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Senate

The Senate met at 2 p.m. and was called to order by the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God of grace, awaken the Members of this body to the opportunities of this new day. Help them to hear Your call to move forward and accomplish great things for Your glory. Lord, enable them to discover unused resources among themselves that they can mobilize dreams that have yet to be dreamed, talents that have yet to be awakened, and commitments that have yet to be made. Lord, kindle a divine light on the altar of their souls that will guide them in the pursuit of Your wisdom and truth. May they confidently face their duties knowing that You are their sufficient shield and defense. Make them willing to listen even to people with whom they expect to differ, united by the desire to represent You with exemplary conduct.

We pray in Your gracious Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK R. WARNER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 21, 2009.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK R. WARNER, a Senator from the Commonwealth of Virginia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. WARNER thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader remarks, if any, the Senate will proceed to a period of morning business until 3 p.m., with Senators permitted to speak for up to 10 minutes each. Following morning business, the Senate will resume consideration of the Interior appropriations bill. There will be no rollcall votes today. Senators should expect a vote or votes prior to the caucuses tomorrow.

At 3 o'clock, we will, as I have announced, return to the appropriations bill dealing with the interior. At that time, the two managers of the bill, Senator FEINSTEIN and Senator ALEXANDER, will be available to listen to Senators who want to speak on the bill or offer amendments. It is my understanding that Senator BINGAMAN has some amendments he wants to offer.

Senator FEINSTEIN was unable to be here on Friday because of the Jewish holiday. She will be here at 4 p.m. today. Between 3 and 4, whenever she gets here, Senator ALEXANDER, who is managing the bill with her, will be here to accept amendments. They have total trust of one another; that is, FEINSTEIN and ALEXANDER, and her not being here

should not in any way alleviate the need for anyone to come and offer an amendment. We have all night tonight to offer amendments, and we have all day tomorrow.

We have to move past this bill, and we are going to do it fairly quickly because we have to move the Defense appropriations bill and other things before the end of the month. We would hope sometime this week the work on the Finance Committee health care bill will be far enough down the road they will report something out. I don't know if they will do it this week. It is anticipated it will be this week, but things always take longer than we expect. The main thing, though, is that in the next 24 hours people should be offering amendments on this Interior bill if they have any to offer.

Would the Chair be good enough to announce morning business.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

INTERIOR APPROPRIATIONS

Mr. BINGAMAN. Mr. President, I realize we are not on the Interior appropriations bill at this point; we are in morning business, but I wanted to speak briefly about three amendments I plan to offer, when we do go on the Interior appropriations bill, and to alert colleagues about those amendments and, hopefully, persuade them that they are meritorious.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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The first amendment incorporates the key provisions of the FLAME Act, which establishes a separate appropriations account to fund Federal emergency wildfire suppression costs in an effort to initiate a more sustainable effort for funding Federal firefighting activities.

We have seen a dramatic growth in the number, the size, and the severity of wildfires in recent years. The trend and the number of acres burned by wildfires each year has tripled over the last 25 years, exceeding 8 million acres in 4 of the last 5 years.

While the agencies consistently have put out about 98 percent of the fires quickly and inexpensively, we have seen many fires that have been so extreme it takes weeks and months of effort and many millions of dollars to get those fires under control. The recent Station fire in southern California is one example. It is now nearly 4 weeks since that fire started. It has burned more than 160,000 acres. It still is not 100 percent contained. At times, there have been over 5,000 personnel assigned to the fire. Fire crews have built more than 130 miles of fire line, with the support of more than two dozen helicopters and airplanes, hundreds of fire engines, and more than 65 bulldozers. The pricetag for these efforts is more than \$85 million and still counting.

The Forest Service's costs for fighting wildfires have increased sevenfold over the last 20 years. Yet we still budget for wildfires the same way we did 20 years ago. We take the average of the previous 10 years of fire suppression costs out of the agencies' budgets, and we make that their standard appropriation for each year. Back then, wildfire management accounted for less than 20 percent of the Forest Service's budget. That was 20 years ago. Today, wildfire management accounts for 50 percent of the Forest Service's budget.

Not surprisingly, the Forest Service has exceeded that budget every year for more than a decade—as it is mathematically guaranteed to do with the wildfire trends we have seen. As a result, the agencies have had to borrow and to steal literally billions of dollars from other programs—such as recreation and grazing and wildlife and even fuels reduction—to pay for emergency wildfire suppression.

