

freedom, justice, independence, equality, and, ultimately, we the people. Protecting the flag won't stop Americans from exercising their first amendment right to free speech.

Countless brave men and women have died defending the American flag. It is but a small, humble act to vote to defend it.

In the words of our esteemed colleague, Senator HATCH:

Whatever our differences of party, race, religion, or socio-economic status, the flag reminds us that we are very much one people, united in a shared destiny, bonded in a common faith in our Nation and the profound belief in personal liberty that our Nation projects.

I look forward to bringing the flag protection amendment to the floor for debate, and I am hopeful that we will be able to once and for all give the American people the opportunity to defend this noble symbol of our shared legacy.

MAKING AVAILABLE FUNDS FOR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM, 2006

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2320 which the clerk will report.

The legislative clerk read as follows:

A bill (S. 2320) to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

Pending:

Kyl/Ensign amendment No. 2899, to make available funds included in the Deficit Reduction Act of 2005 for allotments to States for the Low-Income Home Energy Assistance Program for fiscal year 2006.

Inhofe amendment No. 2898, to reduce energy prices.

The PRESIDING OFFICER (Mr. ALLEN). Under the previous order, there will be 1 hour of debate equally divided between the Senator from Maine, Ms. SNOWE, and the Senator from Nevada, Mr. ENSIGN, or their designees.

Who yields time?

The Senator from Maine.

Ms. SNOWE. Mr. President, first of all, I thank the majority leader for his considerable effort, patience, and perseverance in bringing this legislation to the floor on the basis of the commitment which the leader made in December prior to our adjournment that we would have this legislation to increase low-income fuel assistance for those States that clearly need it, given the rising prices of home heating oil and natural gas, given the fact that we are in the midst of the winter, and given the fact that this has a major impact on families across the country.

I hope we will get beyond today, beyond the cloture vote and be able to secure the additional funding that is so essential to so many of the States and to so many individuals and families who depend upon it. It is absolutely critical that we provide these funds for

this fiscal year in order to prepare for the summer and also to address the contingency necessity of providing additional funding this winter.

I am joined in my efforts and I wish to thank my colleague, Senator COLEMAN, my colleague from Maine, Senator COLLINS, Senator GRASSLEY, Senator SUNUNU, Senator SPECTER, and Senator SANTORUM, as well as Senator SMITH and Senator KERRY. I express my deep appreciation for their support.

I first want to address some of the criticisms that were engendered last week because I think there has been a lot of misunderstanding and misinterpretation about exactly where we stand today and what the facts are.

First of all, my underlying bill shifts the funding from fiscal year 2007 to 2006. There is an additional \$1 billion for the purposes of "contingency" funding, otherwise known as emergency funding for emergency purposes. So it is budget neutral. We are just advancing it 1 year because of the unusual circumstances and because of events between rising oil prices and a difficult winter which have eroded the value of the low-income fuel assistance. This would help to make it more consistent with the authorization level because of the dire need in so many States across the country, including my own.

It does nothing to modify how those funds are disbursed to the States. The Senate decided 1 month ago when it passed the Deficit Reduction Act that 25 percent of the \$1 billion would be appropriated through a formula funding and 75 percent would go to emergency contingency funding.

The Congress decided—including the Senate, and it became law just a month ago—that the President would continue to have the emergency funding capability in order to disburse that part of the funding, 75 percent to those States that needed it at that moment in time because there was an emergency. Emergencies are just that—emergencies.

What the critics are saying about my approach is they now want to change it for the first time ever and take away the capability of having emergency funding under the low-income fuel assistance. It doesn't make sense. Because the States are facing an emergency, they ought to be able to have their funding. That would be taken away by the Kyl amendment, and it would be distributed to States irrespective of whether they need it, irrespective of the fact that no emergency occurred in their State.

I understand that under the low-income fuel assistance program, you have part emergency and part formula. That is what it is all about.

All my underlying bill says is advance the funding from 2007 to 2006 for \$1 billion. So we are not increasing the net level of funding for low-income fuel assistance. We have already agreed to it in the budget. It is not increasing spending. It is budget neutral. I don't

change the way it is distributed. I am doing just exactly what was dictated by the U.S. Senate, and it became law in the Deficit Reduction Act a month ago.

Now we are saying let us change the entire formula, let us change the entire approach through the Kyl amendment by distributing all of the funds through a formula and we will have no emergency funding.

Let me remind my colleagues that just last fall, we had four States that benefited from the emergency funding as a result of the hurricane. Alabama received \$2 million; Florida, \$1.35 million; Louisiana, \$12 million; Mississippi \$11.75 million—exactly because it was an emergency. The President had the authority, had the discretion to disburse those funds from the contingency funds under the low-income fuel assistance program. Under the Kyl amendment, the President wouldn't have that capability. It would be given to States that didn't experience the hurricane, that didn't have an emergency. We would not be able to have any emergency funding if we passed the Kyl amendment.

I hope the Senate will continue the way in which we have approached it in the past. I hope we pass the underlying bill at the very least to advance that funding.

Emergency contingency funds exist because we cannot predict the weather, whether it is in the South or the Northeast or the West. We can't predict. That is why we created an emergency fund under low-income fuel assistance. Now, for the first time ever, we take away that capability.

I think it is important for my colleagues to understand what is at stake. All of the funding under low-income fuel assistance would be distributed according to a formula. There would be no separate funding for emergency purposes as we provided in the gulf last fall. So four States were able to benefit from the emergency distribution as a result of the President's action.

We need that discretionary capability because we are not weather forecasters. We do not know what will happen in America wherever it is going to happen. This is not a regional program. This benefits all 50 States. In fact, in January 2005, in looking at the distribution, all 50 States historically have benefited at some point from the emergency funding.

Unfortunately, on Thursday night there was a chart distributed in the Senate that was misrepresentative of the facts. Even the Congressional Research Service said it was misleading. The fact is, it did not portray the facts. It showed a distribution of the funds in January 2005 according to the emergency funding at that moment in time. But if you looked at it in February or March or April or this year, it might be radically different because the emergencies might have occurred elsewhere. That distribution was for that moment in time because of the emergencies

that resulted. That is not a constant pattern of distribution. It was a misleading chart. I don't blame my colleagues for voting for the interests of their respective States, absolutely. But I want my colleagues to realize and understand that chart was misleading. It does not represent what the emergency funding is all about. We cannot predict an emergency. So there were emergencies back in January 2005 that represented those distributions, but that is not the way it happens all the time because we do not know when the emergencies are going to occur.

