

and able to defend. Our allies deserve to know that we will be guided by them, and so too, I believe, do the American people.

I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to a period of morning business until 4:20 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided between the two leaders or their designees.

The Senator from Alabama.

CONCERNS ABOUT RELEASE OF GITMO DETAINEES

Mr. SESSIONS. Mr. President, I thank Senator MCCONNELL for his leadership on the issue of securing the peace and security of the United States of America and the challenges we face in this very difficult world. I am pleased it was he who offered a resolution not long ago that passed 94 to 3 to say that those terrorists we have in Guantanamo should not be released into the United States. It passed this Senate 94 to 3.

So I was alarmed on Friday to see a report in the Los Angeles Times by Julian Barnes, the first line of which said:

The Obama administration is preparing to admit into the United States as many as seven Chinese Muslims who have been imprisoned at Guantanamo Bay in the first release of any of the detainees into this country, according to current and former U.S. officials.

The Times report was followed by an Associated Press story over the weekend entitled "Holder Close to Making Decision on Gitmo Detainees"—Holder being Attorney General Eric Holder—which detailed an emerging plan to release a group of Uighurs held at Guantanamo into the United States, possibly northern Virginia.

Three weeks ago, on April 2, 2009, I wrote the Attorney General. I am a member of the Judiciary Committee, and I served in the Department of Justice for 15 years. I wrote Mr. Holder on exactly this issue, to explain my concerns about the serious national security and legal issues raised by any proposed release of Guantanamo detainees. In my letter I explained that the 17 Uighur detainees currently held at Guantanamo "received military training, including firearms training, in terrorist camps in Afghanistan for potential terrorist actions against Chinese interests."

I further explained that Federal law, specifically title 8 United States Code section 1182(a)(3)(B), clearly prohibits the admission of any alien—and they

are all aliens—who has engaged in various forms of terrorist activity or training, including military type training "from or on behalf of any organization that, at the time the training was received, was a terrorist organization."

The Uighurs at Guantanamo received military training, including on AK-47s, at camps run by the Eastern Turkistan Islamic Movement, which has been designated as a terrorist organization by both the United States and the United Nations since 2002. Accordingly, under the clear letter of Federal immigration law, these detainees are not eligible for admission into the United States. In my letter I called upon the Attorney General, whom I supported for that job and have respect for, to explain "what legal authority, if any, you believe the administration has to admit into the United States Uighurs and/or any other detainee who participated in terrorist-related activities covered by Section 1182(a)(3)(B) [of the federal immigration law]." He has not responded in any way. I am a member of the Judiciary Committee. That was a respectful and proper request I made. I have not heard from him at all. Yet we are reading in the paper that there is a plan afoot to allow this release.

The current stories in the Times and the Associated Press suggest that the administration is knowingly and willfully acting contrary to law and to the will of Congress and doing so on a matter that is directly at odds with our Government's obligation to keep America's communities safe from dangerous terrorists and militants.

Let me say, the Attorney General has a responsibility to uphold the law and protect civil rights. But I would say this, the primary responsibility of the Attorney General of the United States is to ensure that decent people who follow the law are protected from criminals and terrorists and those who would do them harm. If he is not the one who is going to lead the effort to protect us from those who would harm us, who is? Sometimes I wonder what they think their goal is.

So some will claim that the Uighurs held at Guantanamo are not dangerous because the courts and previous administrations agreed that these individuals are not enemy combatants against the United States. But this argument overlooks the fact that the Uighurs aren't deemed enemy combatants against the United States because the organization they were affiliated with, the Eastern Turkistan Islamic Movement, is not closely associated enough with al-Qaida or the Taliban to justify that determination. But make no mistake about it, these detainees are trained militants with ties to a terrorist organization, albeit one targeting Chinese interests rather than American interests. They should not be ushered into American communities by this administration.

The Los Angeles Times story from last week illustrates the danger these detainees pose:

Not long after being granted access to TV, some of the Uighurs were watching a soccer game. When a woman with bare arms was shown on the screen, one of the group grabbed the television and threw it to the ground, according to the officials.

