are now doing under TARP, with a set of political strings attached.

Many are now beginning to criticize the idea of public authorities taking over large institutions on the grounds that we would be ''nationalizing'' our financial system. I believe that this is a misnomer, as we are taking a temporary step that is aimed at cleaning up a limited number of failed institutions and returning them to private ownership as soon as possible. This is something that the banking agencies have done many times before with smaller institutions and, in selected cases, with very large institutions. In many ways, it is also similar to what is typically done in a bankruptcy court, but with an emphasis on ensuring a continuity of services. In contrast, what we have been doing so far is every bit a process that results in a protracted nationalization of ''too big to fail'' institutions.

The issue that we should be most concerned about is what approach will produce consistent and equitable outcomes and will get us back on the path to recovery in the quickest manner and at reasonable cost. While it may take us some time to clean up and reprivatize a large institution in today's environment—and I do not intend to underestimate the difficulties that would be encountered—the alternative of leaving an institution to continue its operations with a failed management team in place is certain to be more costly and far less likely to produce a desirable outcome.

In a similar fashion, some are now claiming that public authorities do not have the expertise and capacity to take over and run a ''too big to fail'' institution. They contend that such takeovers would destroy a firm's inherent value, give talented employees a reason to leave, cause further financial panic and require many years for the restructuring process. We should ask, though, why would anyone assume we are better off leaving an institution under the control of failing managers, dealing with the large volume of ''toxic'' assets they created and coping with a raft of politically imposed controls that would be placed on their operations?

In contrast, a firm resolution process could be placed under the oversight of independent regulatory agencies whenever possible and ideally would be funded through a combination of Treasury and financial industry funds.

Furthermore, the experience of the banking agencies in dealing with significant failures indicates that financial regulators are capable of bringing in qualified management and specialized expertise to restore failing institutions to sound health. This rebuilding process thus provides a means of restoring value to an institution, while creating the type of stable environment necessary to maintain and attract talented employees. Regulatory agencies also have a proven track record in handling large volumes of problem assets—a record that helps to ensure that resolutions are handled in a way that best protects public funds.

Finally, I would argue that creating a framework that can handle the failure of institutions of any size will restore an important element of market discipline to our financial system, limit moral hazard concerns, and assure the fairness of treatment from the smallest to the largest organizations that that is the hallmark of our economic system.

Mr. BOND. Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

THE BUDGET

Mr. MCCONNELL. Madam President, yesterday I noted that in the middle of the current economic crisis, the administration's budget spends too much, taxes too much, and borrows too much. Yesterday I focused primarily on the fact that it spends too much. This morning I wish to expand a little bit more on that issue.

As I noted yesterday, the current Congress is on a remarkable spending binge. In the first 50 days of the new administration, Congress has approved more than $1.2 trillion in spending which translates into $24 billion a day, or $1 billion every hour since Inauguration Day. The budget, which we just learned about a while back, continues that trend.

Earlier this week, Congress approved a Government spending bill that increased spending by 8 percent over last year, about double the rate of inflation. The budget proposes another spending increase over last year's budget of an additional 8 percent. A lot of people are wondering why, in the midst of a recession, when millions of Americans are losing jobs and homes, the administration is proposing to spend tax dollars as if we are in the middle of the dot.com boom.

According to the administration's budget plan, the State Department sees a 41-percent increase in spending next year—a 41-percent increase in spending at the State Department. HUD sees an 18-percent increase.

The budget also proposes a ''slush fund'' for climate policy that will be larger than the entire annual budgets at the Department of Labor, Treasury, and Interior. Let me say that again: A slush fund for climate policy that will be bigger than the budgets of the Department of Labor, Treasury, and Interior.

Americans want reform in education, health care, energy, and other areas, but they want the administration to fix the economy first. That is the first priority. At this point we seem to be getting proposals on everything but the financial crisis. That is what is crippling our economy.

This budget spends too much, taxes too much, and borrows too much. If we want to earn the confidence of the American people for our programs and plans, the first thing we need to do is to get this excessive spending under control.

HONORING OUR ARMED FORCES

SERGEANT WILLIAM PATRICK RUDD

Mr. MCCONNELL. Madam President, one of America's bravest soldiers has fallen, so I rise to speak about SGT William Patrick Rudd of Madisonville, KY. On October 5, 2008, Sergeant Rudd tragically died of the wounds sustained during a ground assault raid on senior leaders of al-Qaida in Mosul, Iraq. He was 27 years old.

Sergeant Rudd was an Army Ranger on his eighth deployment in support of the war on terror. He had previously served five tours in Iraq and two in Afghanistan.

For his many acts of bravery over years of service, he received several medals, awards, and decorations, including the Kentucky Medal for Freedom, three Army Achievement Medals, the Army Commendation Medal, the Joint Service Commendation Medal, the Meritorious Service Medal, the Purple Heart, and the Bronze Star Medal.

