

built on the backs of our coal miners, and all of us should thank them not only today but every single day of the year, and every year to come.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. UDALL of Colorado. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. UDALL of Colorado. Madam President, I came to the floor to speak about Richard Cordray's nomination to lead the Consumer Financial Protection Bureau, but I wish to acknowledge the remarks of Senator MANCHIN. We have coal miners in my great State of Colorado. They are particularly located in the northwestern section of our State. They are hardworking. They are patriotic.

We have some of the cleanest coal in the world. It is used all over our country and exported to many countries around the world.

I thank him for his remarks and for drawing attention to their accomplishments and their contributions to America.

Mr. MANCHIN. I thank my colleague.

#### NOMINATION OF RICHARD CORDRAY

Mr. UDALL of Colorado. Madam President, I come to the floor to put in a word for Richard Cordray, who has been nominated to lead the Consumer Financial Protection Bureau, which is otherwise known as the CFPB. Nearly 2 months ago, I urged our leaders to prioritize a vote on the nominee because without a Director of the CFPB, there is important consumer protection work being left undone. It is work that would benefit hard-working Coloradans, those citizens of New Hampshire, and families all across our Nation.

I wish to begin my remarks by thanking both the majority leader and the Republican leader for moving to this important nomination. After having done that, I wish to turn and speak directly to Coloradans and any other Americans who may be listening. We get up here as Senators, and we will talk about this agency or that agency. Frankly, at times it sounds as if an alphabet soup. But this agency is not just another alphabet agency. The CFPB may be one of the most important Federal agencies we have, and it should be allowed to open its doors fully and begin the important work of protecting our consumers. The CFPB was created in the Wall Street Reform and Consumer Protection Act to protect American consumers from predatory and unfair financial practices. It was chartered to prevent the same kinds of abuses banks and other large financial firms engaged in as they

drove our economy into the ditch just a few short years ago.

When we look back at the financial collapse in 2008, many of us still cannot believe the largest banks and financial institutions in our country were able to put our economy at such risk. As drastic measures had to be taken and billions of dollars invested in these firms, it certainly didn't seem fair that banks and other financial institutions should get taxpayer help after having taken advantage of the good intentions of American consumers and, as a result, tanking our economy.

The truth is we were forced to act in the Congress or even worse financial troubles awaited us—in fact, potentially a worldwide financial depression. That is why the Congress created the CFPB, to ensure that kind of abuse never happens again. When we passed the Wall Street Reform Act, Congress made clear its intent to create a watchdog with the responsibility to make the financial marketplace safe for consumers.

I think the Presiding Officer would agree that is something we should all want, to make sure Americans are not being taken advantage of by big businesses and Wall Street bankers, to ensure someone is looking out for the little guy, to ensure there is slightly more of a level playing field for the Americans who play by the rules.

Unfortunately, it is not. Many of our colleagues are raising a host of issues related to one central argument, that the CFPB will not be accountable to Congress and it will go hog wild in its efforts to look out for hard-working Americans. Yes, that is right. They argue the CFPB will have too much power to protect consumers. I know that seems strange to hear, especially after the banking sector abuses nearly sent our economy down an irrecoverable path and millions of Americans saw many of their investments and much of their net worth disappear overnight. But, yes, some of our colleagues actually want to weaken the consumer protections that were included in the Wall Street reform bill which, by the way, is the law of the land. In order to make sure that happens, they vow to block, to filibuster all nominees to head the CFPB, regardless of who they are. There have been blanket statements made at the front end of this effort that whoever the nominee is, that person will be blocked.

It strikes me that by doing that, they think they are going to deny the CFPB a Director and that will erode the Bureau's effectiveness and make it easier for banks to operate without limitation. That is precisely why we have to overcome the filibuster that is being waged against Mr. Cordray right now. Without his leadership and a strong CFPB to look after the interests of consumers, we are going to put the financial security of hard-working American families at risk and the country's economic recovery at risk.

By failing to give the CFPB a Director, a confirmed Director, we are actually reducing oversight of predatory lending and deceptive banking practices. These are practices that in no way help our economy or our economic recovery.