I regret that chart was distributed on the basis that it represents how these funds are circulated and dispensed according to the States. They are dispensed according to need and necessity. That is what the emergency funding is all about.

It is important to realize the value of the low-income fuel assistance program overall. In fact, it is one that many of the States have come to depend on, rightfully. I was in the House of Representatives when we first created this program during an energy crisis back in 1979 on the essential basis of helping to mitigate people's fuel bills, particularly for the low income and those who are disadvantaged who cannot possibly pay for the total cost of their oil bills, or in the summer for air-conditioning bills. We know it has profound implications on people's budgets, their inability to meet the rising costs, and especially so this year with 30 to 50 percent increases in their energy bills. That is in addition to the increases that occurred last year that were 20 to 30 percent.

My constituents in the State of Maine cannot meet those rising prices. We are just attempting to hold them harmless with this funding, to hold them harmless to last year to maintain the status quo. What is the status quo? It is about meeting maybe a quarter of their fuel bill during the winter. Maybe. That depends on the rising price, and as we know, it has been an unpredictable pattern of rising prices. It is a very different thing when we have a price for a barrel of oil at \$29 compared to where we are today, with a fluctuation anywhere from \$61 or \$66 for a barrel of oil. That has a major impact on a family's budget. The value of low-income fuel assistance today from where it was back in the mid-1980s has declined to 19 percent of the real value of this program based on what we have provided under low-income fuel assistance.

Back in the 1980s it represented, in real terms, 50 percent to families across this country. Now it has declined to more than 19 percent.

There was a survey recently conducted that illustrated this situation and why this program is so critical to so many families in my State and across America. It illustrated this point. It is tragic. It said that 73 percent of households would cut back and even go without other necessities such

as food and prescription drugs and mortgage and rent payments to pay for heat. We have seen that illustrated in the State of Maine. We have had some very dire and tragic situations where people have had to be hospitalized because of hypothermia.

People say it is a mild winter. I invite Members to come to Maine and tell me about it. It has been a very cold winter.

But this is also about the price. In the State of Maine, the price has risen 30 to 50 percent in addition to the price increases last year. Yet the funding for low-income fuel assistance has maintained the status quo. So there has been an erosion of support for families who depend upon this program just barely to meet, perhaps, a quarter of their overall fuel bills depending on the price.

That is why I have asked, along with my colleague from Minnesota, Senator COLEMAN, my colleague from Maine, Senator COLLINS, and so many others who have cosponsored this legislation, to advance the funding by 1 year. It has already been provided for. It is budget neutral.

I heard one possibility of using TANF funds to pay for this. Let me remind my colleagues, under the law, TANF funds are to go for families with children. It does not allow for the use of TANF funds for any other purpose. If States do so for ineligible individuals or families, the State is penalized up to 5 percent. Using TANF funds cannot be allowed for low-income seniors, for example, who otherwise are not eligible under the TANF law.

I remind my colleagues that it is important to look at the facts and how the law works and what the implications are. I hope we can get beyond the regionalization of this low-income fuel assistance program bill and look at what is in the best interest of America, irrespective of where the necessity lies. Whether it is in the North, East, South or West, is it a need? Is it vital? Is it important? That is what this legislation is all about.

That is why, in the wisdom of the Congress and the President, we established the contingency fund for emergency purposes so the President would have the discretionary authority to distribute those funds on the basis of need at that moment in time. The other funding is distributed according to a formula. I don't change any of that. I do not change existing law. I do not change what this Senate and the House passed that became law a month ago. I do not change that.

The amendment offered by Senator KYL changes all of that and places 100 percent of the funding under the low-income fuel assistance program on a formula basis so there is no emergency funding.

I hope my colleagues would vote for cloture so we can proceed. Whether we have amendments remains to be seen. But I am prepared to work with my colleagues, those who have differences

of opinion regarding this legislation, to work it out, work it out for their State and what is in the best interest of their State, our States, and for all of America. This should not be a North, South, East, West issue. This should be an issue on the basis of what is right, what is fair, what is required, and what is needed. That is what this is all about. An emergency is an emergency. That is what the emergency funding is. That is what this contingency funding is.

I impress upon my colleagues how important it is. It would be a dramatic departure to accept the amendment offered by the Senator from Arizona to redistribute all of the funds through a formula and have no capacity whatever for the President to distribute it on an emergency basis.

I remind my colleagues this is not just about Maine or the North, it is about the South and the East and the West. This shouldn't be about a compass. This should be about America.

I hope Members will look at the facts. The facts are we distributed funding under the emergency contingency fund last fall to help those States in the gulf as a result of the hurricanes for four States, including Florida, Alabama, Louisiana, and Mississippi. We gave them \$15 or \$14 million distributed by the President, rightfully, in response to an emergency.

Taking the emergency funding and distributing it on the basis of a formula means that States are going to receive funding when there is no emergency. How did that make sense? That was not the intent, ever. The intent was to maintain the separate funding for this capability. That is what it was all about.

Eleven States have totally obligated their winter heating fund for this winter, including my own State: Arkansas, California, Georgia, Iowa, Maine, New Hampshire, Oklahoma, Oregon, South Dakota, Rhode Island, Utah, and many of the other States. In fact, 34 Governors have written requesting this additional assistance. They are facing a crisis because applications are up and the funding is down. Increases of at least 20 percent are expected in 15 States alone.

The funds expended for the low-income fuel assistance is equivalent to the amount Congress allocated in 1983. That was 23 years ago. What about the price of a barrel of oil? It is important to my State of Maine where 84 percent of the people qualify for low-income fuel assistance, and the State in general is around 80 percent; 80 percent for those dependent on home heating oil. A barrel of oil in 1983 was \$29.