Army Rangers are among the most elite members of our fighting forces. They undergo grueling training to wear the honored Ranger Tab on their sleeves. For Sergeant Rudd it was the life he always wanted.

''I really enjoy what I'm doing and I think I'm really good at it,'' Sergeant Rudd told his friend and fellow Ranger, SSG Brett Krueger. This was just a few days before his death. ''I told him he was,'' Staff Sergeant Krueger remembers.

Sergeant Rudd said, ''And I don't picture myself doing anything else as successful and as comfortable as what I do now.''

Sergeant Rudd's parents also remember their son—who went by his middle name, Patrick—as a young man firmly dedicated to his fellow Rangers and the cause they fight for.

''He died for the country,'' says William Rudd, Patrick's dad. ''He loved the Army Rangers. He loved his men. . . . He didn't join for himself. You might say he joined for everyone else over here.''

Patrick's mother, Pamela Coakley, also remembers her son's sure sense that he was on the right path. ''One thing he told me, if this ever happened . . . was just to know that he died happy and proud,'' she says. ''And that's what stuck with me, because those big brown eyes looked into me. I know he was serious.''

Pamela also remembers Patrick's fascination since he was young with the men and women who fight on the side of the good guys. ''CIA, FBI, ever since he was a little boy growing up. . . . U.S. Marshals . . . his cousin was a State trooper, and he always wanted to be in that field,'' she says.

Young Patrick also loved the outdoors, camping, and riding horses. In fact, the family owned horses and Pamela remembers a time when one of hers was injured. She feared the horse would not survive. But 12-year-old Patrick gave the horse shots, cleaned its wounds, and it lived. ''He was always my little man,'' Pamela says. ''He was always my son, but really the man of the house, too.''

Patrick also looked after his sister, Elizabeth Lam, and that included sending a message to her would-be boyfriends. ''On my first date, he sat on the front porch with a shotgun,'' Elizabeth said, ''on my very first date.''

Patrick graduated from Madisonville-North Hopkins High School in 1999 and then worked at White Hydraulics in Hopkinsville, after which he

joined the Army in October of 2003. ''He had spent two years thinking about it, knowing that he needed a different direction in his life and wanting to defend our country,'' Patrick's dad, William, recalls. ''I'm pretty sure he had his mind made up he wanted to be a Ranger when he went through Basic,'' adds Patrick's stepbrother, Josh Renfro.

Assigned to B Company, 3rd Battalion, 75th Ranger Regiment, based out of Fort Benning, GA, Patrick became a vital part of his Ranger team. Because he was a NASCAR fan and his favorite driver was Ricky Rudd, his fellow Rangers gave him the nickname ''Ricky.''

''He was a good-hearted person who loved life,'' said SSG Brett Krueger. ''You could never catch him on a bad day. . . . everyone loved him dearly. . . . A lot of younger guys looked up to him.''

SGT Dusty Harrell explains why. ''He spent countless hours passing down knowledge to younger soldiers, to help them be successful.''

Jack Roush, owner of some of NASCAR's most successful teams, heard of the loss of Sergeant Rudd. To honor the Ranger and NASCAR fan, he had a decal of Patrick's name placed on David Ragan's No. 6 car during a race in Atlanta.

At the same time, the Atlanta Motor Speedway donated 200 tickets to members of Patrick's unit to attend the race. Patrick and the other Rangers became close friends who spent time together in and out of uniform. Sergeant Harrell remembers a time when he and Patrick went fishing together in Georgia, and he learned that Patrick, a brave Army Ranger, was afraid of snakes. Sergeant Harrell got a bite on his line and reeled it in to find a water moccasin on the hook. By the time he turned around to share a reaction with his friend, ''Ricky was already up the hill.''

Staff Sergeant Krueger, Sergeant Harrell, and more of Patrick's fellow soldiers came to Madisonville to share their memories of Patrick with his family. After speaking with them, Pamela said, ''It made me feel like I still had sons.''

After the loss of a brave young soldier such as Patrick Rudd, we must keep his loved ones foremost in our minds. We are thinking today of his mother Pamela Coakley; his father William Rudd; his stepmother Barbara Rudd; his sister Elizabeth Lam; his stepbrother Josh Renfro; his grandparents Judy and Bennie Hancock; and many other beloved family members and friends.

Pamela says she has faith she will see her son again someday. For now, she has 27 years' worth of cherished memories, and in many of them Patrick is still her little man, defender of his sister's honor, and doctor to horses.

''I don't envision the war stuff,'' Pamela says. ''I see Patrick sitting on the kitchen counter. I see him sitting down by the creek or laying on the bed with his dog Harley. That's what I see.''

