

Adeel Abdullah Mangi, a nominee for the U.S. Circuit Court of Appeals.” I am going to read this in its entirety because it clearly rebuts the charge that was made on the Senate floor today that this nominee is anti-Semitic:

As the leading anti-hate organization in the world, whose mission is “to stop the defamation of the Jewish people and to secure justice and fair treatment to all,” ADL is compelled to speak out about the inappropriate and prejudicial treatment of Adeel Abdullah Mangi, a nominee for the U.S. Circuit Court of Appeals, during the Judiciary Committee Hearing on December 13, 2023.

The ADL statement goes on to say:

During his confirmation hearing, Mr. Mangi was subjected to aggressive questioning unrelated to . . . professional expertise or qualifications. Rather, he was forced to provide responses to a wide range of inquiries regarding his views on global strategic considerations in a manner that inappropriately politicized these issues and raised serious questions regarding pretext and bias.

The ADL statement goes on to say:

Just as associating Jewish Americans with certain views or beliefs regarding Israeli government actions would be deemed antisemitic, berating the first American Muslim federal appellate judicial nominee with endless questions that appear to have been motivated by bias towards his religion is profoundly wrong.

The ADL goes on to say:

Hate, bias, and bigotry have no place in government, especially in the hallowed halls of Congress. When nominees approach a congressional hearing, their religion, heritage, race, gender, or any other protected identity characteristic should not be a subject for political fodder.

This was an attempt to create controversy where one did not exist.

ADL urges leaders to refrain from fueling discrimination and hate—and urges the Senate to offer Mr. Mangi a fair vote, based on his qualifications and fitness for the job.

That statement from the ADL—as they describe themselves, the “leading anti-hate organization in the world” when it comes to the Jewish people—is specific and directed toward those who are really making criticisms of Mr. Mangi which are not warranted in any aspect of fact.

To have a man characterized as anti-Semitic on the floor of the U.S. Senate is a gross miscarriage of justice in this case. This gentleman could not have been more explicit in his statements against terrorism, against what happened in Israel on October 7, and the fact that he is coming before this body with no prejudice whatsoever toward the Jewish people.

The questions that were asked of him, a Muslim nominee, are heart-breaking. At one point, one of the Republican Senators asked if he celebrated 9/11 in his family household. He said: Of course not. He was sickened by what happened on that day and had friends who were associated with the losses.

This kind of treatment of any nominee is unacceptable in America. To charge someone as anti-Semitic on the floor of the U.S. Senate is truly unfor-

tunate, if not scandalous in itself. We should be fair to every nominee, whether proposed by a Democratic or Republican President, and we should not have any prejudice or bigotry when it comes to a person because of their religious beliefs.

I am sorry that this was said on the floor of the Senate this morning. I hope that the person who did it will have second thoughts about whether or not that was appropriate.

#### CREDIT CARD COMPETITION ACT OF 2023

Now, Mr. President, on a completely separate issue, last month, I invited the CEOs of Visa, Mastercard, United Airlines, and American Airlines to testify before the Judiciary Committee, which I chair, about competition in the credit card market.

I have been working for nearly 20 years to break the Visa-Mastercard duopoly in the debit and credit markets, which would reduce costs for small businesses and lower prices for consumers.

In 2006, I was the most junior member of the Judiciary Committee when I first learned about interchange fees. I literally didn’t know they existed. They are known as swipe fees as well. These are fees that are deducted every time you swipe your debit or credit card and paid to the bank that issued the card.

For debit transactions, this fee is now capped at 21 cents, plus .05 percent of the transaction. That is because of legislation which is known either in an honorable way or in a questionable way as the Durbin amendment that I wrote in the year 2010. However, for credit card transactions, interchange fees are much higher—in the range of 2 to 3 percent. That means if you go to a restaurant and pay \$20 for your meal, 40 to 60 cents goes to the bank that issued the credit card you used to pay for the meal.

This may not sound like a lot, but it adds up. It is estimated that businesses paid more than \$100 billion in swipe fees on Visa- and Mastercard-branded cards in 2023 alone. In fact, swipe fees can be small businesses’ second highest cost behind only the cost of labor.

Small businesses have no choice but to pay the fees. Visa and Mastercard control more than 80 percent of the U.S. credit card market, accounting for 576 million cards. They use this power to dictate interchange fees to businesses. It is a take-it-or-leave-it proposition.

Because margins at these small businesses are often low, they feel compelled to pass on these fees directly to consumers in the form of higher prices. This means all of us—whether you pay with a credit card, a debit card, or cash—are subsidizing banks like JPMorgan Chase, which just announced it made \$49.6 billion in net income in 2023—the most in the history of the American banking industry.

