

I applaud the Judiciary Committee for all of their hard work over the past few months and for the quality of last week's hearings. The quality of the questions and the ensuing debate were a testament to the important work the committee does and a testament to the valued leadership of Senator ARLEN SPECTER and Senator PATRICK LEAHY.

I had an opportunity to meet personally with John Roberts. He is someone with whom you can sit down and talk for hours about the law. He is genial and easy to get along with. He is a family man. While these are all wonderful qualities, it is not why I am voting for him.

I am voting for Mr. Roberts because he meets the criteria I have set out for judicial nominations, criteria I have used in assessing all judicial nominations that have come before this body.

When looking at the nomination of Mr. Roberts, I first asked: Does John Roberts have the qualifications or credentials to be a judge?

I think the answer to this question is obvious to anyone, and no one in this body will dispute it. Judge Roberts brings with him excellent credentials. He is a brilliant lawyer, and I was very impressed with his breadth of knowledge of the law. He has also, on multiple occasions, demonstrated a genuine understanding of the law.

I was also very impressed with his testimony before the Judiciary Committee. While some of my colleagues and I would have liked for Mr. Roberts to further explain some of his answers and positions, no one can dispute he has the ability to take this most prestigious post.

My second criteria: Will Mr. Roberts be of the right judicial temperament? As a lawyer who has argued in front of the U.S. Supreme Court 39 times, I believe Mr. Roberts has a high level of respect for the law, its institutions, and its traditions.

I am convinced, after spending time with Mr. Roberts, that he will conduct himself with the dignity befitting of a Supreme Court Justice and that he will lead the Federal judiciary with honor and integrity.

My third criteria: Will John Roberts be fair and impartial and not an activist? I want to believe the answer is yes.

I do not think it is any secret there are Members of this body, including myself, who were and still are in disagreement with some of President Reagan's domestic policies, especially pertaining to civil rights.

I, of course, was not in the Senate during the 1980s, and being a few years younger than Mr. Roberts, I was still in school when he was starting his legal career. I do not agree with many of the opinions Mr. Roberts expressed in his memos while serving in the Office of the U.S. Attorney General, but I can say that as a lawyer I have taken positions that were not my own but were my client's.

I can also say that time has a way of changing a man. It is my hope that

after 20 years of gaining life experience, John Roberts has a better understanding and appreciation of how important civil rights protections are to the survival of this country and that he has moved away from some of his earlier writings.

There will be people in my home State of Arkansas who are going to be very pleased that I am voting for Mr. Roberts. I will also face constituents who will be disappointed. I am sure those constituents will ask: Senator PRYOR, how can you be sure? How can you be sure, without broader explanations from Mr. Roberts, or without more documents, that he will vote this way or that way on an issue?

My answer to that is twofold. First, I do not believe it is my duty as a Senator to confirm only judges I believe are going to vote the way I want them to 100 percent of the time. My duty as a Senator is to use my discretion to put the best jurist possible on the bench. I believe we have achieved that threshold with John Roberts.

Just as importantly, I would answer those critical of my decision to support Judge Roberts by saying, you can never be 100 percent sure.

I have chosen, based upon the evidence I have, based on my talks with John Roberts, based on his testimony, to put my faith in Judge Roberts.

I have chosen to believe him when he says he is not an ideologue. I have chosen to believe he will uphold the Constitution above all else and that he will not let politics or personal agenda get in the way of his job.

I am certain in the years that follow there will be times I laud Justice Roberts' opinions, and there will be times I will be disappointed in his rulings. But I am confident I will never be disappointed in his integrity, his temperament, or his ability to conduct himself as a man of the Court, not as a man of politics. Therefore, I once again state my intention to vote for Judge Roberts when his nomination comes to the floor.

Thank you, Mr. President. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. SANTORUM pertaining to the introduction of S. 1750 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. 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. REED. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

LOW-INCOME HOME ENERGY ASSISTANCE

Mr. REED. Mr. President, headlines across the Nation warn of an impending disaster facing American families this winter—rising energy prices that could wipe out working-class families and seniors. The New York Times reports:

Energy Prices Lead Inflation, Overcoming Salary Increases.

