

Mr. WARNER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

Further, if present and voting, the Senator from South Carolina (Mr. GRAHAM) would have voted "nay."

The result was announced—yeas 51, nays 45, as follows:

[Rollcall Vote No. 22 Leg.]

YEAS—51

Akaka	Feingold	Mikulski
Baucus	Feinstein	Murray
Bayh	Hagel	Nelson (FL)
Biden	Harkin	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Brown	Kennedy	Rockefeller
Byrd	Kerry	Salazar
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Landrieu	Smith
Casey	Lautenberg	Snowe
Collins	Leahy	Stabenow
Conrad	Levin	Tester
Dodd	Lincoln	Webb
Dorgan	Lugar	Whitehouse
Durbin	Menendez	Wyden

NAYS—45

Alexander	Crapo	McCain
Allard	DeMint	McConnell
Barrasso	Dole	Murkowski
Bennett	Domenici	Nelson (NE)
Bond	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Grassley	Shelby
Burr	Gregg	Specter
Chambliss	Hatch	Stevens
Coburn	Hutchison	Sununu
Cochran	Inhofe	Thune
Coleman	Isakson	Vitter
Corker	Kyl	Voinovich
Cornyn	Lieberman	Warner
Craig	Martinez	Wicker

NOT VOTING—4

Clinton	McCaskill
Graham	Obama

The conference report was agreed to. Mr. REID. Madam President, I move to reconsider vote.

Mr. LEAHY. I move to lay that motion on the table.

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

INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS OF 2007—Resumed

Mr. REID. Madam President, I believe the regular order now is Indian Health. I would ask the Chair to report if that is in fact the case.

The PRESIDING OFFICER. That is correct.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1200) to amend the Indian Health Care Improvement Act to revise and extend that Act.

Pending:

Bingaman-Thune amendment No. 3894 (to amendment No. 3899), to amend title XVIII of the Social Security Act to provide for a limitation on the charges for contract health services provided to Indians by Medicare providers.

Vitter amendment No. 3896 (to amendment No. 3899), to modify a section relating to limitation on use of funds appropriated to the Service.

Brownback amendment No. 3893 (to amendment No. 3899), to acknowledge a long history of official depredations and ill-conceived policies by the Federal Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States.

Dorgan amendment No. 3899, in the nature of a substitute.

Sanders amendment No. 3900 (to amendment No. 3899), to provide for payments under subsections (a) through (e) of section 2604 of the Low-Income Home Energy Assistance Act of 1981.

Mr. REID. Madam President, Senator TESTER has indicated to me that he has an amendment to work on. There are a number of people who want to offer amendments, and I think it would be to our advantage—it is not as if it is the middle of the night; it is still in the 4s—if there could be some amendments offered. We are going to work on this all day tomorrow and hopefully we can finish it Friday. If not, we are going to stay here until we finish it.

Indian health deserves this. There is no group of people in America who deserves our attention more than Indians. It is that way with the 22 different organizations in Nevada and all over the country. So I would hope we can work together.

I think we have had some success during these first few weeks of this year of Congress. We were at the White House with the President signing the stimulus bill. It is time to celebrate that. Was it everything we wanted? No. But it is good work, and we should all be proud of that.

We passed this conference report on intelligence, and the President will have to make a decision on that in the future, as to what he wants to do, but it is out of this body.

I hope we could move forward on Indian health. We have been waiting years to direct the attention to them. The attention is now directed, and with the result of what has happened here, we can spend some quality time on this matter. I hope those who wanted to offer amendments will do so. We can work into the night. I hope we can have some votes tonight. Senator DORGAN and Senator MURKOWSKI are anxious to move forward.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3900

Mr. SANDERS. Madam President, I wish to call up amendment No. 3900, and I ask for its immediate consideration.

The PRESIDING OFFICER. That is a pending amendment.

Mr. SANDERS. Madam President, this tripartisan amendment is being cosponsored by Senators CLINTON, OBAMA, SNOWE, COLLINS, LEAHY, SUNUNU, KENNEDY, GORDON SMITH, COLEMAN, KERRY, STABENOW, SCHUMER, LAUTENBERG, LINCOLN, KLOBUCHAR, MURRAY, CANTWELL, MENENDEZ, and DURBIN.

This amendment is simple and straightforward. At a time when home heating prices are going through the roof—and I think every Member who goes back to his or her State understands that the cost of home heating oil is soaring—people understand that in areas around this country, including the State of Vermont, the weather has been well below zero. What this amendment would do is provide real relief to millions of senior citizens on fixed incomes, low-income families with children, and people with disabilities.

Specifically, this amendment would provide \$800 million in emergency funding for the Low-Income Home Energy Assistance Program—otherwise known as LIHEAP—a program that has won bipartisan support year after year here in Congress because people know it works.