By the way, the price should be going down as we go away from winter and toward the summer. But there is a dramatic change this year. The price is actually going up. And the future price for oil is much higher in January of

2007. That should raise a serious concern among all Members about the potential for price increases with respect to home heating oil and natural gas.

A barrel of oil in 1983 was \$29; today it is at least \$61 a barrel. That is a difference of \$32. We are basically losing the value of low-income fuel assistance because the funding has remained the same. It has declined to about 19 percent of the real value of what it represented when we first created the program almost 27 years ago when I was serving in the House of Representatives.

I have offered the underlying bill to advance the funding based on the recent formula. I do not change the funding. It is 75–25, 75 for emergency and 25 percent on formula. I am prepared to offer a 50–50 that would actually allow many States to gain or stay the same if we want to talk about the formula but do not do away with the emergency funding. That would be the first time ever under this program, and we will not have the capability and the President will not have the authority or the prerogative to respond to those States that are in an emergency crisis, as was the case last fall with Hurricanes Katrina and Rita. That is the major departure, historically, from how we have obligated funds, both to formula and for emergency.

Mr. President, 54 percent of my colleagues have voted for an increase in funding for low-income fuel assistance last year, requiring 60 votes. That was requiring 60 votes. We worked very hard. We got 66 votes last week on proceeding to this vital issue.

So I hope my colleagues will support this cloture motion so we can move beyond and get to the heart of the matter, so we can discuss the differences and the implications of the underlying bill versus the amendments offered. I am prepared to work with my colleagues in any way to work it out. It is not, in my view, a matter of North versus South, East versus West or whatever. It is not sectional interests we are talking about.

What we are talking about is doing what is right for whoever needs this program and depends upon it in a moment in time. That is what the emergency funding provides. It gives us that flexibility and that capability that will be done away with by the Kyl amendment. I truly regret there was this chart that was distributed last week because it gave an erroneous picture of the accurate distribution of funding because with emergency funding you cannot have a fixed picture because it depends on the emergency. And unless someone around here is a soothsayer, there is no way to know how that funding will be distributed.

Yes, it was distributed at that moment in time that way. That is precisely because there were emergencies. But you do not know what the emergency is going to be a year from now, a month from now, 6 months from now. We are coming upon the hurricane sea-

son again. God forbid if anything else happens. The fact is, we need to have that flexibility, as we did last fall. We need to have that capability similarly for our States that need it, in Maine and the other cold-weather States currently.

If we need more funding, I am all for it. But I know there is resistance by many to increasing the funding, regrettably. But this has fallen far short of the real value of this program, as I illustrated. We have not provided a real increase in the low-income fuel assistance program since it was created back in 1979 during my first term in the House of Representatives.

Those are the facts. So I urge my colleagues to vote to proceed to the final consideration of this bill.

I reserve the remainder of my time.
The PRESIDING OFFICER. Who yields time?

The Senator from Illinois.
Mr. DURBIN. Mr. President, I ask unanimous consent to be recognized for 5 minutes.

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

Mr. DURBIN. Mr. President, I rise in support of the efforts of the Senator from Maine. She has been our leader and our champion on this issue of funding LIHEAP. It has been a bipartisan effort, too. Senator JACK REED of Rhode Island, on this side of the aisle, and many others, have spoken in favor of what she is attempting to do.

To describe it very briefly, for those who are following this debate, it would put \$1 billion more in the Low-Income Home Energy Assistance Program across America. We said we thought we would need \$5 billion this year. Then we only appropriated \$2 billion. And in some parts of the country the winter has been fairly mild, including the Midwest. In other parts it is still harsh and cold. But wherever you live, you have found the cost of heating your home has gone up dramatically, between 30 and 50 percent.

Now, imagine if you are on a fixed income, that you are a retired single woman, for example, a widow, and you turn to this program, as you have in years past, and this year you need it more than ever. Or imagine you are a woman I met, a mother in the city of Rockford, with three small children. She is divorced. She is working. She is trying to keep this little frame house she is living in warm enough so her kids can be well enough to go to school.

She needs a helping hand from this program. She is a minimum wage worker. She works as a waitress. She does not make a lot of money, but, God bless her, she is trying. And this program says we will give her a helping hand. The sad reality is, as the Senator from Maine told us, there is not enough money in this program. So many of these people find themselves without the helping hand that we have promised all across the United States.

All the Senator from Maine and others are saying is, let's put enough

money in this program to help the truly vulnerable people in America. These people are our neighbors. These are fellow Americans, the parents and grandparents of people who made this the great country it is today.

You look at the situation and say, this has so many echoes and memories of what happened in New Orleans. In New Orleans, when some of the nicest people in this world, who happen to be caught up in a flood, had nowhere to turn—and the Government was not there—the sad reality is that many of them suffered. We look back now, 6 months later, in horror to think that great city is still struggling to get back on its feet. Despite the best promises of President Bush and this administration, it is not happening.

I wonder if that would have been the case anywhere else in America. Would that have happened anywhere else in America, that a city would have been devastated, and 6 months later it is still not receiving the attention it needs because of a lack of leadership from this Administration?

What the Senator from Maine is saying, what we are saying, is that for individual families faced with the realities of life today, some of these programs make all the difference in the world. And the Low-Income Home Energy Assistance Program is one.

I met with a woman in Rock Island, IL, a retired lady, a beautiful lady, who works down at the senior center now just doing volunteer work. She counsels the seniors on how to apply for LIHEAP assistance so they can pay their gas bills, which, of course, is what we use to heat the majority of our homes in the Midwest.

So many of us believe that when we face these natural disasters and challenges in America, that it is a challenge to each one of us to come together as the American family. I can understand how the Senator from Maine feels. People say: Oh, this is just a big New England problem. Now, don't worry me because I happen to live somewhere else.

It is an American problem, my friends. It was an American problem in New Orleans. It is an American problem in New England. It is an American problem when American families struggle for the basic necessities to survive. Those who would divide us on sectional lines, on lines of economic benefit, on lines of racial differences—those people are just wrong because this country is strongest when it stands together. And we stand together when some members of the American family are in need, and they are in need today.

We need to stand behind the Senator from Maine on a bipartisan basis. We need to say to this administration: Do not leave more Americans behind—as happened in New Orleans. We cannot have it repeated in New England or in northern Illinois or anyplace across the United States. We need to come together.