The Wall Street Journal states:

Soaring Natural-Gas Prices Point to Record-High Electricity Costs.

USA Today states:

Heating Prices Loom as Problems this Winter.

Prior to Hurricane Katrina's devastation in the gulf region, Americans were facing record prices for oil, natural gas, and propane. Hurricane Katrina exacerbated these costs by damaging production platforms and ports and curtailing production at refineries in the Gulf of Mexico. Now Hurricane Rita threatens further damage and, in turn, price increases. Natural gas prices are hitting all-time highs, and crude oil and gasoline prices are again on the rise.

Consumers are feeling the price increases at the pump. But with winter looming, the full effect of these costs has yet to hit us.

In New England, the average heating cost for a family using heating oil is projected to reach \$1,666 during the upcoming winter. This represents an increase of \$403 over last winter's prices and \$714 over the winter heating season of 2003–2004, almost a \$1,000 increase in 2 years.

For a family using natural gas in the Midwest, prices are projected to hit \$1,568, representing an increase of \$611 over last year's prices and \$643 over the heating season of 2003–2004. The Mortgage Bankers Association expects steep energy costs could increase the number of missed payments and lost homes beginning later this year.

Yesterday, the State energy directors released a survey about the choices that LIHEAP households make when they face unaffordable energy bills. Of course, LIHEAP is the Low-Income Heating Assistance Program that we have authored and supported for many years in Congress. LIHEAP assists low-income Americans and seniors to ensure they can face these prices.

According to the survey by the State energy directors, 73 percent of the households surveyed reported they reduce expenses for other necessities because they do not have enough money to pay for their energy bills. These other necessities are food, prescription drugs, rent, or mortgage payments. In

fact, one in five LIHEAP households reported they went without food at least 1 day over the last 5 years due to unaffordable energy bills. Twenty-four percent used their stove or oven to provide heat because they could not fill the tanks to provide heat.

On Monday, I visited the home of Aram Ohanian, an 88-year-old veteran who lives in Rhode Island and whose monthly income consists of \$779 in Social Security payments. Money is so tight that Mr. Ohanian sometimes eats at his daughter's house or goes to a local soup kitchen for food. He also gets help from a local food bank. Last year, Mr. Ohanian received a total of \$600 in LIHEAP grants to help him keep his home safe and warm. But even with that assistance, he had to close off parts of his house to reduce energy costs.

In communities throughout this Nation, Mr. Ohanian's story repeats itself. The warning has been issued. We know that prices for energy products are on the rise. We can all foretell the next disaster facing American families. The question is, What will we do to protect these Americans from this upcoming energy storm?

We saw the most vulnerable Americans overwhelmed by rising waters in New Orleans. If we do nothing, we can see other vulnerable Americans overwhelmed by rising energy prices this winter.

First, Senator COLLINS and I, joined by 39 colleagues, are calling on the President and Congress to support \$1.3 billion in emergency LIHEAP funding in the comprehensive supplemental appropriations package for Hurricane Katrina. This funding will provide our Nation's most vulnerable low-income families, seniors, and disabled individuals with affordable energy this winter. This is the additional funding—let me stress additional funding—needed for LIHEAP to maintain the purchasing power it had last year. This money is on top of the \$3 billion we are seeking for the LIHEAP State grant program in the fiscal year 2006 Labor-HHS appropriations bill; the regular LIHEAP funding, if you will.

States are bracing for a crisis caused by the lack of affordable energy, and this funding will ensure low-income families and seniors have warm homes this winter.

Last year, a Rhode Islander receiving \$400 in LIHEAP funds could buy approximately 235 gallons of heating oil, almost a full tank. At \$2.60 a gallon, \$400 will only buy about 150 gallons of oil, a little over half a tank, which might only last about 2½ weeks. And, indeed, the \$2.60 price in Rhode Island is a hard price to find now from oil dealers.

