

Christmas present, to have only 2 weeks to shop for and buy a new insurance policy by December 15 so people are covered next year when ObamaCare outlaws their policies.

This administration had 3½ years to set up the Web site. Millions of Americans will have 2 weeks to buy their insurance.

The President put Secretary Sebelius in charge of implementing this law. I have called on her to resign because this has hurt so many Americans.

Before the Internet, RCA could tell us every day how many records Elvis was selling. Ford could tell us every day how many cars they were selling. McDonald's would tell us every day how many hamburgers it sold. Congressman ISSA has put on his committee's Web site notes from meetings at an Obama administration war room where apparently they are telling each other how many people are enrolling in health care.

I asked Ms. Tavenner this morning if she knew how many people are enrolling, how many have tried, what level of insurance they are buying, and in what ZIP Code they live. Why don't you tell us? Why don't you tell Congress? Why don't you tell the American people?

She said she would tell us by the end of the month—but we need to know every day. We need to know every week at least. Governors need to know. As they make decisions about expanding Medicaid, wouldn't it help to know how many of these new enrollees are going into Medicaid?

Members of Congress need to know. We have appropriated at least \$400 million for this Web site that doesn't work. The American people need to know. They might gain confidence in the system if they could see that every day more people were signing up for this or that.

I can't get over the fact that we are not being told how many are enrolled, how many trying, what kind of insurance they are buying, where they live. We have a right to know that.

Why doesn't the administration tell us that? One Senator has described the new health care law as an approaching train wreck. I know something about trains.

My grandfather was a railroad engineer in Newton, KS, when I was a little boy. I was sure he was probably the most important person in the world sitting in that big locomotive. His job was to drive a steam engine locomotive onto what they called a round table, turn the train around and head it in the right direction. That was the only way you could turn something that big that fast.

That is what our country needs to do. We need to turn this train around. We need to turn this law around and head it in the right direction.

ObamaCare is the wrong direction because it expands a health care delivery system that we already knew cost too much.

What is the right direction? The right direction is more choices and

more competition that lowers costs so more Americans can afford to buy insurance.

Don't expect Republicans to show up on this Senate floor with our 3,000-page plan to move the health care delivery system in the way we think it ought to go. We don't believe in that approach. We are policy skeptics, one might say. We don't believe these big comprehensive plans are wise enough to do what needs to be done. Instead, we believe we should change our health care delivery system step-by-step.

I remember during the health care debate in 2010 I counted the number of times Republicans spoke on the floor about our step-by-step plan to take the health care delivery system in a different direction—173 times just during 2010.

These are some of the steps we suggested and still do suggest that we should take to turn the train around and head it in the right direction:

Make Medicare solvent. The trustees have said that in 13 years it will not have enough money to pay hospital bills. I know plenty of Tennesseans who are counting on Medicare to pay their hospital bills.

Reform Traditional Medicare to compete on a level playing field with Medicare Advantage. That would provide competition and more choices for seniors. The Congressional Budget Office says it would save taxpayers money.

Make Medicaid flexible. When I was Governor of Tennessee in the 1980s, Medicaid was 8 percent of the State budget. Today it is 26 percent. As a result, Democratic and Republican Governors of Tennessee have been told by Washington to spend money on Medicaid that they instead would rather spend on higher education.

Make Medicaid more flexible. Perhaps we can cover more people and set our own priorities.

Encourage employee wellness incentives. We talk a good game in the Senate about that, but the administration's regulation actually limits the ability of employers to say to employees if you have a healthy lifestyle, your insurance will be cheaper. We should repeal that regulation and make it easier for employers to encourage that kind of behavior, and offer cheaper insurance.

Allow small businesses to pool their resources and offer insurance together. We call that small business health plans.

All of these steps, by the way, are in legislative form. They are bills we have introduced. They are steps we could take today if we had enough votes to pass them, turning the train around and heading it in a different direction.

