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## Senate

The Senate met at 11:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O mighty God, our hope for years to come, thank You for giving us this day to use for Your glory. From the morning Sun until the going down of the same, Your blessings provide us with confidence that our future is brighter than our past.

Today, as we remember Pearl Harbor and a day of infamy, we praise You for giving so generously to this Nation. Lord, You shower us with blessings without regard to our worthiness or importance. As we respond to Your blessings, infuse our lawmakers with a spirit of hope and purpose that they may do Your will in these challenging times. May Your spirit sustain them as they labor so that justice will roll down like waters and righteousness like a mighty stream.

Amen.

### PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 7, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,  
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in a period of morning business, with Republicans controlling the first 30 minutes and the majority the second 30 minutes.

As a reminder to all Senators, cloture has been filed on the Cordray nomination. That vote is expected tomorrow morning.

### PEARL HARBOR

Mr. REID. Madam President, 70 years ago today the attack on Pearl Harbor changed our country forever. It also hardened our resolve to become a better, stronger nation, and that we have become.

An example is the USS *Nevada*, a great battleship that epitomizes the resiliency of our country. While in the port of Oahu on December 7, 1941, the battleship *Nevada* was hit by many bombs and a torpedo. Sixty American sailors died. Less than a year later, that great battleship returned to service and served valiantly for our country during World War II.

Today we honor the living Pearl Harbor veterans for their courage and sacrifice. Here in the Senate we refer to our Medal of Honor winner DAN INOUE, and Senator AKAKA, and FRANK LAUTENBERG. All three served in World War II.

We also remember the nearly 2,400 Americans who lost their lives that day and the hundreds of thousands more who made the ultimate sacrifice during World War II. These servicemembers are heroes. They set a fine example for the men and women who protect our freedoms today, and none of us will ever forget their courage.

### PAYROLL TAX CUT

Mr. REID. Madam President, the Republicans like to claim they are the party of the tax cuts, but as Democrats propose more tax relief—we propose it every day for working families—Republicans every day are showing their true colors. They only support tax cuts that benefit the rich.

Speaker BOEHNER and Senator MCCONNELL say they agree with Democrats, that we should prevent a \$1,000 tax hike on middle-class families. A person running for President, Mitt Romney, agrees that we should extend the payroll tax cut. The former Speaker who is running for President, Newt Gingrich, says we should extend the payroll tax cut. But it has become clear that the caucus, led by the Speaker and by the Republican leader—that those they lead don't seem to be following them. Tea party Republicans oppose our plan to cut taxes for nearly every American family. But Republican leaders recognize that taking \$1,000 out of middle-class pockets during these hard times is political suicide.

There are papers all over the country, but take this one as an example. "GOP Is Split On Payroll Tax Cut. Objections To Surtax On Rich." Remember, the surtax is on the second million

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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dollars that people make. On the first million dollars, not a penny. On the second million dollars, the bill that we are going to vote on—probably Friday here, maybe Thursday—has a surtax for people's second million dollars of income of less than 2 percent.

The headlines go on to say "Opposition Could Give Obama a 2012 Issue." Obama doesn't need a 2012 issue. Middle-class Americans do not need a tax increase. That is what this is all about.

It is very clear that there is a bitter division in the House with House Republicans. As you know, they were supposed to send us a bill today—or was it yesterday? They finally acknowledged late yesterday they could not send us anything. They cannot get an agreement even among the Republicans. They don't reach out to the Democrats at all. They want to do it with a majority of the majority, and they cannot get anything done.

So it seems to me, faced with this rebellion in the two caucuses, Republican leaders have two options: They can work with us to forge a compromise that will pass or they can move even further to the right to appease the tea party, because that is what this is all about. As we have seen before, when faced with a choice between the middle class and the tea party, Republicans will choose the tea party every time. We have seen before, when faced with a choice between the middle class and the richest of the rich, the Republicans choose the richest of the rich.

#### CONSUMER FINANCIAL PROTECTION BUREAU

Mr. REID. Madam President, tomorrow the Senate will vote on whether to move forward with confirmation of Richard Cordray, the nominee to head the Consumer Financial Protection Bureau, which is part of the Dodd-Frank bill.

The one thing that came out of that legislation—and certainly we understood with the financial meltdown that took place on Wall Street—is the banks need more control, not less. We also learned during that long debate that the American consumer had no protection whatsoever. The legislation we passed created the Consumer Financial Protection Bureau.

