

by foreign workers and forced to train their replacements, and millions of Americans are just struggling to get by, this Congress has chosen to make things worse.

We need to remember whom we represent and whom our duty is to. Our duty is to voters, the American people, not the interests of businesses, activist groups, and that kind of thing.

I appreciate the opportunity to share these remarks. I have been very firm about my statements here, but I am very unhappy about this bill. I do not believe this is the kind of legislation we should be moving. It was not moved in the normal process on the floor of the Senate, where amendments could be offered and a bill could be studied over months of time before final passage, perhaps. So with regret and a good deal of frustration, I urge my colleagues to oppose and reject this proposal.

I would also just mention one more thing, and then I will wrap up. Senator SHELBY and I wrote a letter to the Appropriations Committee on November 16, asking for Congress to assume its constitutional duty ensuring immigration laws are uniform by approving the number of refugees who come to America, and not leave that as an open-ended power given to the President, who can execute it in an arbitrary manner.

We also said that no benefits should be provided to future refugees until the Congressional Budget Office submits a score—a simple report on the cost of this program. How long would it take? Not that long. Don't we need to have a score, a cost number?

We also asked that no refugees be admitted until the Department of Homeland Security submits a report on terrorist and criminal refugees.

None of those provisions were included in any of the legislation before us. I think all of those are logical.

I also previously wrote letters asking for other provisions, such as prohibiting funds for lawsuits against States that are trying to help enforce immigration laws, to bar funds for attorneys for illegal aliens through these grant programs that are being utilized. Fundamentally, it has never been the responsibility of the Federal Government to prepare and provide free attorneys for people who have entered the country illegally. It never has been the law.

I also asked that no funds be provided for sanctuary cities.

I asked for language that prohibited funds for Executive amnesty policies; that prohibited funds for the DACA Program; that there would be no spending of funds in the Immigration Examinations Fee Account for anything other than naturalization and immigration benefits provided by Congress.

I asked for language that would bar funds for salaries of political appointees or other employees who direct employees to violate the law. Why should we be paying people who direct their own subordinates to violate fun-

damental provisions of immigration law?

I asked for language that would prevent funds from being used to grant "prosecutorial discretion" to aliens in removal proceedings, no funds for an extension of Temporary Protected Status unless approved by Congress, and no funds to continue the Administration's abuse of the parole authority. We shouldn't be funding these abusive practices that undermine the certainty of immigration laws.

I asked for language to prohibit funds to grant H-1B visas to companies that have replaced American workers. I asked for restrictions on the issuance of Employment Authorization Documents, and that no funds be used to add new countries to the Visa Waiver Program until implementation of a biometric exit system.

This bill does direct some money to a biometric exit system, which, if this Administration would act, would begin to do something significant. But they have resisted what the 9/11 Commission has said we must have. When people come into the country, they are checked in, they are fingerprinted, and they are biometrically identified, but nobody checks if they left. So you can come into America on a visa and never go home. This is why almost half of the people illegally in America today came lawfully on a visa. They just didn't return when they were supposed to.

I asked for money to establish—notably, there has been an advocacy unit in U.S. Immigration and Customs Enforcement in the past to protect illegal immigrants and give them all kinds of additional rights—an advocacy unit for victims of immigrant crimes.

I asked for others, too.

I would just say that I, and others, have raised a series of important issues that need to be fixed, and would receive, if understood by the American people, 90 percent support. Senator GRASSLEY, chairman of the Judiciary Committee—of which my Subcommittee on Immigration and the National Interest, is a part—has also been active in these things. It is a deep disappointment that this last piece of legislation that could make some improvement in a number of these issues will do nothing of significance, but it will increase by four-fold the number of low-skilled, low-wage workers allowed to enter this country from 66,000 to 264,000. They will pull down wages and reduce the job prospects of struggling Americans.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

## WILDFIRE PROVISIONS IN THE OMNIBUS APPROPRIATIONS BILL

Ms. MURKOWSKI. Mr. President, most of us are busy today reviewing the contents of the Omnibus appropriations bill that was released late last night—actually, early this morning. I come to the floor this afternoon with my colleague from Washington, the ranking member on the Energy and Natural Resources Committee, to speak about the wildfire provisions. More specifically, I am here to explain why Congress chose not to accept a flawed proposal from the administration and really, I think, to be here to give hope and optimism about a path forward for next year.

I think it goes without saying that our Nation's wildfire epidemic is a serious challenge that demands attention from each one of us. Each year the wildfire season seems to include new "worsts" and shattered records, and 2015 has been particularly devastating. It seems as though we didn't have a wildfire season; we've had a wildfire year. We all know that we have seen too much acreage burn, too many western communities have suffered damage, and, tragically, lives have been lost.