Buy insurance across State lines. If Americans could look on the Internet and buy insurance across State lines that suited their needs, perhaps more Americans could afford insurance. Isn't that what we want to do? Change the 30-hour workweek to 40 hours. Both Democrats and Republicans support

this idea. I am not sure where it ever came from, but it is one of the worst features of ObamaCare. It creates a big incentive to cause businesses to reduce the number of working hours from 40 to 30 so their employees will be part-time and the business won't be affected by the ObamaCare rule. That creates consternation within business, and it doesn't create good relations between the employer and the employee. Think about the employee. Think about the pay cut from 40 hours to 30 hours. Think about the employee going out to find another part-time job at, say, another restaurant. Why not give these employees a 33 percent pay increase? That would be a pretty good way to get up above the so-called minimum wage and give businesses a chance to have full-time employees again.

So these are all steps that would change the health care delivery system by changing its direction away from expanding a health care system that we know already costs too much and sending it in the direction of choice and competition and finding ways to lower the cost of health care plans so more Americans can afford to buy insurance.

The 39-year-old Tennessee woman whom I talked about this morning to Ms. Tavenner, the woman named Emilie who is losing insurance because ObamaCare has decided that her plan isn't good enough for her, finished her story with these words:

This is one of the biggest betrayals our government has ever been committed on its citizens. I beg of you to continue to fight for those, like me, who would only ask to be allowed to continue to have what we already enjoy. A fair health insurance plan at a fair price. Please find a way to return to affordable health care.

One good way to do that is to put the President's words into law: "If you like your health plan, you can keep it." Senator JOHNSON of Wisconsin has offered that legislation. I have cosponsored it, as have others.

My message to Emilie is that I am going to do my best to turn this train around and head our health care delivery system in the right direction so that she can buy and keep health care insurance that she can afford.

I thank the Chair, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. REID. I ask unanimous consent the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

IMPLEMENTING BUDGETARY SAVINGS AND EFFICIENCIES

Mr. LEAHY. Madam President, during this time of budget constraints, sequestration, and continuing resolutions, it is crucial that every Federal department and agency identify maximum cost savings and improve efficiencies to minimize the impact of reductions on critical programs and personnel. It is also the responsibility of Congress to encourage departments and agencies to consistently identify and implement such savings and efficiencies.

We do not have the luxury of allowing the continuation of programs that are no longer relevant, are redundant with other Federal programs, can be done more cheaply, or that perpetuate past mistakes. Unfortunately it seems that the State Department and the U.S. Agency for International Development are not able to identify some potential savings. It takes outside watchdogs such as the inspectors general and the Government Accountability Office to review and independently evaluate department or agency programs and operations.

As chairman of the appropriations subcommittee that funds the State Department and USAID, I and ranking member LINDSEY GRAHAM have taken steps to avoid wasteful and unnecessary spending. We have reduced costs based on inspector general findings, directed the State Department to eliminate unnecessary overseas support staff and administrative expenses, and directed the Department and USAID to improve financial and contract management. We will continue to look for opportunities to reduce waste, terminate programs that are poorly designed or not meeting their goals, and save taxpayer dollars.

But this is not enough. The State Department, USAID, and other Federal agencies need to act proactively to identify efficiencies and reduce costs. Unfortunately, some of the inspector generals' findings are so obvious it is surprising, and troubling, that the State Department or USAID did not identify the savings on their own.

Here are just a few examples from fiscal year 2013 reports of the State Department and USAID inspectors general.

The State Department inspector general found that the Department has a team based in Frankfurt, Germany, that travels to posts in the former Yugoslavia and the countries of the former Soviet Union to train local staff and provide administrative support to posts. This might have made sense in the early 1990s, but it makes no sense 24 years after the fall of the Iron Curtain.

The inspector general determined that 80 percent of the Regional Information Management Center staff in Frankfurt does not need to be assigned overseas. Their work could be done in Washington, saving millions of dollars each year. According to the inspector

general, an employee assigned overseas costs \$232,000 more each year than an employee based in the United States.

In Iraq, at one of our most oversized and expensive Embassies, the inspector general found that the Department hired and paid for 513 Baghdad security personnel when only 253 were actually used. The Department also paid \$20.6 million for an unnecessary airport security program that added 84 personnel.

