

information was received. That simply does not meet the test of basic logic.

The final thing is that it compromised the integrity of the way we look at our law. The Department of Justice and the Office of Legal Counsel wrote opinions designed to allow and protect this program that were so bad that they have since been withdrawn by the Department of Justice.

The Presiding Officer is a very able and experienced lawyer. Those of us who have been in the Department of Justice know well that the Office of Legal Counsel stands at the pinnacle of the Department of Justice in terms of legal talent, ability, and acumen. Many of us believe the Department of Justice stands at the pinnacle of the American legal profession. So those are the people who ordinarily are the best of the best. When they write legal opinions so shoddy that they have to be withdrawn, when they overlook and fail to even address the U.S. Circuit Court decisions that describe waterboarding as torture when they are answering the question, is waterboarding torture, that is shoddy legal work.

When I first got a look at this and came to the Senate floor to speak about it, I described it as "fire the associate" quality legal work. That is what we got from the very top of the Department of Justice. It is not because there was a lack of talent there. It is because things were bent and twisted to support this program. So it is very important that the truth just came out.

I am very glad this has happened. It is a sad day in many respects because these are hard truths. These are hard facts to have to face. But we are better off as a country if we face hard truths and hard facts.

I will close by saying this. I have traveled all over that theater looking at the way our Central Intelligence Agency operates and the way our other covert operations operate. I am extremely proud of what our intelligence services do. I am incredibly impressed by the courage and the talent of the young officers who go overseas into often very difficult and dangerous situations and do a brilliant job. In many respects, it is for them that I think this report needs to be out. It needs to be known that this was not the whole department, that there are many officers who had nothing to do with it and would want nothing to do with it and knew better. There were many people who were professionals in interrogation who knew how amateurish this was. It was done by a bunch of contractors, basically.

So I think we should be well aware, as we reflect on this, of their courage and of the sacrifice and of the ability and of the discipline of the young men and women who put themselves in harm's way to make sure that this country has the information and the intelligence it needs to succeed in the world. I am proud of them.

I am also proud of the Intelligence Committee and our staffs who worked

so hard to perform this extraordinary service.

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. I ask unanimous consent that the order for the quorum call be rescinded.

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

#### UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that following the vote on confirmation of Executive Calendar No. 1081, Walter, the Senate consider Calendars Nos. 1094 and 1095; that there be 2 minutes for debate equally divided between the two leaders or their designees prior to each vote; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that any rollcall votes, following the first in the series, be 10 minutes in length; that if any nomination is confirmed, the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. For the information of all Senators, these two nominations are Peter Michael McKinley to be Ambassador to the Republic of Afghanistan and Richard Rahul Verma to be Ambassador to India.

We expect that the nominations will be considered and confirmed by voice vote.

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

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

#### OBAMACARE

Mr. THUNE. Madam President, a Bloomberg headline Monday noted: "Half of the Senators Who Voted for ObamaCare Will be Gone in 2015." ObamaCare, it seems, has not been kind to the party that jammed it through Congress.

In fact, the third ranking Democrat in the Senate admitted as much 2 weeks ago when he told an audience that Democrats made a mistake after the 2008 election by putting all their

focus on passing a health care law. He further said:

Unfortunately, Democrats blew the opportunity the American people gave them. We took their mandate and put all of our focus on the wrong problem—health care reform.

Now, as a result, my colleague from New York said: "The average middle-class person thought, 'the Democrats aren't paying enough attention to me.'"

Well, Democrats weren't paying enough attention to middle-class families. The American people didn't support the health care law, and they made that clear. But Democrats just ignored their objections and forced it through anyway.

They were far from frank about what was in the bill. In fact, ObamaCare architect Jonathan Gruber essentially admitted that Democrats were deliberately deceptive when passing their health reform law. Gruber said:

This bill was written in a tortured way to make sure CBO did not score the mandate as taxes. . . . Lack of transparency is a huge political advantage. And basically, call it the 'stupidity of the American voter' or whatever, but basically that was really, really critical to getting the thing to pass.

That is from Jonathan Gruber, as I said, an architect of ObamaCare.

Well, 4½ years after the law has passed, it is clear Americans were right to be concerned. The law that was supposed to reduce the cost of health care for American families is actually driving up prices.

Each Friday my office puts out a document featuring the ObamaCare headlines of the week. I would like to read a few headlines from the past week that I think give a picture of where we are with this law.

This is from the Associated Press: "Healthcare.gov average premiums going up in 2015." From the Wall Street Journal: "More Cost of Health Care Shifts to Consumers." From Businessweek: "Obamacare's Future: Cancer Patients Paying More for Medication." From Gallup: "Cost Still a Barrier Between Americans and Medical Care." From the Fiscal Times: "High Deductible Plans Have More People Delaying Treatment." From U.S. News & World Report: "Americans Unhappy With Obamacare Shopping Experience." And from The Hill: "Security Flaws Found in Obamacare Fee Calculator."

And I could go on. Those are just headlines from last week. I could read similar headlines from the week before and from the week before that.

Any way you look at it, ObamaCare is a mess. The President promised the law would lower premiums by \$2,500. In fact, the average family health care premium has increased by \$3,064 since the law was passed, and family premiums are still going up.

The President promised Americans could keep the health care plans they had and liked. In reality, ObamaCare has forced millions of Americans off their plans.

The President promised that Americans would be able to keep the doctors they liked. In fact, Americans have lost the doctors they liked and trusted, not to mention access to convenient hospitals and needed medications.

