tea party anarchists in the House or in the Senate who ignore the fact that President Obama was overwhelmingly reelected a few months ago.

These fanatics really point to disapproval for ObamaCare as justification for taking the Federal Government and our economy hostage to their demands. What they fail to mention to the American people and to the Senate and to the House is that 59 percent of Americans either support the law or wish it were even more far-reaching and transformative of our health care delivery system, according to a CNN poll. The vast majority of Americans—including those who disapprove of the health care law—want Congress to work to improve it, not to tear it down. And according to a new CNBC poll, Americans overwhelmingly oppose defunding ObamaCare, especially if it means shutting down the government to do so.

So the facts are that the vast majority of the American people are satisfied with ObamaCare. The simple fact remains that ObamaCare is the law of the land and it will remain the law of the land as long as Barack Obama is President of the United States and as long as I am the Senate majority leader. The latest gamble by Republicans in the House of Representatives—made with the backing of their radical allies in the Senate—only postpones the inevitable.

This week the Senate will act as quickly as tea party Republicans will allow. Once the Senate has acted, House Republicans will face a choice—whether to pass a clean continuing resolution or shut down the Federal Government. So the question is, Are extremist Republicans really willing to shut down the government? Time will only tell. But the world looks to America for leadership. Is this lack of respect for the rule of law truly the example we wish to set for others? Are Republicans so intent on undermining both President Obama and his signature health care law that they are willing to inflict severe damage to our economy in the process? America will know exactly whom to blame—Republican fanatics in the House and the Senate.

I urge those Republicans to listen to the more reasonable Republicans in the Senate. I have read some of their commentary on what is contemplated and how dumb they think it is. I repeat, one Republican Senator said: It is the dumbest idea I have ever heard. Two dozen Senate Republicans have spoken against this foolhardy plan to drive the economy off a cliff—two dozen. This ''Thelma and Louise'' style is not getting the attention of the American people in a positive tone. If Democrats do not bow to every demand they have, they want to go right over the cliff. We are not going to go with them.

I am glad to see more and more of my moderate Republican colleagues stepping up to speak sense to an extremist element of their own party.

Maureen Dowd wrote in the New York Times on Saturday:

> Speaker John Boehner, trapped under the thumb of Tea Party anarchists, called Friday's vote to defund Obamacare and invite a government shutdown, ''a victory for common sense.''

She said:

> More like a triumph of nonsense [not common sense].

So a few reasonable Republicans are wise enough to know that risking the Nation's economic recovery for the sake of a Pyrrhic ideological victory would be another step toward a death knell for the Republican Party.

Mr. President, every one of these Senators whose comments I read to everyone listening, plus the 20 or so others whose comments I did not mention specifically, are conservative people, conservative Republicans, they are just not radical.

So I say to House and Senate Republicans who continue to deny a reality and risk America's economy: Listen to the chorus all around you. Listen to what they are saying. Your conservative Senate colleagues have urged you off this reckless course. The Nation's largest business group, the chamber of commerce, has urged you off this reckless course. American families, who are weary both of these foolish partisan fights and of these difficult economic times, have urged you off this reckless course. And on behalf of Democrats, who long for the days when we legislated through cooperation—we did it instead of hostage-taking—I personally urge you off this reckless course.

What remains to be seen is whether my Republican colleagues on both sides of the Capitol are wise enough to listen.

Mr. President, we have a number of people we are trying to get approved, confirming nominations. They have been approved by everyone, as far as I know, and I will again, unless my friend from Texas objects to these people getting confirmed—does my friend object?

Mr. CRUZ. Reserving the right to object, I am happy to discuss it with the majority leader, but at this point, yes, I object.

Mr. REID. Fine. I will make my request, and the Senator can grab his reservation, and we will talk about it.

I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 338, 339, 341, and 343; that the nominations be confirmed en bloc; the motions to reconsider be considered made and laid upon the table; that there be no intervening action or debate; that no further motions be in order to any of the nominations; that any related statements be printed in the Record; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. CRUZ. I object.

The ACTING PRESIDENT pro tempore. There is objection.

Objection is heard.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider the following nominations—I stated the request earlier. I would re-engage in that and ask unanimous consent that be the case.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

FEDERAL ELECTION COMMISSION

Ann Miller Ravel, of California, to be a Member of the Federal Election Commission for a term expiring April 30, 2017.

Lee E. Goodman, of Virginia, to be a Member of the Federal Election Commission for a term expiring April 30, 2015.

DEPARTMENT OF STATE

Evan Ryan, of Virginia, to be an Assistant Secretary of State (Educational and Cultural Affairs).

BROADCASTING BOARD OF GOVERNORS

Kenneth R. Weinstein, of the District of Columbia, to be a Member of the Broadcasting Board of Governors for a term expiring August 13, 2014.

LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume legislative session.

MAKING CONTINUING APPROPRIATIONS FOR FISCAL YEAR 2014—MOTION TO PROCEED—Continued

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING OUR ARMED FORCES

SERGEANT JAMAR AVERY HICKS AND SERGEANT FIRST CLASS RICARDO YOUNG

Mr. BOOZMAN. Mr. President, earlier this month we marked the 12th anniversary of the terrorist attacks on the Twin Towers and the Pentagon that killed more than 3,000 people.

