will be a crucial step toward deterring the types of financial fraud and illegal manipulation of markets that are the root cause of the current economic crisis.

Law enforcement agencies charged with protecting the American people from financial fraud are chronically understaffed. These agencies are in desperate need of personnel to help them because these schemes, such as the one I mentioned in Maryland, are ones where people have to be involved. You just can't do this working out of some office. We need investigators, we need prosecutors, we need personnel with specialized knowledge who can investigate and prosecute complicated money-laundering schemes, mortgage fraud, and conspiracies to manipulate derivatives. The Fraud Enforcement and Recovery Act will give the FBI, the Department of Justice, and other Federal agencies the resources to hire the help they need to protect American investments. It will also close several legal loopholes that otherwise may allow individuals guilty of criminal conduct to evade prosecution. Individuals who have engaged in corruption or deliberate criminal behavior should not be able to escape punishment on a technicality.

This bill would update Federal fraud statutes to include mortgage lending businesses that are not directly regulated or insured by the Federal Government. Although these companies were responsible for nearly half of the residential mortgage market before the economic collapse, they have remained largely unregulated. It would also protect the funds provided under the economic recovery plan and the Troubled Asset Relief Program and swiftly punish anyone who would attempt to misuse this money.

Finally, this bill will strengthen the False Claims Act, one of the most important civil tools we have for rooting out fraud in Government. In the last few months, we have taken strong steps to steer the American economy toward recovery, but we must do more. We must ensure that the money we are spending to get our economy back on track is used in the manner in which we intended it.

The American people are depending on us to act quickly to ensure that those whose criminal behavior caused the current financial crisis are brought to justice and to ensure law enforcement has the tools and resources to deter such conduct in the future. We cannot allow con artists to cheat working families who play by the rules. We cannot allow them to deceive those who make an honest living. We cannot let them steal from people who seek nothing more than their fair share of the American dream.

I would like to spread across the record here what terrific work Senator LEAHY, the chairman of the Judiciary Committee, has done—and members on his committee. This is important legislation. The wise nature of Senator LEAHY and his experience have allowed this bill to be reported out of that big committee, and it is going to pass tomorrow. I commend and applaud Senator LEAHY for his good work. It is something the country has badly needed. It is long overdue, but it is certainly ripe for passage now.

I urge my colleagues to support the Fraud Enforcement and Recovery Act and protect struggling homeowners at the time they need it the most.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

U.S. FOREIGN POLICY

Mr. MCCONNELL. Mr. President, America faces many serious challenges, not only at home but abroad. I was reminded of that fact in a vivid way during my own recent trip to Iraq and to the broader Middle East. I was reminded of it as I followed, with great interest, the President's recent trips to Europe and South America as well as some of his recent decisions relating to the shape and spirit of U.S. foreign policy.

What these trips and decisions have shown many of us is that looking forward we would do well to reaffirm some basic foreign policy principles that have served America well in the past; namely, that our security and our prosperity rely on a strong national defense, both militarily and with regard to the gathering of intelligence, and that America must honor its commitments to allies and alliances. This afternoon, I would like to take a few moments to explain why these principles are so important. I would also like to outline a few of the areas where I agree and where I respectfully disagree with the foreign policy decisions the new administration has made.

I will begin with the praise. In my view, the President admirably followed the principle of maintaining and employing a strong defense when he accepted the advice of his military commanders to withdraw U.S. troops from Iraq based on conditions on the ground, not political calculations. He followed this principle again by pursuing in Afghanistan the same counterinsurgency strategy that has worked in Iraq. The administration deserves credit for both decisions. I have not been hesitant in giving it that credit.

The next step, of course, is to keep our forces ready. In order to do so, the Senate must pass the administration's supplemental spending request to train and equip the armed services. This is a spending request I will support.

Unfortunately, the administration erred when it selectively declassified a number of so-called CIA interrogation memos almost in their entirety. The choice on this issue was clear: Defend career intelligence professionals or reveal to al-Qaida terrorists the interrogation methods they can expect to face if captured.

The administration chose the latter. That was a mistake. It would also be a mistake for the administration to pursue or condone the kind of protracted investigation that some have proposed into intelligence-gathering efforts after the 9/11 attacks.