Its goal is simply stated: to keep Americans from going cold in the wintertime. It has done this for years, and we have to appropriate more money to make sure we do that again this year. Specifically, \$400 million of the \$800 million would be distributed under the regular LIHEAP formula, while the other \$400 million would be used under the emergency LIHEAP program.

This amendment has strong support not only from many Members of the Senate and Members of the House, but it has strong support from the National Governors Association, the National Conference of State Legislators, the AARP, the National Energy Assistance Directors Association, and many other groups.

Let me very briefly quote from a letter I received from the National Governors Association in support of this amendment.

Additional funding distributed equitably under this amendment will support critically needed heating and cooling assistance to millions of our most vulnerable, including the elderly, disabled and families who often have to choose between paying their heating or cooling bills and food, medicine and other essential needs.

According to the National Governors Association, this amendment will provide much needed energy assistance to at least 1 million American families—1 million. Others already receiving LIHEAP will receive more help due to the skyrocketing costs of home heating fuel.

Let me very briefly quote from a letter I recently received from the AARP. This is what the AARP says:

People should not have to choose between heating and eating. Older Americans who are more susceptible to hypothermia and heat stroke know the importance of heating and cooling their homes. They pay their utility bills and skimp on other necessities to get by. However, no one in America should be forced to skip their medications or cut back on essential nutritional needs in order to keep their heat on.

That is from the AARP.

I ask unanimous consent to have these letters printed in the RECORD.

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

AARP,

Washington, DC, January 24, 2008.

Hon. BERNARD SANDERS

*U.S. Senate,
Washington, DC.*

DEAR SENATOR SANDERS: AARP applauds you for your continued efforts to increase funding for the Low Income Energy Assistance (LIHEAP) program. We thank you for offering an amendment to increase LIHEAP funding for FY 2008 by \$800 million on S. 1200, the Indian Health Care Improvement Act Amendments of 2007. We are pleased to support your amendment.

People should not have to choose between heating and eating. Older Americans, who are more susceptible to hypothermia and heat stroke, know the importance of heating and cooling their homes; they pay their utility bills and skimp on other necessities to get by. However, no one in America should be forced to skip their medications or cut back on essential nutritional needs in order to keep their heat on.

LIHEAP helps the poorest of the poor. Nearly three out of four families receiving LIHEAP assistance have incomes of less than 100% of the federal poverty level (\$16,600 for a family of three) and almost one in two have incomes less than 75% of the federal poverty level (\$12,225 for a family of three).

LIHEAP is serving more households than ever before, but still cannot meet the need. Since 2002, an additional 1.5 million households are receiving LIHEAP assistance. At the same time, requests for LIHEAP assistance in 2006 soared to the highest level in 12 years.

Additional funding is needed now. High energy prices have not gone away and the weather has proven very unpredictable—additional funding is needed now and in the future to protect some of the most vulnerable populations in America. Should you have any questions regarding this request, please contact me or Timothy Gearan of our Federal Affairs staff.

Sincerely,

DAVID P. SLOANE,
*Senior Managing Director,
Government Relations and Advocacy.*

NATIONAL GOVERNORS ASSOCIATION,
Washington, DC, January 24, 2008.

Hon. BERNIE SANDERS,
*U.S. Senate,
Washington, DC.*

DEAR SENATOR SANDERS: On behalf of the nation's governors, we write to express our support for the Sanders-Snowe amendment to add \$800 million in emergency funding to the Low-Income Home Energy Assistance Program (LIHEAP) for FY 2008. We commend you and your colleagues for working in partnership to build bipartisan support for this proposal, and we believe the compromise of splitting this funding equitably between the LIHEAP base formula grant under the "Tier II" formula and the contingency fund is a step in the right direction.

Additional funding distributed equitably under this amendment will support critically needed heating and cooling assistance to millions of our most vulnerable, including the elderly, disabled, and families that often have to choose between paying their heating or cooling bills and food, medicine and other essential needs. With greater financial support, states will be better able to increase benefit levels in correspondence with rising energy costs, and to reach at least a million other federally-eligible households who currently do not receive assistance due to funding limitations.

The National Governors Association applauds the bipartisan efforts of you and your colleagues in reaching this compromise, and fully supports adding \$800 million to FY 2008 to help LIHEAP respond to the current emergency energy situation.

Sincerely,

JAMES H. DOUGLAS,
*Chair, Health and
Human Services
Committee.*

JON S. CORZINE,
*Vice Chair, Health
and Human Services
Committee.*

NATIONAL CONFERENCE OF
STATE LEGISLATURES,
Washington, DC, January 23, 2008.