The inspector general found that the Department had 955 expired grants with a total of \$81.9 million in unspent funds. The inspector general also found that the Department had not closed out 1,421 expired grants each with a \$0 balance, costing \$97,069 each year in unnecessary administrative fees.

The USAID inspector general found that USAID added five overseas food storage warehouses but had not determined whether delivery times of food prepositioned overseas justifies the additional cost when compared with prepositioning food domestically. In fact, a cost-benefit analysis conducted in response to a 2007 Government Accountability Office recommendation found that food prepositioned overseas is seven times more costly than food prepositioned domestically and recommended that USAID consider increasing the amount of domestic prepositioned food. USAID has now agreed to compare the timeliness and cost of prepositioning food overseas versus domestically. We cannot afford to make decisions that expand programs or increase costs without some evidence that there is a benefit worth the additional expense.

The USAID inspector general found that in a 3-month period, September through November 2012, USAID paid \$64,000 for more than 300 mobile devices that had not been used for at least 1 month during that time period and \$48,000 for 267 devices that had not been used at all during those 3 months, and an average of 127 employees had excessive user charges of \$118,000 which USAID could not verify had been reviewed and accepted. While these are relatively small amounts, they add up.

And the list goes on. I know that the employees of the State Department and USAID are dedicated, hard-working people. Most Americans have little if any idea of what they do to protect the interests of the United States around the world. But it is because their work is so important that we cannot afford to waste the money they need to do their jobs. Top officials at the State Department and USAID must identify and eliminate outdated, redundant, and ineffective programs and unnecessary operating expenses. We cannot wait for the inspectors general to do their job for them.

CRIMINAL ANTITRUST ANTI-RETALIATION ACT

Mr. LEAHY. Madam President, I am pleased that the Senate passed yester-

day bipartisan legislation that will improve the enforcement of the antitrust laws. The bipartisan Criminal Antitrust Anti-Retaliation Act extends whistleblower protections to employees who report criminal violations of the antitrust laws. These kinds of violations, which include price fixing, have a particularly pernicious impact on consumers.

This legislation represents a continuation of my partnership with Senator GRASSLEY on whistleblower issues. Senator GRASSLEY has long been an advocate for protecting those who blow the whistle on wasteful or criminal conduct. Our bill is modeled on whistleblower protections that he and I authored as part of the Sarbanes-Oxley Act. The Criminal Antitrust Anti-Retaliation Act does not provide employees with an economic incentive to report violations. The legislation simply makes whole employees who have been fired or discriminated against for blowing the whistle on criminal conduct.

Whistleblower protection was recommended by the Government Accountability Office, GAO, in a 2011 report to Congress. The GAO surveyed an array of stakeholders and found widespread support for the kind of basic protections contained in this legislation. The bill allows employees who have reported a criminal violation to file an action with the Department of Labor if they have been fired or otherwise discriminated against for disclosing the violation. While the remedies provided by the bill are limited, they are crucial in protecting employees from retaliation.

The antitrust laws exist to promote a free and open marketplace and serve to protect consumers. These laws can only be effective if they are vigorously enforced. The Criminal Antitrust Anti-Retaliation Act will aid in enforcement efforts and ensure that consumers are protected from harmful activity. I urge the House to act quickly to pass this important bill.

75TH ANNIVERSARY OF KRISTALLNACHT

Mr. CARDIN. Madam President, I rise today to remember those who perished and suffered during Kristallnacht, the Night of Broken Glass, 75 years ago on November 9 and 10 in Germany, German-occupied Austria, and German-occupied Czechoslovakia.

Earlier that year, in March 1938, Germany absorbed Austria—the so-called Anschluss. Then, at the September 1938 Munich conference, France, Britain, and Italy allowed Germany to annex the western rim of Czechoslovakia and to claim its 3 million Sudeten Germans as its own. In both acts, the concept of loyalty to the state was equated with ethnic identity.

Then, in October 1938, Germany expelled 17,000 Jews with Polish citizenship from Germany into Poland. These families were arrested at night, transported by train to the Polish border,