Some of the President's own advisers have warned that such an investigation would only serve to demoralize the intelligence community and, therefore, weaken its ability to protect the American people. Moreover, the President himself has repeatedly said America must use all the tools in its arsenal addressing problems we face, including, presumably, the ongoing threat of Islamic terrorists.

Weakening our tools of intelligence through an investigation of the intelligence community and other key decisionmakers would, by definition, make that pledge impossible to fulfill. It would also serve to divide us, I fear, at a time when we must continue to present a united and determined front to our known enemies.

In my view, the Commander in Chief has an obligation to unify the country while we are at war and at risk. Looked at in this context, attacking each other on these issues is not only counterproductive, it is actually dangerous. It is important to remember we are still very much engaged in a global fight against terror, and as long as that fight continues, a strong, ready defense will require strong support for an intelligence community that is uniquely equipped to deal with many of the problems that arise in this fight.

At a time such as this, hampering the vital work of our Nation's intelligence professionals is exactly the wrong thing to do. I have already openly and repeatedly expressed my disagreement with the administration's approach on Guantanamo. Americans would like to know why they are preparing to transfer prisoners involved in the 9/11 attacks either to facilities that are outside our control entirely or here in the United States. They want assurances the next detention facility, or the country to which they are transferred, keeps them as safe as Guantanamo has.

So far, the administration has not been able to provide those assurances. Its only assurance is that Guantanamo will close sometime within the next 9 months. To achieve that goal, the administration has asked Congress for $80 million in the upcoming supplemental war funding bill. In my view, Congress would be shirking its duties if it were to approve these funds one second—one second—before we know exactly what the administration plans to do with these terrorists.

News reports over the weekend suggest the administration is very close to announcing the release of a number of detainees into the United States, not to detention facilities but into the

United States, directly into our communities and neighborhoods right here on U.S. soil.

Virtually every Member of the Senate is on record opposing the transfer of detainees to U.S. soil, even if it only meant incarcerating them in some of our Nation's most secure prisons. We had that vote a couple years ago, 94 to 3. The presumption was that they would be coming to the United States and incarcerated, not free. The Senate expressed itself 94 to 3 against such a release.

Until these new reports emerged, no one had even ever contemplated the possibility of releasing trained terrorists into American communities. It never occurred to anyone. If the administration actually follows through on this shocking proposal, it will have clearly answered the question of whether its plan for the inmates at Guantanamo will keep America as safe as Guantanamo has.

By releasing trained terrorists into civilian communities in the United States, the administration will, by definition, endanger the American people. Moreover, by releasing trained terrorists into the United States, the administration may run afoul of U.S. law, something that was pointed out to us by the Senator from Alabama some weeks back. Many were unaware that such a release might actually violate U.S. law, and I believe the Senator from Alabama will have more to say about that shortly.

That law presumably would prohibit admission to the United States of anyone who has trained for, engaged in, or espoused terrorism. Before any decision is made that will affect the safety of American communities, the Attorney General needs to explain how his decision will make America safer and whether this decision complies with U.S. law.

I also disagree with the administration's recent pledge to ratify the Comprehensive Test Ban Treaty, a treaty that we have voluntarily abided by for years. Before the President rushes to fulfill this goal, America needs assurances that our nuclear stockpile is both reliable and safe. As our nuclear stockpile ages, the assurance becomes increasingly important. There are only two ways to ensure the safety of our nuclear stockpile: through actual tests or by investing in a new generation of warheads. At the moment, the administration is not willing to do either. When it comes to deterrence, this represents a serious dilemma.

As Defense Secretary Gates has said:

> There is absolutely no way that we can maintain a credible deterrent and reduce the number of warheads in our stockpile without resorting [either] to testing our stockpile or pursuing a modernization program.

As we seek to keep our defenses strong, we must also be careful to keep our commitments to our allies and friends, particularly in the Middle East and in NATO. After all, what good is an alliance if one of its members cannot be trusted to uphold its end of the bargain. If America cannot be expected to keep its word, we cannot expect others to keep theirs.

