

The PRESIDING OFFICER. Who yields time in opposition?

Mr. REID. Madam President, I yield back time on the motion to invoke cloture.

The PRESIDING OFFICER. Without objection, all time has been yielded back.

#### CLOTURE MOTION

The PRESIDING OFFICER. By unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

#### 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. 184, S. 815, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

Richard J. Durbin, Tom Harkin, Jeff Merkley, Benjamin L. Cardin, Michael F. Bennet, Barbara Mikulski, Charles E. Schumer, Martin Heinrich, Patrick J. Leahy, Robert Menendez, Barbara Boxer, Kirsten E. Gillibrand, Mazie Hirono, Tammy Baldwin, Amy Klobuchar, Jack Reed, Harry Reid.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 815, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity, and for other purposes, shall be brought to a close.

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from Missouri (Mrs. MCCASKILL) is 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 Louisiana (Mr. VITTER), and the Senator from Alaska (Ms. MURKOWSKI).

The yeas and nays resulted—yeas 61, nays 30, as follows:

[Rollcall Vote No. 229 Leg.]

#### YEAS—61

Ayotte	Collins	Hirono
Baldwin	Cooms	Johnson (SD)
Baucus	Donnelly	Kaine
Begich	Durbin	King
Bennet	Feinstein	Kirk
Blumenthal	Franken	Klobuchar
Booker	Gillibrand	Landrieu
Boxer	Hagan	Leahy
Brown	Harkin	Levin
Cantwell	Hatch	Manchin
Cardin	Heinrich	Markey
Carper	Heitkamp	Menendez
Casey	Heller	Merkley

Mikulski	Rockefeller	Udall (CO)
Murphy	Sanders	Udall (NM)
Murray	Schatz	Warner
Nelson	Schumer	Warren
Portman	Shaheen	Whitehouse
Pryor	Stabenow	Wyden
Reed	Tester	
Reid	Toomey	

#### NAYS—30

Alexander	Fischer	McConnell
Barrasso	Flake	Paul
Boozman	Graham	Risch
Coats	Grassley	Roberts
Cochran	Hoeven	Rubio
Corker	Inhofe	Scott
Cornyn	Isakson	Sessions
Crapo	Johanns	Shelby
Cruz	Johnson (WI)	Thune
Enzi	Lee	Wicker

#### NOT VOTING—9

Blunt	Coburn	Moran
Burr	McCain	Murkowski
Chambliss	McCaskill	Vitter

The PRESIDING OFFICER. On this vote, the yeas are 61, the nays are 30. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

(Disturbance in the visitors gallery.)

The PRESIDING OFFICER. No expressions of approval are permitted in the gallery.

The Senator from Louisiana.

Ms. LANDRIEU. I thank my colleagues who led this effort on this non-discrimination bill, which is historic, and I am pleased we had a bipartisan vote to make America more accepting and a just place. It is a work-in-progress, and I am very pleased we could find the support on this floor to do that. Now the bill goes to the House, and I urge my colleagues in my congressional delegation and others to look at this bill with an open mind and an open heart and end discrimination in the workplace. I urge them to support this bill.

(The further remarks of Ms. LANDRIEU pertaining to the introduction of S. 1642 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

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

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

#### MORNING BUSINESS

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

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

#### EMPLOYEE BENEFIT RESEARCH INSTITUTE

Mr. HARKIN. Mr. President, I rise to congratulate the Employee Benefit Research Institute on its 35th anniversary this year.

As chairman of the Committee on Health, Education, Labor, and Pensions, I know how important it is for policymakers to have access to quality data on our health and retirement systems. And for 35 years, EBRI has been providing just that kind of information. For instance, EBRI is a major source of information on how health plan coverage has evolved over the years and how employers have responded to market changes. EBRI is also a unique resource on both 401(k) and IRA ownership, and during the Enron crisis of several years ago, EBRI was one of the only sources of data on what was happening with company stock in 401(k) plans. Because of their expertise and reliability, we in Congress frequently ask EBRI's experts to testify at our hearings, since we know we can trust what they have to say.

Health and retirement coverage for American families is critically important to our Nation's future. We are fortunate to have such a respected and reliable source as EBRI to tell us what is happening with employee benefits, and I commend them on their anniversary.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO JO KENNEY

• Mr. ISAKSON. Mr. President. I would like to honor in the RECORD Ms. Jo Kenney of Atlanta, GA.

Jo has continually demonstrated leadership in both her profession of real estate and her local community. She serves on the DeKalb Association of REALTORS® board of directors and its executive, nominating and Pinnacle Award committees. She is also the former president of the Women's Council DeKalb chapter. Jo also serves on the board of directors for the Decatur Kiwanis Club, is a cofounder of the Atlanta Independent Women's Network and regularly serves as a mentor to other REALTORS®.

Jo has received numerous awards throughout her career for her efforts. Jo received the 2009 Businesswoman of the Year Award from the DeKalb chapter of the Women's Council of REALTORS®, the 2010 Member of the Year Award from the Georgia Chapter of the Women's Council of REALTORS®, the 2013 REALTOR® of the Year Award from the DeKalb Association of REALTORS®, the 2013 Five Star Professional Award and the Mary Nelson Spirit Award.