According to the National Interagency Fire Center, more than 9.4 million acres of our country had burned through October 30 of this year. In Alaska, where most of these fires occur, we lost over 5 million acres during this period. For perspective, that is about the size of the State of Connecticut. That is what we saw burn in Alaska alone this year.

Those of us whose States are impacted by wildfire started this year in agreement that the way wildfire management has been funded is broken; and that it is past time we fix it. We know we can't continue to underfund fire suppression, only then to scramble to borrow money to fight fires—and all this while the fires are many times burning out of control. We know that we need to end this very disruptive and unsustainable cycle of fire borrowing, which drains funds from other programs as agencies desperately seek resources. I think this fire borrowing concept is one area where we have all been able to come together, whether it is those within the agencies or those of us looking to address policy, the appropriators. We have to figure out how we are going to stop the fire borrowing that goes on within the various accounts in an effort to respond to these wildfires.

Earlier this year, as the chairman of the Interior-Environment Appropriations Subcommittee, I set out to fix this very broken system. Under my direction, our committee reported a bill to do just that. The Interior appropriations bill included a permanent, fiscally responsible fix for fire borrowing. It would have provided resources to the agencies up front—enough funding to fully cover the average annual cost of firefighting over the past 10 years—while allowing for a limited cap adjustment in have truly catastrophic fire

years. The bill simultaneously increased funding for fire prevention efforts and took steps also to return to active forest management.

We thought this was not only a sound approach to address the fire borrowing but also the forest management issues that so many of us are concerned about. Unfortunately, we ran into a wall with the House of Representatives. They wouldn't accept the language because of its limited cap adjustment. Instead, we worked across Chambers within the Appropriations Committee to provide an unprecedented level of funding to address wildfire in this omnibus.

As I said, I am still going through the omnibus myself and trying to figure out whether to support the overall bill. But I do think it is important to recognize and understand what we have included in this omnibus. The wildfire provisions are both responsible and pragmatic. It provides real money, right now and gives us the time to develop long term real solutions. The bill includes \$1.6 billion for fire suppression, which is \$600 million over the average cost of fighting wildfires over the past 10 years. It also includes \$545 million for hazardous fuels reduction, and it includes \$360 million for the Forest Service's timber program, which will help us resume the active management of our forests.

What we have in this omnibus bill is more funding for wildfires than was spent during the 2015 fire season—and, again, that was one of the most expensive fire seasons in history. When we think about what we have done, barring a truly record-setting fire season in 2016, fire borrowing should not be an issue for us the rest of this fiscal year. We did this the right way—the way that Congress should deal with the government's responsibilities—by making cuts elsewhere to pay for this within the budget. Again, this is real money. This is money that will be available immediately because we have done this through the appropriations process.

We have had many conversations—Senator CANTWELL and I and many in this body—with Members who were hoping to see a different proposal. The House had a proposal, colleagues here in the Senate had a proposal, and the administration had a proposal. They were hoping it could be factored into the omnibus, but for a number of reasons it was not included within the bill.

The administration's proposal would have amended the Stafford Act to expand the purposes for emergency funding for major disasters to include fighting wildfires on Federal lands. The House included a similar idea in a forestry bill it passed earlier in the year. The irony here is that the Administration came out very strongly against this back in July, just a few months ago. The President's advisers issued a Statement of Administration Policy objecting to the repurposing of the Stafford Act and the use of the Dis-

aster Relief Fund for wildfire suppression operations.

In September, the director of FEMA wrote an opinion piece about this. He said that tapping the Disaster Relief Fund for wildfires would “undermine the federal government's ability to budget for and fund responses to disasters, as well as to finance state and tribal public infrastructure recovery projects.”

The Secretary of the Interior, the Secretary of Agriculture, and the head of the Office of Management and Budget echoed that concern in a letter where they said, “We do not believe that Congress should modify the Robert T. Stafford Disaster Relief and Emergency Assistance Act as a means to address the escalating costs of wildfire.”

Yet here we are just a few months later, and the administration is now proposing to amend the Stafford Act. And after reviewing the proposal, it appears to be nothing more than a work-around that still has serious problems.

I think the first important reminder is that the Stafford Act itself is designed to provide Federal assistance to State, local, and tribal governments to alleviate disaster suffering and facilitate recovery after a disaster has occurred. There is no precedent for accessing it to provide emergency money for disasters on Federal lands.

