

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. FRIST. Mr. President, I remind my colleagues that late nights are to be expected for the remainder of this week as we continue to work through amendments to the appropriations bill. I believe the amendments have been filed at this juncture. I look forward to having the opportunity of looking through the amendments so we can give our colleagues a better idea of the schedule over the course of this week. It is my hope we will be able to complete the bill this week as early as possible. I think after looking over the amendments that have been given to the managers we will have a much better idea in that regard.

Mr. President, I ask unanimous consent that Senator COLLINS be yielded 30 minutes at this juncture.

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

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2003—Continued

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that the following Senators be added as cosponsors to the LIHEAP amendment just adopted: Senators GRASSLEY, SPECTER, LIEBERMAN, KOHL, BAUCUS, and LINCOLN.

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

Ms. COLLINS. I thank the Chair.

Mr. President, Senator JACK REED and I have offered an amendment that provides for the immediate release of \$300 million in funds for the Low Income Home Energy Assistance Program, also known as LIHEAP.

I thank the chair and ranking member of the Labor-HHS Appropriations Subcommittee, Senators SPECTER and HARKIN, for their efforts in support of this critical program. Despite the extremely difficult fiscal constraints facing our Nation, Senators SPECTER and HARKIN have managed to provide \$1.7 billion in regular-year LIHEAP funds in the Omnibus Appropriations Act. This is \$300 million more than the administration's request.

Unfortunately, while the bill before us provides more regular LIHEAP funds than the administration requested, the total funding, which includes both regular funding and emergency funding, is considerably less than was provided in fiscal year 2002. In fact, total LIHEAP funding in this bill falls \$300 million below the total funding provided in fiscal year 2002. It is also \$300 million below the total funds provided in the Labor-HHS appropriations bill which passed the Senate Appropriations Committee on July 18, 2002, by a vote of 29 to 0.

Mr. President, the amendment that Senator REED of Rhode Island and I have offered would provide for the immediate release of an additional \$300

million for low-income heating assistance by designating emergency funds provided in the Supplemental Appropriations Act of 2001 as regular-year funds for fiscal year 2003.

For that reason, our amendment is fiscally responsible. Because these funds were already made available, our amendment does not increase total spending in the omnibus appropriations bill. These are funds that were already approved. The effect of our amendment is for this \$300 million to be released immediately.

Some might argue that these funds should not be released unless the President declares an emergency. Anyone who thinks that we don't currently have an emergency in home heating assistance should visit with a low-income family in Houlton, ME. Houlton recently experienced the coldest temperature of any place in the lower 48 States. A few days ago, temperatures in Houlton were 19 degrees below zero. Tonight, the forecast, with windchill, is for the temperature range to be from 20 to 40 below in some parts of my home State. When the temperature is that cold, and you do not have money in your budget to heat your home, that is an emergency.

Adding to the problem of exceptionally cold winter weather, energy prices have escalated dramatically. The cessation of oil exports from Venezuela, as well as the prospect of a war in the Middle East, have pushed the price of crude oil up by nearly \$6 per barrel in the last month. Home heating oil inventories are near 5-year lows, and prices are 20 percent higher than last winter. The Energy Information Administration predicts that home heating oil prices could rise 45 percent by the time winter is over. The price of natural gas, kerosene, and other fuels are facing similar pressures.

In addition to a cold winter and high energy prices, we are also facing difficult economic times. Unemployment has reached an 8-year high. In Maine, as in many States, low-income and unemployed workers are struggling. Just last week, Great Northern Paper, the largest employer in northern Maine, filed for bankruptcy and laid off its workforce of more than 1,000 employees.

In short, we are facing a "perfect storm" of high energy prices, exceedingly cold weather, and a difficult economy. With little prospect for a quick resolution of the crises in Iraq and Venezuela, continued forecasts for a cold winter, and the dubious prospects for a very quick economic rebound, all of us living in cold weather climates will face challenges in order to heat our homes this winter.

