

past 5 years, the unemployment rate has never come close to falling that low. Last month's unemployment rate was 6.6 percent. If so many people had not dropped out of the labor force over the past several years, that number would be even higher.

If the labor force participation rate were the same as it was when President Obama took office, our current unemployment rate would be a staggering 10.5 percent. Despite the fact that the recession technically ended 55 months ago, we are still nowhere near where we need to be in terms of economic recovery.

CBS News reported on Friday that the economy would have to gain an average of 285,000 jobs per month for the next 3 years just to get us back to where we were before the recession. Yet job creation for the past year has not even come close to that. In fact, our economy has added just 180,000 new jobs per month, approximately, over the past year. If we continue at that same rate, it will take us over 5 years to return to where we were before the recession.

President Obama's economic policies have left our economy mired in stagnation. His health care law is making things even worse. Last week the non-partisan Congressional Budget Office released a new report on ObamaCare. It found that ObamaCare will result in the equivalent of 2.5 million fewer full-time jobs over the next 10 years—2.5 million fewer jobs. Our economy is millions of jobs away from where it needs to be.

Our labor force participation rate is near a 35-year low. The President's health care law is going to result in 2.5 million fewer full-time jobs. How will that work? Well, the CBO report made it clear that ObamaCare provides disincentives to work, particularly for those at the low income end of the spectrum.

An individual receiving ObamaCare subsidies to pay for his or her health insurance may decide not to accept more hours or a higher paying job so that she or he does not exceed the income caps for receiving subsidies. At the higher end of the wage spectrum, workers may decide not to rise too far up the ladder so their income does not reach the point at which it would be subject to ObamaCare taxes. Thus, ObamaCare essentially traps workers in lower paying jobs, putting a de facto limit on the prosperity of literally millions of Americans.

The CBO reinforces that notion, not just by projecting that 2.5 million people will drop out of the workforce but also by projecting that those who stay in the workforce will earn less.

According to one analysis of the CBO report, ObamaCare will reduce total wages by an estimated \$70 billion per year. Without question, most of this burden will be placed on lower and middle-income families who already are struggling to make ends meet. Furthermore, by providing Americans with

disincentives to work, ObamaCare will limit our economic growth.

As the editors of the National Review put it, "The depth of the Obamacare crater in the labor force isn't some abstract unemployment rate, but the lost value of the work those Americans would have done."

Americans working creates economic growth. It is as simple as that. Encouraging Americans to work less or quit work altogether will undermine American prosperity and American families' security. Those who find work and are willing and able to fulfill their jobs deserve wages that are unhindered by a government takeover of health care.

Combine the CBO report with our experience of ObamaCare so far and the future does not look promising: lower income Americans living off meager salaries and government health care subsidies just to get by; middle-income Americans struggling to pay higher health insurance premiums and deductibles; and upper income Americans and small business owners too reluctant to create jobs and wealth for fear that they will be subjected to ObamaCare's burdensome taxes and regulations.

That is not the kind of future any American desires, but that is exactly the future ObamaCare is bringing us. In fact, for too many Americans, that future is already here. With ObamaCare's full implementation this year, Americans are facing huge premium increases and steep hikes in their out-of-pocket costs. They are losing access to their doctors and hospitals. All too often they are facing fewer hours with fewer benefits at their jobs as their employers struggle to comply with ObamaCare's taxes and mandates.

Even the President has tacitly acknowledged the burdens his health care law places on employers by once again delaying one of the law's job-destroying mandates. While I am glad some businesses will get relief until 2016, Congress should go further, much further, and ensure that every single American is protected from this disastrous law.

We can do better than ObamaCare and the President's economic policies. The President has called for 2014 to be a year of action. Republicans could not agree more. It is past time to take action to start reversing ObamaCare's damage and finally get our economic recovery off the ground.