DEAR SENATOR, I am writing on behalf of the National Conference of State Legislatures (NCSL) to strongly urge you to support the amendment offered by Senator Sanders and Senator Snowe that would add an additional \$800 million to the Low Income Home Energy Assistance Program (LIHEAP) funding for FY 2008. The amendment would divide the additional funding equally between the formula and emergency contingency portions of the program.

LIHEAP is a highly efficient federal block grant program that helps our most vulnerable low-income households pay their heating bills in the winter and cooling bills in the summer. LIHEAP prioritizes at-risk households that shelter America's elderly, disabled, and very young and protects public health and safety by helping low-income families cover energy costs. By leveraging private dollars to supplement federal dollars, LIHEAP has nurtured positive, effective partnerships between the private sector and both federal and our state governments.

Millions of low-income families are burdened with the hardship of paying arrearage from both last winter's heating bills and summer's cooling bills, in addition to grappling with impending and actual shut-off situations. At a time of heightened need and with energy prices expected to continue to climb, state legislatures do not want our citizens choosing between paying an energy bill and putting food on the table, or purchasing necessary medications. For individuals and households facing these difficult choices, funding from LIHEAP makes an intrinsic difference in their ability to address such formidable challenges.

Since LIHEAP's inception, the number of eligible households has increased by 78 percent, yet in FY 2006, states were only able to serve less than a quarter of the 24.4 million eligible households. An increase in funding for LIHEAP will help ensure that households in all regions are prepared to handle both the cold and warm, and in the past few years unpredictable, weather. NCSL believes that increased LIHEAP funding should be a top priority to help low-income families, senior citizens, and disabled individuals maintain economic stability while addressing ever-increasing energy prices.

We urge you to support the Sanders-Snowe LIHEAP amendment, and to continue the fight for full funding of LIHEAP.

Sincerely,

PETE HERSHBERGER,
*Arizona Representative, Chair, NCSL
Committee on Human Services & Welfare.*

SOUTHERN GOVERNORS' ASSOCIATION,
Washington, DC, December 18, 2007.

STATEMENT ON ADDITIONAL FY 2008 LOW INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP) FUNDING

Due to high and rising energy costs, efforts are underway in Congress to allocate an additional \$800 million to the LIHEAP program for FY 2008. Senator Dole has worked with her colleagues from cold weather states on a compromise agreement that would equitably distribute these additional funds by splitting them equally between the LIHEAP base formula grant and the contingency fund. The additional \$400 million in the base formula grant would be distributed by the LIHEAP "tier II" formula, which bases funding to states on the actual energy needs of low-income households, and therefore provides for equitable distribution to Southern states.

Recognizing the increasing need for LIHEAP funds and the interest of the Congress in providing these funds, the Southern Governors' Association supports this compromise. SGA supported a similar compromise in FY 2006 when Congress made an additional \$1 billion available for LIHEAP, split equally between the base formula grant and the contingency fund.

This compromise is an important step towards the long-term goal of a more equitable distribution of LIHEAP funding among all states. SGA urges Congress to move immediately to address equity as a priority as part of LIHEAP reauthorization.

Mr. SANDERS. I commend subcommittee chairman Senator HARKIN, subcommittee ranking member Senator SPECTER, Appropriations chairman Senator BYRD, and ranking member Senator COCHRAN for providing a total of about \$2.6 billion in funding for LIHEAP in the Omnibus appropriations bill. Their job was a difficult one. There was not enough money available to do all that needed to be done, but they did their best for LIHEAP and for our critical needs.

Unfortunately, this \$2.6 billion in funding for LIHEAP, while an 18-percent increase from last year, is still 23 percent below what was provided for LIHEAP just 2 years ago. That 23 percent reduction is not even adjusting for inflation. We are talking here about nominal dollars.

Two years ago, the price of heating oil was less than \$2.50 a gallon; today, it is over \$3.30 a gallon. In central Vermont, we have seen prices as high as \$3.73 a gallon this winter for heating oil.

According to the National Energy Assistance Directors Association, due to insufficient funding, the average LIHEAP grant only pays for 18 percent of the total cost of heating a home with heating oil this winter, 21 percent of residential propane costs, 41 percent of natural gas costs, and 43 percent of electricity costs. What this means, in plain English, is that low-income families with children, senior citizens on

fixed incomes, and people with disabilities will have to make up the remaining cost out of their own pockets. The problem is that millions of those people simply do not have the money to make up the difference.

In addition, only 16 percent of eligible LIHEAP recipients currently receive assistance with their home heating bills, and 84 percent of eligible low-income families with children, seniors on fixed incomes, and people with disabilities do not receive any LIHEAP assistance whatsoever due to a lack of funding.

