

place. More than 100 companies have already endorsed this bill.

Recent polling has shown the majority of small businesses have sexual orientation and gender identity non-discrimination policies in place. One might say: If so many businesses are already moving in this direction, why do we need it? Well, the vast majority of American businesses didn't discriminate based on race, but to protect people looking for jobs, and others, we wanted to make sure everyone was protected in the Civil Rights Act.

The business community from Wall Street to Main Street understands that hiring the best and brightest, without considering irrelevant characteristics such as sexual orientation and gender identity, is the best way to compete in our global economy.

ENDA would extend the protections already offered by the majority of businesses to level the playing field and ensure that all Americans have equal protection against employment discrimination.

We do not get many chances in this job to make a mark in history. This will be our chance in the Senate. In just an hour we will have this procedural vote. We need 60. We have 55 Democrats, but we need 5 Republicans to step up and join us. I believe we will have them, and I hope many more.

Let's make this a solid bipartisan effort, a solid stand against discrimination. That ought to be one issue that brings both parties together. With a solid vote coming out of the Senate, I hope our friends on the opposite side of the Rotunda will follow our lead and they will consider and pass this important and historic legislation.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### EXECUTIVE SESSION

#### NOMINATION OF GREGORY HOWARD WOODS TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

#### NOMINATION OF DEBRA M. BROWN TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF MISSISSIPPI

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Gregory Howard Woods, of

New York, to be United States District Judge for the Southern District of New York and Debra M. Brown, of Mississippi, to be United States District Judge for the Northern District of Mississippi.

The PRESIDING OFFICER. Under the previous order, there will be 30 minutes of debate equally divided in the usual form.

Mr. LEAHY. Madam President, today, we are voting on the nominations of Debra Brown and Gregory Woods to fill vacancies on the District Courts of Mississippi and New York. If confirmed, Ms. Brown would be the first African-American woman to serve as a Federal judge in Mississippi. I am proud that together we will reach a landmark moment in diversity on the Federal bench, and I commend President Obama, Senator WICKER, and Senator COCHRAN for their important efforts.

These nominations come at a trying time for the Federal courts. We have more than 90 judicial vacancies, and 37 of these vacancies have been designated as emergency vacancies due to high caseloads by the nonpartisan Administrative Office of the U.S. Courts. While it is a sign of progress that we will vote to confirm two additional judges today, it is essential that the Senate move faster to confirm those judges that the Federal judiciary so urgently needs.

Last week, when debating whether we would be allowed to have an up-or-down vote on the nomination of Patricia Millett to the DC Circuit, there was a lot of talk by Senate Republicans that Senate Democrats should be concerned with filling judicial emergency vacancies rather than the DC Circuit, which they claim does not need more judges. We all know that their arguments about the DC Circuit have nothing to do with caseload and everything to do with the political party of the President nominating. As one of only three members of my caucus who have served in the Senate since the 1970s, and having served both in the majority and the minority, I have cautioned against changing the rules. However, if the filibuster rules continue to be abused by my Republican colleagues I will have no option but to reconsider my longstanding opposition to such a change.

I also find the Senate Republicans' newfound concern about judicial emergency vacancies particularly rich with irony given their role in preventing this President from filling many of those vacancies. In fact, nearly half of the emergency vacancies are empty because of Republican obstruction. First, there are 15 judicial nominees pending before the full Senate, including 7 nominees who would fill judicial emergency vacancies if the Republicans would allow us to vote on them today: Elizabeth A. Wolford, to be U.S. district judge for the Western District of New York; Brian Morris, to be U.S. district judge for the District of Montana;

Susan P. Watters, to be U.S. district judge for the District of Montana; Brian J. Davis, to be U.S. district judge for the Middle District of Florida; James Donato, to be U.S. district judge for the Northern District of California; Beth Labson Freeman, to be U.S. district judge for the Northern District of California; and Pedro A. Delgado Hernandez, to be U.S. district judge for the District of Puerto Rico. Instead, Republicans continue to force many of these nominees to wait needlessly on the Senate floor.

