

## CREDIT CARD REFORM

Mr. TESTER. Madam President, I rise this morning to speak about an important plan to protect American consumers. Specifically, I call on the Senate to pass tough new reforms in the credit card industry. I have been working for months with my colleagues on the Senate Banking Committee to write this important new legislation. I am proud to have played a part in Chairman DODD's bill, the Credit CARD Act.

This bill includes legislation I introduced last year to outlaw what is called universal default. That is the term given when the credit card companies raise interest rates on customers if their credit scores fall for any reason—even if those customers pay their credit card bills on time. They may call that universal default, but where I come from in Montana, they call that a ripoff.

This reform legislation puts common sense and honesty back into the credit card industry. It will establish a new set of standards at a time when hardworking, honest folks are getting squeezed in this tough economy.

Simply put, Montanans are not happy with the credit card companies. All of us are getting fed up with hidden fees, high interest rates, and confusing small print. Every day, I get calls and letters and e-mails from folks back home who want the Senate to take action to rein in these predatory practices of the credit card industry. I have here in my hand a few of those examples.

The first one is from a man from Belgrade, MT, in Gallatin County. He writes this—and I will quote him at length:

These institutions have bilked us. They took the bailout money and had no qualms about undertaking more irresponsible actions to loot the American taxpayers and consumers again. I will use myself—a small business owner so small you might call us a nano-business—as an example. Four or five months ago, we hit a bump in the road and got behind with [our credit card company]. Knowing that this was going to be a temporary situation pending the closing on the sale of some property we owned, I stayed in at least weekly contact with [our credit card company] to keep them informed and assured them that we had every intention of meeting our obligation, which we did. What happened then is almost unbelievable. My interest rate was increased to over 27%. I was charged various fees for being late that amounted to over \$1100.00. . . . What really made me feel ripped off is that I had been a card holder [with that company] FOR TWENTY-SIX YEARS!!!

Madam President, I am all about personal responsibility. Folks need to make good decisions on their purchase obligations. But plastic personal debt can be very dangerous and addictive. Ordinary Americans can get in over their heads very quickly, and that is why the Senate needs to pass common-sense legislation to protect consumers from abuse.

A lady wrote me from Glacier County, MT, and said this:

I hope you will be willing to stand up to the banks when it comes to credit card regulation and oversight. Consumers need protection. In our home, we just saw interest rates on many of our credit cards jump for no reason. . . . How are we supposed to be participating in an economic recovery when our cash is being siphoned off for these unfair charges? You have a chance to do something about that—

She went on to say—

I hope that you will.

I, too, hope that we will. I hope the Senate will pass the Credit CARD Act. This bill will ban universal default, the jacking up of interest rates even when the account in question is in good standing. It will protect consumers who pay their bills on time by outlawing interest charges on debt paid on time. It gives consumers another week to pay their monthly bills. It limits fees and penalties. It ensures that cardholders will know the small print. And it protects young Americans, who are often most vulnerable, from predatory practices by the credit card companies.

I voted against the Wall Street bailout because handing bags of money to big Wall Street bankers and hoping the money would trickle down to Main Street small businesses and working families made no sense to me. Now we see some of the recipients of taxpayer bailouts jacking around the regular working folks who make this country run and who are having a hard time in this difficult economy, brought on by mismanagement here and by crooked deals on Wall Street.

It is important to note that not everyone in the banking industry is guilty of gross exploitation of the American consumer. But the bad actors on Wall Street and the credit card companies need to be reined in, and the rights of the regular public need to be protected.

I am pleased President Obama had the credit card executives down to the White House the other day to encourage them to treat consumers fairly. I call on the Senate to step to the plate and deliver meaningful legislation that will put in place commonsense consumer protections.

Thank you, 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 bill clerk proceeded to call the roll.

Mr. McCONNELL. 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.