My Republican colleagues have signaled they are going to block Cordray's nomination but not because he is unqualified. You would think that if someone wanted to vote against him, it would be because he is too liberal, he is too conservative, he is too rich, he is too poor, he doesn't have the proper education, whatever you could come up with to find justification for voting against this man. That is not what they have done. For the first time I can ever remember—and my staff did research on this last night—for the first time in Senate history the Republicans are poised to block a qualified nominee solely because they don't like the Federal agency he will lead.

The Senate Republicans have no problem with Mr. Cordray. He has bipartisan support and a long history of fighting unfair practices by financial predators. Instead, Republicans are trying to cripple the new consumer agency altogether by depriving it of a director. Their attempts to hamstring the consumer watchdog will leave Americans vulnerable to scams and rip-offs that are going on as we speak and have gone on in the past. It is shameful that Republicans would leave consumers in the dark about the risk they face when making financial decisions, and they are doing it only to try to change a law that is the law of this land.

#### AFFORDABLE CARE ACT

Mr. REID. Finally, my first elected job, many years ago, was to an organization called the Southern Nevada Memorial Hospital. It was the largest hospital in the State. It was the largest hospital district. People ran at-large from Clark County, the Las Vegas area, and I was elected to that. It was my first elected job. When I took that job, there was no Medicare. In that hospital, when someone came who was old and did not have money, someone had to sign for them—a husband, a wife, father, mother, brother, sister, neighbor; someone signed. If that person did not pay after agreeing to pay, we had a large collection agency and we would go after those people. It was very difficult sometimes to collect that money, difficult in the sense it was hard to do, but, more importantly, it was difficult to do because you hated to go after people to pay these large hospital and doctor bills.

Medicare came into being before I left my job. It changed. Prior to Medicare, 40 percent of the seniors who came into that hospital had no insurance, and that is where they had to look to their friends and neighbors and relatives to take care of that bill. Today, after Medicare is the law of the land, virtually every senior citizen has the ability to go into a hospital anywhere in America.

For all of these many years, going on five decades, Medicare has been improving and extending the lives of seniors. The Affordable Care Act, legislation that my Republican colleagues tend to denigrate, Obamacare—let's talk a little bit about Obamacare today, the Affordable Care Act.

One thing that bill did is it extended the life of Medicare for 12 years. Medicare would stay strong for future generations and for retirees. That is one reason we passed that legislation.

Health care reform today is helping seniors by beginning to close the doughnut hole, the infamous doughnut hole for prescription drugs for seniors. This year; that is, 2011, because of the legislation we passed, Obamacare, more than 2.5 million Medicare recipients, including thousands of Nevadans, saved about \$600 each on prescription

drugs. That amounts to about \$1.6 billion, thanks to this legislation. For some seniors on fixed incomes, those savings prevented difficult choices between literally food and medicine.

We also had a provision in that legislation that people could get wellness checks, screenings, and a checkup. More than 24 million seniors this year got free physicals because of health care reform. That is progress of which America can be proud.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### PEARL HARBOR

Mr. McCONNELL. Madam President, as the majority leader has noted, today is the 70th anniversary of the Japanese attack on Pearl Harbor. I have certainly had the opportunity, and many Members of the Senate may have as well, of visiting World War II era veterans when they come to Washington on what are called the honor flights, where veterans groups raise the funds to get these World War II vets up here to see the World War II Memorial. It is a great inspiration to see these members of the "greatest generation" who, indeed, saved America during World War II.

I remember in particular talking to an elderly gentleman—obviously they are all elderly at this point—who was at Pearl Harbor that day, and his describing the horror of the experience. So whether these World War II veterans served in Pearl Harbor or in Europe or in the Pacific theatre, we certainly remember their extraordinary contribution to saving this country, and today in particular.

For our parents' generation, they always remembered exactly where they were when they heard about the attack. For most of us, we remember exactly where we were when we heard about the Kennedy assassination, that moment that is seared in your memory of some extraordinary event; and, of course, for younger people, the 9/11 attack. Everybody remembers exactly where they were, and millions of Americans saw the second plane go into the second building in real time. But today we remember the attack, and we express our admiration and respect for the "greatest generation."

#### KEYSTONE XL PIPELINE

Mr. McCONNELL. Madam President, today the President welcomes Canadian Prime Minister Stephen Harper to the White House, and I would like to take the opportunity to say that I hope the Prime Minister is able to convince President Obama to reverse his recent decision to delay the Keystone XL Pipeline.