As I look at this bill, I think this is reasonable. It is reasonable for us to

stand up for our fellow Americans who need a helping hand with low-income home energy assistance.

Let me add something as well. Wouldn't it be great if America had an energy policy? Wouldn't it be terrific if we really had a plan that would move us away from our dependence on foreign oil? When the Senator quotes oil prices, do you know what control we have over oil prices? None. When the OPEC cartel and the sheiks decide production levels, and oil prices go up, America reaches into its wallet for its credit cards and cash, and the money goes right on the line, and not just to them but to the oil companies.

It is similar with natural gas. Wouldn't it be great if we had vision and leadership in America today that moved us toward less dependence on energy from overseas? We wouldn't be caught when we stopped to fill up our cars, or provide energy to our homes and businesses, with dependence on oil cartels or fossil fuels that leave us dangling on the ends of strings, as the producers control the dance like puppeteers?

That is the fact today because for too long we have let the national energy debate—

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. DURBIN. Mr. President, I ask unanimous consent for 1 additional minute.

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

Mr. DURBIN. For too long, we have focused this energy debate on where can we drill for more oil. Can we go to a wildlife refuge in Alaska? The honest answer is, all the oil in that wildlife refuge would not provide the energy this country needs for more than 6 months over a 20-year period. It is not an answer. It is not a solution. We control less than 3 percent of the oil reserves in this world. Yet we consume 25 percent of the oil resources. There is no way we can drill ourselves to a point of self-sufficiency.

We need leadership. We need innovative, sustainable, renewable sources of energy. We need better fuel-economy in our cars and trucks. America should be moving forward as some other countries are with a new vision on energy. Instead, we are faced with these crippling bills to heat our homes, and at the gas station to fuel our vehicles.

Today, we need to vote to support the motion for cloture, bring the LIHEAP bill up, provide a helping hand to the most vulnerable Americans, and then sit down and get down to business about an energy policy that really works for our future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Ms. SNOWE. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from Maine has 6 minutes 52 seconds, and the Senator from Nevada has 30 minutes.

Ms. SNOWE. Thank you, Mr. President.

I just want to make a couple points, and then I will reserve the remainder of my time.

The Senator from Illinois mentioned Senator REED, and I, too, would be remiss if I did not mention Senator REED from Rhode Island, who has worked mightily on this issue and seeking increases in low-income fuel assistance and, in fact, has worked on that throughout the last year and this year as well. So I thank him for all of his efforts in that regard.

Finally, regarding low-income fuel assistance contingency funds, under the law—I would like to read it to my colleagues because I think it is important to understand the purpose that was underlying the design and how this program would allocate the funding in emergency situations. The low-income fuel assistance contingency funds are released at the discretion of the Secretary of Health and Human Services. I quote from the law, the law we all supported:

... to meet the additional home energy assistance needs of one or more States arising from a natural disaster or other emergency.

That is the purpose of the contingency fund that is currently in law. That was supported by this Senate, by the House, and became law. It is what the White House wants. The President wants it. He wants to continue that authority and flexibility to be able to respond to emergencies when they arise. We have no way of predicting when they might arise. Therefore, it is important to have those funds set aside for exactly and precisely that purpose.

The funding distribution is not altered under the underlying legislation that is pending before the Senate. It would be significantly altered by the amendment offered by the Senator from Arizona because we would no longer, for the first time in the history of the low-income fuel assistance program, have emergency funding capability, none whatsoever. So where we have provided millions of dollars to Alabama and Mississippi and Louisiana and Florida as a result of the hurricanes last fall, we would not have that capability in the future. We do not have any capabilities.

I want to reiterate the fact that the graph that was distributed last week fundamentally misrepresented the allocation of funds. That was for one snapshot in time because emergencies existed at that moment in time. So if your State got that kind of money at that moment in time, it does not mean you get it the next time unless you had an emergency. That is what it is all about. You want your State to have the benefit of emergency funding under this program when an emergency arises, in the event it is necessary. If it is not, then you do not need that funding at that moment in time.

We have the formula capabilities under the low-income fuel assistance program to provide and distribute the

money to various States. That is another part of the program. But to do away with the emergency capabilities under this program, for the first time ever, is a dramatic departure from where we have been in the past, a dramatic departure even in the alteration of the funding formula, as represented by the amendment offered by the Senator from Arizona. It would be a dramatic departure in all respects, and it would have implications all across America.

Let me remind my colleagues. I quote:

[It is] to meet the additional home energy assistance needs of one or more States arising from a natural disaster or other emergency.

As I said earlier, 34 of our Nation's Governors have recognized the crisis and have written to the Senate and House leadership respectively and said: Despite significant State contributions to emergency relief funds or supplementing existing State-Federal programs, with the record cost of energy nationwide, the Federal fiscal year 2006 funding for LIHEAP reflects a net decrease from the previous year's total. Exactly, because of the rising prices. That is what it is all about. It has been the status quo, as I said, for funding under LIHEAP, essentially since it was created, but most especially since 1983. That is a long time ago.

I think we ought to do what is right. It will benefit all of our States depending on the need and whether an emergency arises. Then we have the formula to distribute the other funding according to the States and to a formula upon which we have all agreed. And it is fair and equitable. What is underlying all of this is to do what is right for all of America, for all of our States, and not to pit one State against another, one region against another. That is not what this is all about. This program is for all 50 States based on formula and based on emergencies.

I hope we will not significantly alter this in a way that removes emergency funding capability that the President now has and what we certainly need and depend on in the event that occurs in any one of our States.

So with that, I reserve the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will please call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KYL. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. KYL. Mr. President, let me say a few words about this before Senator ENSIGN comes to the floor. The first vote we will have shortly will be the vote to proceed with the consideration of this legislation, a so-called cloture vote. After that, the subject the Senator from Maine has primarily been addressing will be the pending business.

It is an amendment which would establish how this additional billion dollars would be made available to the States to meet their emergency needs for either home heating or home cooling, as conditions warrant.