The second concern we have is that this proposal doesn't actually end fire borrowing. What it does is create an account that is separate from the Disaster Relief Fund that is subject to appropriations, which means that it is now empty. That fund may be there, but there is nothing in it, and it could remain empty. There is no guarantee that appropriators will fund the account or that the President will ever request funds for it. And if there are no funds in the account, then basically what we have to assume is that the agencies are going to have to borrow again. So we haven't fixed the borrowing.

We have an average of 68,000 fires each year. Under this proposal, each one could require a separate Presidential declaration once the initial appropriations run out. So we have to ask the question: How does this actually work? Does the Forest Service Chief have to estimate how much each fire is going to cost? What happens in the meantime while you have all these fires burning? Again, the agencies are going to be in a situation where they are going to be forced to fire borrow.

Even if we assume that Federal dollars will be appropriated to the fund envisioned by this proposal and that the President will make disaster declarations after he is asked to do so by Cabinet officials, we are still setting another troubling precedent. The administration will effectively be able to decide to give itself money under the Stafford Act. This is not like giving an individual money after they have suffered a disaster, a loss to their home or

property; this is the administration being able to decide to give itself money. So the question is, is this really something that we want to do?

Finally, I think this proposal is a missed opportunity. It was supposed to be coupled with a set of productive forest management reforms. What we saw is a good start. There are forest reforms in there but there is not very much in this to get excited about for Alaska, where we have both a wildfire problem and a timber problem. The proposal also does too little to help our firefighters or our communities which are at physical risk from wildfires and economic risk from restrictions on timber harvesting.

I am certainly not alone in this. Again, Senator CANTWELL has spoken very passionately on this issue—not only in committee but here on the floor. I am going to yield to her in just a moment.

We heard from a representative from the International Association of Fire Chiefs, who said that “due to the rapidly rising cost of wildland fire suppression, IAFC [the International Association of Fire Chiefs] is concerned that the [Disaster Relief Fund] could run out of money as it is also used to address hurricanes, tornadoes, earthquakes, and other emergencies.”

We have also heard from a nonprofit organization called Firefighters United for Safety, Ethics, and Ecology. Their letter to congressional leaders observes that “allowing agencies to declare wildfires as disasters simply to access near-unlimited funding for suppression will undermine efforts that have been long in the making to shift agencies toward alternative proactive strategies in fire preparedness and planning, fuels reduction and forest restoration.”

I want to find a solution to the fire-budgeting problem as much as anyone in this Chamber, but the proposal that surfaced during budget negotiations was not the right way to go. It was not developed in the open and transparent manner that we would hope, and it has not been fully vetted. It has drawn opposition not only from Members here but from outside groups whose members are on the ground actually fighting these fires. So the only solution was to do what we have done, which is fully fund firefighting within the budget that we were given.

The omnibus is our path forward on wildfire funding for this year. It devotes greater resources to fire prevention and hazardous fuels reduction and contains real money—not an empty account—that will be available immediately. We can use the window it provides to develop long-term solutions.

This is where I want to give encouragement to other Members. I am committed, as I know that Senator CANTWELL is, to working to address the longer term solutions to these issues. I am here today to affirm that wildfire management legislation will be a top priority for those of us on the Energy and Natural Resources Committee next year.

I know we come at this from different perspectives, but that is OK. Let's bring our different perspectives and work collaboratively with all Members to develop a commonsense bill that properly addresses the challenges and concerns that Senator CANTWELL has articulated when it comes to active forest management, how we deal with our hazardous fuels, and how we work on the front end to prevent these catastrophic fires. We need to be working together toward these solutions, and I certainly make that commitment with my ranking member to advance early on in the New Year these provisions that I think will make a difference.

I know Senator CANTWELL wants to be part of the solution here and she has played a great part as we have worked together to craft a solution in the committee. With that, I know that from the Energy and Natural Resources Committee perspective, we have a lot on our plate. But I think that from my perspective as a Senator from Alaska, this is an issue that the people in my State feel very passionately about.

I will ask Senator CANTWELL, as we deal with the pressing issues that are before us, is this an area where we can come together as an energy committee to address these very immediate concerns?

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, responding to my colleague from Alaska—and I will make a longer statement in a second—I do want to thank her for her leadership, not just as chairwoman of the Energy and Natural Resources Committee, but also as the chairwoman of the Appropriations Interior subcommittee.

Thank you for your detailing exactly why it is so important to have real money up front. You are right. For you and me and for many Western States, we have seen a change in fire habit, and we have seen probably two of the worst fire seasons our country has seen in many years and the fact that this year's season may trump that.

It is very important that we give the agencies the tools to address this issue and that we give them the tools now—not a guessing game, not how much they might get or how much they have now. I think the 50-percent increase is a recognition of how dire the situation is and makes sure that these communities know that they get those resources.