In my State of Vermont, it has been reported that outrageously high home heating costs are pushing families into homelessness. In fact, it is not uncommon for families with two working parents to receive help from homeless shelters in the State of Vermont because they cannot find anyplace else to live in winter.

But this is a national energy emergency certainly well beyond Vermont and well beyond the Northeast. On January 17, 1 day after the President released \$450 million in emergency LIHEAP funding, the National Energy Assistance Directors Association testified in front of the Health, Education, Labor, and Pensions Committee field hearing chaired by Senator KENNEDY. Here is what the national energy directors reported on just a few of the States:

In Arkansas, the number of families receiving LIHEAP assistance is expected to be reduced by up to 20 percent from last year unless we get more funding.

The State of Arizona estimates they will have to cut the number of families receiving LIHEAP assistance by 10,000 as compared to last year.

In Delaware, the number of families receiving LIHEAP assistance will be reduced by up to 20 percent.

In Iowa, regular LIHEAP grants have been cut by 7 percent from last year.

In Maine, the average LIHEAP grant will only pay for about 2 to 3 weeks of home heating costs in most homes in that State.

The State of Kentucky could run out of LIHEAP funds in the near future.

In Massachusetts, the spike in energy costs means that the purchasing cost for LIHEAP has declined by 39 percent since 2006.

The State of Minnesota could run out of LIHEAP funding as well.

On and on it goes. In New York State, in Ohio, in Rhode Island, in Texas, in Washington, in State after State the simple arithmetic works out that if the cost of heating fuel is soaring, in order to provide the same benefits to the same number of people, we need to significantly increase our funding for LIHEAP, and we are not doing that. That is what this amendment is about.

There is a lot of discussion on this floor about emergencies. This is an emergency. There is a lot of discussion on this floor about moral values. This

is a moral issue. In the United States of America, the wealthiest Nation in the history of the world, millions of senior citizens and low-income parents with kids should not be forced to worry about whether their homes will be warm this winter. People should not have to make the choice between keeping warm or paying for other basic necessities of life. This is an emergency situation. This is a moral situation.

I wish to thank all of the cosponsors who have come on board this legislation. I ask my colleagues to strongly support this amendment.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There does not appear to be a sufficient second.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. TESTER. Mr. President, I ask unanimous consent that the pending amendment be set aside.

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

AMENDMENT NO. 4020 TO AMENDMENT NO. 3899

Mr. TESTER. I send amendment No. 4020 to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Montana [Mr. TESTER] proposes an amendment numbered 4020 to amendment No. 3899.

Mr. TESTER. 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 express the sense of Congress regarding law enforcement and methamphetamine issues in Indian country)

On page 336, between lines 2 and 3, insert the following:

“SEC. 815. SENSE OF CONGRESS REGARDING LAW ENFORCEMENT AND METHAMPHETAMINE ISSUES IN INDIAN COUNTRY.

“It is the sense of Congress that Congress encourages State, local, and Indian tribal law enforcement agencies to enter into memoranda of agreement between and among those agencies for purposes of streamlining law enforcement activities and maximizing the use of limited resources—

“(1) to improve law enforcement services provided to Indian tribal communities; and

“(2) to increase the effectiveness of measures to address problems relating to methamphetamine use in Indian Country (as defined in section 1151 of title 18, United States Code).

Mr. TESTER. Mr. President, this amendment is designed to encourage law enforcement in Indian country—at the local, State, and Federal level—to work together to combat methamphetamine issues. It encourages local,

State, and Federal police to enter into memorandums of understanding with tribal law enforcement to pool resources to fight meth addiction. It does not require it; it just encourages it. All four law enforcement entities should collaborate to ensure that all can be done to beat back the meth problems that plague Indian country.

Methamphetamine abuse is an American problem. It infiltrates and devastates communities across the country. Unfortunately, it is a problem that disproportionately impacts tribal communities. American Indians now experience the highest meth usage rates of any ethnic group.

I will give one example. American Indians use methamphetamines 17 times higher than African Americans. The list goes on and on. They are the highest meth usage ethnic group. Beyond the high rate of meth use among American Indians, Alaska natives, and native Hawaiians nationwide, individual Indian tribes have been struggling with the impact of meth use on their communities. For example, on the Northern Cheyenne reservation in Montana in 2005, 16 out of 64 babies, or 25 percent, were born to meth-addicted mothers. This number has increased in 2006. We must do everything possible to address this epidemic and protect our children from this scourge of modern society.

