

Kaczynski, the Unabomber; and Terry Nichols, the Oklahoma City coconspirator. Our courts work. Why would we choose to tie the hands of this administration to choose the most effective place to try a terrorist?

This notion, too, about keeping Guantanamo open, that it was just President Obama's idea, no, it happened to be Senator McCain's idea as well, his opponent in the Presidential election. He called for the closing of Guantanamo, as well as GEN Colin Powell, who was head of not only our State Department but head of national security under former Presidents. It is an indication to me that this, on a bipartisan basis, is something that should be done and done in a careful way. I would agree with that. But let's be honest. There has been a bipartisan consensus that this is a good thing to do to make America safe.

The last point I would like to make on this issue is that we have a responsibility to tell the world that those who are accused of terrorism will be tried in our courts or before our military commissions in a way that respects due process so that at the end of the day, we do not have an outcome where people question whether we applied the principles and values to these trials as we apply them to other trials involving Americans.

For those who argue they should be given the back of the hand, ignored, no warnings, no due process, at the end of the day we will not be stronger if we follow that counsel and that advice regardless of the outcome and afraid America's intentions will be questioned. I want us to be strong in this world, not fearful and shuddering and quivering before these alleged terrorists. We need to stand up strong, be safe as a nation, gather the information.

This so-called Christmas Day bomber who was found on this plane, whether he should have been Mirandized or not, the fact is, after a short period of time his family was brought to where he is being held in a Federal penitentiary—I might add, in Michigan—and after meeting with them, he gave even more information. To argue that he has not been helpful and not forthcoming I think states something the record does not reflect.

#### SNOWFALL IN WASHINGTON

Mr. DURBIN. Madam President, I first came here as a student in 1963. It is a great city. I went to college here, law school here. I lived a big part of my life, at least part time, in Washington, DC. I never could get over how people in this town reacted to snow. I am convinced that infants born in Washington, DC, are taken from the arms of their loving mothers right when they are born into a room where someone shows a film of a snowstorm with shrieking and screaming so that those children come to believe snow is a mortal enemy, like a nuclear attack, be-

cause I have seen, for over 40 years here, people in this town go into a full-scale panic at the thought of a snowfall. We joke about it. Those of us from parts of the country that get snow and know how to live with it cannot get over how crazy the reaction is many times. But in fairness, this has been a heck of a snowstorm. It is the largest on record in Washington, DC.

I wish to say a word on behalf of the people of the District of Columbia and all of the surrounding suburbs but especially for those who work on Capitol Hill, the Capitol Police as well as those in the Architect's office, who have literally been working night and day to make sure visitors who still come to this Capitol in the middle of a blizzard—I saw them yesterday coming up to take pictures of our Capitol dome—can come here safely. They have done an exceptional job. Today is no exception. Many of the members of our staff in the Senate and the folks who work here came trudging through the snow, and it was not easy to get here. I wish to say a word of thanks to all of them for the special sacrifice they have made and to say to the folks in Washington, DC: This was a heck of a snowstorm. You had every right to be concerned. Some of the other ones, maybe not, but this one was the real deal.

Madam President, how much time do I have remaining?

The PRESIDING OFFICER. Three minutes.

#### HOME FORECLOSURES

Mr. DURBIN. Madam President, I wish to say one last word about an issue that affects my State and many others too. We received news today that the foreclosures of houses in Illinois have increased dramatically over last year—a 25-percent increase in foreclosures in Illinois over the last year. The same thing is true of many other States. The States hit the hardest are Nevada, Arizona, California, Florida, Utah, Idaho, Michigan, Illinois, Oregon, and Georgia.

We have to do more. The current system we have to deal with foreclosures is not working well. I met this morning with Treasury Secretary Geithner and gave him some ideas. I hope my colleagues will join me in coming up with approaches that will try to save people from this terrible outcome of foreclosure. Many people have lost their jobs and cannot pay their mortgages. Understandable. Maybe we can help them stay in their houses as renters or some other circumstance. Some have seen the value of their home start to decline to the point where the value of the home is less than the outstanding mortgage and there is no incentive to continue to sacrifice and make a mortgage payment for a home that is worth a fraction of its original value.

Those are realities. But the reality of foreclosure is obvious. I was with Congresswoman JAN SCHAKOWSKY in Evanston, IL, a few days ago. We went

down Gray Street and saw homes that had been good, solid, middle-class homes now boarded up literally for years that have become a blight on that neighborhood, dragging down the value of every other home and threatening the safety of the neighborhood as they become drug and crime havens. We are also seeing a phenomena like that in places such as Marquette Park in Chicago where the depopulation of neighborhoods is leading to commercial flight—food deserts in the city of Chicago brought about by foreclosures.

These banks have not done enough, period. They have not stepped up to their responsibility. I tried to change the Bankruptcy Code to give us a fighting chance for a bankruptcy judge to rewrite a mortgage to avoid foreclosure, and I was defeated by the banks. They have a powerful lobby on Capitol Hill even to this day despite what we have gone through.

This foreclosure situation has gone from bad to worse. I don't believe America can truly recover economically until we address this issue in a forthright manner. I look forward to working with the Treasury Secretary and the administration to do that when we return from the Presidents Day recess.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### TERRORIST TRIALS

Mr. SESSIONS. Madam President, I wish to share a few thoughts on a matter of concern; that is, our national security and the procedure by which we are handling people we arrest who are attacking this country. It will be a bit of a follow-on to what Senator BOND of Missouri had to say. I disagree with my distinguished colleague, Senator DURBIN, the assistant Democratic leader in the Senate. He is a member of the Judiciary Committee. I think he is wrong about that. I serve on the Judiciary Committee, too, and I would like to share a few thoughts.

First, there has been a full-scale attempt to assert that President Bush tried most of the terrorists or terrorism-related cases that developed over the years in the normal civilian courts. That is true to some degree. I notice that in the 195 cases Senator DURBIN said were tried in the Federal courts, he counted the Unabomber and Terry Nichols, one of the ones who blew up the Oklahoma City Federal Building. There is a big distinction: The Unabomber was not officially at war with the United States, had not declared war on the United States as al-Qaida has, and the United States had not declared war on him or on Terry Nichols, who was unknown, I suppose, to anybody at the time he committed that crime and was tried. A lot of the other cases deal with such things as aiding a terrorist by providing money to some terrorist organization that supports terrorism, violating various