In sum, our wildfire budgeting practices are broken, and they are steadily breaking the Forest Service and the communities and businesses and natural resources that the Forest Service is committed to serving. These troubling trends are only expected to get worse as a result of continuing climate change and population growth in and around our national forests.

The amendment I plan to offer seeks to establish a new paradigm for funding Federal wildfire suppression activities. Under the amendment, the agencies would continue to rely on their regular appropriations accounts to fund their routine wildfire suppression

costs; that is, the approximately 98 percent of fires they can either swiftly put out or can manage for a resource benefit. But when they end up battling a large and extreme wildfire—such as the fire in southern California—they could access a new emergency account to cover the exorbitant costs of fighting those kinds of fires.

If funded as intended, the new emergency account would ensure Congress would not have to raid the rest of the agencies' budgets to make appropriations for wildfire suppression. It also would ensure that the agencies would no longer have to steal funds from the other programs for which Congress has proposed funding in order to pay for unbudgeted costs of fighting the massive fires that require an emergency response.

Thanks to the leadership of the administration, Senator FEINSTEIN, and the Appropriations Committee, for the first time in many years, the underlying bill would provide an appropriate amount of money for wildfire suppression. As a result, the amendment I am offering merely shifts money into a new emergency account. It does not result in any increase in spending.

The amendment will be cosponsored by a number of other Members. I appreciate their support, as well as support of many dozens of interest groups. I would also like to mention that the FLAME Act passed the House of Representatives in March by a vote of 412 to 3. So I believe this is a proposal that has broad support on both sides of the aisle and on both sides of Capitol Hill.

The second amendment I plan to offer simply provides for the funds that are already allocated to the Forest Landscape Restoration Act to be deposited in the special fund that was established to carry out that act. This amendment also will be cosponsored by a number of other Members. I would like to extend my sincere thanks to Chairman FEINSTEIN, who coauthored the Forest Landscape Restoration Act with me, and Senator Domenici and Ranking Member ALEXANDER for including funding for this important program.

Finally, Senator MURKOWSKI and I plan to offer an amendment that would make two technical improvements to the National Forest Foundation Act. Again, I hope these amendments will be adopted. I appreciate the consideration of the two managers of the bill for these three amendments.

Mr. 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 legislative clerk proceeded to call the roll.

Mr. KYL. Mr. 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.

HEALTH CARE

Mr. KYL. Mr. President, during the last several months Congress has been engaged in a vigorous debate about how to achieve health care reform. Despite the President's repeated claims to the contrary, we all agree, Republicans and Democrats, that some reforms are necessary.

Costs are too high for families and businesses. Too many Americans lack access to affordable options. We need to make health insurance more affordable and more portable.

There are two basic approaches before Congress: reforms that impose much more government control over health care or reforms that provide consumers with more affordable options and keep control of health care decisions with families and doctors.

I happen to believe that the latter approach is better, that we must empower patients and doctors, not bureaucrats and politicians, to make health care decisions. I think it is clear that after the August recess, a majority of Americans rejected a Washington takeover of health care, along with the mountains of new taxes and debt and bureaucracy it would create.

While I appreciate the hard work of the Finance Committee chairman in trying to write a more acceptable bill, the end result is little better than the others, that is, the government's near total control over health insurance, and therefore the delivery of your health care.

Along the way, it would also spend nearly \$1 trillion and cut Medicare benefits by nearly half a trillion. The Finance Committee chairman's bill is a tangled web of federally documented insurance regulations which would control every aspect of health insurance from covered benefits to permissible premiums.

The bill would centralize the power of medical decisions with politicians and bureaucrats, not patients and doctors. It would result in higher health insurance premiums, less consumer choice, and ultimately the rationing of health care.

How would the government take over health care under this bill? There are two key provisions that would result in government-run health care for practically all Americans, and empower bureaucrats at the expense of patients.

The first is a requirement that every American buy an insurance policy. The second is a regulatory entity called the insurance exchange. First, let's talk about this mandate for everyone to buy an insurance policy. The chairman's plan imposes this individual mandate for all individuals to purchase a government-approved policy. To repeat, not just any insurance, but government-approved and therefore government-defined insurance.

Those who do not comply face steep fees—or fines, I should say—ranging from a \$750 to a \$3,800 per-year fine. The mandate constitutes direct interference in health care with a host of