In hearings before the Indian Affairs Committee, we heard testimony about Mexican drug cartels targeting rural reservations. They are targeting these vulnerable areas both for the sale of meth and for distribution hubs. Drug smugglers target Indian communities for several reasons: the complex nature of their criminal jurisdiction on Indian reservations and because tribal police forces have been historically underfunded and understaffed. This is a big problem. It is a huge problem in Indian country. We need to encourage Indian tribes, Federal police, local police to sign memorandums of understanding by each of these four different entities—Indian government, State government, local government, and Federal law enforcement agencies. These memorandums will identify specific law enforcement activity and establish exactly what each agency is responsible for.

The feedback we hear is that the memorandums that are in place are working and that the agencies participating in these agreements report a significant increase in communication and a decrease in traffic. This amendment simply asks law enforcement and agencies at every level to work together to beat the meth problem and improve quality of life in Indian country.

By signing memorandums of understanding, our communities will be better prepared to tackle this meth problem. At the same time we foster Indian self-determination and strengthen government-to-government relationships. The amendment will improve Indian

country and, in effect, every community in this country. I encourage my colleagues to join me in voting for this amendment.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DORGAN. Mr. President, for the information of colleagues, with the agreement of the minority, I ask unanimous consent that we have the vote scheduled at 5:25 and that we have consent that there not be other amendments in order prior to the vote on this amendment.

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

Mr. DORGAN. Mr. President, the issue of methamphetamine on Indian reservations is a dilemma. It is devastating scourge to Indian reservations. The Senator from Montana asks for cooperation of law enforcement jurisdictions to form opportunities to work together. It makes a lot of sense. It is not a mandate. He is not requiring it. But he is shining a spotlight on one of the significant health problems on Indian reservations. If I spent the time to talk to you about the testimony we received in committee hearings about what methamphetamine addiction has done, it is almost unbelievable. I won't describe that in detail here.

I support the sense-of-the-Senate resolution. It makes a great deal of sense.

My colleague from Alaska will no doubt want to give her thoughts. I believe the Senator from Montana will ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I rise in support of the amendment and of the Senator from Montana in this effort. We are using a pretty devastating word here—scourge—but that is what we are talking about when we talk about methamphetamine use as it has come into this country and, more particularly, how it has devastated the American Indian and the Alaska native populations. What more can we be doing? What else can we do to shine the spotlight, to activate those who need to be activated in how do we make a difference? Some would suggest a sense of the Senate that encourages this action entering into a memorandum of understanding between agencies, they should be doing that anyway. They should be. They should be doing it. They should be working to streamline. They should be working to better coordinate. They should be making that difference. Let's encourage them even further by a statement such as the Senator from Montana has suggested. We need to do far more when it comes to meth use and abuse. We need to do far more when it comes to drug abuse in general. I appreciate the focus and attention to this particularly deadly scourge, that of methamphetamine. I will stand with the Senator from Montana and support the amendment.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. I thank the chairman of the committee as well as the rank-

ing member for their support. Anything we can do to help limit the impact of methamphetamine in Indian country and throughout society is a step in the right direction.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to amendment No. 4020. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Texas (Mrs. HUTCHISON).

The PRESIDING OFFICER (Ms. CANTWELL). Are there any other Senators in the Chamber desiring to vote?

The result was announced — yeas 95, nays 0, as follows:

[Rollcall Vote No. 23 Leg.]

YEAS—95

Akaka	Dole	Menendez
Alexander	Domenici	Mikulski
Allard	Dorgan	Murkowski
Barrasso	Durbin	Murray
Baucus	Ensign	Nelson (FL)
Bayh	Enzi	Nelson (NE)
Bennett	Feingold	Pryor
Biden	Feinstein	Reed
Bingaman	Grassley	Reid
Bond	Gregg	Roberts
Boxer	Hagel	Rockefeller
Brown	Harkin	Salazar
Brownback	Hatch	Sanders
Bunning	Inhofe	Schumer
Burr	Inouye	Sessions
Byrd	Isakson	Shelby
Cantwell	Johnson	Smith
Cardin	Kennedy	Snowe
Carper	Kerry	Specter
Casey	Klobuchar	Stabenow
Chambliss	Kohl	Stevens
Coburn	Kyl	Sununu
Cochran	Landrieu	Tester
Coleman	Lautenberg	Thune
Collins	Leahy	Vitter
Conrad	Levin	Voinovich
Corker	Lieberman	Warner
Cornyn	Lincoln	Webb
Craig	Lugar	Whitehouse
Crapo	Martinez	Wicker
DeMint	McCain	Wyden
Dodd	McConnell	

NOT VOTING—5

Clinton	Hutchison	Obama
Graham	McCaskill	

The amendment (No. 4020) was agreed to.

Mr. TESTER. Madam President, I move to reconsider the vote.

Mrs. MURRAY. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

AMENDMENT NO. 4022 TO AMENDMENT NO. 3900

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

Madam President, is the Sanders amendment pending?