I know the entire Senate rises with me to say we honor SGT William Patrick Rudd for his service, and we will forever remain reverent of his enormous sacrifice on behalf of our Nation.

Madam President, I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. UDALL of Colorado. Madam President, I rise today to express my support for the bipartisan bill introduced earlier this week by my colleague Senator BINGAMAN, called the Federal Land Assistance Management Enhancement Act, or the FLAME Act, S. 561. Senator BINGAMAN was joined by my colleagues: Senators MURKOWSKI, BOXER, CANTWELL, JOHNSON, MURRAY, TESTER, TOM UDALL, and WYDEN as cosponsors. I wish to add my support as a cosponsor as well.

Like many States from coast to coast, my home State of Colorado features expansive areas of wildland that are increasingly at risk of wildfire. Periods of drought continue to raise the possibility of wildfires in America, while in Colorado and throughout the mountain West, the epidemic of bark beetle infestation has compounded our risk of wildfire. In 2008, more than 5.1 million acres of land nationwide burned, according to the National Interagency Fire Center. In 2006 and 2007, more than 9 million acres burned, and more than 8 million acres burned in 2004 and 2005. The costs associated with these fires are large and increasing. To a large degree, these costs occur because fires are encroaching ever closer to our communities. These fires require more aggressive suppression efforts because of the risks to lives and property.

But unfortunately, the Federal lands agencies—especially the Forest Service—do not have the resources they need to fight these fires. They must resort to raiding funds from other important programs within these agencies, such as trails and road maintenance, recreation management and, especially important, preventive fuels treatment that could help reduce fires, or at least lessen their severity and costs when the wildfires occur.

For example: last year, the Forest Service had $1.2 billion budgeted for fire suppression, but the agency had to transfer at least $400 million from other programs when that funding fell short. In August of last year, Forest Service Chief Gail Kimbell sent out an interagency memo asking the staff to find ways to come up with extra money. The extra money being sent off to these accounts forced the closure of some recreation areas, caused some contract obligations to go unmet, and canceled construction, research, and natural resource work.

Later, Congress approved $610 million for the Forest Service in emergency Federal firefighting funding, restoring some of those transfers. Nonetheless, that work had gone undone when it was necessary for it to be done.

Making matters worse is the fact that the Forest Service budget has historically declined overall. The Department of Interior and Forest Service each maintain multibillion dollar deferred maintenance backlogs and are having to scale back some of their services. As is often pointed out, the Forest Service now dedicates upwards of half of its entire budget for emergency fire suppression activities.

We can't keep funding firefighting efforts in this manner. We have to find a better approach, so we do not continue to borrow money intended for other important missions. Also, we must move forward with efforts that allow us to reduce wildfire threats at the front end.

The FLAME Act would do just that. It would set up a separate fund that agencies can draw upon to augment firefighting costs. In so doing, we can help the agencies avoid drawing down funds in other programs and provide additional funds when we face an especially intense and expensive fire season. I strongly support the creation of a Federal fund designated solely for catastrophic emergency wildland fire suppression activities, which is what this bill does.

Equally important, in my view, is a provision in the FLAME Act calling for comprehensive wildland fire management strategies to best allocate fire management resources, assess risk levels for communities, and prioritize fuel reduction projects.

For many of my constituents—as in the State of the Presiding officer, New York, as well—Federal and State wildlands are Colorado's greatest attribute, providing all manner of outdoor recreation and awe-inspiring scenes of nature. Yet those same forested lands hold the potential for tragedy, as the threat of lost life and property due to wildfire grows. We currently employ a largely reactive wait-and-see approach to catastrophic wildland fires. The FLAME Act will help us shift to a more effective and proactive approach. I urge my colleagues to join me in supporting this bipartisan approach.

Again, I thank Senator BINGAMAN for introducing this legislation. I look forward to working with him and our colleagues to bring this bill before the full Senate and press for its final passage.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Vermont is recognized.

(The remarks of Mr. SANDERS pertaining to the introduction of S. 582 are located in today's RECORD under ''Statements on introduced Bills and Joint Resolutions.'')

Mr. SANDERS. Madam President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE BUDGET

Mr. ENSIGN. Madam President, I wish to talk about the state of our country and the President's budget that has recently been offered.

There are many Americans who are hurting right now. Many have lost their homes or are afraid of losing their homes. Many are concerned that the value of their home, their greatest asset, has gone down tremendously and they can longer count on their home as an asset when they retire. They have seen their 401(k)s devastated. Certainly, many of us in this chamber who have Thrift Savings Plans have seen our plans go down because of the problems in the stock market. Over half of Americans are invested in some way in the stock market. So there are a lot of people who are hurting out there right now. The unemployment rate all across the country is rising. I think California is over 10 percent now. My home State of Nevada is over 9 percent. Nationwide, unemployment is a little over 8 percent. So we should be focusing on the economy.