Almost 2 weeks ago, the Obama State Department released its fifth environmental review showing that the Keystone XL Pipeline would have no significant impact on global carbon emissions. There is strong bipartisan support in both Houses of Congress for approving that pipeline and the 42,000 jobs it will support. The President needs to stop pandering to far-left environmentalists and immediately approve the pipeline and the good-paying jobs it will open for Americans.

Next, the President should pick up that phone he keeps talking about to

call the Senate majority leader and tell him to bring the bipartisan trade promotion authority legislation to the floor. Passing trade promotion authority will help U.S. farmers, ranchers, entrepreneurs, and job creators gain access to 1 billion consumers around the globe. The majority leader needs to stop obstructing the jobs this bill would create and join Members of both parties to pass this important legislation.

Finally, the President should throw his support behind a repeal of the medical device tax in his health care law. This tax on lifesaving medical technology such as pacemakers and insulin pumps is forcing medical device companies to send American jobs overseas. There is strong bipartisan support for repealing the tax, and the President should add his.

Far too many Americans have spent the past 5½ years of the Obama Presidency struggling to get by. Household income has fallen. Health care costs have risen. Jobs and opportunity have been few and far between. For many Americans, the possibility of a secure economic future seems further and further out of reach. It does not have to be this way. We can turn our economy around by abandoning the President's failed economic proposals and embracing the kind of legislation that will open up new jobs and opportunities for the American people.

The three proposals I have outlined above are a good place to start. I hope the President will join Republicans and Democrats to get these priorities done.

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

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The VICE PRESIDENT. Without objection, it is so ordered.

CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate a Certificate of Appointment to fill the vacancy created by the resignation of Senator Max Baucus of Montana. The certificate, the Chair is advised, is in the form suggested by the Senate. If there is no objection, the reading of the certificate will be waived and it will be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF MONTANA CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Montana, I, Steve Bullock, the governor of said State, do hereby appoint John E. Walsh a Senator from said State to represent said

State in the Senate of the United States until the vacancy therein caused by the resignation of Max Sieben Baucus, is filled by election as provided by law.

Witness: His Excellency our governor Steve Bullock, and our seal hereto affixed at Helena, Montana this ninth day of February, in the year of our Lord 2014.

By the governor:

STEVE BULLOCK,
Governor.
LINDA McCULLOCH,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designee will now present himself at the desk, the Chair will administer the oath of office.

The Senator-designee, escorted by Senator TESTER, advanced to the desk of the Vice President, the oath prescribed by law was administered to him by the Vice President, and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations, Senator.

(Applause, Senators rising.)

REPEALING SECTION 403 OF THE BIPARTISAN BUDGET ACT OF 2013—MOTION TO PROCEED—Continued

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HEITKAMP). The clerk will call the roll. The legislative clerk proceeded to call the roll.

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

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

Ms. HIRONO. Madam President, there is overwhelming bipartisan support to repeal the COLA reduction for military retirees that was enacted last December in the budget bill. The debate now is whether and how to pay for the cost of this repeal. I agree with my friend Senator MARK BEGICH of Alaska that our veterans have already paid for this repeal with their service to this country. However, there are some Senators who take a different view and have offered what we refer to as pay-for amendments.

Today I rise in strong opposition to the Ayotte pay-for amendment. The bill before us, S. 1963, the Military Retirement Pay Restoration Act, would repeal the COLA reduction for military retirees. This bill is sponsored by Senators PRYOR, HAGAN, and BEGICH, and I applaud their leadership on this issue.

Cutting military pensions was a bad idea. An even worse idea is to set up a contest between providing pensions to veterans and providing antipoverty assistance to children. That is the choice Republicans want us to make. I wish I could honestly say this so-called choice is hard to believe, but I can't. It is like

choosing between cutting off an arm or a leg from the body politic. Vets or poor children—aren't they both in need of fair treatment?

Again, there is bipartisan support to restore the COLA cuts for veterans, but I am told that my Republican colleagues won't allow us to have an up-or-down vote on the Military Retirement Pay Restoration Act unless we also vote on the Ayotte amendment No. 2732.