Our fight against terrorism continues today. We can be proud of all that America's military personnel and the veterans of the global war on terror have accomplished, as well as the ongoing efforts.

Many brave Americans put their lives on the line every day to defend this country because terrorists remain committed to harming the United States. Many have made the ultimate sacrifice for our freedoms. We must honor the sacrifice of the men and women who laid down their lives for us.

Arkansas has a proud history of its citizens serving this country in the military. Many brave Arkansans, including two recently, have given their lives defending our country on the battlefield. We continue to honor the men and women who have given their last full measure of devotion to protect our Nation.

SGT Jamar Avery Hicks sacrificed his life for this country in support of Operation Enduring Freedom. Sergeant Hicks graduated from Hall High School in Little Rock, AR, in 2009. One of his former teachers described him as a student who didn't mind going out of his way to help others and never looked for anything in return. She says she would have taken a whole classroom filled with students like Jamar. Those closest to Sergeant Hicks describe him as a quiet, gentle, and unassuming man with an infectious smile who always had a positive outlook on life.

Sergeant Hicks joined the Army in November of 2009. His friends say he loved the Army, and his military service drove him to continue to improve himself. Sergeant Hicks was assigned to Headquarters and Headquarters Battery, 4th Battalion, 320th Field Artillery Regiment, 101st Airborne Division, Fort Campbell, KY, as a vehicle driver. He gave his life on August 11, 2013, his 22nd birthday, after enemy forces attacked his unit with indirect fire in the Paktia Province of Afghanistan.

I ask my colleagues to keep his family, including his wife Debra, his son Jamar, Jr., and friends in their thoughts and prayers during this very difficult time.

Most recently the Natural State honored the life of SFC Ricardo Young as State flags flew at half-mast. Sergeant First Class Young graduated from Nevada High School in Rosston, AR, in 1997. His family and friends describe him as fun-loving, caring, and always full of life. Sergeant First Class Young joined the Army in September 1997. He trained at Fort Benning before his first assignment at Fort Campbell, KY. In his 15 years of military service, Sergeant First Class Young was deployed to two tours in Iraq, one in Afghanistan, in addition to other missions around the globe.

Sergeant First Class Young was assigned to the 738th Engineer Support Company, 307th Engineer Battalion, 20th Engineer Brigade, 18th Airborne Corps, Fort Bragg, NC. On August 28, 2013, he gave his life in support of Operation Enduring Freedom in Farah Province, Afghanistan.

On behalf of a grateful nation, I humbly offer my sincerest gratitude for the patriotism and selfless service of Sergeant First Class Young and Sergeant Hicks.

Let us never forget the sacrifices of our troops, and let their legacies be an inspiration for all Americans.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON. Mr. President, I would like to be recognized to speak on a few issues.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON. In the course of the next few weeks it is going to be white-knuckle time. Here, coming up next week, October 1, begins a new fiscal year, of which all appropriations funding of the Government, save for those programs that automatically flow such as Medicare, Social Security—all others will cease to have funding unless we can continue to fund through appropriations bills coming up. That is next week.

As you know, there are a number of people on that side of the aisle who are threatening to shut down the government unless they get their way. In this particular case a lot of them in the House of Representatives are saying their way or no way; that they want to defund the implementation of the law that has been in existence for 3 years, setting up a reform of the health care system.

But the white knuckles—assuming we can get over that little hurdle—the white knuckles will continue because shortly thereafter we are going to get to the day of reckoning about whether the U.S. Government can pay its bills because of the artificial debt ceiling set in statute that says that above a certain level the U.S. Government cannot borrow any more money. These are obligations that have already been incurred.

Just think how many of us own U.S. bonds. A bunch of those bonds are coming due. That is in large part how we finance the debt of the United States, by selling securities with the full faith and credit of the strongest financial government on the face of planet Earth. Therefore, if that debt ceiling, that artificial ceiling set in statute, is not raised, the government cannot go out and borrow any more money—in other words, issuing new bonds. That is when the knuckles completely turn white.

Listen to what a respected economist, the chief economist for Moody's Mark Zandi told the Joint Economic Committee last week. He says the financial markets of this country, indeed the international markets as well, will start to get jittery starting next week if there is no clear path to a deal on raising that artificial, statutory debt ceiling. He says then that jitteriness is going to turn into panic once the U.S. Treasury cannot make its payments. He further went on to say: ''If you don't do it in time, confidence will evaporate, consumer confidence will sharply decline, businesses''—I hope the American people, by the way, can understand this, what are the consequences of this—'' . . . businesses will stop hiring,'' he says, ''consumers will stop spending—'' listen to that, shopowners—''and the stock market will fall significantly in value:'' and how about this, small business owners—''borrowing costs for businesses and households will continue to rise'' significantly.

Do you know what he told us, the same economist told us 2 years ago when we were getting right up to the precipice on the debt ceiling? He said:

> At the end of the day if we don't raise the debt ceiling, the economy is going to go back into a recession. Interest rates are going to spike.