This combination of factors strains everyone's pocketbook, but, of course, it places a particular burden on seniors living on limited incomes and on our low-income families. These families already carry a higher energy burden than most Americans. They can spend up to 20 or 25 percent of their entire in-

come just paying their home energy bills. No one should have to choose between heating their homes or putting food on the table, having prescriptions in the medicine cabinet, or even staying in their homes altogether.

Experience has shown, however, that pressures to pay energy bills and the inability to pay have resulted in increased medical expenses for our elderly, malnutrition for our children, and even homelessness. As an indicator of just how difficult this winter has been in my home State, let me tell you that 10,000 more people in Maine have applied for low-income heating assistance this year compared to last year.

Unfortunately, even as the need has increased, the amount of assistance has declined. In Maine, the average household benefit has seen a steady decline over the last four winters. In the winter of 1999 to 2000, the average LIHEAP benefit for a Maine family was \$491. The next year, it had fallen to \$433. By last winter, the number had further declined to \$358. Fortunately, with the approval of the Reed-Collins amendment, we can reverse this decline or at least ensure that more Maine families will be helped; otherwise, low-income Maine families struggling to heat their homes will only receive between \$330 and \$350 this winter, not nearly enough to help.

I would like to say a word about the history of the LIHEAP funds that our amendment addresses. The Supplemental Appropriations Act of 2001 provided an extra \$300 million in LIHEAP funds in order to help low income families deal with high energy prices. Report language specifically directed that at least \$150 million of these funds were to be used to address unmet needs resulting from high energy prices. The other half of the money was directed to be used to meet the most critical needs arising from energy cost increases and increases in unemployment, among other things.

I have been working for the better part of 2 years to secure the release of these funds. On August 13, 2001, I joined Senator REED, Senator KENNEDY, and a number of my colleagues in sending a letter to the President requesting the release of the very same \$300 million in emergency funds from the fiscal year 2001 supplemental appropriations bill. On September 10, 2001, I again joined many of my colleagues in sending a letter to OMB director Mitch Daniels requesting the immediate release of these funds. On October 26, 2001, 17 Senators joined Senator REED and me in a letter to the Senate Minority and Majority leader requesting legislative language to require the release of these funds. On October 30, 2001, I offered an amendment to the fiscal year 2002 Labor, Health and Human Services appropriations bill expressing the sense of the Senate that these funds should be released immediately. That amendment was supported by Senators SPECTER and HARKIN and passed the Senate as part of the fiscal year 2002 Labor-HHS bill.

On February 12, 2002, I joined my colleague Senator SNOWE in sending a letter to the President again requesting the release of these same funds. On September 23, 2002, Senator REED and I were joined by Senator SPECTER, Senator HARKIN, and 35 of our colleagues in a letter to the President requesting the release of \$200 million in emergency funds that were made available as part of the fiscal year 2002 Labor-HHS Appropriations Bill. These funds expired without ever being spent. Finally, on December 23, 2002, half of our colleagues joined Senator REED and me in sending a letter to the administration requesting a total of \$2 billion in fiscal year 2003 funding—which is the same amount made available by combining the \$300 million in my amendment with the \$1.7 billion already in the bill.

The LIHEAP program is essential in helping many low-income families get through the winter months. This has been an unusually cold winter. This has been a year where home heating prices have soared. This has been a year where the economy has been difficult. The combination of those three factors calls out for us to provide this additional assistance.

I am very pleased that our colleagues have joined together with an overwhelming vote. I hope very much this provision will be retained in the final conference report.

Mr. President, I yield back the remainder of my time.

Mr. SARBANES. Mr. President, I come to the floor today to talk about the HUD/VA appropriations bill contained in the omnibus package currently under consideration by the Senate. I want to commend Senators MIKULSKI and BOND for recognizing the importance of providing Americans with the opportunity to live in decent, safe, and affordable housing. However, despite their efforts, housing programs suffer from a lack of adequate funding in this bill.

