

inexplicably increased and unfairly applied, ate up most of her payments.

Millard Glasshof of Milwaukee, WI, a retired senior citizen on a fixed income, incurred a debt of about \$5,000 on his Chase credit card, closed the account, and faithfully paid down his debt with a regular monthly payment of \$119 for years. In December 2006, Chase increased his interest rate from 15 percent to 17 percent and in February 2007, hiked it again to 27 percent. Retroactive application of the 27 percent rate to Mr. Glasshof's existing debt meant that, out of his \$119 payment, about \$114 went to pay finance charges and only \$5 went to reducing his principal debt. Despite his making payments totaling \$1,300 over 12 months, Mr. Glasshof found that, due to high interest rates and excessive fees, his credit card debt did not go down at all. Later, after the subcommittee asked about his account, Chase suddenly lowered the interest rate to 6 percent. That meant, over a 1-year period, Chase had applied four different interest rates to his closed credit card account: 15 percent, 17 percent, 27 percent and 6 percent, which shows how arbitrary those rates are.

Then there is Bonnie Rushing of Naples, FL. For years, she had paid her Bank of America credit card on time, providing at least the minimum amount specified on her bills. Despite her record of on-time payments, in 2007, Bank of America nearly tripled her interest rate from 8 to 23 percent. The Bank said that it took this sudden action because Ms. Rushing's credit score had dropped. When we looked into why it had dropped, it was apparently because she had taken out Macy's and J. Jill credit cards to get discounts on purchases. Despite paying both bills on time and in full, the automated credit scoring system run by the Fair Issac Corporation had lowered her credit rating, and Bank of America had followed suit by raising her interest rate by a factor of three. Ms. Rushing closed her account and complained to the Florida attorney general, my Subcommittee, and her card sponsor, the American Automobile Association. Bank of America eventually restored the 8 percent rate on her closed account.

In addition to these three consumers who testified at the hearing, the Subcommittee presented case histories for five other consumers who experienced substantial interest rate increases despite complying with their credit card agreements.

I would also like to note that, in each of these cases, the credit card issuer told our Subcommittee that the cardholder had been given a chance to opt out of the increased interest rate by closing their account and paying off their debt at the prior rate. But each of these cardholders denied receiving an opt-out notice, and when several tried to close their account and pay their debt at the prior rate, they were told they had missed the opt-out deadline

and had no choice but to pay the higher rate. Our subcommittee examined copies of the opt-out notices that the companies claimed to have sent, and found that some were filled with legal jargon, were hard to understand, and contained procedures that were hard to follow. When we asked the major credit card issuers what percentage of persons offered an opt-out actually took it, they told the Subcommittee that 90 percent did not opt out of the higher interest rate—a percentage that is contrary to all logic and strong evidence that current opt-out procedures do not provide fair notice.

The case histories presented at our hearings illustrate only a small portion of the abusive credit card practices going on today. Since early 2007, our subcommittee has received letters and emails from thousands of credit cardholders describing sometimes unbelievable credit card practices and asking for help to stop it. These are more complaints than I have received in any other investigation that we have conducted in that subcommittee, or an earlier subcommittee which I chaired, in more than 30 years now in Congress. The complaints stretch across all income levels, all ages, and all areas of the country.

The bottom line is that these abuses have gone on for far too long. In fact, these practices have been around for so many years that they have, in many cases, become the industry norm. Our investigations have shown that many of the practices are too entrenched, too profitable, and too immune to consumer pressures for us to have confidence that the companies will change them on their own. For these reasons, I hope our colleagues will pass the substitute before us. It is time to return common sense, responsibility, and fairness to the credit card industry.

With thanks and gratitude to the leaders in the Banking Committee, Senators DODD and SHELBY, for the initiative they have taken and the courage they are showing in taking on some very difficult and entrenched practices.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to a period for the transaction of morning business, with Senators allowed to speak for up to 10 minutes each.

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

RENEWABLE ENERGY PERMITTING ACT

Mr. REID. Madam President, I am proud to once again have joined my friend, Senator ENSIGN, in introducing legislation that is good for Nevada and will help create jobs and contribute to rebuilding Nevada's economy.

The Federal Government owns 87 percent of Nevada's land. Nevada reaps tremendous benefits from this land—we have some of the most scenic areas and clearest skies in the country. This land is also blessed with some of the most valuable clean energy resources America has to offer—these resources alone could power the entire Nation with the right investments in our transmission grid.

I could not be prouder that President Obama and Secretary Salazar are committed to using our public lands to develop solar, wind, geothermal and biomass energy resources, and without harming sensitive areas. A week ago Saturday, Secretary Salazar came to Nevada to announce over \$26 million in Recovery funding for Nevada—a large portion for expediting renewable energy projects on BLM land. This commitment is invaluable to Nevada's future as the Nation's leader in clean renewable energy.