According to the news story, the officials at Guantanamo had to censor the TV shows and showed only pretaped programs that wouldn't offend the Uighurs. If these detainees cannot handle mere televised depictions of Western culture without violent outbursts, why are we releasing them into our towns and communities? Even though this seems like an obvious question, this administration seems to have little concern over it. Rather than sounding alarm bells, the Director of National Intelligence Dennis Blair proposed releasing the detainees with some form of welfare subsidy. In comments in March, Admiral Blair agreed that "[y]ou can't just put them on the street." But his solution was not to continue detention or to release detainees to their home countries or to China, which wants them. Rather, he said, "If we are to release them in the United States, we need some sort of assistance for them to start a new life."

So this administration seems more concerned about the welfare of the dangerous militants, frankly, than it does about the real safety concerns of the American people and of the views of the citizens of our country who, by overwhelming polling data, oppose the release of these Guantanamo inmates into the country. According to an April 3, 2009 Rasmussen Reports survey, 75 percent of U.S. voters oppose the release of Guantanamo inmates into this country. A similar number—74 percent—oppose providing public assistance to any Guantanamo detainees who might be released.

So what is surprising about the recent news reports about the possible release of Guantanamo detainees is that they come on the heels of another announcement earlier last week which made me think the Obama administration was coming to understand the dangerous nature of the Eastern Turkistan Islamic Movement. This past Monday, April 20, 2009, President Obama's Treasury Department issued a release listing Abdul Haq as a designated terrorist. This announcement, which follows on the heels of a similar announcement from the United Nations, is significant for three key reasons, as well as a fourth reason that relates directly to the Uighur detainees:

Abdul Haq is the leader of the Eastern Turkistan Islamic Movement.

Abdul Haq was listed as a ringleader in planned attacks on the Olympic games in China.

Abdul Haq is listed as a member of a council within al-Qaida. He is connected to al-Qaida.

Perhaps most importantly, Abdul Haq is directly tied to the Uighur detainees held at Guantanamo Bay. According to a recent article by Thomas Jocelyn, who published a series of excerpts from the Combatant Status Review Tribunal proceedings for the

Uighurs at Guantanamo, the detainees, one after another, testified that they were trained by none other than Abdul Haq who "was the one responsible for the camp." So just as these detainees testified that Haq ran the camp and led their training, they, time and again, admitted to training on what they referred to as "the AK-47" or "the Kalashnikov."

It is unbelievable to me that we are talking about releasing these dangerous detainees into American communities, despite the fact that they received military-style training on AK-47s in a camp run by a known terrorist and terrorist organization, both of which are designated as such by the United States and the United Nations. And the administration is doing so just one week after it denounced the man who trained the Uighur detainees in the following clear words. This is what the Treasury Department said:

Abdul Haq commands a terror group that sought to sow violence and fracture international unity at the 2008 Olympic Games in China. Today, we stand together with the world in condemning this brutal terrorist and isolating him from the international financial system.

So within a week of our Government seeking to condemn and isolate "this brutal terrorist," the administration is planning to turn loose his pupils into the United States.

There was a time not long ago when no Senator would need to come to the floor to explain that it is dangerous and unlawful to release extremist militants trained by terrorists into the United States.

Why would we release them here? We captured them on the battlefield. We took them to Guantanamo. Now we are going to release them. China would like to have them back. They are rightly concerned about the people who attempted to bomb the Olympic games. We don't have to release them here. We don't have to release them.

Well, according to the press reports I have cited, the administration is planning to release the Uighur detainees to gain favor and "generate good will" with foreign governments. Now we understand, according to the Associated Press, Mr. Holder is in Europe where he is "to reassure skeptical Europeans without generating too much opposition back home."

That is an uneasy statement for me. That sounds a little duplicitous to me, for an Attorney General to be in Europe where he is "to reassure skeptical Europeans without generating too much opposition back home." I suggest he needs to be focused on security in the United States. I think we need to consider why it is we feel that a nation we have favorable trade relations with, China, which successfully conducted Olympic games, isn't able to detain people who are committed to a group that was designed to attack those games.