The PRESIDING OFFICER. The Senator's amendment is pending. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] proposes an amendment numbered 4022 to amendment No. 3900.

Mr. GREGG. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide funding for the Low-Income Home Energy Assistance Program in a fiscally responsible manner)

Strike all after line 1 and insert the following:

TITLE III—MISCELLANEOUS

SEC. 301. LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

(a) IN GENERAL.—There are authorized to be appropriated, and there are appropriated, out of any money in the Treasury not otherwise appropriated—

(1) \$400,000,000 (to remain available until expended) for making payments under subsections (a) through (d) of section 2604 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623); and

(2) \$400,000,000 (to remain available until expended) for making payments under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)), notwithstanding the designation requirement of section 2602(e) of that Act (42 U.S.C. 8621(e)).

(b) RESCISSION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, each discretionary amount provided by the Consolidated Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 1844), excluding the amounts made available for the purposes described in paragraph (2), is reduced by the pro rata percentage required to reduce the total amount provided by that Act by \$800,000,000.

(2) EXCEPTED PURPOSES.—The reduction under paragraph (1) shall not apply to any discretionary amount made available in the Consolidated Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 1844), for purposes of—

(A) the Department of Defense; or

(B) the low-income home energy assistance program established under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.).

Mr. GREGG. Madam President, this amendment is simply an attempt to recognize the need for expanding the LIHEAP program in the face of the dramatic increase in oil prices, but also recognizing that in extending the LIHEAP program for today, we shouldn't send the heating bill for that to our children to pay tomorrow, which is exactly how the Sanders amendment works. It is essentially borrowing money today. That is obviously not good policy.

Clearly, if we have extra heating bills in this country today which should be paid for—and we do—the LIHEAP program does need to be increased because the cost of heating oil has gone up so significantly. We should pay for those costs today. So this amendment takes the Sanders language and pays for it. The Sanders language represents about an \$800,000 increase in the LIHEAP program. This would be about a two-tenths-of-1-percent cut across the board in nondefense appropriations in order to pay for that amendment.

It is very simple. It is obviously an attempt to bring some fiscal discipline

but, more importantly, to reflect the fact that if these heating bills are going to be paid for—and they should be paid for—we shouldn't borrow the money to do it. We shouldn't ask our children 10 years, 15 years from now to pay those heating bills, with interest, when the bills are incurred today.

So that is all it does. I appreciate the courtesy of the Senate in allowing me to proceed to offer this amendment. I especially appreciate the courtesy of the Senator from Wyoming.

I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

Mr. GREGG. Madam President, I withdraw my request.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

AMENDMENT NO. 3898 TO AMENDMENT NO. 3899

Mr. BARRASSO. Madam President, I ask unanimous consent that the pending amendment be temporarily set aside, and I call up amendment No. 3898.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The legislative clerk read as follows:

The Senator from Wyoming [Mr. BARRASSO] proposes an amendment numbered 3898 to amendment No. 3899.

Mr. BARRASSO. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Comptroller General to report on the effectiveness of coordination of health care services provided to Indians using Federal, State, local, and tribal funds)

The Indian Health Care Improvement Act (as amended by section 101(a)) is amended—

(1) by redesignating sections 816 and 817 as sections 817 and 818, respectively; and

(2) by inserting after section 815 the following:

“SEC. 816. GAO REPORT ON COORDINATION OF SERVICES.

“(a) STUDY AND EVALUATION.—The Comptroller General of the United States shall conduct a study, and evaluate the effectiveness, of coordination of health care services provided to Indians—

“(1) through Medicare, Medicaid, or SCHIP;

“(2) by the Service; or

“(3) using funds provided by—

“(A) State or local governments; or

“(B) Indian Tribes.

“(b) REPORT.—Not later than 18 months after the date of enactment of the Indian Health Care Improvement Act Amendments of 2007, the Comptroller General shall submit to Congress a report—

“(1) describing the results of the evaluation under subsection (a); and

“(2) containing recommendations of the Comptroller General regarding measures to support and increase coordination of the provision of health care services to Indians as described in subsection (a).”.

Mr. BARRASSO. Madam President, as a physician I have worked for over two decades to help people stay healthy and to help keep down the

costs of their medical care. But health issues go way beyond that of a twisted knee or a painful shoulder.

In my practice I have seen firsthand the obstacles that families face to obtain medical care. Rural hospitals and rural providers must overcome significant challenges to deliver high-quality care in an environment with limited resources.

Our unique circumstances require us to work together to share resources and to develop networks. I think everyone can agree that these same principles are critical to support and modernize the Indian health care delivery system.

The Wind River Reservation, located near Riverton, WY, is the home of 10,415 members of the Eastern Shoshone and Northern Arapaho Tribes. It is the third largest reservation in the United States, covering more than 2.2 million acres.