On November 9, 2013, Jo Kenney will be installed as the 2014 national president of the Women's Council of REALTORS®, which is an affiliate of the National Association of REALTORS® and the 12th largest women's professional organization in the United States. Jo will be the third person from my home State of Georgia to serve as president of this national organization. Through Jo's strong leadership, dedication and guidance, I know that she will be successful in her role as president of the

National Women's Council of REALTORS®, and I wish her the best in her endeavors.●

#### REMEMBERING VICENTE OJINAGA

● Mr. UDALL of New Mexico. Mr. President, in less than 1 week our Nation will commemorate Veterans Day. It is a day that we set aside to honor the men and women who have served in our Armed Forces, those who are still among us, as well as those who, sadly, have left us.

Today I wish to pay tribute to an American hero, Vicente Ojinaga, who passed away on September 30 at the age of 95. Mr. Ojinaga was a valiant soldier, a member of the Army's 200th Coast Artillery Regiment, a defender of Bataan and Corregidor, and a survivor of the Bataan Death March.

During World War II, the courageous defenders of Bataan were an inspiration for an embattled nation. The Japanese attack on the Philippines in December of 1941 came just hours after Pearl Harbor. The Battling Bastards of Bataan were outnumbered and outsupplied, but for 4 intense months they fought on against all odds. In holding off the enemy forces longer than expected, they bought the Allies precious time to regroup. They were, and always will be, an inspiring reminder of the grit and determination of both Americans and Filipinos.

The courage and sacrifice of those brave troops should never be forgotten. Their number included 1800 New Mexicans. Many of them were also Hispanic, deployed to the Philippines because of their ability to speak Spanish. They were dedicated to defending the freedoms that we all hold dear, at a time when they themselves were treated as second-class citizens.

For Mr. Ojinaga and his fellow soldiers, even worse was yet to come after the surrender. Those who survived the Bataan Death March faced 3½ years of horrific conditions and forced labor in Japanese prisons.

In an interview with the Santa Fe New Mexican, Mr. Ojinaga's daughter, Teri Gonzales, recalled that her father would sometimes tell his family about his experience during the war, but not in detail. "We didn't want him to relive the horrible things," Mrs. Gonzales explained. "He said what kept him alive was faith and prayer and his family, knowing he was going to come back to his family."

Vicente Ojinaga was born on January 22, 1918, in Santa Rita, NM. After graduation from high school, he worked as a carpenter in the copper mine. When his country called, on the brink of World War II, he answered that call, unequivocally and with a powerful sense of duty. With his passing, we say goodbye to a courageous veteran of the legendary New Mexican survivors of Bataan. Our Nation is forever in their debt.

As his daughter said, despite the horrendous circumstances of his captivity,

Mr. Ojinaga held on to his faith and held on to his hope that someday he would return home, that someday he would see his family again. By the war's end, his body bore the weight of his suffering. When he was finally released, he weighed only 95 pounds.

Like so many of the Bataan survivors, Mr. Ojinaga served his country at war but also in peacetime. He married Celia Presciado and together they raised five children. He and his wife purchased a home, with the help of the GI bill, in the Casa Solana subdivision of Santa Fe. They would live there together for over half a century. Mr. Ojinaga graduated from the University of New Mexico in 1950 with a degree in business administration. He worked for the Internal Revenue Service and then for the New Mexico Bureau of Revenue until his retirement in 1978.

His daughter recalled to the New Mexican that after his retirement Mr. Ojinaga was busy with his family and with community service. He was a Little League coach, volunteered to provide tax counseling to the elderly, was president of the Guadalupe Credit Union, and served as a Eucharistic minister at Our Lady of Guadalupe Church. Mr. Ojinaga was blessed with a long and eventful life, and he dedicated his life to his country, to his family, and to his community.

Our Nation has lost a brave soldier. We extend to the family our deepest sympathy and our enduring gratitude for his service.●

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3204. An act to amend the Federal Food, Drug, and Cosmetic Act with respect to human drug compounding and drug supply chain security, and for other purposes.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MARKEY:

S. 1639. A bill to amend the FAA Modernization and Reform Act of 2012 to provide guidance and limitations regarding the integration of unmanned aircraft systems into United States airspace, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. HELLER:

S. 1640. A bill to facilitate planning, permitting, administration, implementation, and monitoring of pinyon-juniper dominated landscape restoration projects within Lincoln County, Nevada, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, Mr. CARDIN, and Ms. MIKULSKI):

S. 1641. A bill to establish the Appalachian Forest National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. LANDRIEU (for herself and Mr. MANCHIN):

S. 1642. A bill to permit the continuation of certain health plans; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. INHOFE):

S. 1643. A bill to amend title 38, United States Code, to provide for a two-year extension of the Veterans' Advisory Committee on Education; to the Committee on Veterans' Affairs.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCHUMER:

S. Res. 285. A resolution authorizing the Committee on Rules and Administration to prepare a revised edition of the Standing Rules of the Senate as a Senate document; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 264

At the request of Ms. STABENOW, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 264, a bill to expand access to community mental health centers and improve the quality of mental health care for all Americans.

S. 381

At the request of Mr. BROWN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the "Doolittle Tokyo Raiders", for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 526

At the request of Mr. BAUCUS, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 526, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 567

At the request of Mr. HARKIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 567, a bill to improve the retirement of American families by strengthening Social Security.

S. 635

At the request of Mr. BROWN, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 635, a bill to amend the Gramm-Leach-Bliley Act to provide an exception to the annual written privacy notice requirement.

S. 658

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 658, a bill to amend titles 10 and 32, United States Code, to enhance capabilities to prepare for and respond to cyber emergencies, and for other purposes.

S. 769

At the request of Mr. DURBIN, the name of the Senator from Washington