What does this amendment do? The Ayotte amendment would deny anti-poverty assistance to the children of undocumented immigrants who are working and paying billions of dollars in taxes. It would cut this child poverty program by more than \$18 billion over 10 years to pay for the restoration of COLAs for military retirees, which would cost about \$6 billion over 10 years. In other words, the Ayotte amendment would deny \$3 of anti-poverty assistance to children in order to restore \$1 of retirement pay to our veterans. That is unconscionable. We should not take the benefits we provide to veterans by hurting children in the process. Hurting children does no honor to our veterans' service.

The children targeted by the Ayotte amendment did not decide on their own to come to this country illegally. They were brought here by their parents. These children are DREAMers—our DREAMers. We should not punish them for their parents' decisions. We should help these children to succeed so they can contribute to this great country. Their parents are doing their part by working and paying more than \$16 billion in taxes each year, more than \$160 billion over 10 years. We should not deny them this small measure of help.

Let me acknowledge that it is politically difficult to vote against the offset in the Ayotte amendment. Why? Because the amendment targets people who have no political power. These are children of parents who cannot vote. These are children of parents who are very poor, who themselves live on the edge of poverty or far into the depths of it. Their parents work one, two, or even three jobs and pay the taxes they owe, but they are barely making ends meet. They are far removed from the level of wealth that too often today translates into political power. These are children of parents who came to this country the same way many of our ancestors came to this country 100 or 200 years ago and for the same reasons—to escape poverty, to seek opportunity, and to give their children a better life than they had. Their parents are working and paying billions of dollars in taxes each year, which is extending the lives of the Social Security and Medicare trust funds, as examples. Their parents are working and paying taxes, but they came here illegally, and therefore they must live in the shadows and live in fear.

Put simply, these are children of families who have no political power—none. They are the easiest to go after,

and that is what this Ayotte amendment does. But we should help these families. We should help these DREAMers. It is an ancient and universal principle that we should help the least among us. To paraphrase the Book of Matthew, we should treat the least among us as we would treat the mightiest among us. That is why the U.S. Council of Catholic Bishops opposes the Ayotte amendment. We should not hurt the least among us in order to help our veterans.

How much money would the Ayotte amendment deny to these children? The maximum child tax credit is \$1,000 per child, which is about \$2.74 per day per child. To many of us, \$2.74 per day seems like a small amount, but to a child in poverty it is literally the difference between eating and not eating.

According to the Bureau of Labor Statistics, in 2011 the average cost of one meal for one person was \$2.67. That was the average cost, which means that a lot of people spent less than \$2.67 on each meal. By way of comparison, SNAP benefits average about \$4 per person per day—\$4 for three meals, not just one. So our own food program is less than what our own Bureau of Labor Statistics says is the average cost of a meal.

So for a low-income child, the \$2.74 per day she gets from the child tax credit is equivalent to about one meal. If a child is very poor, it probably means two meals. Put simply, if she gets the child tax credit, she eats. If she doesn't, she doesn't.

Of course, not every child receives the maximum refundable credit. The amount of the refund is determined, in part, on a family's income, so poor families receive even less. The average income for the families who would be affected by the Ayotte amendment is about \$21,000 per year. They have to be working and paying taxes to get even one dime from the child tax credit program. Their average child tax credit refund is about \$1,800, which is about \$5 a day. That may not be much money to the Senators in this body, but that \$5 pays for a meal for the whole family. It is about 8 percent of their income.

We should not be denying this basic level of assistance to any child in this country, no matter who their parents are or how they came here. We should not deny children this assistance when their parents—and I am going to repeat it—will pay over \$160 billion in taxes in the 10 years during which this provision is cutting \$18 billion. The way the child tax credit is structured, only working families who are paying these kinds of taxes can claim the refundable portion. It is not fair that families work and pay taxes but are then denied help—\$2.74 per day per child.

We should not deny children this assistance under the guise of combating fraud. Imposing a Social Security number requirement on qualifying children will not end the fraud the proponents of this amendment have cited. We should go after the fraud, but it should