workforce. So we have a hospital eliminating 5 percent of the workforce after the State cut Medicaid funding last year. So here is a hospital where 5 percent of the workforce is cut. Many of those workers were nurses and other caregivers. When I hear caregivers, I think of physical therapists, radiation technologists, nurse's aides.

Yet in spite of the fact that they had to eliminate 5 percent of its workforce, they are actually still hiring. How can that be? Let's listen to what the hospital's vice president, Mark Whitney said. He said:

> We need to deal with new technology, new services, new regulations, electronic health records, government reporting requirements on quality . . . a lot of this is related to the new Federal health law.

So they are eliminating nursing positions, eliminating positions of caregivers and hiring more people to push paper.

The President and the Democrats in Congress promised their health care law would expand health insurance coverage. Look at what is happening now. More and more people are pushing paper.

It is interesting that what the President and Democrats did not tell the American people is that the health care law's oppressive mandates, burdensome regulations would actually cause health care employers to lay off or stop hiring the very health care professionals needed to treat patients.

Instead, the health care employers must be hiring more clerks, more administrators, more paper pushers, all in an effort to figure out and then comply with the health care law's rules and mandates. I do not believe that is the change most Americans wanted when they started to think about health care reform.

The second example I would like to give is from a column in the Washington Post, December 2 of this year—just a week or so ago—written by George Will. The article is titled ''Choking on Obamacare.'' The article talks about the health care law's crushing insurance mandates and how those influence both small and large businesses in terms of their willingness to actually hire new workers.

When we have this kind of record unemployment, such as we are dealing with in this country, we want to have businesses hire more people, get people back to work. That is what makes America grow. That is what helps our economy, putting people back to work.

In the article, they use the example of Carl's Jr. and Hardee's restaurants. There are about 3,200 of those restaurants around the world. The parent company said they have created about 70,000 jobs, and they want to hire more workers. But the CEO of the company, Andy Puzder, said they cannot hire more workers because they don't know how much they will need to spend on health care. They are planning to spend about $18 million on health care, and they say that is just a guess.

If someone is running a business, they want to be able to figure out what their future costs are going to be, what the expenses are going to be, and they would rather have a little more predictability than just guessing. Thanks to the health care law's complex formulas and many regulations which have not yet been released and many of the uncertainties that continue to exist, this is a company that is going to have to guess about how much they will need to spend on health care.

What business can afford to guess what one of their largest costs is going to be? They are guessing they are going to have to spend about twice the amount of money on health care as they did building new restaurants last year. So they talk about building new restaurants—and those are construction jobs and jobs for the people who work in the restaurants providing services—and they are going to end up spending twice as much on health care as building new restaurants. It doesn't take a lot to realize that hindering a company's ability to build new restaurants means fewer available jobs for construction workers and for service suppliers in a struggling economy.

The CEO of the company is right when he says that ''employers everywhere will be looking to reduce labor content in their business models as Obamacare makes employees unambiguously more expensive.''

If we want to spur the economy and economic growth and job creation, Washington must take its shackles off our job creators. This is just one more reason why the President's health care law must be repealed and replaced.

I thank the Chair.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER (Mr. BEGICH). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORDRAY NOMINATION

Mr. FRANKEN. Mr. President, I rise today to strongly support Richard Cordray, the President's nominee to be Director of the Consumer Financial Protection Bureau.

Three years ago our economy was tumbling into the deepest recession since the Great Depression. In the fall of 2008, the stock market was plummeting, unemployment was skyrocketing, and there were daily reports of yet another financial institution crumbling. Our economy was in a chaotic tailspin. That was only 3 years ago.

Today we are in a slow and tenuous recovery. Unemployment is still way too high. Millions of Americans are out of work and have been for some time. Long-term unemployment is staggeringly high. Retirement accounts are still reeling. Yet in the Halls of Congress we are dominated by discussions of our Nation's debt and deficit. In fact, we are doing little else. These discussions are necessary. We need to tackle our deficits and our long-term debt. But as we do, we shouldn't lose sight of how we got here.