Thankfully, there is an answer or a solution to the problem. The Credit Card Competition Act, a bipartisan bill

I introduced last year with Republican Senator ROGER MARSHALL of Kansas, would inject much needed competition into the credit card market and break the Visa-Mastercard stronghold.

Here is what our bill says: If a bank with \$100 billion or more in assets—only 30 banks, incidentally, qualify—wants to issue a credit card on the Visa or Mastercard network, it would have to offer a second network other than Visa or Mastercard to process transactions.

That is known euphemistically as competition. In this way, merchants will finally have a choice. If Visa or Mastercard offers the best service or security or the lowest cost, the merchant can use it, but if the other network offers a better deal, the merchant can choose that instead. That is known as competition.

By forcing Visa and Mastercard to actually compete for merchants’ business, we are aiming to end the cycle of increasing interchange fees that is breaking the backs of small businesses.

As you can imagine, Visa, Mastercard, and their big bank partners don’t like our bill.

The bill is expected to save merchants and consumers \$15 billion every year in interchange fees. That is \$15 billion a year coming out of the pockets of Wall Street banks and into the pockets of American consumers.

That is why the credit card companies and banks have poured more than \$51 million into lobbying efforts to defeat my bill—\$51 million. They have also enlisted airlines in their effort. An article in *The Atlantic* recently explained why:

Airlines are just banks now. They make more money from [their] mileage programs [and credit cards] than from flying airplanes.

So as you think of a major airline, like United Airlines, it is basically a credit card company that owns some planes. That is why anyone who has traveled through the airport here in DC, watched TV, or used the internet is probably seeing ads claiming “DICK DURBIN wants to take away your credit card rewards.” The problem in these breathless claims is that they are false. Rewards programs will be alive and well long after the Credit Card Competition Act becomes law. We know this from data, real-world experience, and common sense.

Let’s start with data. One study found that my bill would have a negligible impact at most on rewards and noted that banks’ swipe fees provide a more than sufficient margin to maintain current reward levels. That is a far cry from what consumers suffered when United Airlines recently devalued its miles for international travel last summer.

These findings are consistent with the experiences of other countries. Other countries have decided to protect their consumers from these swipe fees with their credit cards. Australia capped the interchange fee at 0.8 percent in 2003. The European Union

capped interchange fees at 0.3 percent in 2015.

Rewards programs haven't gone away in either place. In fact, most major European airlines offer rewards programs that are comparable, if not better, than the ones offered in the United States. The reason is simple: Banks have to compete against each other for customers, and there are few things that make one credit card more attractive to a customer than others, other than perhaps a better rewards program. This dynamic won't change when the Credit Card Competition Act becomes law.

That brings me back to the hearing. The Judiciary Committee last held a hearing on competition in the credit card market in May of 2022. Visa and Mastercard have increased their fees since that hearing and are planning to do so again next month. Even in the midst of concerns about inflation, they keep raising this fee over and over again, even as consumers are trying to fight the fires of inflation.

That is why I invited the CEOs of Visa, Mastercard, United Airlines, and American Airlines to come testify before the Judiciary Committee on April 9.

Guess what? All four CEOs rejected my invitation. They are just too darn busy to come and explain the major source of profits for their businesses. They are too darn busy to come explain what they are doing to consumers and families across America.

Some say: We just don't understand the issue well enough to testify before your committee.

They are the CEOs of the company, and they don't understand the issue? Like their attacks on my bill, the CEOs' excuses why they can't appear before the American people to answer questions don't hold water.

Killing the Credit Card Competition Act has been and remains a top priority for these companies, as evidenced by the more than \$51 million lobbying effort that they have undertaken against my bill. I guess I should feel flattered that they would spend \$51 million lobbying to try to stop this legislation; but, frankly, it infuriates me that they won't come before this committee under oath and testify, yet they are spending all this money in secret fashion.

Several of the CEOs have been personally engaged in this issue. Scott Kirby, who is the CEO of United Airlines, told investors that my bill is "bad policy" and that he had personally "spent a fair amount of time in DC talking about [the bill]." Mastercard CEO Michael Miebach told investors he was "closely engaged" in efforts to defeat this legislation.

If these CEOs are willing to discuss the Credit Card Competition Act with Wall Street investors and lawmakers behind closed doors, they should be willing to answer questions before the Senate Judiciary Committee and the American public under oath.