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 RECOGNITION OF THE MINORITY LEADER

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

## GUANTANAMO: ANOTHER DAY OF UNANSWERED QUESTIONS

Mr. McCONNELL. Madam President, for the past several weeks, Republicans in Congress have expressed serious concerns about the administration's insistence on closing Guantanamo before it has a safe alternative. These concerns are rooted, among other things, in the fact that roughly 10 percent of the detainees who have already been released from Guantanamo have returned to the field of battle. These concerns are rooted in the fact that the administration has talked about releasing some of these trained terrorists into the United States—not into detention facilities but directly into our communities. These concerns are rooted in the fact that Americans like the fact that we have not been attacked at home here since 9/11, and they do not want the terrorists at Guantanamo back on the battlefield and certainly not in their backyards.

These concerns are real. Yet all we have gotten from the administration on this issue is silence.

Five weeks ago, Senator SESSIONS sent the Attorney General a letter asking what legal authority the administration has to release trained terrorists into the United States. He sent another letter asking the same question earlier this week. In response, he has gotten silence. Senator McCAIN and Senator GRAHAM wrote an op-ed yesterday asking serious questions about what the administration plans to do with the detainees it releases or transfers from Guantanamo. We have not heard anything in reply.

These are not academic questions we are asking. When Americans hear about a former detainee named Said Ali al-Shihri, who was last seen serving as one of al-Qaida's top deputies in Yemen, calling on his Somali comrades to increase attacks on American ships, they have reason to be concerned. When Americans hear about a former detainee who was last seen serving as the Taliban's operational commander in southern Afghanistan, they have reason to be concerned. These are just a couple of the men previously deemed safe for transfer. They are living proof that the dangers of closing Guantanamo without a safe alternative are absolutely real. Yet all we get from the administration is a request for funds to close Guantanamo. Does the administration really think Congress will appropriate these funds before it presents us with a plan that keeps the American people as safe as Guantanamo has? The administration needs to explain its actions to the American people and their representatives in Congress. And Republicans will continue to ask these questions until they do.

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 THE BUDGET

Mr. McCONNELL. Madam President, it is clear the budget the Democrats

passed last week on a party-line vote spends too much, taxes too much, and borrows too much. As a result, the President has now proposed some modest spending reductions totaling a fraction—a fraction—of a percent of the trillions his budget would add to the debt.

Well, that is a start, but with Democrats in Congress adding to the national debt at a rate of more than \$100 billion every month already this year, and with a budget that triples the already unsustainable public debt over the next decade, it is clear there is not much more we can do to protect our children and grandchildren from the unprecedented trillions in additional debt proposed by this administration.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Madam President, I ask unanimous consent to speak as in morning business—in fact, I think we are in morning business. I ask unanimous consent to be recognized for 20 minutes.

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

#### GUANTANAMO BAY

Mr. ROBERTS. Madam President, I wish to thank our Republican leader for so succinctly summing up the issue we face in regards to the terrorists—and, yes, they are terrorists—who are at Guantanamo Bay and for what I think is the almost unbelievable suggestion that we move these folks to a homeland, USA, and my remarks will continue in that regard. I thank the leader for raising the subject.

I rise today to speak about Guantanamo Bay, but I wish to point out that I am speaking about a Guantanamo Bay that some of my colleagues and some citizens of our great country might not recognize.

Obviously, the Guantanamo Bay I am speaking of houses “terrorists.” I have been there, and there are terrorists at Gitmo. I have seen them. As a matter of fact, I have seen interrogation procedures with the terrorists. They are not “enemy combatants” fighting an “overseas contingency operation,” but terrorists whom we must wage a war on terror against because they continually plan to launch attacks against us.

Senator McCONNELL spoke of the 10 percent who have been released and who have shown back up on the battlefield. There is a wonderful picture—well, it isn’t a wonderful picture; it is a very telling picture—of one of these terrorists who was incarcerated at Gitmo and whom we released. He was treated and fitted with a prosthesis—with health care better than many of my small communities get.

There is a picture of him back on the battlefield waving his prosthesis in one hand and with an AK-47 in the other. If that doesn’t tell the story, I don’t know what would.

The reason I explain this is because we have seen a change in how those who are incarcerated at Gitmo are now being defined and described both in the media and in the administration, and as a consequence, by some Americans. I understand there is a poor perception of Guantanamo Bay, but to say there are no terrorists there, to say that there are not even enemy combatants there is doing a disservice to us all by trivializing the crimes committed by those who are incarcerated there.