Yes, I wish to thank the chairwoman for allowing the committee to have a hearing. Senator BARRASSO participated at a very critical moment and at a very sad moment because it was just days after we learned that we lost firefighters in the central part of our State.

I wish to say that she has had a committee hearing. We have had committee hearings. My staff attended what was called the Wildfire and Us

Summit. Many people in the central part of our State participated in that summit. Your question is, Is this important to us? I think when you have a rain forest that catches on fire or you have parts of Alaska that have never burned that are up in smoke, you bet this is of critical importance to both our States and to many Western States. I thank you for the question and thank you for helping to get real resources on the table and a 50-percent increase over last year's fire budget. Thank you.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I know that Senator CANTWELL has a longer statement that she would like to make at this point in time.

I yield to Senator CANTWELL.

Ms. CANTWELL. Mr. President, I thank my colleague Senator MURKOWSKI for her leadership on the Senate Energy and Natural Resources Committee, and I thank the Senator for her discussion on fighting wildfires in the United States of America. I think she gave a great rendition. My hat is off to appropriators. I can tell you this: What we need is real money, and that is what she has provided. I thank her for that.

I thank her partner on the subcommittee, Senator UDALL from New Mexico. They worked together and had to provide a framework in which the omnibus reflects an appropriation that we will vote on later this week containing \$1.6 billion for fire funding and fire suppression. That is \$500 million more than last year. So I consider it a very good down payment.

Congress has recognized that it is very important to provide funding for fire suppression and at sufficient levels so that agencies can address the issues of prevention and hazardous fuel reduction. This is something. It is critically important.

I am pleased that this is a very large increase in firefighting accounts this year. Besides the 50-percent increase in fire suppression, as my colleague mentioned, there is \$375 million in hazardous fuel reduction and new grants to local communities to decrease their fire hazards, additional fuel reduction projects such as controlled burns in our forests, and research on protecting homes during massive wildfires.

This is critically important to my State, as they have implemented many programs over the last two seasons that they call "hasty response" or fuel reduction, where they have been able to show that certain treatments have actually been able to save communities and neighborhoods that have done such treatment. The challenge becomes this: How do you educate the rest of the community, the rest of the State, on the vital importance of doing this fuel reduction? It is very important that we continue this.

I thank again the chairwoman of the Energy and Natural Resources Committee and the interior subcommittee of the Committee on Appropriations on

the fact that this is real money today, a 50-percent increase without the necessity for a future declaration of disaster, without a future appropriations request, without pitting States against each other on every disaster, but providing some predictability with this increase about how to move forward for the 2016 firefighting season.

It is very important, as she mentioned, that we continue to focus on a variety of issues and resolutions: stopping the way that we continue to erode funds from other accounts while ensuring there are considerations of cost and oversight for large and expensive fires, integrating forest research to better prioritize where prevention money goes, increasing controlled burns on our Federal lands, ensuring personnel and equipment can operate seamlessly across jurisdictions during wildfires, funding community preparedness and FireWise activities, funding risk mapping, providing technology on all large fires to ensure managers know in real time the location of the fires and of our firefighters, and upgrading our air tanker system.

We saw a lot of this, and we heard a lot about our air tanker system during our committee hearings and that there was much more we could be doing.

As to establishing surge capacity, we heard a lot from our local communities that joined in the fight and are more than willing to join in this effort of helping us fight wildfires, but we need to have the capacity and the training.

As to ensuring communications, nothing was more frustrating in some of these wildfires than to have no broadband communication and yet to be in charge of all the evacuation for the region without the ability to communicate to the people that needed to be evacuated. It is critically important that we have on-the-ground communications systems available on day one.

Doing preventative treatments when risks are low is a particular issue for our State. We want to make sure that we have cooperation in working with other agencies. We don't want to do fire treatments when we are in drought conditions and high temperatures and dry, dry conditions, but when there are less risks.

We want to do mapping to clearly identify where the risks are, and we want to use technology for safety and effectiveness, such as GPS and other systems that can be used from the air, and modifying the individual assistance program. I say that because various communities that have been hardest hit by our fires have been in rural communities, but the way the definition works under our current law basically has prejudice against a community if it is not dense enough to meet the current requirement.

I wish to say that the ranking member, myself, and probably even the Presiding Officer have very rural communities that can be devastated by fires. That means an entire community that may be based on recreation or outdoors

or any kinds of outdoor activities could be so devastated and yet would be left without the resources, simply because they didn't meet a population density number. To me, we need to address this because these communities are integral parts of our larger United States and the economic stability of many of our States.