Moreover, Republicans are obstructing nominees from filling these judicial emergency vacancies in other ways that the public is less aware. Much of these delay tactics occur earlier in the process, and include the refusal to return blue slips and the refusal to provide recommendations to the President for district court nominees from their State that they would be willing to support. In fact, there are judicial emergency vacancies that have persisted for years because certain Republican Senators refuse to either return their blue slip or provide a recommendation to the President. So I take these hollow accusations about focusing on judicial emergency vacancies from Senate Republicans with a grain of salt. This is advice I will heed once Senate Republicans demonstrate through their actions that they care about filling vacancies.

It is good news for New York and Mississippi that the Senate will vote today to confirm two excellent nominees. Yet I believe that the Senate should have acted sooner on these nominations. These nominees are uncontroversial and have remained on the Senate floor for far too long. The unnecessary and irresponsible government shutdown did serious harm to our Federal courts, which was already operating on fumes as a result of sequestration and the high levels of judicial vacancies.

Gregory Woods is nominated to a vacancy on the U.S. District Court for the Southern District of New York. Since 2012, Mr. Woods has served as the general counsel for the U.S. Department of Energy. He previously served for 3 years as deputy general counsel at the Department of Transportation, and in private practice for 11 years at Debevoise & Plimpton LLP, first as an associate, and later as a partner. Following law school, he worked for 4 years as a trial attorney in the Commercial Litigation Branch of the Civil Division at the Department of Justice. Mr. Woods earned his B.A., with honors, from Williams College and his J.D. from Yale Law School. He has the support of both of his home State Senators, Senator SCHUMER and Senator GILLIBRAND. The Judiciary Committee approved his nomination by voice vote more than 3 months ago.

Debra Brown is nominated to a vacancy on the U.S. District Court for the Northern District of Mississippi. Since 2012, Debra Brown has been a

shareholder in the law firm Wise Carter Child & Caraway. She previously worked at the law firm Phelps Dunbar LLP for over 15 years, first as an associate, then as a partner, and finally as a counsel. While earning a reputation as an excellent litigator, she stayed involved in her community, providing pro bono legal services through the Mississippi Volunteer Lawyers Project and serving on the Board of Directors for the Mississippi Center for Justice. Ms. Brown earned her B.A. from Mississippi State University, and her J.D. from the University of Mississippi School of Law. Her nomination has the support of both her home State Senators, Senator WICKER and Senator COCHRAN. The Judiciary Committee approved her nomination by voice vote more than 3 months ago.

To me, the path forward is simple. Nominees such as the ones being voted on today and the other uncontroversial, qualified nominees currently pending before the full Senate should be confirmed immediately so that they can get to work for the American people. Now that this shutdown has ended, we must work together to make sure that our Federal judiciary, a coequal and independent branch of government, has the resources it needs to be working at full strength and with a full complement of judges. Only then will we have a judicial system worthy of the American people.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, I am pleased to support the confirmation of Ms. Debra Brown to be a U.S. district court judge for the Northern District of Mississippi.

Ms. Brown graduated from the Mississippi State University School of Architecture in 1987, where she served as a member of the school's advisory council. She worked as an architect in Washington, DC, where she participated in the renovation and restoration of municipal and historic buildings and in the construction of commercial and residential properties as well.

She received her law degree from the University of Mississippi School of Law in 1997, where she served as associate editor and articles editor of the Mississippi Law Journal. Ms. Brown became the only lawyer in Mississippi with degrees in both architecture and law.

In 1997 she joined the Phelps Dunbar law firm in Jackson, MS, where she became a partner and remained until January 2012, when she joined, as a shareholder, the Jackson law firm of Wise Carter Child & Caraway. Both of these firms are highly respected.