In the State of the Presiding Officer, the housing market is recovering, as it is in my State. People are excited about buying a new house or selling their old house and moving into a new house. Interest rates are still relatively low. But in a State such as Virginia or my State of Florida, where housing is such a critical component of the economy, just think what is going to happen if the interest rates suddenly spike and now the cost of getting into a new house is double what it was before because of the interest rate spiking and because they are less inclined, if the interest rates spike, to get that new mortgage. Then the houses are not selling and the values of the houses that have been recovering, out of the deep recession, instead of going this way are starting to go that way.

The American people have not focused on the consequences if these guys on that side of the aisle and down there at the other end of the Capitol in fact cause the U.S. Government to go into default.

Let's listen to some more experts. Martin Feldstein, former Chairman of the Council of Economic Advisors—for whom? For a Republican President, President Reagan:

> The debt ceiling is a very dangerous thing to play with.

How about the respected Bob Rubin, Treasury Secretary under President Clinton? Remember the 1990s, how the economy was surging, how people were feeling good? Let's see what he says.

> Defaulting on our commitments is unthinkable and dangerous, and the debt ceiling should be raised now without conditions.

That is what the President has said. He is not going to negotiate on the debt ceiling because of all of these consequences. Yet they are saying if they

do not get their way to take away the funding for the implementation of the part of the health care bill that is supposed to go into effect—a lot of it has already gone into effect—they want to take away the funds.

Let's listen to another respected economist. After all, he has shepherded us out of the recession because he is the Chairman of the Federal Reserve, Ben Bernanke. He says:

> But I do hope that Congress will allow the Government to pay its bills, not raise the possibility of default which would be very, very costly to our economy.

That is a little bit of understatement, as the Chairman of the Federal Reserve always does, but it is a zinger.

Mark Zandi, the one we quoted before, says:

> This dark scenario is so dark I can't imagine it.

How about another former Vice Chairman of the Federal Reserve, Alan Blinder:

> In short, the consequences of hitting the debt ceiling are too awful to contemplate. . . . A sane Congress wouldn't even think about it.

Let me quote another Republican, Bruce Bartlett, deputy assistant secretary for economic policy at Treasury under President George H.W. Bush. This is what he said:

> A potential debt default is far more than a domestic consideration; it is a matter of foreign policy.

That leads me to briefly comment. We suddenly have in the international arena a whole bunch of new things that might be optimistic signs. If the Russians follow through and if President Assad does in fact open—and those are two big ''ifs'' but at least it has happened thus far in the first week—if Assad does in fact open his chemical weapons, then there is the possibility that not only would the ability to disperse chemical weapons in Syria have been eliminated but those entire weapons would have been eliminated.

That is a pretty good first step.

We are also hearing the new President of Iran—as a result of an election in Iran—start to sing a new tune and have more of an outreach to the West. Should we be skeptical? Of course. I talked to the new Foreign Minister of Iran, who was a former Iranian Ambassador to the United Nations, last Friday. I talked to him about what a gesture of good will it would be if they could find the missing retired FBI agent who disappeared 6½ years ago, Bob Levinson, from the tourist island of Kish off the Iranian coast—if they could find him and return him to his wife and seven children after having been gone for 6½ years. We have had proof of life twice—one with a video and the second time was 2 years ago in a photo. What a gesture of good will it would be if they were sincere about having a new relationship with the West.

So if intrigues are real and they happen, would we want to undermine so much of that—to put it in the words of a Republican adviser of the Treasury to President George H. W. Bush—that a potential default is far more than a domestic consideration, it is a matter of foreign policy. Would we want to weaken the U.S. Government as it negotiates over these critical matters?

I will conclude by saying there is some movement and discussions underway about a two-state solution between Israel and the Palestinians with security safeguards for both. Again, if there is any reality to these new messages that are flowing around and which our Secretary of State and our former colleague John Kerry is trying desperately to bring about—just think of what that does to improve the world situation, of which the enormous beneficiary is the United States of America.

Yet would we be threatening again, pulling the economic underpinnings out from all of our negotiators on these three main negotiated topics that are now in front of us that affect the national security so desperately of the United States and the security of our allies? I don't think so. That is why I think there are a bunch of folks over here who have tried to get the Members in the House of Representatives to come to their senses.

We have seen this brinkmanship before. I hope cooler and more rational heads will prevail.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, we have a very serious problem with the new health care law. Costs are surging. We now have a projection from the Government Accountability Office. Under a realistic set of assumptions, the health care law will add over $6 trillion to the unfunded liabilities of the United States of America. Private health insurance premiums are going up. Unions are in full rebellion. Congress is in rebellion with regard to our staff. Doctors are rebelling. Many of them are giving up practices. They didn't get the one thing they really needed, which is a fix to their Medicare reimbursement. The President has had to delay the employer mandate. This law is nowhere close to workable. It is not good. There are many more bad things I could say about the status we are in today.

The only person who apparently is stuck with this, who doesn't have power to influence the process, is John Q. Citizen. Businesses are getting their employer mandate delayed because it just won't work.