There has already been about \$2 billion spent, almost all of which is for the heating needs of those in the colder part of our country. Those of us who offered the amendment to provide a way in which the third billion dollars would be distributed have had in mind some very difficult circumstances in our home States over the last year or so. In fact, part of the problem is the fact that the money that is available in the fiscal year is used pretty much at the front end of the time to treat the cold climate problems. By the time we get to the summer, when the heavy heat requirements would authorize funding to be spent in States such as Arizona and Nevada, there has been little money available.

Last summer, in response to the heat emergency there, when air conditioning bills were skyrocketing and a lot of people could not afford to pay them, bills which are much higher per household than home heating bills frequently are, there was no money available. We tried to get a contingency amount of money to apply to the problem. We literally had some people die. Yet by the time the money became available, it was too late.

One of the things we are trying to do with this amendment is to preserve some of the money pursuant to a formula so that it is not all sitting in a contingent fund to be spent in cold States in the beginning of the year with nothing left at the end of the year.

Let me cite some statistics from the city of Phoenix, for example: Arizona's LIHEAP program can only assist 4 percent of those who are eligible; 73 percent of the homes have an elderly or disabled or child under 5—this is in the city of Phoenix; these figures don't necessarily apply to everywhere in the State—18 percent have an energy burden of over 25 percent of their income. This is what I think folks don't realize. Air conditioning is a necessity when you have 115, 116, 118-degree days. It is not optional. Especially if you are elderly or very young, you have to have air conditioning. When you are paying 25 percent or more of your income for that air conditioning, it is a burden that too many people can't bear. That is why we are trying to get more of the funds allocated through a formula to the States that need that kind of help at the end of the year and not have it all sitting in a contingency where it is not available, as was the case last year.

We need to fix this problem. There is already appropriated for fiscal year 2006 \$2.183 billion—\$2 billion pursuant to the existing formula, almost all of which goes to the cold States in the Northeast and elsewhere, and \$183 million for contingency. So to the extent that there are contingency require-

ments, as the Senator from Maine has spoken to, there is funding currently available for that. What we are trying to do is ensure that the next billion dollars not only provides for that contingency funding and some additional contingency funding but that about three-fourths of it be distributed pursuant to a formula which is much fairer to those States that have not gotten the money in the past to assist their low-income folks to provide primarily for air conditioning. That is what the debate is all about.

The pending amendment is my amendment that would provide for a formula distribution of the next billion dollars. There is still contingency money available but not as much as there would be under the proposal of the Senator from Maine.

There is probably somewhere between zero and 100 an opportunity to try to work things out. It is my hope that in the time between now and the time we begin debating my amendment, we will be able to do so. I am certainly open to discussion about it. We need to make sure that wherever people are located, they are well taken care of. In the past, however, the way the money is distributed, virtually all goes to people in the colder States, with nothing left over for those folks who have to rely upon air conditioning. It is time we recognize that fact and modify the formula for the additional amount of money that is going to be spent if, in fact, money will be allocated, so it more accurately reflects the needs of the people in the hotter climates as well as those who have been the recipients of most of the money that has been allocated so far.

I reserve the balance of the time for others, in particular the Senator from Nevada, when he arrives.

The PRESIDING OFFICER. Who yields time?

The Senator from Minnesota.

Mr. COLEMAN. How much time do we have remaining?

The PRESIDING OFFICER. The Senator from Maine has 1 minute 18 seconds, and there is approximately 24 minutes reserved to the Senator from Nevada and counting.

Mr. COLEMAN. Mr. President, I ask unanimous consent that we use an extra 3 minutes of the other side's time for my discussion.

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

Mr. COLEMAN. I rise to respond to my friend and colleague from Arizona. We are in agreement on the idea that the money should go where it is needed. What I would disagree with is that there is nothing left for those from other States, warm weather States. That is not what we are dealing with here.

Two things about LIHEAP: One, it is not just another Federal acronym; it is a lifeline. I held hearings on this in St. Paul, where I heard from a woman named Lori Cooper, a working professional wife, mother of a 21-month-old

baby. It is about scraping by on salary alone, and even with assistance paying the heating expense, it was a real hardship. We had a senior named Lucille Olson who told a story of the struggle to balance the cost of high health insurance and prescription drugs with ever-rising heating bills that represent about 30 percent of her monthly income.

We are not talking about a Federal acronym. It is a helping hand.

You may hear some of my colleagues contending that a warmer-than-usual winter has somehow lessened the need. It may be a mild winter by Minnesota's standards, but certainly not by Virginia's. It was about minus 19 in St. Paul a couple weekends ago. If it is only 25 degrees, mild by Minnesota's standards, you still have to put about an extra 40 something degrees in there to heat your home so seniors and working people can live there with some measure of comfort.

We have 60 percent of all LIHEAP households in Minnesota heating their homes with natural gas. The price of natural gas has risen severely. It is a severe winter by national standards. LIHEAP is designed to soften that. We have heard it firsthand.

I want to make clear the bill which I cosponsored would designate an additional \$250 million for formula funding. But due to the nature of the formula governing allotments to States, this additional formula funding for Minnesota would provide a negligible increase. The 25/75 split is exactly the same split the Senate approved a few months ago in the Deficit Reduction Act. What we do is we change the date assistance is available from 2007 to 2006. Again, 25 percent of the funding goes to predominantly warm weather States.

This is about emergencies. It is about meeting the needs of emergencies. I have to say that we have been there. Senators from the northern States have been there when there has been flooding and tornadoes and hurricanes and other crises around the country. We haven't divided up regions. We didn't do that with Katrina and Rita when they swept across the gulf. We didn't do it in areas of Florida hit hard by hurricanes. We didn't do it in western States affected by wildfires. We are one great Nation. We come to the aid of those in need. This is about those in need. It is a severe winter where they can't afford the cost of natural gas, a lifeline, a helping hand, not an acronym for a program.

The Senate has a tradition of putting aside its regional and partisan divisions. When Americans face desperate situations, the Senate comes together in the name of the same Nation with the spirit of cooperation. I have heard the President speak eloquently about the spirit of America, of what it is all about. That is what we are asking for today. Hurricanes Katrina and Rita have already made natural gas prices worse. In northern States such as mine,

this is about hardship. I have seen the faces of those who need this assistance, those who work hard to get back on their feet, to build a better life. A dramatic increase in heating costs like those experienced in Minnesota this year is a cruel burden. They deserve a lifeline, a helping hand. Please support me in providing increased LIHEAP assistance designed to meet the needs of those who need it most.