During Bill Clinton's campaign back in 1992, he coined a phrase: ''It's the economy, stupid.'' That is when we were in a very minor recession. Today, we are in a severe recession with no end in sight. Some people say we are going to recover next year. Other people say this is going to be a long, deep recession. No one really knows for sure. We do know that is the past, when we do the wrong things, recessions can become very severe, and can lead to depressions. When we do the right things, recessions become more mild.

We recently passed a so-called stimulus bill. I don't think it is going to do a lot. It is going to help short term in a few areas, but I think the long-term damage is going to vastly outweigh the short-term prospects. Last week, we passed another massive spending bill that increased funding 8 percent over the same programs we had last year. An 8-percent increase at a time when families are cutting their own budgets, businesses are cutting their budgets, is irresponsible.

I just had the mayor of Las Vegas in my office. Local governments across America are having to cut their budgets. State governments are cutting spending because Governors are required by constitution in almost every State to balance their budget. They are looking for any kind of waste. The only place that is not looking for any waste is right here in Washington, DC. Why? Because we can print money. We can borrow from our children.

Every generation of American has said: I may not have everything I want, but I want my children to have a better America than I did. Growing up, part of the American dream has been: I want to go past what my parents did. Today's generation has become selfish. We want to keep our standard of living and borrow from our children's future, no matter the cost to our children. That idea is what the President's budget accomplishes.

The President's budget double the public debt in the first 5 years. Let me repeat that. In the first 5 years of the President's budget, the debt doubles. In the first five years of the Obama Administration, assuming he is re-elected, this budget will increase the debt more than the debt has ever increased since the founding of the Republic, all the way from George Washington to George W. Bush. After 10 years the public debt triples. This is not sustainable. If we go down this path, it could lead to the downfall of America as we know it.

There are many items in the budget that are problematic. We had a discussion this morning about the differences between Europe and America. In Europe, they believe the state is the answer, government is the answer.

One of the things de Tocqueville observed when he visited America in the 1800s was the charitable nature of Americans, how we helped in communities through voluntary acts, through our churches, through our community organizations, secular, religious—we helped each other voluntarily. It was not forced on us by the government.

Europe today believes the state is the answer. As a matter of fact, not too long ago, the King of Sweden made a charitable contribution to private charities, and people in Sweden criticized him because instead of giving the money to charities, they said he should have given the money to the state. That is the European attitude.

Most Americans believe that the private sector can deal with problems in our communities person to person through charitable giving. We are the most generous Nation in the history of the world when calculating the percentage of our income we give to charities. That has been part of the miracle of America. Whether it is for disease research, whether it is for organizations such as the Boys and Girls Clubs or Big Brothers Big Sisters, community food banks, Catholic Charities.

We have some amazing charities that give compassionate care to those who truly need it. As a matter of fact, the word ''compassion,'' if you take it at its root, means ''to suffer with.'' Charities and individuals can relate to people on a one-on-one basis and suffer with them. They can walk through life with them. That is why when the President put in his budget that we were going to eliminate charitable deductions for people making over $250,000 a year, there was a hue and cry across America, especially from charities saying: Mr. President, this is going to hurt. You are going to hurt us at a time when, because of the economy, charitable contributions are down.

We have seen that. Food pantries across America are hurting. Every organization that has come to me in Nevada has told me: We are hurting right now. Please don't allow this part of the budget to be adopted. Don't let the charitable deduction go away.

We have to ask ourselves: Why would someone want to eliminate the charitable deduction just to increase the size of Government? Is it because they believe the state is a better answer than the private sector? Maybe. If that is the case, this is a very dangerous precedent we are setting going forward.

The budget has many other problems. There is a tax in this budget on which, I believe, the President violated his pledge. He said taxes were only going to go up on those people making $250,000 a year or more. I guess that is true as long as you don't use energy because there is an energy sales tax in the President's budget. So if you use electricity, if you use gasoline, or if you buy any products made with energy in the United States, you are going to pay higher taxes on products, higher taxes on your electric bills, higher taxes on your gasoline.

Madam President, I ask unanimous consent to speak as in morning business for an additional 3 minutes.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. LEAHY. Madam President, I won't object, but I would ask that 3 minutes be added to the time for the Ogden debate.

Mr. ENSIGN. I thank the chairman of the Judiciary Committee.

Madam President, this energy tax I was talking about is a very regressive tax. I understand why people want to do it, I support the transition to a greener economy, but instead of putting incentives for us to go to a greener economy, they want to put a tax on Americans that will hurt the poor more than anybody else. It will severely affect those making under $250,000 a year.

They say they are going to distribute that money to those through the Making Work Pay tax credit. But that is for lower income people. What about