During her almost 16 years in private practice, Ms. Brown has had the opportunity to be involved in numerous civil cases in a wide range of subjects. Her specialty was commercial construction and civil liability litigation. She is a member of the American Bar Association, the National Bar Association, and

the Federal Bar Association, as well as a member of the Mississippi State Bar, the Magnolia Bar Association, and the Mississippi Women Lawyers Association, where she has served as president. She is a fellow of the Mississippi Bar Foundation. In 2004 Ms. Brown received the Jackson Young Lawyers Outstanding Service Award, and in 2008 she was recognized by the Mississippi Business Journal as one of Mississippi's leading businesswomen.

Her nomination was approved unanimously by the U.S. Senate Committee on the Judiciary. I am very pleased to support this nomination. Ms. Debra Brown is very well qualified for this important responsibility, and I am confident she will serve with distinction as a U.S. district court judge.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Madam President, I rise this afternoon, joining my colleague from Mississippi, in strong support of Debra Brown's confirmation to the U.S. District Court for the Northern District of Mississippi. Ms. Brown was nominated in May by President Obama to fill the seat held by my friend, the late district court judge Allen Pepper.

As one of Mississippi's two U.S. Senators, I enthusiastically recommend Ms. Brown based upon her qualifications. In addition, I am thrilled and honored to be part of this historic moment for our State. If confirmed, Ms. Brown will become the first female African-American U.S. district judge in Mississippi. Making history, however, would be just the latest achievement in Ms. Brown's admirable career, which has reflected a longtime commitment to excellence—the kind of excellence her parents expected of her and her four sisters throughout their childhood. Ms. Brown would go on to make her parents proud and to be a credit to her hometown.

Sharing in this special moment today is Ms. Brown's native Yazoo City, MS. It is worth mentioning that along with Federal judges William Barbour and Carlton Reeves, Debra Brown now becomes the third district court judge in recent memory from the small town of Yazoo City.

Ms. Brown is a proven trailblazer. As my colleague just stated, she was the second African-American female to graduate from the School of Architecture at Mississippi State University and the first member of her family to earn a law degree, which she completed in 1997 from the University of Mississippi School of Law. So her confirmation today will be a source of justifiable pride for two of Mississippi's great universities. Not many lawyers in the country have degrees in architecture and in law, and indeed Debra Brown is reportedly the only practicing lawyer in Mississippi with an architectural background.

Following law school, Ms. Brown rose to become a partner in the law office of Phelps Dunbar in Jackson, MS. Since

last year she has been a shareholder in the law firm of Wise Carter Child & Caraway, where she has handled a wide variety of commercial litigation matters before both Federal and State courts.

According to press reports, Ms. Brown's friends expect her to be very coordinated, very detailed, and very prepared as a judge. Ms. Brown's college dean at Mississippi State University recalled that her key character traits are perseverance, diligence, and focus. He noted that she overcame early struggles, winning the top architecture student honor—the Alpha Rho Chi Medal—in her senior year.

It is clear that Ms. Brown will bring a unique perspective to the court, drawing upon a diverse professional and educational background. I am confident her service will be good for our country, our State, and especially good for the city of Greenville, where she will preside. Having a judge who is also an architect would be particularly serendipitous for Greenville. The Federal courthouse there is woefully inadequate. The court is in desperate need of a new state-of-the-art courthouse. I am hopeful Ms. Brown's tenure will coincide with its construction.

Although Ms. Brown's law career has focused primarily on civil litigation, her dedication to her profession goes far beyond casework. From 2003 to 2004 she served as president of the Mississippi Women Lawyers Association. She was also named by the Mississippi Business Journal as one of Mississippi's 50 leading businesswomen. In addition to pro bono work, Ms. Brown serves on the board of the Mississippi Center for Justice, a public interest law firm that combats discrimination and poverty in Mississippi, and Operation Shoestring, which empowers families and children in the Jackson community. She has been endorsed by a number of prestigious organizations, including the Magnolia Bar Association, which represents minorities and other lawyers and judges throughout the State of Mississippi.

Our country needs judges who have a record of professional excellence, integrity, and public service. Ms. Brown has demonstrated this throughout her career. I urge my colleagues to vote for her confirmation for the U.S. District Court for the Northern District of Mississippi.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I am told the Senator from Illinois is waiting to speak. I know the time has been reserved for me on these judges, but of course I would be willing to yield to him.