The Appropriations Committee faced tough choices in revising their fiscal year 2003 bills, due to the decision to cut domestic programs substantially across the board. Senate appropriations were forced to cut almost \$10 billion from their earlier spending decisions for fiscal year 2003. More than \$1 billion of this cut comes from critical housing programs. While the Senate bill before us today is far superior to the House appropriations bill, it does not provide adequate resources. Now is not the time to cut \$1 billion from the social safety net. Over 100,000 people lost their jobs last month, and unemployment continues to be high. Working families deserve our support, and instead of providing it to them, we continue to cut programs that help people provide for their families.

While the administration is asking us to provide a tax cut of \$674 billion, primarily for the wealthiest Americans, over \$1 billion in funding is being cut from programs that help low-income families afford housing. The problem of affordable housing has become a crisis for many working families all across

America. According to a recent study, 14 percent of families pay over half of their income in rent or live in substandard housing. The significant gap between the wages of low-income workers and housing costs makes evident that housing assistance is necessary for many working families. On average, a family in this country needs to earn almost \$15 an hour to afford a modest two-bedroom apartment. This is almost three times the minimum wage.

When millions of American families are unable to afford decent and safe housing, the consequences are serious and far-reaching. When children do not have stable home environments, their health suffers as does their educational attainment. In addition, housing assistance can help people transition from welfare to work. Recent studies have found that people leaving welfare who receive housing assistance retain employment for longer and make more than those who do not receive such assistance. Unfortunately, this bill does not do enough to ensure that working and elderly families in this country can afford safe and decent housing.

Just last week, HUD announced that housing authorities around the country will be facing drastic cuts in their operating funding. These cuts are due to HUD's error in estimating public housing needs. Because of HUD's mistake, there was a \$250 million shortfall in the operating fund in fiscal year 2002. Upon learning of this shortfall, HUD indicated that it would seek additional funding from Congress. Unfortunately, HUD never asked for these funds. Instead, HUD will use fiscal year 2003 funds; to make up for the shortfall. This means that we are starting out with a \$250 million cut in the program this year. This cut will leave housing authorities with no choice but to scale back their programs, lay off staff and put off needed repairs.

HUD should request, and we should provide additional funding to make sure that families in public housing are adequately housed. In addition, HUD must provide as much funding as possible to PHAs under the current budget situation. Housing authorities are currently receiving only 70 percent of their funding. This is an unnecessary and irresponsible cut. Even assuming a loss of \$250 million from fiscal year 2003 funds, HUD should be able to provide at least 90 percent of operating costs to public housing authorities. If HUD intends to fund public housing at higher levels later in the year, as they have announced, they should do so now, thereby helping PHAs avoid unnecessarily cutting off assistance to needy families.

In addition to under-funding the public housing operating account, the HUD appropriations bill cuts \$160 million from the Public Housing Capital Fund, which is used to repair and modernize public housing. Over 1.5 million families reside in public housing, housing that is generally safe and decent. However, this older housing stock is in need of constant maintenance. Capital needs in public housing grow by \$2.3

billion every year, and the backlog of needed capital repairs is over \$20 billion. If we do not adequately fund the Public Housing Capital Fund, this backlog will continue to grow, threatening the homes of 1.5 million American families and the Federal Government's substantial investment in this housing.

While I strongly oppose the cuts in the public housing program, there are some important provisions contained in this bill that I wholeheartedly support. This bill fixes a serious problem created by the House Committee and ensures that Section 8 housing vouchers, a critical housing resource, are not lost. The House appropriations bill, H.R. 5605, will result in the immediate loss of over 125,000 vouchers and will lead to the continued loss of housing vouchers over time. Though the bill before us today cuts funding from the voucher program, it does so in a way that guarantees that all vouchers in use will be funded, and ensures that housing authorities can serve as many families as possible with the vouchers they are allocated. This is an important provision, and I want to commend Senators BOND and MIKULSKI for including this in the HUD/VA appropriations bill.