We want to continue to make these improvements in our system. As I said, the chairwoman of the Energy and Natural Resources Committee allowed several hearings to take place, and we want to continue the efforts in working with our colleagues to make sure that we are moving forward on this issue in providing all the resources that we can.

I wish to address one issue, and that is that we are not going to get this overall solution by simply clearcutting large swaths of land in which we haven't made the right assessments. I say that because we have had so many issues in the State of Washington where dangerous erosion has taken place in those circumstances, but it is clear that we all agree that massive fuel reduction does need to take place.

I look forward to working with my colleague on that because there are many ways in which we can prevent and fight our national wildland fires. I look forward to working with Senator MURKOWSKI, and I thank her for getting us real money—a 50-percent increase—that doesn't require another declaration, doesn't require a future event. It is there, and we can start using it. Let's go to work with our colleagues in defining how we do hazardous fuel reduction in the most aggressive way possible, giving our communities better tools to fight these fires in the future, and working to make sure that we have the best equipment and the best resources for those individuals who are fighting those fires.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I want to thank the Senator from Washington for not only her comments here this evening but for her leadership and guidance in this area. When your State is hard hit by these disasters, you learn a lot. You learn a lot about what works in the process and, unfortunately, what doesn't work. When you cannot get a cat to run a fire break because it doesn't have the appropriate card or designation, people come to us and say: Well, that is crazy. And you have to agree; it is crazy. We can do better. When we are talking about the issue of wildland fire and management, it is this management piece that I really hope we can get to, because it is not just about throwing more money at the fires and hoping that we get it right. It is not only about ensuring that we prioritize and get it right with suppression dollars, but also that we are working aggressively to deal with the prevention, with hazardous fuels reduction, with actively managing these issues. That is how we are going to be

making the headway. That is where we need to be working collaboratively, whether you are from a very open, remote, and large State such as Alaska or whether you are a State that sees smaller fires that have a catastrophic impact on your local economies. I know that Senator CANTWELL has articulated that very, very clearly within the committee.

We have our work cut out in front of us. I worked on a statement that included no shortage of fire puns and needing to put a damper on this 10-alarm fire that was out there, but I decided that the issue of fire was not a joke or a laughing matter for anybody.

We have a lot of work to do, and I am ready to do it. I am rolling up my sleeves and looking forward to a lot of cooperation from my colleagues as we address this very important priority.

With that, I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2016

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.J. Res. 78, which was received from the House; that the joint resolution be read a third time and the Senate vote on passage of the resolution with no intervening action or debate.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 78) making further continuing appropriations for fiscal year 2016, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

The joint resolution was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. Is there further debate on the joint resolution?

If not, the joint resolution having been read the third time, the question is, Shall the joint resolution pass?

The joint resolution (H.J. Res. 78) was passed.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be made and laid upon the table.

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

#### SIGNING AUTHORITY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the majority leader be authorized to sign duly enrolled bills or joint resolutions on Wednesday, December 16.

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

Ms. MURKOWSKI. I suggest the absence of a quorum.

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

The bill clerk proceeded to call the roll.

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

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

#### EXTENSION OF MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### TRIBUTE TO NEW ZEALAND AMBASSADOR MICHAEL MOORE

Mr. WYDEN. Mr. President, my friend Chairman HATCH and I rise today to offer our sincere gratitude to Ambassador Michael Moore of New Zealand who is returning to his home country after more than 5 years here in Washington and a long, successful career as a beloved public servant.

With roots as a union organizer, he rose to become Prime Minister of New Zealand and later served as a Director-General of the World Trade Organization. He dedicated much of his career to the belief that freer trade can help address some of the most intractable challenges facing impoverished people around the globe.

Mr. HATCH. Mr. President, I am happy to join my friend and Finance Committee colleague in expressing our gratitude to Ambassador Moore. Here in Washington, he witnessed the passage of three trade agreements, as well as historic trade legislation earlier this year that reflects many of the values he fought to instill in global trade policy. Ambassador Moore was always there with advice and good counsel as we navigated difficult waters, and his irrepressible spirit and good humor will be sorely missed.

Mr. WYDEN. As they say in New Zealand, "He tangeta, he tangeta, he tangeta," which translated from the Maori language roughly means, "people are the most important thing."

#### ADDITIONAL STATEMENTS

#### CONGRATULATING THE WILDY FAMILY

• Mr. BOOZMAN. Mr. President, today I wish to congratulate the Wildy family for being named the 2015 Arkansas Farm Family of the Year.

This honor recognizes the dedication of Wildy Family Farms and David and Patty Wildy to Arkansas's No. 1 industry.

The Wildy family settled in Mississippi County in 1914 and has been on