The PRESIDING OFFICER. Who yields time?

Ms. SNOWE. Mr. President, I commend Senator COLEMAN for his leadership and all the efforts he has made in regard to the pending legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. ENSIGN. How much time remains on our side?

The PRESIDING OFFICER. The Senator has 22 minutes 14 seconds, and the Senator from Maine has 57 seconds.

Mr. ENSIGN. Mr. President, my preference would have been that this bill not go forward simply because I believe this legislation is not paid for. It would be different if the proponents of this legislation had truly paid for it, in other words, offset this spending. Instead of offsetting this spending, they take in the money from next year, bring it into this year and then will try next year to restore the money. If they would have said: This is the priority, let's reset our priorities and let's cut some other type of spending to pay for this, the legislation would have been a lot more acceptable.

That is the reason we raised the budget point of order last week against this legislation. We lost on that budget point of order. So now it looks as though the legislation has a chance of moving forward, and we have to determine how the money is spent. Is it fair to spend it across the country, or should it benefit some States at the expense of other States?

The LIHEAP program is set up with a very complex formula. It is assistance for those people who are low income, who need help with their heating oil or with air conditioning expenses—for those who live in hot States such as myself, or in Arizona, or some of the other southern States around the gulf coast.

The reason people are seeking this increase is because natural gas has exploded in price. Obviously, heating oil has done the same. So there is a need out there for assistance and we don't deny that. We think there is legitimacy to meeting that need. But it is a question of how do we now disburse this money fairly to the States.

Let me get back to the LIHEAP formula—how we determine how the

money goes to the various States. It was set up a long time ago when this program was first put in effect that it would benefit more of the colder States. When it was set up, the first amounts of money would go in and mostly benefit those cold weather States; and then if there was more money put into the program, it would be distributed more fairly to help States that are warmer. The proponent has put forward that three-quarters of the money would go to continue to help those States that are in the colder regions of the country, and 25 percent of the money would then be distributed kind of equally across the country. That is not the way the program was intended to be set up.

Additional moneys are supposed to be distributed fairly across the board. Mr. President, 28 out of the 50 States would lose under Senator SNOWE's bill; 22 States would benefit. Those same 22 States benefit under the moneys that have already been spent this year—more than the other States benefit.

We are not going to win the cloture vote. We fully admit that. We lost on a budget point of order, so we know we are going to lose on a cloture vote. After the cloture vote, there will be at least one amendment to change the formula so that other States are more fairly treated in this program.

I believe this billion dollars should be more fairly distributed across the country. So that is what we are going to attempt to do. We hope all of the Senators will look to see whether their States benefit more under the amendment Senator KYL and I are going to put forward or benefit under Senator SNOWE. If they look from a selfish perspective to their own States, they will vote with our amendment.

I think it is important when you are in the Senate to try to do what is best in the national perspective, but you also look to your State and your State's interest. When there is a pot of money out there, it is our responsibility to look to try to get our States' fair share of that money. That is what I am going to do for Nevada, and I know the Senator from Arizona is going to do that for the State of Arizona.

While this cloture vote will go forward, that doesn't mean we won't have germane amendments—which our amendment is—and that we won't have germane amendments to vote on to more fairly distribute the money.

How much time does the Senator need?

Mr. KYL. A couple of minutes.

Mr. ENSIGN. Mr. President, last year, we had a debate on increasing LIHEAP funding, but we had to pay for it last year. We paid for it by allowing drilling in ANWR. The ANWR provision got stripped out in the Senate. So the amount of money to pay for LIHEAP was no longer present. I would like to see drilling in ANWR. I think it is important to diversify our energy supplies in America. The money would

have been there and people would not have had objections. I agreed to that last year. This is purely deficit spending even though the proponents of the bill say it is not because of the phony budget games that are played around here. But because it is deficit spending, we are going to try to make sure that the money is spent fairly across the United States. That is what this whole debate is going to come down to in the next day or two.

Mr. President, with that, I reserve the remainder of our time, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. KYL. Mr. President, since I last spoke, I want to get a couple of the specific numbers on moneys actually spent under the formula that currently exists for providing low-income energy assistance for both the cold weather States and the warm weather States.

I have some statistics that relate to three of the States in comparison with the State of Maine, for example. Nevada has about 40,000 more people, or eligible households than Maine. Under the current formula, it receives about \$22.7 million less than Maine. In the case of Arizona, with a population of about four times that of Maine, Arizona receives three times less money. In other words, Maine receives more than three times the money of Arizona, with Arizona having more than four times the population. Georgia had to spend \$10 million, up from \$3 million last year, for its energy needs and for needy families.

We are all interested in seeing that the low-income families have assistance. We want a formula that is fair. In the past, the formula has not been fair. Growing States such as Nevada and Arizona, which have far more population than some of the other States, receive far less money. As I said, in comparison of air conditioning bills versus heating bills, the air conditioning bills can be far greater—sometimes more than 25 percent of the income. That is what we are talking about here. We are trying to achieve fairness with the formula, not have the money all in a contingency fund which is spent early in the year on the cold weather, with nothing left for the hot weather folks.

If the Senator from Oklahoma is ready, I yield to him.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I have been on the floor numerous times to talk about priorities. We are on an unsustainable course in our country. The GAO says that. Anybody who looks at our books, our budgets, and our deficits would realize that. We have before us a \$1 billion expenditure that I am

sure we are going to do. I have done everything I can to keep us from doing it. Without paying for it, we will transfer that money to our children.

I think it is important for the American public to know how awry we are in this body. I want to put forward and into the RECORD what the cosponsors of this bill did. They did, collectively, \$777 million worth of earmarks last year. Those States of the cosponsors are going to get \$145 million in LIHEAP money. The fact is, we spent over \$770 million on earmarks.