In fact, this law is clearly, indisputably savaging job creation and economic growth. Seventy-seven percent of the people who got jobs this year got part-time jobs, and every expert says ObamaCare is a big part of the reason—a big part of that. Businesses are staying below 50 employees so they feel as though they are not so bound. Wages are down again this year. Unemployment is high. The percentage of the American people who are actually working is down—the workplace rate—and it is at the lowest point since 1975. This health care law is a big part of it. It just is, and everybody knows it. Talk to any businessperson, and they will say that the uncertainty, the costs, the problems that are entailed with it are impacting what they do. That is just a fact.

So this year the Senate has done nothing—absolutely nothing. Every attempt to confront the serious problems with this law has been blocked by the Senate Democratic majority led by Senator REID. That is just a fact. The House has passed repeated bills to confront this problem, and they have now sent over a bill from the House that funds the Government of the United States but defunds this unworkable health care law. Republicans in the House and Senate have put forward serious proposals to improve health care in America.

We ought to understand the posture we are in here. The Senate Democrats have refused to consider any reform. The House has passed a number of bills to deal with this in a responsible way, and they have now passed a bill—a continuing resolution—to fund the Government of the United States, but defund the President's health care law.

What does he say? He says: Well, I will talk with Putin, negotiate with him. I will negotiate with Assad. I will negotiate with Iran. But I will not even talk to anyone in the U.S. Congress about this health care law that is clearly unworkable and, as one of our Democratic Members said, a train wreck. No chance. Not one jot, not one tittle of my health care law will be changed.

What is he saying there? I will shut down the government before I allow a change in my ''perfect'' health care law.

So I want to raise the question, Who is causing the problem in this country? Who is the one who is refusing to fix an obviously failed health care law that needs major reform? It is the President of the United States and a majority in the Senate. I express my deepest concern about it, as a member of the Budget Committee, and we will talk more about it in the days to come, but this law is financially unsustainable. It is not what it was sold to be.

The American people have never believed you can have a huge expansion of health care and not have an impact on the U.S. budget. They are absolutely right, as the GAO has already told us.

I know others are prepared to talk. I just want to say that we need to understand what has happened. It is time for

us to make some fundamental changes to this law, and all we are hearing from the White House is this: No, sir. Not one change will they accept. We will not even have serious negotiations about it. That is unacceptable. It needs to change. I hope in the next few days the American people will become engaged, and perhaps our colleagues will see it differently.

I thank the Chair and yield the floor.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. CRUZ. Mr. President, I ask unanimous consent that I be given 20 minutes to speak.

The PRESIDING OFFICER. Is there objection?

The majority leader.

Mr. REID. Mr. President, I have no objection whatsoever to the Senator speaking, but it was my understanding he was going to ask some consent requests. I understand he has great persuasive talents in speaking, but I am not going to be able to do that. I interrupted my schedule today, which I was happy to do, at the convenience of the Senator from Texas. So I will be back in 20 minutes, and the Senator can ask his unanimous consent requests at that time. Is that OK?

Mr. CRUZ. Mr. President, I would be happy to ask the unanimous consent requests at the outset if that would be preferable to the majority leader.

Mr. REID. OK. And if the Senator would do that, I would really appreciate it. And he has my word that I will watch what I can, and if I cannot, I will read every word of it tonight.

Mr. CRUZ. And I am hopeful my remarks will be persuasive when the Senator watches them.

Mr. REID. My friend is always persuasive.

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

Mr. CRUZ. The first unanimous consent request that I would put forward: Mr. President, I ask unanimous consent that the Senate agree to the motion to proceed to H.J. Res. 59; that no debate, amendments, or motions to the resolution be in order; that any and all points of order be waived; that the resolution be read a third time and passed and the motion to reconsider be considered made and laid upon the table, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Yes. Reserving the right to object, Mr. President, my friend went right to the point, and I appreciate that. I understand that the junior Senator from Texas asks consent to pass the House-passed continuing resolution by consent without any amendments. I understand that. As I said, he came right to the point.

The House-passed resolution, as we know now, would defund ObamaCare. It would block not only the administration of the program but all related benefits as well, and that is untoward.

Second, it includes so-called debt prioritization language, or what has been called the ''pay China first'' policy. This would leave us vulnerable to default on our obligations to everyone else besides bondholders and Social Security—everyone from veterans, to small businesses, to Federal employees and contractors, to doctors and hospitals and Medicare patients generally.

Mr. President, the President would veto this continuing resolution, so it is not going to become law anyway, and I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CRUZ. Mr. President, the second unanimous consent request that I would put forward: Mr. President, I ask unanimous consent that the Senate agree to the motion to proceed to H.J. Res. 59; that any and all points of order be waived; that during consideration of H.J. Res. 59, adoption of any amendments be subject to a 60-affirmative-vote threshold; and that upon disposition of all amendments, the resolution be read a third time and passed and the motion to reconsider be considered made and laid upon the table, without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object I again understand the Senator from Texas in his request, which would create a new 60-vote hurdle where the Senate rules do not require one at the present time. I really try to follow the Senate rules. Sometimes they are obnoxious and I wish they were different, but I try my best, in leading us in this difficult Senate sometimes, to live up to all the rules as they exist. The Senate rules set up a lot of hurdles. That is the way the precedents have been developed over the years, and I understand that. Sometimes Senators like these, sometimes they do not. I would guess that most would say the Senate has enough—enough—60-vote hurdles, that the Senate has enough of these really arbitrary hurdles as it is, that we do not need to add even more barriers to getting things done.