If the credit card market really is working for small businesses and con-

sumers, then I say to Ryan McInerney, Michael Miebach, Scott Kirby, and Robert Isom: You should have nothing to hide. The fact that you are refusing to appear and publicly defend your skimming of every credit card transaction in America speaks volumes.

I yield the floor.

The PRESIDING OFFICER (Mr. LUJAN). The Senator from Arkansas.

EL SALVADOR

Mr. COTTON. Mr. President, I recently returned from a trip to El Salvador, where I met President Nayib Bukele and saw firsthand the effects of his remarkable transformation of that country from the most dangerous nation in our hemisphere to one of the safest.

As we drove around San Salvador, the images were commonplace yet extraordinary—children played soccer in the parks, young women jogged at twilight, couples dined outdoors—commonplace because one should expect to see such scenes in any decent community; extraordinary because they were unheard of just a few years ago.

Unfortunately, this trip was also a reminder that President Biden is as weak, unpopular, and divisive abroad as he is at home. And just as he coddles criminals and cartels in our own country, he too often sympathizes with them in other nations.

Since taking office, President Biden has refused to meet President Bukele, Secretary of State Tony Blinken has criticized him, and the administration has significantly reduced foreign assistance to his government.

One must ask why. After all, President Bukele is the most pro-American leader in Latin America, and he overwhelmingly won two elections—free and fair elections, I must add, contrary to liberal allegations. Indeed, one of his bigger vote shares came from Salvadorans living outside the country, including in the United States, far removed from any supposed intimidation or coercion inside El Salvador.

It is not surprising because, after years of bloodshed, the Bukele government is bringing stability and safety to a country that desperately needs it, which is also good for America. There has been a 40-percent drop in illegal Salvadoran migrants arriving at our border.

No, Joe Biden doesn't oppose President Bukele for good or fairminded reasons. He opposes President Bukele because he is tough on El Salvador's murderous gangs, the most prominent of which is MS-13, a group with the psychotic motto "kill, rape, control."

Our own country has experience with this sadistic gang. In 2017, not far from here in Wheaton, MD, members of MS-13 beheaded a man, cut his heart out, and stabbed him over 100 times. The year before, members of the gang murdered two teenage girls on Long Island, NY, using baseball bats and a machete. And just last year, an illegal immigrant member of MS-13 in California was convicted of torturing and mur-

dering a 10-year-old boy. Let me say that again. He tortured and murdered a 10-year-old boy.

That is what MS-13 has done here in America, the richest and most powerful Nation in the world. It has done far worse to the people of El Salvador. And MS-13 isn't alone. Factions of the infamous 18th Street gang also terrorized the country. Before the government's crackdown, more than 100,000 gang members and associates roamed the streets of the nation of fewer than 6½ million people. For years, they waged war with each other and the government, turning neighborhoods and cities into ungovernable battlefields. They would impress preteen boys into their gangs or demand preteen girls provide sexual favors—or they would kill the whole family and still take the boy or girl.

As a result, El Salvador has long been one of the most dangerous nations on Earth. Indeed, it was so dangerous that many of my Democratic colleagues have argued that those fleeing the country should automatically be eligible for asylum here. In late March 2022, 2 years ago, the nation reached its breaking point when gang members committed 87 murders in a single weekend, killing more people in 3 days than were killed in the entirety of the previous month. Tragically, March 26, 2022, marked the deadliest day in El Salvador since the end of that nation's civil war 30 years ago.

Finally, people had had enough. President Bukele requested the declaration of a state of emergency, and the National Assembly agreed. The government surged troops throughout the country, overwhelming the gangs and arresting and imprisoning its members. One active gang member told reporters:

There were too many soldiers everywhere all at once.

According to recent estimates, the Bukele government has imprisoned more than 75,000 gang members and killed hundreds more. President Bukele's prison-or-death anti-gang strategy has worked. In 2022, the number of murders in El Salvador dropped nearly 57 percent and then dropped another 70 percent last year. In 2018, the Salvadoran murder rate stood at 53 per 100,000. Last year, it was 2.4 per 100,000. For context, Washington, DC, had a murder rate of 40 per 100,000 last year. That means I was much safer 2 days ago in what was once the murder capital of the world than any of us today are in Joe Biden's Washington.

Yet Joe Biden, one of the least popular, least successful, and most procriminal leaders in the world, is lecturing one of the hemisphere's most popular and accomplished Presidents on crime. In particular, the Biden administration has expressed concern that the emergency declaration, which suspends certain due process protections, is a threat to the rule of law—apparently, an even greater threat than the marauding thousands of gang members still at large.