If another country captured terrorists who were attacking the United

States—and we would like to have them and hold them in custody—let me ask, what would we think if they released them into their communities and gave them subsistence and payments from the government? Wouldn't we think that government was aiding terrorism?

How did we get into this position? I do not think the administration has thought this through. There is no question China has certain well-known problems with human rights, and I have been one of their critics. But are those problems any worse than the problems in Yemen, Algeria, Libya, Sudan, and Saudi Arabia—all countries to which the United States has returned Guantanamo detainees? What message is our government sending here, and what will be the repercussions? Have any of these questions been seriously considered?

I call on Attorney General Holder to answer my letter of April 2 well before he plans to release any of these militants onto the streets of America. If he is able to travel halfway around the world "to reassure skeptical Europeans," perhaps he can answer a simple, direct, two-page letter from this skeptical Senator.

We know as many as 60 former Guantanamo Bay detainees who were released overseas have returned to the battlefield, including some in senior roles with al-Qaida. That stark reality is why the Senate voted 94 to 3 to support Senator MCCONNELL's resolution that concluded with these words:

It is the sense of the Senate that detainees housed at Guantanamo Bay, Cuba, including senior members of al Qaeda, should not be released into American society, nor should they be transferred stateside into facilities in American communities and neighborhoods.

I note that now-Vice President BIDEN and now-Secretary of State Hillary Clinton—Members of the Senate then—voted for the resolution. Then-Senator Obama did not. He was not voting. But he has made statements that indicate he understands the dangerousness of these individuals. I suggest that he give more thought to those words he has previously issued and that he follow the law, the plain law as I see it, and not release any of them into the United States.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, it is my intent to take a very few minutes. We are speaking in morning business?

The PRESIDING OFFICER. The Senator is correct.

Mr. NELSON of Florida. Thank you, Mr. President.

CATASTROPHE INSURANCE

Mr. NELSON of Florida. Mr. President, what do Florida, Louisiana, Texas, and California all have in common? Aside from all being Sunbelt

States, each of these States is subject to a natural catastrophe event. We have certainly seen that in the case of hurricanes in Florida and Louisiana and Texas, and we know of it with the Northridge earthquake in the case of California.

Each of these States approaches their homeowners insurance in a different way. But, increasingly, States are moving to a position whereby a quasi-government reinsurance company is set up—in the case of Florida, it is the Florida Hurricane Catastrophe Fund—that, in effect, reinsures private insurance companies in order to induce them to continue to sell insurance in the marketplace.

So the insurance companies, instead of going out onto the world markets to get reinsurance—that is, insurance against catastrophe—instead, or in addition to, go to a creature, in Florida's case called the Florida Hurricane Catastrophe Fund.

The problem is that each of our States—Florida and Texas and California and Louisiana—that are each facing this potential megacatastrophe event—hurricane or earthquake—find it increasingly difficult to buy reinsurance at an affordable rate. Indeed, some of the reinsurance cannot be provided for, even if you go out and try to prearrange a bond issue, given the fact of these markets that are very uncertain now about being able to obtain a bond issue, and that uncertainty is causing a great deal of turmoil for a State to know that it can cover the losses if a major catastrophe hits.

What I am introducing today—and I will be joined by Senators from Texas, California, and Louisiana, and will ultimately invite all of the Senators from the States on the Atlantic seaboard and the gulf coast, as well as other earthquake-prone areas, such as Memphis, TN, which has one of the major fault lines in the country running through it and would be a potential major catastrophe because of all the gas lines that run from the Texas and Oklahoma well fields all the way to New York and to New England—it would be a major catastrophe if an earthquake hits; and that is one of the fault lines—so what this legislation will do is provide a backup for the State catastrophe funds by allowing them to have the assurance that when they go into the private marketplace—to float bonds, to pay off claims after the disaster has hit—that they will be able, even in these uncertain times of the economic markets, to sell those bond issues because they will have a U.S. Government guarantee.

You might say: Well, why would we want the Federal Government to guarantee those? Well, clearly it is in the interests of the Federal Government because these are only going to be guaranteeing public organizations that are an arm of the Government and that are run by members of a board that indeed are public officials, and it will actually end up saving Federal tax dollars.