We should be careful about adding new barriers. The American people are really fed up. I travel the country, and it is rare that I go someplace where they do not say: What are you going to do to change the rules? They know what the rules are and how difficult they are. I would bet the vast majority of Senators—Democrats and Republicans—would like them changed. The problem is that we have tried that recently. We were able to make a little headway but not a lot. So I think most Americans would rather we work in ways to agree to work together rather than disagree. I almost would bet, although I am not a betting man, that most Americans would rather we avoid shutting down the government.

Mr. President, I know the sincerity of the Senator from Texas. I understand that. I disagree with him I hope as sincerely as he disagrees with me, but I do not take away from his sincerity. But having said that, I am in a position now to object, and I must do that.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CRUZ. Mr. President, at this time I now ask unanimous consent that I be allowed 20 minutes to speak.

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

Mr. CRUZ. Mr. President, these two unanimous consent requests have the virtue of clarifying this debate the Senate will face this week. I am going to suggest to the Presiding Officer that the Senate has not faced a more important debate in the short time he and I have both served in this institution. No American wants a government shutdown. I do not want a government shutdown. No one on this side of the aisle wants a government shutdown. The House of Representatives does not want a government shutdown.

Five minutes ago the Senate could have acted to prevent a government shutdown. The requests I promulgated to the majority leader were to pass the continuing resolution the House of Representatives passed. If that had happened, there would be no government shutdown. A government shutdown would be taken off the table. The specter the Presiding Officer and I see on the television screen every day—the countdown clock that has started to appear—would disappear. But unfortunately the majority leader chose to object—to object and to say, no, he would rather risk a government shutdown than act to prevent it. Why? Again, the majority leader was quite candid: because he supports the law called ObamaCare.

I would note that a component of that also—one of the pieces the House of Representatives passed—is a law that has been called the Default Prevention Act. The President of the United States has been doing a fair amount of public speaking, raising the prospect of a default on our debt. The House of Representatives acted boldly to include in their continuing resolution language that would say the United States will never, ever, ever default on its debt, that in the event the debt ceiling is not raised, we will always pay our debt first.

I suspect every Member of this body has spoken publicly about the calamity that would come from a default on the debt. I think it is quite revealing that the majority leader explicitly referenced and objected to by name taking a default off the table. I think that is unfortunate.

There is a tendency in this town toward brinkmanship, toward pointing to

events that can cause instability and uncertainty and using them to try to get your way. I wish the majority leader had been willing to step forward and say: I agree, No. 1, that the government should be funded; we should not have a government shutdown; and, No. 2, that we should never ever even discuss a default on the debt.

Had the majority leader simply said, ''I consent,'' a default on the debt would have been taken permanently off the table. Why didn't he? We all know why he didn't. Because the majority leader embraces ObamaCare. I am going to suggest that this body a little over 3 years ago passed ObamaCare. It passed on a straight party-line vote. In the time since it has passed, America has learned it is not working. Americans all over this country are suffering because of ObamaCare. It is the single biggest job killer in America. Every day we are seeing more and more evidence that ObamaCare is killing jobs; that it is hurting American workers who are struggling; that it is causing people to be forcibly put into part-time work, 29 hours a week; that it is jacking up their health insurance premiums. It is causing more and more people, who are struggling, to lose their health insurance altogether.

Today the New York Times reported that because of ObamaCare, ''Insurers are significantly limiting the choices of doctors and hospitals available to consumers.'' That is today in the newspaper.

USA Today reported on a new ''family glitch'' that could cause up to a half million children to go without insurance coverage.

A headline in the Washington Post today read, ''One week away, ObamaCare's small business insurance exchanges not all ready for launch.''

Even the labor unions that once championed ObamaCare are now publicly decrying it as a threat to the 40-hour workweek that is the backbone of the American middle class. That is in the words of organized labor.

This law is hurting the American people. It is why there is bipartisan consensus outside of Washington, DC, that we need to step up and stop it. That would be the responsible thing for Senators on both sides of the aisle to do, to say: The same rules should apply to hard-working American families that apply to big corporations and that apply to Members of Congress.

We have seen the President unilaterally put in place exceptions for giant corporations and Members of Congress. I would submit, hard-working American families deserve that same exception. So I think it is unfortunate the majority leader chose to object to continuing government, to preventing a shutdown, to taking a default off the table. But I do think it is clarifying to make clear, as the majority leader just did, that he is willing to risk a government shutdown. He is willing to force even a government shutdown in order to insist that ObamaCare is funded.