The lessons we learned in the aftermath of the 2008 crash shouldn't be so quickly forgotten. The crash of 2008 was driven in no small part by unfair practices in the mortgage industry which led to many consumers being trapped in loans they didn't understand and couldn't afford. It should come as no surprise that this was as a result of increasing deregulation of the banking industry.

So in response, Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act. Dodd-Frank, which was passed into law last year, sought to rein in abusive practices, protect American consumers, and prevent future meltdowns. One of the bill's centerpieces was the establishment of the Consumer Financial Protection Bureau. The CFPB is the first Federal financial regulator devoted solely to looking out for the best interests of American consumers and to do so before a crash and before any taxpayer-funded bailouts are necessary.

The CFPB's mission is a commonsense one. The CFPB is tasked with ensuring that consumer financial markets are fair and competitive; that consumers have clear information about financial products; that financial practices are not unfair, deceptive, or abusive; and that consumer financial regulations are improved and streamlined. The CFPB seeks to empower American consumers to make the best financial decisions for their families, and that can only help out our Nation as a whole.

Several months ago, on the 1-year anniversary of the enactment of Dodd-Frank, there was good news and bad news. The good news was that the CFPB officially opened its doors. It has already hired staff and begun some of its work. In fact, a while back I met with Mrs. Holly Petraeus, who is heading up the Office for Service Member Affairs at CFPB. She wanted to discuss a few problems that disproportionately harm members of our armed services.

We talked about ways to educate servicemembers about the potential downfalls of certain types of loans. This is exactly the type of work I am so happy that the CFPB has begun. That would be the good news.

The bad news is the CFPB still does not have a Director. Under Dodd-Frank, the CFPB cannot fully do its job until a Director is in place. It can do some things, but it will be limited until the Senate confirms a nominee. President Obama has nominated Richard Cordray. Rich is an impressive figure, and he has my full support.

Rich Cordray has been on the front lines protecting homeowners from risky and sometimes illegal practices of mortgage servicers. In 2009 he was the first State attorney general to take on a mortgage servicer for violating consumer laws.

Last year, he continued his strong record of standing up for homeowners when he represented the people of Ohio against GMAC Mortgage for signing thousands and thousands of affidavits allowing foreclosures to proceed despite the fact that nobody at the company had any knowledge of these cases. So I want Rich Cordray at CFPB to put his previous expertise to work.

During his tenure as attorney general, he also took on the credit rating agencies on behalf of Ohio's pensioners. Because of the rating agencies' reckless behavior, hard-working Ohioans lost over $450 million from their pensions. Rich Cordray is exactly the kind of strong consumer advocate that CFPB needs.

Further compounding the bad news is that most of my colleagues on the other side of the aisle have vowed to oppose any nominee until the CFPB is substantially altered—literally any nominee. They claim that changes to the CFPB need to be made before they will even look at a nominee. The proposed changes supposedly rectify the unprecedented authority—unprecedented authority—granted to the CFPB and impose real checks on that authority. In fact, the CFPB is subject to unprecedented limitations. It is the only banking regulator with rules that are subject to veto power by a group of other regulators, the only banking regulator subject to Small Business Regulatory Enforcement Fairness Act panels, and the only banking regulator with a budgetary cap.

We already have had this debate. During the consideration of Dodd-Frank last year, there were attempts to weaken the CFPB, and those attempts were defeated. Now the people who lost that debate are taking a second crack at consumers and trying to bring down this Bureau. Only this time, instead of debating on the Senate floor, they are hijacking the advice-and-consent function of the Senate. Is that a precedent that we want to set? I do not believe that is what the Founders of this great Nation conceived when they gave this function to the Senate.

I urge my colleagues instead to consider this nominee on his merits. Rich Cordray has demonstrated he is looking out for middle-class families. He is looking out for homeowners who have been scammed by mortgage servicers. He is looking out for pensioners who have lost their pensions at the hands of Wall Street recklessness. He has been endorsed by former Republican Senator and current Ohio attorney general Mike DeWine. He is exactly—exactly—the type of person we need at the helm of this critical Bureau, and this Bureau cannot do its job until he is confirmed.