Rhode Island's LIHEAP program estimates the State needs \$21 million to serve the 27,000 households it helped last year. I urge all of my colleagues to join Senator COLLINS and me to support our efforts to secure \$4.3 billion for LIHEAP funding this winter.

Second, we need to invest in energy efficiency. The Weatherization Assistance Program is vital to these efforts. The Weatherization Assistance Program has weatherized 5.3 million homes in the United States during its history, including 30,500 in my State of Rhode Island. The program, on average, saves families \$274 per year and reduces heating bills by 31 percent. Rhode Island's program alone has saved the United States an equivalent of 43 days' worth of oil consumption, or an equivalent of 81 days of gas consumption over the course of the life of this program.

Now is the time to expand this and other energy efficiency programs to serve these families. This is one of those programs that benefits not only individuals of the family by keeping them warm, by saving them money, but collectively benefits this country because one of our great problems is our accelerating demand for energy which drives up prices. If we can control that demand, if we can be more efficient in the use of energy, we can go a long way to help moderate the prices of energy that we face.

In America—one of the wealthiest nations in the world—no family should have to choose between heating their home and putting food on the table for their child. No senior citizen should have to decide to either buy lifesaving prescription drugs or pay their electric bill. But, unfortunately, our Nation's most vulnerable households—working families, seniors living on fixed incomes, and disabled individuals—have to make those very choices.

Third, we need to pass Senator CANTWELL's Energy Emergency Consumer Protection Act, of which I am a co-sponsor. The legislation would ban price gouging at the gas pump in the wake of natural disasters, such as Hurricane Katrina, and would empower Federal regulators to ensure greater market transparency and go after market manipulation of oil and gas prices on an everyday basis.

The administration also must begin to rethink its bankrupt energy policies. Reliable, affordable energy is critical to the social and economic well-being of our Nation. Total energy spending for the Nation this year will approach \$1 trillion, 24 percent higher than in 2004. Energy will claim the biggest share of U.S. output since the end of the oil crisis 20 years ago. This is not good energy policy.

Americans deserve a better energy bill than the one President Bush signed this summer. They deserve an energy bill that raises fuel efficiency standards and provides for oil savings, an energy bill that invests valuable tax dollars—those currently being handed out unnecessarily to oil and gas companies—into the development of renewable fuels and energy efficiency.

Oil and natural gas companies are making record profits while energy prices are overcoming workers' salary increases. These companies do not need

billions of dollars from the Federal Treasury.

The American public deserves greater accountability to ensure oil companies are not engaging in anticompetitive behavior, such as closing down refining capacity to drive up prices.

Hurricane Katrina demonstrated the economic, social, and racial divides that exist in America. As a nation, we must step back and reevaluate our priorities. Now is not the time to cut funding for or underfund social programs, such as LIHEAP, Medicaid, and food stamps, that support working families and seniors while the President proposes tax breaks for casinos, as the Washington Post reported this morning. We must prioritize, and the most vulnerable amongst us must be considered first.

Hurricane Katrina upset the lives of millions, displacing families from their homes and inflicting severe economic damage. The people of the gulf region deserve our continued support as they rebuild, and as Hurricane Rita threatens the gulf coast of Texas, we must also be prepared to help those Americans affected in its wake.

We cannot, however, forget the millions of Americans who struggle each day to make ends meet. They also deserve our support. I hope the President and the Congress will heed this warning and help build an energy safety net for all Americans beginning with adequate funding for LIHEAP, increasing investment in weatherization, passing sensible legislation such as the Cantwell bill, and revisiting our overall energy policy to make a stronger, more fair, and a more decent place for all of us.

Mr. President, I yield the floor. I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DAYTON. I thank the Chair.

(The remarks of Mr. DAYTON pertaining to the introduction of S. 1756 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. DAYTON. 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. OBAMA. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

NOMINATION OF JOHN ROBERTS

Mr. OBAMA. Mr. President, thank you very much.