I do not think I am stretching the facts saying this. Deceptive financial practices continue to threaten Americans every day, and we can do more to ensure these abuses are brought to an end. Let me focus on one particular area.

Credit reporting agencies continue their deceptive ads on Web sites with misleading names such as [www.freescore.com](http://www.freescore.com) and [www.freecreditscore.com](http://www.freecreditscore.com) that lure people into a costly credit monitoring service. They do not offer free credit scores at all. Instead, what they do is they take the person's credit card number and then they begin charging them a monthly fee. It is a similar hustle that many other too-good-to-be-true Web sites offer. The problem is this deceptive ad strikes at the heart of America's personal financial health. A person starts by doing the responsible thing—trying to check their credit score—but the next thing they know their credit card is being charged and they don't have that important data tied to their credit score.

The point I am trying to make is without a confirmed director, the CFPB has diminished power to investigate the actions of the major credit reporting agencies and pull down these kinds of deceptive ads. That doesn't make any sense to me. It is sort of what Coloradans have been asking me, along these lines: When are you guys in DC, when are you guys in the Senate going to side with us and stop always looking out for the big banks?

In these tough economic times, we need to do all we can to block such dishonest advertisements and help empower consumers to avoid these financial traps. The CFPB is the best way to accomplish these important goals, but it needs a director to be able to act.

As some watching today know, and I hope Coloradans know, the Wall Street reform bill contained a bipartisan provision I authored that now requires lenders and other creditors to actually provide consumers a free credit score when their score is used to deny them credit or they are offered credit with less favorable terms.

I authored this provision because credit scores are the most important and influential measure of a consumer's creditworthiness. As millions of Americans continue to work to repair their credit status in the wake of the Nation's worst financial collapse since the Great Depression, it is my belief that the CFPB must fully implement its congressionally appointed oversight of consumer credit scores and related products to stop deceptive advertisements and other setups. So I will say it again: In order to carry out this mission, the Senate must confirm a director to head the CFPB.

The Consumers Union—one of the leading consumer advocates in the United States—is urging Congress to confirm Mr. Cordray so the Consumer Financial Protection Bureau can tackle other critical consumer protections such as reducing the penalty fees and punitive interest rates banks can charge, requiring credit rating agencies to maintain accurate consumer credit files, and investigate and fix errors reported by consumers. I know the Presiding Officer has heard stories about consumers who are operating in good faith and then they come to find out their credit files are not accurate and they are penalized because of that situation. The CFPB could require credit agencies to maintain accurate files.

Finally, the CFPB could police the mortgage market to stop scams against consumers and prevent the return of the toxic loans and the dangerous lending practices that led to the foreclosure crisis and, ultimately, the recession.

I don't think I am overstating the situation when I say there are still a slew of unsafe financial products and services in the marketplace. When consumers are lured into those traps, they then can get into a high-interest debt situation, and then that affects all of us. It affects our economic health more broadly. So the CFPB would be given the capacity to tackle these abusive and deceptive practices and then be on the lookout for the next breed of financial scam.

For these reasons, it is my hope the Senate will take action quickly to confirm Mr. Cordray's nomination and then put in place an effective consumer financial watchdog to ensure Americans get the tools they need to take control of their own financial destinies. It will help our economy; it will help Americans; it will help small businesses. This is the right approach. Let's confirm this gentleman to head the CFPB.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

#### HONORING FATHER EMIL KAPAUN

Mr. MORAN. Madam President, a few weeks ago, in November, in communities across our country, our Nation's men and women in uniform were honored on Veterans Day for their service to our Nation. I wish to share a story with my colleagues of one exceptional Kansas veteran who is no longer with us but whose story stands as a lasting tribute to the members of our Armed Forces whose courage and sacrifice preserve our freedoms.

Father Emil Kapaun was born in Pilsen, KS, in 1916 and served as a Catholic priest in the diocese of Wichita for 4 years before volunteering for the U.S. Army in 1944. During the Korean war, he served as a chaplain for the 8th Calvary Regiment of the First Army Division.