I ask the Chair, how long does the Senator from Illinois need?

Mr. KIRK. A very brief time.

Mr. LEAHY. Madam President, I will yield to him.

I do want to tell my two friends from Mississippi that I agree with what they

have said about their nominee. I was proud to vote for her in the Senate Judiciary Committee, proud to put her name on the agenda, and proud to have the hearing for her.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Madam President, I ask unanimous consent to deliver my remarks while seated.

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

#### EMPLOYMENT NON-DISCRIMINATION ACT

Mr. KIRK. Madam President, I have been silent for the last 2 years due to having a stroke a little under 2 years ago. I have come to speak because I believe so passionately in the ENDA statute. This is not a major change to law. It is already law in 21 States.

I think it is particularly appropriate for an Illinois Republican to speak on behalf of this measure, in the true tradition of Everett McKinley Dirksen and Abraham Lincoln, men who gave us the 1964 Civil Rights Act and the 13th Amendment to the Constitution.

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

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

Mr. GRASSLEY. Madam President, would I be in order to speak about judges who are going to be voted on?

The PRESIDING OFFICER. The Senator would be in order.

Mr. GRASSLEY. Madam President, I rise in support of the nominations of Debra M. Brown to be U.S. district judge for the Northern District of Mississippi and Gregory Howard Woods to be U.S. district judge for the Southern District of New York.

Before we vote on these nominations, I want to inform my fellow Senators and the American people once again on the excellent progress we have made on nominations and the fair treatment of President Obama's nominees. With these confirmations today, the Senate will have confirmed 38 lower court article III judicial nominees this year.

Despite what I frequently hear—that this President is being treated differently than President Bush—President Obama is clearly ahead of where President Bush was at a similar time-frame, meaning at this time in his second term. The 38 confirmations this year is more than 2½ times the number confirmed at a similar stage in President Bush's second term, when only 14 judicial nominees had been confirmed. In fact, for the entire fifth year of President Bush's term, only 21 lower court judges were confirmed. Again, in President Obama's fifth year we will have confirmed 38 nominees after today's votes.

In addition to the robust pace of activity on the floor, the committee has

had an aggressive schedule of hearings and business meetings taking action on many more nominees. In total, the Senate will have confirmed 207 lower court article III judges. We have voted against three nominees. So 207 to 3 being defeated is a success rate for the President of 99 percent of his nominees. I think that is a pretty outstanding record not just for President Obama but for any President. So I reject the continuing rhetoric regarding how Republicans are obstructing President Obama's judicial nominees.

Again, I congratulate the nominees on their anticipated confirmations.

Debra M. Brown is nominated to be United States District Judge for the Northern District of Mississippi. She received her B.Arch. from Mississippi State University in 1987. She worked as an associate in architectural firms until starting law school in 1994. She received her J.D. from University of Mississippi School of Law in 1997. Upon graduation, she joined Phelps Dunbar LLP as an associate, focusing on commercial litigation primarily in the financial and insurance context representing commercial clients such as banks, mortgage companies, property and casualty insurers and commercial property managers. She became partner in 2004, and handled matters concerning construction-related litigation for construction sureties, general contractors and some subcontractors. In 2012, she moved to Wise Carter Child & Caraway, P.A. There, she continues to handle construction litigation, as well as representation of owners in construction matters, and representation of hospitals and medical providers in the context of employment law and medical malpractice. She has participated in 12 trials, two as sole counsel, and one as chief counsel.

The ABA has given Ms. Brown a rating of "Unanimous Qualified".

Gregory Howard Woods is nominated to be United States District Judge for the Southern District of New York. He received his B.A. from Williams College in 1991 and his J.D. from Yale Law School in 1995. After graduating from law school, Mr. Woods joined the Department of Justice as a trial attorney in the civil division. While at DOJ, his practice included investigating and litigating cases under the False Claims Act. In 1998, Mr. Woods joined Debevoise & Plimpton as an associate and was made an equity partner in 2004. At Debevoise & Plimpton his practice was focused almost exclusively on corporate transactional law. As a partner, he devoted his practice principally to finance and restructuring matters.