I recently visited with my friends on the Wind River Reservation. The tribal leaders told me of the hopes they have for their families, their communities, for Wyoming, and for our great Nation. We spent much of the time discussing health care.

Individuals living on the Wind River Reservation have worse than average rates for infant mortality, for suicide, for substance abuse, for unintentional injuries, for lung cancer, for heart disease, and for diabetes. They shared with me how difficult it can be for them to recruit and retain health professionals, to respond effectively to cultural barriers, and to help individuals make better lifestyle changes and choices.

We talked about reauthorization of the Indian Health Care Improvement Act, and that is the bill that is now in front of the Senate. This legislation is important. It is important to give Native Americans the quality care they deserve, but it is also important to support critical health facilities that can help drive economic development and job creation.

When Congress debates improving the Indian health care system, the first instinct is to allocate more financial resources or to create new initiatives. Now, this stems from a strong desire from all of us to help. Yet this same helping hand can produce overlapping government programs, and these will be overlapping programs that are all trying to achieve the same goals.

For example, today, neither the government nor Indian advocacy groups can explain exactly how funds are used to coordinate medical services. The Indian Health Service is not like other Federal health care programs. Congress has only limited access to the research data that is needed to improve Indian health care. If we do not know where the resources are being spent, if we do not know the number of programs dedicated to provide various health care services, and if we do not know how health care services are coordinated, then how can we be certain that we are

maximizing our ability to help Native Americans and Alaska Natives?

That is why I have offered amendment No. 3898 today. This amendment requires the Government Accountability Office—the GAO—to submit a report to Congress. The report would lay out how these various government and local programs coordinate health care services in Indian country.

The GAO study would focus on programs such as Medicare, Medicaid, children's health insurance programs, and the Indian Health Service. It also would require the GAO to research how these Federal programs interact with efforts by State, local, and tribal groups to deliver the essential health care services that are so vital to these citizens. By identifying any overlaps in spending, as well as pinpointing the service gaps, then we can develop reasonable, commonsense solutions that streamline and improve Indian health care. This way, we can target Federal funds to programs that are making the greatest impact. Then we can focus on additional areas where Native Americans and Alaska Natives need our support and need more support.

The GAO is well known as the investigative arm of Congress, and it is also known as the congressional watchdog. GAO helps Congress improve the Federal Government's performance and ensures programs meet strict accountability standards.

Now, all of that they do for the benefit of the American people. We rely on their expert recommendations, which are unbiased and are set up to make sound policy decisions. This oversight shows us ways to make government more efficient, more effective, ethical, and equitable. It uncovers what is working and what is not working, and it offers valuable advice on how to fix it. But, most importantly, this oversight helps us plan for the future.

Over the years, the GAO has submitted a few reports dealing with specific Indian health issues. Do any of my colleagues recall the last time the GAO completed a comprehensive Indian health care report?

I am certainly unaware of any recent efforts in this area. How many GAO reports have been released regarding Medicare, Medicaid, and the different health professional programs? I think we all know the answer.

We owe it to Native Americans, to Alaska Natives, and to the American taxpayers to adopt this amendment.

Madam President, I wish to make sure that people of the Wind River Reservation in Wyoming, and all Native American people across America, have equal access to quality, affordable medical care.

The Indian Affairs Committee, of which I am a member, will continue focusing on this issue long after this Indian Health Care Improvement Act is reauthorized.

It is essential that our committee have the information it needs to evaluate the current delivery system—exposing barriers that prevent collaboration, that prevent networking, that prevent innovation, and that prevent the sharing of resources.

It is my hope that this GAO report will help all policymakers begin to understand where the delivery system is working, where it is not, and offer the recommendations that are so important and so needed to streamline and to modernize it.

I encourage my colleagues to support the amendment.

With that, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

MORNING BUSINESS

Mrs. MURRAY. Madam President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

RETIREMENT OF DR. JAMES ALBERT YOUNG

Mr. REID. Madam President, today I want to recognize and honor an individual who has committed much of his life to the preservation of Western rangeland and its ecosystems. Dr. James Albert Young retired on January 3, 2008, from the U.S. Department of Agriculture Agricultural Research Service after 33 years of dedicated work on issues important to the environmental health of the Great Basin.

The Great Basin is North America's largest desert, encompassing 135 million acres of land between the Rocky and Sierra Nevada Mountains in western North America. It includes parts of Nevada, Utah, Idaho, Oregon, and California. Land in the Great Basin is arid, receiving less than 12 inches of rain annually. Today, population growth, wildfires, and invasive species are reducing the quality of native rangelands at an accelerating rate. Recent studies by the U.S. Geological Survey and others predict that climate change could well be expected to accelerate these changes and associated impacts. Dr. Young's professional life was focused on understanding the specific challenges facing the Great Basin, finding ways to reverse the trends that threaten its environmental health, and educating people about the uniqueness of this beautiful land.