That leads to the second unanimous consent request I put forward, a simple request that every amendment on this continuing resolution be subject to 60 votes. Everyone in this body knows that is not an unusual request in the Senate. Amendments in this body are routinely subjected to 60-vote thresholds. Indeed, a few months ago when this body was debating the issue of guns—a contentious issue, an emotional issue, an issue of great moment for this country—the majority leader agreed with the minority that every single amendment on the floor would be subject to a 60-vote threshold. Those were the terms under which every aspect of the gun debate was debated.

I would note that one amendment that was submitted during that gun debate was the Grassley-Cruz amendment. It was the law enforcement amendment that put real teeth in going after felons and fugitives who try to illegally buy guns. It put real teeth into forcing States to report mental health records so we can prevent those with serious mental illnesses from illegally purchasing firearms.

I would note that the Grassley-Cruz amendment received a majority vote in this institution. A majority of Senators voted for it, including nine Democrats. It was the most bipartisan of the comprehensive gun amendments voted on in this body. Yet it did not pass into law because the majority leader set a 60-vote threshold for every amendment.

I would suggest that ObamaCare is no less important. ObamaCare is no less controversial. ObamaCare, likewise, should be subject to the same threshold. If the majority leader believes ObamaCare is good for America, if the Democrats in this body believe ObamaCare is good for America, then I would encourage this body, let's debate—not in the artificial sense in which we debate, one or two Senators talking to an empty hall, but in the real sense of making the case to each other and the American people about whether this law is working or whether it is not. Because everywhere I travel in the State of Texas and across the country, Americans come to me and raise the single biggest challenge they are facing: ObamaCare. It is killing their jobs. It is taking their health care. It is not working.

We all know that 3½ years ago ObamaCare was forced into law on a strict party-line vote, by straight, brute force. But it should not be funded that way. That is not the way a government should proceed. That is not the way this institution should proceed. A 60-vote threshold does not require that the majority leader get a great many Republican votes, but it does require that he get a few, that he cannot simply do it with the votes of only the Democrats in this body.

This country will be better off if we work together to restore economic growth and to stop the incredible job loss that is coming from ObamaCare. In fact, regarding a 60-vote threshold, here is what the learned majority leader has had to say:

> For more than 200 years, the rules of the Senate have protected the American people and rightfully so. The need to muster 60 votes in order to terminate Senate debate naturally frustrates the majority and oftentimes the minority. I am sure it will frustrate me when I assume the office of majority leader in a few weeks. But I recognize this requirement as a tool that serves the long-term interests of the Senate and the American people and our country.

I agree with Majority Leader REID. I agree that 60-vote thresholds ensure that we behave not just in a partisan manner but in a way that brings us together. Given the challenges coming from ObamaCare, I believe nothing is hurting the American people more, nothing is hurting the economy more, nothing is damaging jobs more, than ObamaCare.

Given the majority leader's objection raised today, the path the majority intends to go down is now clear. It is clear to Democrats, it is clear to Republicans, it is clear for the world to see: The majority leader has stated it is his intention to force a vote to fund ObamaCare, and do so using just 51 votes, to do so on what could be a straight party-line vote, in all likelihood would be a straight party-line vote.

I would suggest that is not a responsible course of action. It is not a course of action that I think Republicans should acquiesce to. If it is the majority leader's intent to fund ObamaCare using just 51 votes, then I would submit to every Republican in this body it is our obligation to our constituents to do everything we can to prevent the majority leader from funding ObamaCare with 51 votes. Any Member of this body who votes for cloture on this bill will be voting to allow the majority leader to fund ObamaCare on 51 votes. I think that vote is a mistake. I think that vote disserves our constituents. I think that vote hurts the people of America.

So 232 Members of the House of Representatives came together and said explicitly: Do not fund ObamaCare. I would note that included two Democrats who came together with Republicans in a bipartisan manner to say: This law is not working. Maybe we thought it would work, but the facts, the evidence, have proven it is not working.

The Senate should do likewise. The House acted last week because the House listened to the American people. I would suggest that every Member of this body should do exactly the same: Listen to the American people. Because if we listen to the American people, we will, No. 1, keep the government running. I wish the majority leader had agreed to my request to take a government shutdown off the table by passing the House continuing resolution.

If we listen to the American people, we will, No. 2, take any default on the debt off the table. I wish the majority

leader had not objected to doing so right now. I wish the majority leader had not said he intends to continue to use the threat of a default to engage in brinkmanship to try to force ObamaCare on the American people.

If we listen to the American people, we will recognize that this law is not working. That is why big corporations asked for and received an exception. That is why Members of Congress asked for and received an exception. That is why unions have recently come forward and asked for an exception. They have not yet been granted it, but I will venture a prediction now that if Congress votes to continue funding ObamaCare, that union exception will not be far away. Then we will be left in a world where the burdens of ObamaCare, the job-killing consequences of ObamaCare, fall on hard-working American families, not on big corporations, not on Members of Congress and, in the near future, I predict not on union bosses, only on hard-working American families, on single moms, on young people, on people struggling to climb the economic ladder.

I would suggest that is getting it exactly backward. This body should be not be granting special rules, special favors for the ruling class, for those with power and privilege. We should be fighting for those who are struggling. Those are the people who are getting hurt the most by ObamaCare.