His courageous actions in the Korean battlefields saved countless lives as he ran under enemy fire to rescue wounded soldiers. When Father Kapaun was taken prisoner in 1950, he continued to live out the Army chaplain motto: "For God and country."

In the bitter cold of winter, Father Kapaun carried his injured comrades on his back during forced marches through snow and ice, gave away his meager food rations, and cared for the sick who were suffering alongside him in the prison camp. When all else looked hopeless, this simple priest from Kansas rallied his comrades, regardless of their faith, to persevere, until his own death as a prisoner of war in 1951. This good man distinguished himself by laying down his life for the sake of others.

Earlier this year, Senator ROBERTS and I introduced legislation to award this Kansas war hero the Medal of Honor for his acts of valor in the Korean war. The legislation would request and provide the Department of Defense and the President with the authority to grant this important honor. By waiving the 3-year statute of limitations—the timeframe in which it can be awarded—Father Kapaun would be eligible to receive the Medal of Honor.

Senator ROBERTS and I offered this legislation recently as an amendment to the Senate Defense authorization bill and the amendment was unanimously approved by the Senate. I thank Senators LEVIN and MCCAIN for their support. My Kansas colleagues in the House were also successful in including this language in the House version of the National Defense Authorization Act, and I ask that with such strong support from both Chambers this provision be included in this year's final Defense authorization bill.

Father Kapaun is most deserving of the distinguished award and I am hopeful the Secretary of Defense and President Obama will use the authority outlined in this legislation to give Father Kapaun his long overdue recognition.

At this special season of the year, we are reminded that there are saints and heroes throughout the history of our Nation who put others above themselves and live by God's plan for their lives. May we be inspired by their example and live our lives accordingly. Father Kapaun demonstrated that one person can make a difference and help change the world.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

#### WORK WELL TOGETHER

Mr. ALEXANDER. Madam President, I wish to speak this afternoon about a lesson that Washington, DC can learn from Maryville, TN, which is my hometown. It is a lesson that most of us learned in kindergarten and I learned in my mother's kindergarten, which was in a converted garage in our backyard, and it was three words: "Work well together."

The latest example of that was all over the sports pages of my hometown on Sunday: "Historic Championship: Maryville Wins the 13th State Title—Most Ever." Our football team has learned to work well together. They earned their second consecutive State championship, as the newspaper said. They beat Memphis Whitehaven. I watched the game on statewide television. Their record this year was 15 and 0. It was their ninth State title and ninth perfect season under an extraordinary coach, George Quarles, who has won 179 games and lost 13 in his career in Maryville. This is the most State titles of any school in Tennessee's history. The team scored 35 or more points in 109 of Coach Quarles' first 191 games. Maryville has averaged 30 or more points in 12 of its 13 seasons under coach Quarles and its senior quarterback this year, Patton Robinette, who has scholarships from good schools everywhere, was named the Gatorade Tennessee Football Player of the Year, part of which has to do with his academic credentials. He has a straight A-plus average.

This leads me to the second thing they work well together on in Maryville, TN. The Maryville city schools were named the best overall school district in the State, based on their academic performance, by the State Collaborative on Reforming Education. The Maryville city schools recently received all As on their State math, reading, social studies, science, and writing assessments. According to the Tennessean, Maryville city schools have the second highest test scores in the State in reading and math. The high school was selected as one of three finalists in the prized category of high schools "based primarily on student achievement gains and progress over time." More than 80 percent of Maryville High School students were proficient or advanced in math, 88 percent in reading/language arts. More than 90 percent graduated in 2010 from the high school. Four seniors were National Merit semifinalists. 48 percent of Maryville High School students who took the ACT college prep test last year met all four benchmarks for college and career readiness—English, math, reading, and science—compared to 15 percent Statewide and 25 percent nationally. So the football team and the students have learned to work well together, academically and athletically, at Maryville High School.

How did this all happen? I know a little bit about this. I am a proud graduate, as the Presiding Officer may have suspected by now, of Maryville High School. I have wondered about this for a long time: How could it have had such success in so many things? It is not the richest town in the State by a long shot. Most families in Maryville would describe themselves as middle income.

One indicator of why they succeed and why they achieve so much excellence in so many ways in their schools