In August 2009 he was named Deputy General Counsel for the Department of Transportation. In 2012, after Senate confirmation, he was appointed by President Obama to be General Counsel of the Department of Energy.

The ABA has given Mr. Woods a rating of "Majority Qualified, Minority Well Qualified".

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I won't go on so much on the numbers, but I did hear my friend say there is a question whether President Obama has been treated differently than President Bush. I would note that when President Bush nominated John Roberts for the ninth seat to the DC Circuit, he was confirmed by every single Republican and Democrat voting for him.

Patricia Millett, with exactly the same credentials as he for the Ninth seat, was filibustered by the Republicans. Were they treated differently? Yes. That happened last week, so it is fresh in our memories. But I wish to talk about a different issue.

Today, Senators are finally going to have a chance to cast their vote and put on the record where every Senator stands on the fundamental issue of fairness. The Employment Non-Discrimination Act will help bring this great Nation one step closer to the goal of equal rights for all Americans.

I have long believed that American workers should be evaluated based on how they perform, not on irrelevant considerations such as gender, race, gender identity, or sexual orientation, but on how they do the job. If they do the job, they ought to be praised for it. In these difficult economic times, ensuring equal protection in the workplace is even more critical. We have to do better. We shouldn't question if people should be treated the same in the workplace, but that is what has happened in parts of this country. Maintaining the status quo would keep in place a system that supports a second class of workers in a majority of States. This runs counter to the values on which America was founded. It has to end.

The Employment Non-Discrimination Act would prohibit workplace discrimination and make it illegal to fire, refuse to hire, or refuse to promote employees simply based on an individual's sexual orientation or gender identity. Currently, Federal law protects against employment discrimination on the basis of race, gender, religion, national origin, or disability—as it should. But it doesn't stop discrimination based on sexual orientation or gender identity. It is long overdue for Congress to extend these protections to all American workers.

I am a native of Vermont. I am proud to represent the State of Vermont, as I have for almost four decades, in this body. One reason I am proud to represent Vermont is our State has led the country on so many civil rights issues. Vermonters believe in individual rights, in fairness, and in equality. More than two decades ago, our State of Vermont added sexual orientation to the list of protected categories in its antidiscrimination employment law, and Vermont expanded its protections to include gender identity protection 6 years ago. Yet in 29 States, an employer can fire employees based on

their sexual orientation, and in 33 States, they can be fired based on their gender identity. This is not right. I might also point out, Vermont has one of the lowest unemployment rates of any State in the country.

Many employers have taken this issue into their own hands, making up for Congress's inaction by implementing important antidiscrimination policies. As of April of this year, 88 percent of the Fortune 500 companies had nondiscrimination policies that included sexual orientation, and 57 percent had policies including gender identity.

I wish to mention two Vermont companies in particular, Fletcher Allen Health Care and Green Mountain Coffee Roasters, for showing real leadership on this issue; they banned discrimination in the workplace based on gender identity and sexual orientation.

I also applaud companies such as IBM, Microsoft, General Electric, and Time Warner for doing the right thing. Two of these companies have a major presence in Vermont. These corporations know that treating all their employees equally is not only fair—it also makes good business sense. They know that. It is time that we in Congress know that too.

Workplace discrimination hurts families, and the hatred that drives discrimination has no place in a nation continually striving to form a more perfect union. So I thank Chairman HARKIN for making this bipartisan legislation a priority in his committee, and for conducting the groundwork in creating the record we need to ensure this important bill's passage. The bipartisan team of Senator MERKLEY and Senator COLLINS brought together Members by their thoughtfulness and tenacity.