I believe this week will be a critical week for the Senate, where every one of us—and I hope to see Republicans and Democrats stand together and to say, setting aside partisan differences, we have an obligation to the people of our States. ObamaCare is not working, so we are going to step forward and recognize the simple reality that it is the biggest job killer in this country and we should not affirmatively fund it.

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

The PRESIDING OFFICER. The clerk will call the roll.

The clerk proceeded to call the roll.

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

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

CIVILIAN NATIONAL SERVICE

Mr. McCAIN. Mr. President, on September 11 we came together as a country on the National Day of Service and Remembrance to honor those lives lost on that tragic day 12 years ago and celebrated the bravery and commitment of our men and women in uniform. As our soldiers, sailors, airmen and marines continue to defend our freedom and security abroad, Americans back home have also been stepping forward to serve their communities and country.

Last week brought the 20th anniversary of the signing of legislation that created AmeriCorps. With that goal in mind, I rise to speak in honor of the men and women in civilian national service who have sacrificed their time and energy to serve our country by strengthening our communities. We honor them for their commitment and hold them as shining examples for rising generations.

Over the last two decades more than 820,000 AmeriCorps members have quietly and selflessly given in total more than 1 billion hours of service to our country. In Arizona alone more than 15,000 residents have served more than 16 million hours and have earned Segal AmeriCorps Education Awards totaling nearly $37 million. They have mentored and tutored schoolchildren, helping students stay on track with their education and having a chance at a better future. They have helped communities recover from devastating natural disasters, supported military families, and helped veterans overcome the stress of a decade of conflict and reintegrate back into civilian life. They have worked in our national parks and on our public lands that preserve the story of America for future generations, and they have done so much more.

For their dedication and service they receive a modest living allowance and an education award that can keep the dream of a college education within reach. They have also earned my respect and the admiration of citizens around the country.

As we reflect on the dedication of those who have served, we must also ask ourselves what more can we do to give more young Americans the opportunity to follow in their footsteps. As the Franklin Project at the Aspen Institute has called for, we should make a year of national service, whether military or civilian, a right of passage for all young Americans. We should expand AmeriCorps service positions, as we called for in the bipartisan Serve America Act that we passed nearly 5 years ago. We should strengthen partnerships with Federal departments and agencies to use national service as a cost-effective strategy to meet their missions, and we should work with the private sector, from corporations and philanthropic organizations to higher education and faith-based institutions, to support the creation of service opportunities and to recognize the contributions of those who serve.

We should also continue to remain engaged throughout the world by, among other things, fulfilling the promise of the Peace Corps. At its founding, America started with a grand notion, the recognition that all men are created equal and that they are endowed with certain inalienable rights that must be protected. But recognizing there are those among us and common causes greater than our own self-interests that require our attention and care, the Declaration of Independence also emphasized " . . . we mutually pledge to one another our Lives, our Fortunes and our Sacred Honor." Benjamin Franklin likewise talked about creating a "Republic, if you can keep it," and created a corps in Philadelphia through which citizens could serve their community. John Adams likewise spoke of how the duty to serve our country ended but with our lives.

Throughout history, Presidents of both parties put into place initiatives that put our people into productive service to our Nation. Examples include Franklin Roosevelt's Civilian Conservation Corps, John Kennedy's Peace Corps, Lyndon Johnson's VISTA Program, Richard Nixon's Senior Corps, George H.W. Bush's Points of Light, Bill Clinton's AmeriCorps, George W. Bush's USA Freedom Corps, and, more recently, the passage of the Serve America Act, which reauthorizes and expands national service programs.

Congress should step up. With so much division and discord throughout the country, national service can help bring our country closer together. Drawing from lessons learned from programs of the past, a renewed commitment to national service by this body can unleash the ingenuity of the American people and their desire to contribute to causes greater than themselves. It can channel the energy of the institutions of civil society to get our country moving again. Think of it: Passionate, engaged young people from all backgrounds and regions across the Nation tackling our toughest challenges in education, poverty, conservation, health, disaster response, reintegrating veterans, and more in a truly enduring way.

In my view, nothing else binds us better and has us move forward as a nation more effectively than service to our Nation, particularly service designed to improve lives and strengthen communities. For this reason, my vision for civilian national service is worth more than our aspirations. It deserves our commitment to achieving it.

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

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

Mr. LEE. Mr. President, on Friday a unified House Republican conference sent a strong message to the American people: Let's keep the government open, and let's protect the American people simultaneously from the harmful and potentially devastating effects of ObamaCare.

It is now time for the Senate to act. We know the President's health care law is not ready to implement. The Wall Street Journal recently reported that the government's software that runs the online insurance marketplaces, known as exchanges, simply is not ready. It can't reliably determine how much people need to pay for coverage.

In the face of this and the other aspects of the law that are not ready—many of them by the President's own admission—if the administration goes ahead with this law anyway, we know ObamaCare will be implemented in a manner that is manifestly unfair and that is likely to harm hard-working Americans. Big business, unions, and other special interests may well all receive special treatment under ObamaCare while the rest of the country will be forced into ObamaCare's unfair, unworkable, and fundamentally unsound system.