To continue helping this very effort and to ensure that solar and wind projects on Federal land provide maximum value to the State, Senator ENSIGN and I have introduced the Renewable Energy Permitting Act, REPA. This legislation is very similar to provisions I included in the Clean Renewable Energy and Economic Development Act, S. 539, that I introduced in March of this year.

REPA will help solar and wind projects receive BLM approval more quickly so these projects can begin generating clean energy and creating jobs sooner, rather than later and sustainable economic development opportunities.

It will also set aside a portion of the rental fees that are collected by the Government for the use of Federal lands by providing 50 percent of these revenues to the State and 25 percent to the county in which a project is located. Additionally, 20 percent will be placed into a renewable energy permit processing improvement fund for Nevada, Wyoming, Arizona, and California. The last 5 percent will be responsibly set aside to augment the restoration and reclamation that will be needed if and when these facilities are removed from our public lands. Portions of this money will also be available to acquire and protect other sensitive lands. This is an important step since, during the operation of these beneficial renewable energy facilities, the American people will lose access to hundreds of thousands of acres of incredible open space and wildlife habitat.

Our goal, is to do this right from the beginning. That means responsibly developing our vast renewable energy resources and to give States and communities new economic development opportunities that will create sustainable growth and grow the clean energy industry locally.

Senator ENSIGN and I have a long history of working together to overcome the challenges Nevada faces because of the significant presence of Federal land in our State. Our efforts have made those lands work for Nevadans from all walks of life.

I look forward to continuing these efforts with my friend Senator ENSIGN.

SILVER STAR RECIPIENTS

Mr. DORGAN. Madam President, on Thursday I was privileged to host a bipartisan lunch of the Senate Democratic and Republican policy committees, in honor of a team of Green Berets who earned the Silver Star for extraordinary bravery in combat operations in Afghanistan. These are true American heroes, and their actions were in the proudest traditions of our Armed Forces in general, and of our Special Operations forces in particular.

On April 6, 2008, this team's mission was to capture or kill several very high-ranking members of the Hezb-e-Islami Gulbuddin, HIG, militant group. The insurgents were in their stronghold, a village perched in Nuristan's Shok Valley that is normally accessible only by pack mule.

During a harrowing, nearly 7-hour battle on a mountainside, this team and a few dozen Afghan commandos they had trained took fire from all directions. Outnumbered, the Green Berets fought on even after half of them were wounded—and managed to kill an estimated 150 to 200 enemy fighters.

For their heroism in battle, 10 members of Operational Detachment Alpha 3336 from the 3rd Special Forces Group received the Silver Star, one of the highest awards for valor in the U.S. Military. This was the highest number of such awards for a single engagement since the Vietnam war.

The men who earned these Silver Stars were CPT Kyle Walton, SFC Scott Ford, SSG Luis Morales, SSG Seth Howard, SSG Ronald Shurer, SSG John Walding, SSG Dillon Behr, SGT David Sanders, SGT Matthew Williams, and SPC Michael Carter.

I will ask to have printed in the RECORD a copy of their Silver Star citations. I will also ask to have printed in the RECORD a copy of a Washington Post report describing the battle on that Afghan mountainside.

Mr. President, as I mentioned earlier, it was our privilege to honor these heroic Green Berets, who were joined at the lunch by SSG Robert Gutierrez, Jr., an Air Force special tactics combat controller who targeted airstrikes during the mission. For his actions, he was awarded the Bronze Star Medal with "V" device for valor.

No words can truly express the depth of our gratitude to these men and all the other members of our Armed Forces who have answered their country's call.

Madam President, I ask unanimous consent to have the materials to which I referred printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Washington Post, Dec. 12, 2008]

10 GREEN BERETS TO RECEIVE SILVER STAR FOR AFGHAN BATTLE

(By Ann Scott Tyson)

After jumping out of helicopters at daybreak onto jagged, ice-covered rocks and into water at an altitude of 10,000 feet, the 12-man Special Forces team scrambled up the steep mountainside toward its target—an insurgent stronghold in northeast Afghanistan.

"Our plan," Capt. Kyle M. Walton recalled in an interview, "was to fight downhill."

But as the soldiers maneuvered toward a cluster of thick-walled mud buildings constructed layer upon layer about 1,000 feet farther up the mountain, insurgents quickly manned fighting positions, readying a barrage of fire for the exposed Green Berets.

A harrowing, nearly seven-hour battle unfolded on that mountainside in Afghanistan's Nuristan province on April 6, as Walton, his team and a few dozen Afghan commandos they had trained took fire from all directions. Outnumbered, the Green Berets fought on even after half of them were wounded—four critically—and managed to subdue an estimated 150 to 200 insurgents, according to interviews with several team members and official citations.