I ask my colleagues: When did we start making terror politically correct? And why?

I understand this administration has great feelings about these issues, and many Americans have great feelings about these issues. Many Americans disagree very strongly with the past administration. I know this administration wants to draw a line of demarcation and say: This is not our policy, whether it is the war in Iraq, whether it is our operations in Afghanistan, whether it is our foreign policy, our national security policy, or whether it is intelligence. These are all very legitimate topics for debate and discussion, but in the process of this debate and this discourse, we should not ignore reality.

This same question as to why we would do this was asked by Daniel Pearl’s father, Judea Pearl, in an article that ran in the Wall Street Journal this past February. I have the article here. It is called “Daniel Pearl and the Normalization of Evil.” Every Senator and every American should read this article and should take it to heart.

As I think most people know—and we should all remember—Daniel Pearl was the American journalist captured and beheaded—beheaded on video—by the “nonterrorist, nonenemy combatant” Khalid Sheikh Mohammed in 2002. He was beheaded by Khalid Sheikh Mohammed, who is actually sitting at Guantanamo Bay right now.

Listen to what Professor Judea Pearl, who is a respected professor at UCLA, has to say about that act of terror when he and Danny’s mother looked at a picture of their son, Daniel:

Those around the world who mourned for Danny—

His son—

in 2002 genuinely hoped that Danny’s murder would be a turning point in the history of man’s inhumanity to man, and that the targeting of innocents to transmit any political message would quickly become, like slavery and human sacrifice, an embarrassing relic of a bygone era.

But somehow,—

And I continue to quote Professor Pearl—

barbarism, often cloaked in the language of resistance, has gained acceptance in the most elite circles of our society. The words “war on terror” cannot be uttered today without fear of offense. Civilized society, so it seems, is so numbed by violence that it has lost its gift to be disgusted by evil.

Well, I remain disgusted by evil, and more than that, I am fatigued by those who seemingly ignore it. I am dis-

gusted by those who target innocent civilians as they spew their hatred, and I refuse to adopt what Danny’s father called “the mentality of surrender.” I think it is not too late. It is not too late for a wake-up call. We can all refuse to surrender to the idea that terrorism is somehow a tactic. To refuse to believe it is an acceptable tool of resistance.

There is still time for Americans to remember that there are men at Guantanamo Bay who cannot be released and most certainly should not be on American soil. In fact, Americans must remember there are men at Gitmo who planned the September 11 attacks, the USS Cole attack prior to that—this was before we even connected the dots—and the attacks on American Embassies in Africa, causing great loss of human life. There are men at Gitmo who have perpetuated horrible crimes against humanity and would like to do so again because they don’t like who we are or the way we live.

Terrorist detainees should be held, as they are now, at Gitmo, in compliance with international law. That should be respected, of course.

Ask the Red Cross or our new Attorney General, Eric Holder. Guantanamo, despite what some might think, is a first-rate facility that safely keeps these men out of civilized societies, affords them human treatment, and gives them religious respect. Again, I know. I was there.

Certainly, Khalid Sheikh Mohammed did not afford Daniel Pearl those courtesies. No, Khalid Sheikh Mohammed and others like him were—and still are—on a jihad against every man, woman, and child in our country. Yet we should bring these terrorists to American soil? Not only is that just plain wrong, it is logistically a situation that will not work. We can’t do it without a tremendous infusion of funds and a lot of other problems.

In Dodge City, KS, at the coffee clutch that I attend, they call that flatout dumb. In fact, for those who would like to bring these nonterrorists, nonenemy combatants to hometown, USA, let me paint a picture.

Fort Leavenworth, KS, has been mentioned many times as a possible location for the 100 or so terrorists whom Defense Secretary Gates says can’t be released but can’t be tried. Leavenworth: where we educate all future Army officers, where we host foreign military officers every year to build relationships and foster military cooperation. Leavenworth: the intellectual center of the Army.

Do my colleagues think Army officers want to study at Fort Leavenworth if terrorists are there? Do they think they want to send their kids to school on the base minutes away from the most dangerous men in the world? Do they think foreign countries, especially friendly Muslim nations, will want to send their best and brightest officers to a place that houses men who we all agree are not appropriate for a