I am also pleased that the Senate retains \$100 million in interest reduction payments for housing uses. Unfortunately, the House bill complies with the administration's request to rescind this \$100 million which should be used to rehabilitate affordable housing. Given the great need for housing around the country, it is remarkable that we would rescind funding which could be used to increase housing opportunities. The Senate bill rightly requires that HUD use these funds to modernize affordable housing. Unfortunately, HUD has refused to take any action to use these IRP funds for their intended purpose, and I urge HUD to quickly comply with congressional intent and distribute these needed dollars.

Affordable, stable housing is the bedrock of stable, vibrant communities. Unfortunately, too many Americans find themselves in precarious housing situations in neighborhoods of despair. The continued cuts to housing programs supported by the current administration will hurt the millions of Americans who live in public housing or received housing vouchers, and the millions more Americans who are in need of housing assistance. These cuts will be felt all around the country. I hope that the administration will recognize this and the growing housing needs around the country and I urge them to fully fund Federal housing programs in the fiscal year 2004 budget. I am also hopeful that the Senate bill, which ensures the viability of the housing voucher program, prevails at conference with the House.

#### DEMOCRACY PROGRAMS

Mr. McCONNELL. Mr. President, the ranking member of the Foreign Operations Subcommittee and I intended to

include the following section in the report accompanying the FY 2003 Foreign Operations, Export Financing, and Related Programs appropriations bill. I ask unanimous consent that it be printed in the RECORD following the remarks of the Senator from Vermont.

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

(See exhibit 1.)

Mr. LEAHY. My friend from Kentucky and I agreed to include this section in the report, but we regret that it was not included before the report hit the printing presses. It is our hope and expectation that it be considered as if included in the fiscal year 2003 Foreign Operations report, as originally printed in the RECORD last week.

#### EXHIBIT 1

##### DEMOCRACY OVERSIGHT AND COORDINATION

The Committee strongly supports programs and activities that advance democracy and freedom abroad, and has included funding in this Act for specific democracy programs it believes are important to United States security interests. The Committee believes that democracy promotion abroad can be an effective bulwark against terrorism, if properly established and implemented.

However, the Committee remains concerned with the inconsistent application of democracy programs by State and USAID, and the apparent lack of coordination of these programs within, and between, the agencies. For example, while the Committee applauds State's comprehensive review of Middle East democracy programs, it is perplexed by its lack of leadership and support for the advancement of democracy in Burma.

In order to address these concerns, the Committee recommends that State and USAID jointly conduct a comprehensive review of democracy programs, and consider centralizing oversight and coordination within the Bureau of Democracy, Human Rights, and Labor. The Committee will review the progress made in this endeavor as it considers action on the fiscal year 2004 foreign operations appropriations bill.

##### NOMINATION OF GOVERNOR RIDGE

Mr. CARPER. Mr. President, apparently within the next 24 hours we will have the opportunity to vote on the President's nominee to head our new Department of Homeland Security. The President has made an excellent choice. It is hard for me to imagine a better choice to undertake this responsibility than Governor Ridge.

Twenty years ago this month, Governor Ridge and I stood with about 80 other freshmen Congressmen and women at the other end of this building and raised our right hand and took an oath of office to defend our Constitution and country. He and I then served together in the House for the next 10 years and actually helped to lead one of the Banking Committee subcommittees as ranking Democrat and Republican.

Later we served as Governors in the neighboring States of Pennsylvania and Delaware. Even before we came to Washington, we served in the Armed Forces of our country where he served with real distinction in the U.S. Army during the Vietnam war.