Today, Walton and nine of his teammates from Operational Detachment Alpha 3336 of the 3rd Special Forces Group will receive the Silver Star for their heroism in that battle—the highest number of such awards given to the elite troops for a single engagement since the Vietnam War.

That chilly morning, Walton's mind was on his team's mission: to capture or kill several members of the Hezb-e-Islami Gulbuddin (HIG) militant group in their stronghold, a village perched in Nuristan's Shok Valley that was accessible only by pack mule and so remote that Walton said he believed that no U.S. troops, or Soviet ones before them, had ever been there.

But as the soldiers, each carrying 60 to 80 pounds of gear, scaled the mountain, they could already spot insurgents running to and fro, they said. As the soldiers drew closer, they saw that many of the mud buildings had holes in the foot-thick walls for snipers. The U.S. troops had maintained an element of surprise until their helicopters turned into the valley, but by now the insurgent leaders entrenched above knew they were the targets, and had alerted their fighters to rally.

Staff Sgt. Luis Morales of Fredericksburg was the first to see an armed insurgent and opened fire, killing him. But at that moment, the insurgents began blasting away at the American and Afghan troops with machine guns, sniper rifles and rocket-propelled grenades—shooting down on each of the U.S. positions from virtually all sides.

"All elements were pinned down from extremely heavy fire from the get-go," Walton said. "It was a coordinated attack." The insurgent Afghan fighters knew there was only one route up the valley and "were able to wait until we were in the most vulnerable position to initiate the ambush," said Staff Sgt. Seth E. Howard, the team weapons sergeant.

Almost immediately, exposed U.S. and Afghan troops were hit. An Afghan interpreter was killed, and Staff Sgt. Dillon Behr was shot in the hip.

"We were pretty much in the open, there were no trees to hide behind," said Morales, who with Walton pulled Behr back to their position. Morales cut open Behr's fatigues and applied pressure to his bleeding hip, even though Morales himself had been shot in the right thigh. A minute later, Morales was hit again, in the ankle, leaving him struggling to treat himself and his comrade, he said. Absent any cover, Walton moved the body of the dead Afghan interpreter to shield the wounded.

Farther down the hill in the streambed, Master Sgt. Scott Ford, the team sergeant, was firing an M203 grenade launcher at the fighting positions, he recalled. An Afghan commando fired rocket-propelled grenades at the windows from which they were taking fire, while Howard shot rounds from a rocket launcher and recoilless rifle.

Ford, of Athens, Ohio, then moved up the mountain amid withering fire to aid Walton at his command position. The ferocity of the attack surprised him, as rounds ricocheted nearby every time he stuck his head out from behind a rock. "Typically they run out of ammo or start to manage their ammo, but . . . they held a sustained rate of fire for about six hours," he said.

As Ford and Staff Sgt. John Wayne Walding returned fire, Walding was hit below his right knee. Ford turned and saw that the bullet "basically amputated his right leg right there on the battlefield."

Walding, of Groesbeck, Tex., recalled: "I literally grabbed my boot and put it in my crotch, then got the boot laces and tied it to my thigh, so it would not flop around. There was about two inches of meat holding my leg on." He put on a tourniquet, watching the blood flow out the stump to see when it was tight enough.

Then Walding tried to inject himself with morphine but accidentally used the wrong tip of the syringe and put the needle in his thumb, he later recalled. "My thumb felt great," he said wryly, noting that throughout the incident he never lost consciousness. "My name is John Wayne," he said.

Soon afterward, a round hit Ford in the chest, knocking him back but not penetrating his body armor. A minute later, another bullet went through his left arm and shoulder, hitting the helmet of the medic, Staff Sgt. Ronald J. Shurer, who was behind him treating Behr. An insurgent sniper was zeroing in on them.

Bleeding heavily from the arm, Ford put together a plan to begin removing the wounded, knowing they could hold out only for so long without being overrun. By this time, Air Force jets had begun dropping dozens of munitions on enemy positions precariously close to the Green Berets, including 2,000-pound bombs that fell within 350 yards.

"I was completely covered in a cloud of black smoke from the explosion," said Howard, and Behr was wounded in the intestine by a piece of shrapnel.

The evacuation plan, Ford said, was that "every time they dropped another bomb, we would move down another terrace until we basically leapfrogged down the mountain." Ford was able to move to lower ground after one bomb hit, but insurgent fire rained down again, pinning the soldiers left behind.

"If we went that way, we would have all died," said Howard, who was hiding behind 12-inch-high rocks with bullets bouncing off about every 10 seconds. Insurgents again nearly overran the U.S. position, firing down from 25 yards away—so near that the Americans said they could hear their voices. Another 2,000-pound bomb dropped "danger