A dear friend of mine used to sit in the back, and was in the Senate when I came here. I learned so much from him. I am speaking of Ted Kennedy. I have to think he is looking down on this Chamber tonight as we try to pass legislation he worked so hard to craft in his final years in the Senate. I was happy to work on this civil rights legislation with him then and with his partner on this effort, a former Vermont Senator, Jim Jeffords. We honor their leadership tonight with this vote.

I am encouraged States and employers are moving forward where we have not. But I believe ending discrimination must also be a priority for Congress. I look at the distinguished Presiding Officer, and I think of her predecessor—another dear friend of mine for nearly four decades—and the discrimination he faced when he came out of the service, having lost an arm, and having received the Medal of Honor for this country, and was still told in some places in America that he couldn't walk into their establishment. I am sure each of us can think of times of discrimination of all sorts.

Let's pass legislation that bans all discrimination in the workplace, what-

ever it is. Until we do that, we will fail to achieve the motto engraved in Vermont marble above the Supreme Court building that declares "Equal Justice Under Law." Let's make sure all Americans have the equal rights they deserve.

I urge my fellow Senators to come together and support this important bipartisan bill without delay, and the other body to have the courage to stand up for America—standing up for all Americans, every single American—and vote for this legislation.

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

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

Mr. LEAHY. Madam President, is there time remaining?

The PRESIDING OFFICER. All time has expired.

The question is, Will the Senate advise and consent to the nomination of Gregory Howard Woods, of New York, to be United States District Judge for the Southern District of New York.

The nomination was confirmed.

#### VOTE ON BROWN NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Debra M. Brown, of Mississippi, to be United States District Judge for the Northern District of Mississippi?

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Oklahoma (Mr. COBURN), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 90, nays 0, as follows:

[Rollcall Vote No. 228 Ex.]

#### YEAS—90

Alexander	Baucus	Booker
Ayotte	Begich	Boozman
Baldwin	Bennet	Boxer
Barrasso	Blumenthal	Brown

Cantwell	Heitkamp	Paul
Cardin	Heller	Portman
Carper	Hirono	Pryor
Casey	Hoeben	Reed
Coats	Inhofe	Reid
Cochran	Isakson	Risch
Collins	Johanns	Roberts
Coons	Johnson (SD)	Rockefeller
Corker	Johnson (WI)	Rubio
Cornyn	Kaine	Sanders
Crapo	King	Schatz
Cruz	Kirk	Schumer
Donnelly	Klobuchar	Scott
Durbin	Landrieu	Sessions
Enzi	Leahy	Shaheen
Feinstein	Lee	Shelby
Fischer	Levin	Stabenow
Flake	Manchin	Tester
Franken	Markey	Thune
Gillibrand	McConnell	Toomey
Graham	Menendez	Udall (CO)
Grassley	Merkley	Udall (NM)
Hagan	Mikulski	Warner
Harkin	Murphy	Whitehouse
Hatch	Murray	Wicker
Heinrich	Nelson	Wyden

#### NOT VOTING—10

Blunt	McCain	Vitter
Burr	McCaskill	Warren
Chambliss	Moran	
Coburn	Murkowski	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table and the President will be immediately notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

#### EMPLOYMENT NON-DISCRIMINATION ACT OF 2013—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided in the usual form prior to a vote on the motion to invoke cloture on the motion to proceed to S. 815.

Who yields time?

The Senator from Iowa.

Mr. HARKIN. Madam President, the Senate is about to take another historic step. Think about it. In 1964 we had the Civil Rights Act. In 1990—23 years ago—I stood here when we passed the Americans with Disabilities Act, which extended civil rights to people with disabilities.

Today we are taking one more step to make the American family more inclusive and once and for all ban employment discrimination against gay, lesbian, bisexual, and transgender Americans.

This is a historic opportunity for the Senate once again to say that we are all members of the American family. No one should be discriminated against because of race, sex, religion, or national origin. They should not be discriminated against because of who they love, who they are or whether they are gay, lesbian, bisexual, or transgender.

This is a historic step for the Senate to take today.

I urge a yeas vote on the motion to proceed.