I hope my colleagues will reconsider their position and instead do what is right for American consumers. I hope my colleagues will join me in supporting Rich Cordray to be the first Director of the Consumer Financial Protection Bureau.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CARPER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

DELAWARE DAY

Mr. CARPER. Madam President, today is Delaware Day. Something very important for our State and our Nation occurred on December 7, 1787. Senator COONS is here. I ask him to take a moment and share with our colleagues what that was all about. What happened then at that Golden Fleece Tavern?

Mr. COONS. I thank the Senator for entering into this colloquy about Delaware Day. As some folks may know, if you look at the Delaware flag, as the Senator mentioned, there is the date, December 7, 1787. That is the day 30 Delawareans, elected delegates, gathered at the Golden Fleece Tavern in Dover and voted unanimously to make Delaware the first State to ratify the U.S. Constitution. That is why our State moniker is—

Mr. CARPER. The First State.

Mr. COONS. Yes, the First State.

Mr. CARPER. The small wonder. Thirty of those guys who were there that day—I would like to say they were drinking hot chocolate. I am not sure what they were drinking at the Golden Fleece Tavern, but the outcome was a good one. For one whole week after that, Delaware was the entire United States of America. Who was next, Pennsylvania? Maybe Pennsylvania, maybe New Jersey. Then the rest followed and I think, for the most part, it turned out pretty well.

Mr. COONS. One of the things I have always been struck by is that it was 11 years before that that Delaware actually, on Separation Day, on June 15 of 1776, acted both to declare its independence from Pennsylvania and its independence from the King of England, and by doing so acted in an incredibly risky way because, of course, had the Continental Congress on July 4 not chosen to ratify the Declaration of Independence, Delaware would have stood alone, and arguably hung alone, for having taken the risk of stepping out first.

Delaware has a tradition of being first—first in declaring its independence and acting to secure its independence, and in ratifying the Constitution, which set the whole structure that ended the debate over the Articles of Confederation and moved toward the Federal system, one where we look to each other as States and look to this government for the provision of and the securing of our liberty through the balance of justice and liberty that we rely on so much. What else are we doing to celebrate this great day?

Mr. CARPER. The Constitution that was ratified that day—the thing about it is that it is the most enduring Constitution of any nation on Earth, the most copied or emulated Constitution of any nation on Earth as well, and a living document that provides for us to change and update as time goes by. It is remarkable, the role we played in getting the ball rolling in this great country of ours.

I want to go back to July 1776, if I can. Not far away from the Golden Fleece Tavern, there was a guy named Caesar Rodney, who rode his horse. Does the Senator want to share that story?

Mr. COONS. That made it possible for our delegation to be represented in Philadelphia and for us to commit to the Declaration by breaking a tie between the other representatives of Delaware in the Continental Congress.

Mr. CARPER. If you look at the back of the Delaware coin, you might say why is Paul Revere on the back of that coin? Well, that is not Paul Revere, that is Caesar Rodney riding the horse from Dover to Philadelphia. For people who are familiar with Dover Air Force Base, where big planes come in—the C–5s and C–17s that fly all over the world—as you come in on the approach, the runway heading north-northeast to land, you are very close to flying over an old plantation house where a guy named John Dickinson used to live. There is a John Dickinson high school in Delaware, which was named after him. He was also a guy who was involved in the Constitutional Congress and also involved in the Declaration of Independence, and the penman of the Revolution. So if you think about it, there at the Golden Fleece Tavern, the Constitution was ratified. Caesar Rodney, from Dover, departing from not far from there, casts the tie-breaking vote for the Declaration of Independence, and the penman of the Revolution, growing up in what is now the Dickinson plantation. There is a lot of history there, especially for a State that doesn't have a national park.

Mr. COONS. Although we have a senior Senator who is tireless in his effective advocacy of our State.

Mr. CARPER. Maybe we can do something about that with the Senator's help and that of Congressman CARNEY, and our colleagues in the Senate and the House—and maybe including the Presiding Officer from North Carolina. In closing, believe it or not, the economic value of national parks is actually charged for every one of our States.

The most visited sites in the United States among tourists from foreign countries are our national parks. The economic value to the State of North Carolina—I was told last year—from