I will always be especially grateful for a breakfast Governor Ridge came to almost 20 years ago. I had just been elected the at large Congressman from Delaware and ended the campaign with a little bit of debt. We decided to have a fundraising breakfast to help take care of the debt, and Senator BIDEN, then the junior Senator from Delaware, was good enough to come and speak at our breakfast. We had a whole host of Democratic colleagues from the House, new freshmen who wanted to show their support for their new colleague. One Republican stopped by that breakfast, and it was the freshman Congressman from Erie, PA.

I will always be grateful for that appearance and for the friendship that has spanned some 20 years. I will be pleased to vote with my colleagues and join, I suspect all of them, in making him a unanimous choice for Secretary of the Department of Homeland Security.

While I believe Governor Ridge is more than qualified for the job, the task he faces is daunting. Congress has given him a Department that at least on paper should be able to prevent and respond to terrorist attacks more effectively than Federal Government and State governments can today. We have authorized the transfers of literally dozens of agencies and tens of thousands of workers. We have outlined a skeleton organization that should be able to pull together under one roof information on threats and vulnerabilities and to use that information to improve security and better prepare our first responders.

Very little of what we have outlined, though, will be in place on day 1, and day 1 is tomorrow for all intents and purposes. A number of outstanding questions remain. Both in the Committee on Governmental Affairs where I serve and on the Senate floor, we have had a healthy debate over the details of how the transition to a new Department of Homeland Security should work. I know some of my colleagues are uncomfortable with what we have. I have a few concerns of my own.

That being said, I think it is important now that we put aside our disagreements and do what we need to do to enable this Department to do what it needs to do, to protect American lives.

Let me take a few minutes to discuss a couple of the issues I hope Governor Ridge will address early on during his tenure as Secretary of this Department.

First, let me touch on the subject of rail security. Now that the Transportation Security Administration has for the most part achieved the goals we set for them, it is time for them and for the Department of Homeland Security to focus on other modes that have received less attention, especially rail. As I said before, our failure more than a year after September 11 to act to improve the security of our rail infrastructure is an Achilles' heel in our Na-

tion's effort to secure our total transportation system.

In New York City today, hundreds of thousands of people on their way to work pass through tunnels that are badly lit, poorly ventilated, and from which escape is very difficult. In fact, there is even a rail tunnel that goes under the Supreme Court and congressional offices just a couple of hundred yards from where we are gathered this evening. Every day thousands of people pass through that tunnel under this Capitol on their way to work or to home.

Passenger safety demands a real investment, but to ask Amtrak to do more with respect to security without providing more resources is, in my view, an unfunded mandate, not a solution. I thank Governor Ridge for understanding the importance of improving rail security, not just for passenger rail but for freight rail as well.

I also thank Governor Ridge for acknowledging at our hearing last week that Amtrak is likely to need some additional financial assistance, if it is expected to make the security enhancements that need to be made.

Let me also touch on the matter of first responders. States and localities are in desperate need of additional new resources to help prepare their police, their fire, and emergency personnel for any future terrorist attacks. At the same time, most State and local governments are suffering through extraordinary fiscal crises that are forcing some to raise taxes or cut services. We see that in Delaware, in Tennessee, and a host of other States as well.

I am disappointed that the omnibus appropriations bill on the floor this evening and today and again tomorrow probably does not provide State and localities with the level of first responder aid that they need. In the future, I hope Governor Ridge, soon to be Secretary Ridge, and our colleagues in Congress and the President will heed the calls from back home for more first responder aid.

I also hope Governor Ridge works quickly in the coming weeks to set up a communications link between the new Department and first responders so their needs can be heard and information on what they need to do to protect their communities makes its way down to them.

When the Committee on Governmental Affairs first marked up the Homeland Security Act and again when a modified version of the bill reached the floor, Senators COLLINS and FEINGOLD and I offered an amendment to create an office of State and local coordination within the new Department. That would place a homeland security liaison office within each State. Our language, unfortunately, was not included in the final bill, but I do hope Governor Ridge will consider setting up something like what we recommended once this new Department is in place and he and his employees have gotten their sea legs.