The President promised that shopping for ObamaCare would be like shopping on Amazon or Kayak. The reality is the President's own former Health and Human Services Secretary recently admitted it was more like buying an airline ticket using your fax machine.

We are still just talking about the ways ObamaCare has harmed Americans' health care. But the damage hasn't been confined to health care. ObamaCare is also hurting our already sluggish economy.

Take the ObamaCare tax on life-saving medical devices, such as pacemakers and insulin pumps. This tax has already eliminated thousands of jobs in the medical device industry, and it is on track to eliminate thousands more if it isn't repealed. In fact, this tax is so bad that even Democrats who voted for ObamaCare support repealing the tax.

Then there is the ObamaCare 30-hour workweek rule, which has forced employers to cut workers' hours and wages, and there are the numerous—numerous—ObamaCare rules and regulations that are making it difficult for small businesses to hire and create jobs. It is no wonder that Democrats are rethinking their decisions to support this law.

Americans have made it clear they do not like ObamaCare, and Republicans are listening. One of our top priorities when we take the majority in the Senate in the new Congress will be working to repeal this law and replacing it with real reforms—reforms that will actually cut costs and improve Americans' access to health care.

In the meantime, we will focus on chiseling away at the law's most harmful provisions. We want to repeal the job-killing medical device tax and restore the 40-hour workweek so that employers will no longer be forced to cut workers' hours in order to afford health care costs. Many Democrats as well as Republicans opposed these ObamaCare provisions, so I look forward to bipartisan repeals.

The senior Senator from New York was right when he said Democrats made a mistake when they decided to focus on the President's health care law instead of on jobs and the economy. In poll after poll, Americans have made it clear they want their representatives in Washington focused on creating jobs and on growing the economy, and that is what the new Republican majority in the Senate intends to do.

We will take up legislation to improve the Keystone XL Pipeline and the 42,000-plus jobs it would support. We will take up House-passed bills that have been gathering dust on the Democratic leader's desk.

We will work with the President to expand trade promotion authority to open new markets for American agricultural products and manufactured goods, and we will take up legislation to repeal the President's national energy tax, which could eliminate tens of thousands—hundreds of thousands—of jobs and devastate entire communities.

We also intend to take up big projects that would help put our economy on a path to long-term health, such as legislation to simplify and streamline our costly and inefficient Tax Code.

The election results were pretty decisive. Americans made it very clear they were tired of the Democrats' policies and they wanted a change in Washington, and Republicans are listening. Our priorities in the next Congress will be the American people's priorities. We will focus on creating jobs and growing our economy, and we hope the Democrats will join us. The American people have been waiting long enough.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

Mr. CARPER. I object, just for a moment.

The PRESIDING OFFICER. Objection is heard.

The assistant bill clerk continued with the call of the roll.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COBURN. I ask unanimous consent to speak for at least 5 minutes.

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

#### TAXPAYERS RIGHT-TO-KNOW ACT

Mr. COBURN. Madam President, I first wish to spend a few minutes talking about my colleague and chairman of the Homeland Security and Governmental Affairs Committee.

The last 2 years have been a real pleasure on my part, and I have grown to have a great friendship with the chairman of the committee. I can truly say in our committee we have done a lot of great work. We have both compromised on a lot of issues to try to move the country forward, and to him I am thankful for that. I don't think either of us have had to break on any principles we have had to be able to do that. I think our committee has been a model in terms of doing bipartisan bills and on bipartisan approval of nominees. For him, I would say I appreciate his leadership this past year. He has the unfortunate attribute of having the same initials I do, so it is somewhat confusing on our committee. But

maybe that is why we have been as successful as we have.

I also wish to recognize the hard work of so many of the staff members on both sides, the work they put in, and the cooperative nature under which they have worked.

We have before us a bill we are trying to clear called the Taxpayers Right-to-Know Act, and it is actually a continuation of a bill that Senator CARPER, myself, and several others—including the President—started when we started the transparency act back in 2009. This follows along with the DATA Act which was passed this year.

What this bill does is says the American people ought to know where the money is being spent, and so it says the agencies are going to list the programs they have. It is done in a stepwise fashion so it doesn't put too much pressure on OMB as they try to implement it. I believe at this time we are waiting to make sure we have clearance for this before we ask for a unanimous consent.

I yield my remaining time to the chairman of the committee, Senator CARPER.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, I would like to say to my colleague, Ted Kennedy said to me when I first got here a number of years ago, talking about compromise and that sort of thing—he always said: I am willing to compromise on policy, not on principle.

I think if we look at what we have accomplished in the last 2 years, that is exactly what we have done. I thank my colleague for being a great leader—not just of his caucus but of our body and for being my friend.

With that, I would say on the legislation that is before us, as he suggested, the Taxpayers Right-to-Know Act does build on previous legislation reported out of our committee. Some of those bills, the DATA Act, the Government Performance and Results Modernization Act, and some others have been signed into law with bipartisan support, including by the current President.

The Taxpayers Right-to-Know Act is a good government bill that will provide better and more detailed information to Congress and the American people about Federal spending. Congress has passed several bills in the last few years to improve transparency on government spending and to get this information online. Unfortunately, the information has not always been provided at the level of detail taxpayers and a number of my colleagues and I would prefer.

This bill builds on the Government Performance and Results Modernization Act passed in 2010 and that I coauthored with Senators WARNER and Akaka. That bill required OMB to work with agencies to create a list of all Federal programs that can be accessed on a single Web site.