In 1965, Dr. Young started his career with USDA's Agricultural Research

Service as a range scientist for the range and pasture unit in Reno, NV. He served as research leader of that unit from 1986 to 1998 and was known by many as the "Encyclopedia of Western Rangelands." Over the years his expertise and commitment to rangeland issues was recognized through various awards, such as United States Department of Agriculture Scientist of the Year, Weed Science Society of America Award of Excellence, Society for Range Management W. R. Chapline Research Award, Outstanding Achievement Award, and Fellow Award, as well as the Society for Range Management Nevada Section Researcher of the Year Award.

The State of Nevada awarded Dr. Young with the very first Nevada Weed Management Award, which they named the "James A. Young Award," for his tireless work on invasive weed management issues. Dr. Young has authored and co-authored over 700 scientific articles, including many books. His books have received national recognition, some of which include "Collecting, Processing, and Germinating Seeds of Wildland Plants"; "Endless Tracks in the Woods"; "Purshia: The Wild and Bitter Roses"; and "Cattle in the Cold Desert." Dr. Young recently finished a book, "Cheatgrass: Fire and Forage on the Range," which is an illustration of the breadth of knowledge that he has on the most popular weed in the Intermountain West. It is often stated that Dr. Young has probably forgotten more information on the ecology of Western rangelands that most people in resource management will ever learn.

Early in Dr. Young's career he developed the hypothesis that the nature and structure of a wildland plant community is largely controlled by the process that eliminated the previous plant community that occupied the site. Now known as the stand renewal process, this hypothesis is one of his ecological trademarks.

Dr. Young was also an outstanding educator. Over the years, he introduced dozens of high school and college students to the field of range science, some of whom became Area Directors for the Agricultural Research Service. His continued interest in educating natural resource specialists, as well as the general public, on science based management of Natural Resources has been a tremendous achievement over his career.

We owe a great debt to individuals like Dr. Young who, make their life's work protecting our natural world. Thank you, Dr. Young, for all you have done.

GOLD MEDAL FOR AUNG SAN SUU KYI

Mr. McCONNEL. Madam President, I am proud once again to join my friend and colleague, Senator FEINSTEIN, on a matter involving the promotion of freedom and reconciliation in Burma. Today, we join together in support of

awarding the Congressional Gold Medal to Burma's Aung San Suu Kyi.

When first established in 1776, the Congressional Gold Medal was given to military leaders for their achievements in battle. Since that time, it has become America's highest civilian honor, having been bestowed upon great friends of freedom such as Winston Churchill, Nelson Mandela, and Martin Luther King, Jr. Granting Suu Kyi the Gold Medal would continue that same tradition of honoring heroism in the defense of liberty.

For more than 20 years, Aung San Suu Kyi's support for justice and democracy has placed her at odds with the tyranny and oppression of the Burmese junta. She and her supporters have combated the brutality of the junta with peaceful protest and resistance. She has chosen dignity as her weapon, and she has found allies in democracy-loving people around the world to aid her in her struggle.

Even as I speak, Suu Kyi's non-violent fight for democracy continues. Just last week, the Burmese junta announced that it would hold a general election in 2010. However, under the regime's sham plan for democracy, it would not even permit the country's foremost democracy activist, Suu Kyi, to hold public office.

The military junta is fooling no one with its false promises of reform, least of all, Suu Kyi and her allies. After all, she remains under house arrest, as she has for 12 of the last 18 years. That said, as the regime continues to suppress the voices of freedom and peace, it can be sure that there will be those of us who will stand with Suu Kyi and the people of Burma as they continue their struggle for democracy and justice.

By awarding Suu Kyi the Congressional Gold Medal, we are letting the Burmese military junta and the world know that the people of America will continue to speak out in favor of meaningful reform in her country.

It is particularly fitting that today, February 13 is the birthday of Suu Kyi's father. Aung San helped lead the struggle for Burmese independence after World War II, but was assassinated just before its achievement. What could be a more fitting way to honor the memory of a man who fought for freedom than by rewarding his noble daughter for continuing his legacy? In so doing, we reward them both with the promise that the United States will remain committed to the same cause, that of a peaceful and free Burma.

FISA AMENDMENTS ACT

Mr. REED. Madam President, we have had a lengthy debate, and in the end I decided to vote against final passage of S. 2248, the FISA Amendments Act of 2007.

First, I commend Senators ROCKEFELLER and BOND for recognizing immediately that the Protect America