I wish to spend a few minutes reading some of them so we can see whether the American people think it is a priority. Do we help people who need heat with their homes or do we build the Katahdin Ironworks in Maine? Or do we build a new industrial park in Maine? Do we buy new land—the Rachel Carson land acquisition for \$600,000? Do we pay for a new building for the city of Brewer, an administrative building? I cannot find in the Constitution where that is a responsibility of the Federal Government. We are going to build a new Bangor waterfront park. We spent \$246,000 on earmarked lowbush blueberry research. Here is a George and Barbara Bush cultural center at the University of New England, \$300,000. Do we do that and charge it to our children and grandchildren, or do we help people with their heat? To me, it is an obvious choice. But we refuse to make those hard choices here. We would rather spend the money and charge it to our children and grandchildren.

Here is a Franco-American Heritage Center renovation project in Lewiston. And Bowdoin College in Brunswick, ME, gets \$100,000 for site planning and renovation. Here is a purchase of land, Brainerd Lakes, MN. Here is Midtown Greenway, Minneapolis, \$1.5 million. Here is Augsburg College, in Minnesota, \$1 million. I didn't know private colleges were part of the responsibility of funding from the Federal Government. Next we have Grand Portage in Minnesota, to establish a heritage center, \$4 million. We are going to establish a heritage center for \$4 million and we cannot help people with their heating bills. We are going to try to do both because it is politically expedient, but it is not politically expedient for our grandchildren.

We gave \$200,000 to the Hmong American Mutual Assistance Association. We gave \$500,000 to the Minneapolis American Indian Center in Minneapolis. We sent \$1 million to the Pine Technical College in Minnesota. We rehabilitated the Ames Lake Neighborhood, Phalen Place Apartments, in St. Paul with \$150,000 of taxpayer money. Here is the Willard Pond in New Hampshire, \$550,000. Then we have Roseview, a purchase of land for \$2 million. Here is the Hubbard Brook Foundation and the Daniel Webster College. Here is the city of Portsmouth, to build an environmentally responsible library. We are going to build a library instead of

paying for people's heating bills, and we are going to charge it to our children and grandchildren.

We spent \$150,000 for site preparation for improvements to White Park in Concord. We are going to restore Temple Town Hall in the town of Temple, \$225,000. That is not a Federal responsibility; it is a State responsibility.

Yet the American people are right to ask the question: How is it that we can have \$775 million in earmarks from five States, and those five States under this formula would get \$145 million in LIHEAP?

I suggest that we shouldn't take it from our children and grandchildren. I suggest that we ought to pay for it, and the way to pay for it is either reduce the number of earmarks that are not legitimate under the Constitution, but are very politically expedient, or find the money elsewhere.

I am not just picking on these items. This goes across this body throughout. The culture of earmarks is killing our country in terms of how much money we spend and who is paying for it. And who is actually paying for it is not us. We are shifting it to the next two generations.

I will show this document in the RECORD—it lists the earmarks by the five cosponsors of this bill—and let the American public decide whether they think we ought to take \$1 billion from our grandkids or cut out some of these projects that are not necessary right now. We are in a time of tremendous fiscal severity, and it is time we start acting as grownups.

Mr. President, I ask unanimous consent to have printed in the RECORD the document that lists earmarks.

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

WHAT ARE OUR PRIORITIES—EARMARKS OR LOW-INCOME ASSISTANCE?

(Estimated number and cost of earmarks in FY2006*; additional LIHEAP funding based on estimate of an additional \$250 million allocated through the standard formula and \$750 million allocated through the contingency fund; contingency fund allocation rates for each state are based on the average distribution rate from the five previous releases from the contingency fund)

| State | Number of earmarks | Cost of earmarks | Additional LIHEAP funding |
|---------------------|--------------------|------------------|---------------------------|
| Maine | 38 | \$29,362,000 | \$16,277,940 |
| Minnesota | 85 | 127,383,000 | 29,089,755 |
| New Hampshire | 50 | 46,338,000 | 8,845,527 |
| Ohio | 171 | 238,005,026 | 39,060,740 |
| Pennsylvania | 286 | 336,210,500 | 52,561,169 |
| Total | 630 | 777,298,526 | 145,835,131 |

*Note: The number and cost estimate of earmarks for each state likely underestimate the total number and cost of earmarks. Only earmarks where a state is clearly and readily identifiable are used in the estimates.

Sources: Congressional Research Service, LIHEAP Clearinghouse, staff calculations.

Mr. COBURN. Mr. President, I want to help those people who cannot help themselves, but I have also discovered that there is very limited authorization for us in the Constitution for us to be paying the heating bills of people in this country. There is no such thing as compassion when you are using somebody else's money to offer compassion.

The real answer to heating bills is solving our energy crisis and local communities taking care of their local citizens with their assets.

I will not vote for cloture, although I know cloture is going to be invoked, but I think this is a great time that everybody in this country ought to be questioning the process here and the utilization of earmarks which could have paid for the heating bill, but instead we did things to help us back home, help us get reelected.

I remind the Members of this body, Mr. President, when they take the oath of this body, they don't take an oath to protect their State or bring home the bacon. They take an oath to do what is in the best long-term interest of this country, not what is in their best short-term political interest.

I believe, as the American people look at this—I know this recent polling said 69 percent of the people in this country think we ought to eliminate earmarks, even if it hurts them. The only way we will get out of the financial mess we are in is start attacking the process of earmarks that greases the sled for spending that is out of control.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Nevada.

Mr. ENSIGN. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. Does the Senator from Maine yield back her 57 seconds?

Ms. SNOWE. Mr. President, I yield the remainder of my time to my colleague, Senator COLLINS from Maine.

Mr. KYL. Mr. President, I ask unanimous consent that the Senator from Maine have an additional minute and only 2 minutes be reserved on this side.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank my colleagues for their cooperation. I realize I need to talk very rapidly.

I understand that the Senator from Oklahoma listed earmarks that the Senator from Maine and I have jointly sponsored. I want to tell my colleagues that I am very proud of those projects, and I will stand here and defend every single one of them. But the fact is, that is irrelevant to the debate before us right now.

I think it is so unfortunate to see this breakdown as certain States in certain parts of the country oppose what is a program that is absolutely essential to those of us who live in colder States.