We know the law is unaffordable. We know it will be bad for the economy. At a time when we are running annual deficits approaching $1 trillion, ObamaCare is going to cost roughly $2 trillion over the next 10 years. The law is forcing employers to shed workers, cut back hours, and stop providing health insurance for employees. And we know it is not going to work. The Congressional Budget Office recently concluded that after 10 years of ObamaCare, 31 million Americans will still lack health insurance.

We understand these are inconvenient facts for the President and for Members of this body who still support this law. But those are the facts, and we have a responsibility to do something about it.

How many more people will have to lose their jobs, wages, and health care benefits before Congress acts? How many more States will have to announce that premiums are going up before we do something to protect the country? If the President won't act to protect the American people from this law and its harmful effects, Congress should.

Last Friday a unified Republican House showed tremendous courage in enacting legislation, knowing full well what the media would say, what the President would say, and what Democrats on both sides of the Capitol would say. Two hundred twenty-eight Republicans responded to the will of the American people and overwhelmingly passed a bill that would fund government and protect the country from ObamaCare. Only one party has voted to fund the government. Only one party has voted to avoid a government shutdown. Right now the ball is in the Senate's court.

Once the ball has reached the Senate, as has now happened, the Senate can respond in one of several ways. Basically, I see three options on the table, two of which are perfectly appropriate, one of which is unacceptable.

The first option would be for this body, under the leadership of our majority leader, to take a vote on the House-passed continuing resolution—the House-passed continuing resolution that keeps government funded but defunds ObamaCare—and to give that an up-or-down vote, to vote on that bill, as is, without any modification.

The second approach would be to open it for an open amendment process, to allow us to debate and discuss and consider amendments on the House-passed bill as each individual Senator might deem appropriate for this body to consider.

Both of these first two options are appropriate. Both of these first two options are understandable and acceptable under the totality of the circumstances. Some might naturally lean toward the first option, moving quickly to consideration of the House-passed bill in an as-is condition, given the fact that we are T-minus 7 days and a few hours until the existing continuing resolution expires on midnight of next Monday night. We are a little over 7 days before that continuing resolution expires. So under those circumstances many of us might suggest the best option might be to take that first approach, for the Senate to open this for a vote on the House-passed continuing resolution in as-is condition.

But if this body doesn't want to do that, if it wants to amend the House-passed continuing resolution, it would still be appropriate for us to have an amendment process. But that needs to be an open amendment process, one that is appropriate for this body—a body that many have described as the world's greatest deliberative body. If in fact it is great and deliberative, if in fact we want to continue this tradition, then we need to have an open amendment process when amendments are considered.

The third option I referred to, the option I would consider unacceptable, would be an option in which the majority leader would use a procedural trick to allow the majority party to gut the House-passed continuing resolution, removing its single most significant provision without allowing even consideration of one single additional amendment. This is not OK.

What I am saying is we need to either pass the bill as is—pass it or don't pass it—or we need to open the amendment process so all Members of this body have the opportunity to introduce and vote on amendments as each individual Senator deems appropriate. Those are the only two acceptable options.

It would not be an acceptable option if the majority leader were to decide to use a procedural trick to allow only one amendment—an amendment that would gut the House-passed continuing resolution and effectively negate its single most distinguishing provision.

The question that leaves us with is that once this bill comes up in this body, will we as Senators be courageous? Will we do the right thing for the American people or will Senate Democrats threaten to shut down the government in order to protect an ill-conceived, unworkable, unaffordable, and fundamentally unfair law?

There is no doubt that many voices will say we can't win this fight, but I am not so sure. Two months ago these same voices said we could not and would not get this far. They said this effort would amount to bad politics. They said this simply would not work in the Congress as it exists in 2013. And they were wrong. They were wrong because what the House of Representatives passed on Friday is what the American people have been demanding, and they have been demanding it overwhelmingly. They have demanded that Congress act to keep the government open and functioning while protecting the American people from the harmful, potentially devastating effects of ObamaCare. That is why I believe we can win.

The Senate majority may have the upper hand, but the American people will and always must have the last word.

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

The PRESIDING OFFICER (Mr. DONNELLY). Without objection, it is so ordered.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the motion to proceed to Calendar No. 195, H.J. Res. 59, a joint resolution making continuing appropriations for fiscal year 2014, and for other purposes.

Harry Reid, Barbara A. Mikulski, Carl Levin, Patrick J. Leahy, Elizabeth Warren, Charles E. Schumer, Richard J. Durbin, Christopher A. Coons, Christopher Murphy, Edward J. Markey, Patty Murray, Tim Kaine, John D. Rockefeller IV, Bill Nelson, Angus S. King, Jr., Benjamin L. Cardin, Kirsten E. Gillibrand.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

MORNING BUSINESS

Mr. REID. Mr. President, I now ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak therein for up to 10 minutes each.

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

20TH ANNIVERSARY OF AMERICORPS

Mr. DURBIN. Mr. President, I rise today to recognize volunteers doing extraordinary service to our country.