Now, our NATO allies need to know we will not walk away from missile defense or rush to reduce our own nuclear stockpile in the misguided hope of securing a promise of cooperation from Russia with respect to Iran. The notion that the key to containing Iran lies with Russian cooperation is not new. But it has repeatedly proven to be futile. The previous administration pursued the path of cooperation in the form of the Nuclear Cooperation 123 Agreement, and Russia did not end its arms sales to Iran as a result.

I might add, that treaty was subsequently withdrawn. We should learn from our mistakes, not repeat them. This means that as we engage the Russians, we must also do so as realists. The newer members of the NATO alliance must know the United States will not help Russia carve out a new sphere of influence in the 21st century to match the one it had in the second half of the 20th century.

The administration should be equally realistic in its dealings with Iran. It must make perfectly clear that pursuit of nuclear weapons is unacceptable. This means explaining to our friends and to our foes that the pursuit of such a program will have consequences. Israel and a number of moderate Arab regimes have all risked a great deal in confronting Islamic extremism. We need to assure every one of them that the administration's negotiations with Iran will lead to real results.

The challenges we face abroad will require much patience and endurance, as they always have. Efforts to improve our image abroad are a part of that. But we should not overvalue the power of personal diplomacy in overcoming problems that have been with us for years. We saw this recently with Iran. In response to the administration's offer of a new era of engagement that is honest and grounded in mutual respect, Iran convicted an American journalist to 8 years in jail after a secret trial and accused the United States in an international forum of conspiring to create Israel on the ''pretext of Jewish sufferings.''

The administration offered respect, and Iran responded with contempt. Iran continues to fund terrorist organizations such as Hezbollah and Hamas, and there is little evidence that any incentive can keep the Supreme Leader of Iran, Khamenei, from pursuing a nuclear weapon.

Iran must be deterred.

Then there is Cuba. In response to the administration's proposal for a ''fresh start'' in our relations with Communist Cuba, Fidel Castro said the new administration had confused his brother Raul's reaffirmation of the Cuban Revolution and its principles for an openness to discussing Democratic reform.

As far as fresh starts go, this was not particularly encouraging to me, nor was it likely to encourage the 11 million Cuban citizens who continue to be denied any basic human right, the thousands of Cubans who, according to the State Department, are forced to serve jail sentences without even having been charged of a specific crime or human rights advocates who face arbitrary arrest, detention, and the denial of a fair trial.

What about Venezuelans who face arbitrary arrest and detention and who cannot expect a fair trial? It is unlikely they would cheer by the new administration's warm embrace of a man who oppresses them. Imagine the signal this sends to those in Venezuela and throughout the world who are fighting for the freedom and Democratic reforms and who expect the United States to defend and to protect their efforts in our dealings with friends and foes alike.

Similarly concerning is the increasing reliance on special envoys. The administration has rushed several of those envoys, all fine public servants, to foreign capitals. Yet none of them were subject to Senate confirmation or are answerable in any way to Congress. I see by the morning paper they require considerable staff.

These envoys face significant challenges, from divides among the Palestinian people to the growth of the Taliban inside Pakistan. During their negotiations, these envoys are likely to make commitments that Congress will be expected to fulfill or fund, but Congress cannot be expected to simply hand out funds to support negotiations we know nothing about. These special envoys should be accountable to Congress.

Every American President from George Washington to the current day has struggled to balance America's interests with its ideals. This is something Americans have long accepted. But the rush to initiate fresh starts with old adversaries or to find quick solutions to the many complex problems we face is not always advisable when it comes to advancing our long-term interests or in preserving and strengthening alliances or our relationships with allies.

Republicans will have many reasons to stand with the President in the months and years ahead. But we will not be reluctant to remind them of some of the principles that have served us well in the past or to speak out against decisions with which we respectively disagree.

As we wage two wars overseas, we must be sure to maintain strong relations with our allies.

Some days they will need us. Some days we will need them. But in a dangerous world, these vital relationships must be preserved. We must also preserve the dominance of the U.S. military in the near term and in the long term. And any arms control agreement sent to the Senate must be verifiable and clearly in the national interest.

These are principles all of us should agree on and all of us should be eager

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 Turkish 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