriate large sums of money to make sure our nuclear stockpile is safe and reliable. A nuclear stockpile is not like storing a car. It is not like storing canned goods. These weapons have elements that go bad, and you need to constantly review, examine these weapons to find if they are safe and reliable. The Russians know this. But they have not had the resources to help. It is in our best interest to work with them, with Nunn-Lugar and other such methods, to try to help them make their stockpile safe and reliable. Here is $12 million for additional funds that, as I have indicated, would help the ICBMs in Russia be safe and reliable.

When the war with Iraq ends and we find weapons of mass destruction in with nuclear material, we need to make sure we will have some way of disposing of them. We have provided in this bill for that. We want to make sure there is money for nuclear material detection regarding materials and devices.

Funds are also needed to help develop advanced materials that will enable the fielding of room-temperature, high-resolution, hand-held and portable radiation detection and identification equipment. Our labs can do that with the scientific community, many of which are in the private sector.

We have another problem. We need to be able to detect any nuclear explosion from proliferant countries that have very low yield. We don't have the equipment to do that. We need $10 million to do that. What we have in this amendment is a number of efforts to simply make our country safer, to make homeland security apply also to things nuclear.

I am going to offer this amendment when we get the parliamentary problem worked out. The threat of loose nukes worldwide scares me as much as anything that I am afraid of. We have to do something about it. We have not talked about it. It is like the perennial ostrich sticking his head underground so he cannot see what is going on. I see what is going on, and the Senate must see what is going on. This bill, which is extremely important—as important as anything we do for homeland security—contains $400 million, directed totally to things nuclear.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

EXECUTIVE SESSION

MIGUEL A. ESTRADA, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the hour of 1:30 p.m. having arrived, the Senate will now go into executive session and resume consideration of Executive Calendar No. 21, which the clerk will report.

The legislative clerk read the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I understand the distinguished chairman is on his way over. As we have evenly divided time and time is running, I will begin and will yield when he arrives.

We have another in a series of cloture votes on this divisive nomination today. Actually, nothing has changed significantly since the leadership forced the three previous cloture votes.

I did read in the New York Times over the weekend that Mr. Estrada spoke about the memos he wrote as being perhaps somewhat divisive. Maybe that is why the White House does not want us to see them. The only reason we are having these problems is the administration has refused to bring forward the writings on which one could form an idea whether he should have a lifetime appointment to the second highest court in the country.

The White House has had access to all these writings and they eagerly committed the political capital to go forward. But they don't want us to see them. The administration remains insistent that the Senate rubberstamp nominees without fulfilling the Senate's constitutional advise and consent role in this most important process.

Everyone has known for a long time how to solve the impasse in the Miguel Estrada nomination. The Democratic leader's letter pointed the way back in early February. Some say that the administration is proceeding this way because they do not care whether he goes through or not. They think somehow it is a political issue. That is the problem if this administration continues in its efforts to politicize the Federal courts.

There has been too much politicizing. The Federal courts are not a branch that belongs to either the Republican or Democratic party. They are not a branch of whoever is in the White House or in control of the Congress. They are the one independent branch of Government. They are supposed to be above politics, outside of politics, and