I supported all of the aid for Hurricane Katrina's victims in the gulf region. I routinely support programs that benefit other regions of the country. I think it is unfortunate and unfair and very disappointing for colleagues to oppose a program simply because it doesn't benefit their region as much as others.

This is a program that is a matter of literally life and death to those of us

representing low-income and elderly constituents.

I realize my time has expired. I urge my colleagues to support the motion to invoke cloture.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I will conclude by making two points. First of all, the question on cloture is not whether to allow the program to go forward but whether it will be paid for or, in effect, the money taken from next year, in which case then next year's money will have to be taken from the year after that, and so forth. So it is a question of how we pay for it.

The average temperature in July of last year in Arizona was just under 100 degrees. It was about 98 degrees. It is a matter of life and death. Eighteen people died in Arizona, and there was no money available in Arizona for this program. By the time we found we could get a contingency of \$183 million, it was too late.

So while we would like to see the program continue, we would like to see it paid for and also we would like to see the formula modified so those people who suffer from the heat have as much of an opportunity to participate as those who have trouble from the cold weather. As a result, assuming that cloture is invoked, what we will be urging is that the next billion dollars be spent pursuant to a formula that more fairly divides the money among the various States, all of which have problems, but they are just different kinds of problems. And we will be able to debate that at that time.

Mr. President, I yield back all of the remaining time so we can go ahead with the vote.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 2320: a bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

William Frist, Lamar Alexander, Ted Stevens, Pat Roberts, R.F. Bennett, George Allen, Pete Domenici, Rick Santorum, Gordon Smith, John Thune, Richard G. Lugar, Arlen Specter, John E. Sununu, Mitch McConnell, Lincoln D. Chafee, Lisa Murkowski, Mike DeWine, David Vitter.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 2320, a bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, shall be brought to a close? The yeas and nays

are mandatory under the rule. The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 75, nays 25, as follows:

[Rollcall Vote No. 33 Leg.]

YEAS—75

| | | |
|-----------|------------|-------------|
| Akaka | Dorgan | Mikulski |
| Alexander | Durbin | Murkowski |
| Allen | Feingold | Murray |
| Baucus | Feinstein | Nelson (FL) |
| Bayh | Frist | Nelson (NE) |
| Bennett | Grassley | Obama |
| Biden | Gregg | Pryor |
| Bingaman | Hagel | Reed |
| Boxer | Harkin | Reid |
| Burns | Hatch | Rockefeller |
| Burr | Inouye | Salazar |
| Byrd | Jeffords | Santorum |
| Cantwell | Johnson | Sarbanes |
| Carper | Kennedy | Schumer |
| Chafee | Kerry | Smith |
| Clinton | Kohl | Snowe |
| Cochran | Landrieu | Specter |
| Coleman | Lautenberg | Stabenow |
| Collins | Leahy | Stevens |
| Conrad | Levin | Sununu |
| Dayton | Lieberman | Talent |
| DeWine | Lincoln | Thune |
| Dodd | Lugar | Voinovich |
| Dole | McConnell | Warner |
| Domenici | Menendez | Wyden |

NAYS—25

| | | |
|-----------|-----------|----------|
| Allard | DeMint | Martinez |
| Bond | Ensign | McCain |
| Brownback | Enzi | Roberts |
| Bunning | Graham | Sessions |
| Chambless | Hutchison | Shelby |
| Coburn | Inhofe | Thomas |
| Cornyn | Isakson | Vitter |
| Craig | Kyl | |
| Crapo | Lott | |

The PRESIDING OFFICER (Mr. BURR). On this vote, the yeas are 75, the nays are 25. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mr. FRIST. I move to reconsider the vote and to lay that motion on the table.

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

AMENDMENT NO. 2913 TO AMENDMENT NO. 2899

Mr. FRIST. Mr. President, I ask for the regular order with respect to amendment No. 2899 and now call up amendment No. 2913 and the pending amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST], for Ms. SNOWE, proposes an amendment numbered 2913 to amendment No. 2899.

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

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

The amendment is as follows:

(Purpose: To improve the distribution of funds to States under the Low-Income Home Energy Assistance Program)

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking “for a 1-time only obligation and expenditure”;

(B) in paragraph (1), by striking “\$250,000,000 for fiscal year 2007” and inserting “\$500,000,000 for fiscal year 2006”; and

(C) in paragraph (2), by striking “\$750,000,000 for fiscal year 2007” and inserting “\$500,000,000 for fiscal year 2006”;

Mr. FRIST. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

DEATH OF DANA REEVE

Mr. HARKIN. Mr. President, I awakened this morning to some very, very sad news: the death of Dana Reeve last night at the age of 44. With her death, I lost a dear friend and our American family lost a very, very special member of our family.

The world will remember Dana in many ways—as a fine actress, as a tireless advocate for spinal cord and embryonic stem cell research, and as the wife who stood by her husband through incredible adversity. I will remember her as a person of extraordinary grace and decency, always thinking of others, passionately committed to making a difference in the world.

Over the years, I was privileged to get to know and to work with both Dana and Christopher Reeve. Whoever coined the phrase that “life is unfair” must have had the Reeve family in mind. But these two people faced adversity with unflinching courage.

They taught us the most valuable of lessons. Christopher taught us how to transcend suffering and to live life to its fullest and to make every moment count. Dana taught us about the true meaning of love and commitment and loyalty.

Together, Dana and Christopher Reeve expanded access to new treatments and therapies for countless thousands of paralyzed Americans. Through their Christopher Reeve Foundation, they were tireless advocates for medical research.

Dana Reeve was also a superb politician, and I mean that in the best sense of the word. She knew exactly which committees to target, which levers to pull, which elected officials to cultivate and pressure and plead with. She also knew how to go over the heads of certain political leaders who got in her way, by taking her case directly to the American people. That is how Dana—and Chris, too—did so much to put embryonic stem cell research front and center on the national agenda. That is how she rallied support for spinal cord research.

But Dana spoke up passionately for all people living with disabilities. She spoke up for Parkinson's and ALS research. She advocated for more generous funding for the National Institutes of Health. Of course, she wanted a cure for her husband, but she fought for a cure for others as well, including all those children whom she and Chris met with spinal cord injuries. And, my friends, so must we. We must fight