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## *House of Representatives*

The House was not in session today. Its next meeting will be held on Tuesday, November 12, 2013, at 2 p.m.

## *Senate*

TUESDAY, NOVEMBER 5, 2013

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by the Reverend Gregory Knox Jones of the Westminster Presbyterian Church in Wilmington, DE.

The guest Chaplain offered the following prayer:

Let us pray.

Mighty God, creator of all that is, we give thanks for this great Nation, for its bounteous resources, its diversity of people, and for its principles of liberty and justice for all, not only for the privileged, not only for the powerful, but for all because each of us is one of your beloved children.

Call forth the best in these servants, that they may bring honor to themselves and instill confidence in those who have entrusted them with breathtaking responsibility. Banish from this historic hall small-mindedness and mean-spiritedness that parade as purity. Instead, bless these men and women with that rare and priceless virtue of humility.

Holy Wisdom, bolster their courage that they may always refrain from hollow rhetoric and selfish gain and instead strive for decisions that bring great promise to all people. Enable them to glimpse Your vision of a world where those who are ill are cared for by the compassionate and the hungry are filled because the well-off are generous. Embolden each Member in this Chamber with a burning desire to do the hard work of governing, that each may

become a true servant of Yours and of this Nation, so that they may become a model of inspiration to our children and grandchildren and lead us to a future of promise.

Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

### SCHEDULE

Mr. REID. Mr. President, following my remarks and those of Senator McCONNELL, the Senate will resume consideration of the motion to proceed to S. 815, the Employee Non-Discrimination Act postclosure. The Senate will recess from 12:30 to 2:15 p.m. for weekly caucus meetings. If we can reach agreement, we will move forward on the bill today.

Mr. President, I am wondering whether my friend from Delaware wishes to make a speech regarding the guest Chaplain. If so, I will be happy to yield to him.

The PRESIDENT pro tempore. The Chair recognizes the Senator from Delaware.

### SENATE PRAYERS

Mr. CARPER. Mr. President, my thanks to the majority leader this morning. Before I say a few words about Rev. Gregory Knox Jones, I want to go back in time for a couple of minutes. I was talking to the pages out in the hall behind the leader about how when our country was first settled folks came here from all over the world. They came here in part in pursuit of religious freedom. They were people of different faiths. They wanted to be able to worship God as they saw fit.

When it got really tough in Philadelphia at the Constitutional Convention—trying to wrestle with issues such as slavery, rights of women, whether there should be little States, big States, how we were going to be represented here—many times the Founding Fathers hit the pause button and they called in a person of faith to pray, to help them to find a way to progress, and they did again and again.

When George Washington was inaugurated—not here but in New York City—at the end of the day they did not go off and have big parties; they actually went to church. In the early days of our country, worship services were actually held here, as some of us know. We start every day here in the Senate with a prayer, oftentimes delivered by retired Navy ADM Barry C. Black, our Chaplain, and today with a special guest, my pastor, Gregory Knox Jones from Westminster Presbyterian Church.

Our leader HARRY REID has run a number of marathons. As it happens, so has our guest. He is a long-distance

- This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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runner, literally and figuratively. He just ran his 10th marathon. He ran the New York Marathon on Sunday—I might say in good time. He won in the category of White men over 50 who pastor large Presbyterian churches on the east coast and who were former team captains from the Kansas State University football team. That category he won hands down. I congratulate him, and I am sure my colleagues do as well.

He reminds us every Sunday of the idea that we have a moral imperative to look out for the least of those in our society, people who are hungry and need to be fed, people who have no health care. We have an obligation to look after them. He reminds us every Sunday that we have an obligation to look out for not only those who are in our community in Wilmington, DE, but way beyond our borders, such as those in Guatemala and also those who live in Israel and the West Bank of Jordan, to make sure justice is done in those places as well.

He reminds us every Sunday of the Golden Rule for our neighbor: Treat others the way we want to be treated. We have to focus on the poor, widows and the orphans, and those who are in need. He reminds us to not just talk a good game but to actually deliver on our words. What does it say in James 2? You show me your faith by your words, I will show you my faith by my deeds. He reminds us of that every Sunday.

To my colleagues, he reminds us we are servants. There is a great sermon in Mark chapter 10. The words are, as I recall—I will paraphrase him—for those who want to be a leader, you have to be a slave to all. For those who want to become first, you must become last.

We thank you for those remembrances.

Every week I go to a Bible study led by our Chaplain. On Sundays I try to show up in our own church. It reminds me of a double shot. You and I, Mr. President, are about the same age. We remember the days of Motown, the great song called “Double Shot of My Baby’s Love.” Every week I get a double shot of God’s love from these two, my pastor and our Chaplain.

To his life partner Camilla and three children and six grandchildren, we are honored you are here.

I want to close with the way he closes our sermons every Sunday, colleagues. He does it with these words. I hope I have them right. It goes something like this. When he lets us go and dismisses his flock he says these words: May the love of God, the grace of Christ, and the fellowship of the Holy Spirit bless you, those you love, and the ones that no one loves.

And the ones that no one loves. He sends us on our way. Those are great words for us today as well. We welcome him.

I thank the leader for allowing me to say these words this morning.

#### MEASURE PLACED ON THE CALENDAR—H.R. 3204

MR. REID. I am told that H.R. 3204 is at the desk and ready for a second reading.

THE PRESIDING OFFICER (Mr. MARKEY). The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

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

MR. REID. I object to any further proceedings at this time regarding this legislation.

THE PRESIDING OFFICER. Objection having been heard, the bill will be placed upon the calendar.

#### UPCOMING SCHEDULE

MR. REID. Mr. President, I have spoken to the Republican leader on more than one occasion, but I want to make sure all the Members understand that we have a 4-week work period. This is the second week of a 4-week work period, and we have certain work we have outlined that needs to get accomplished. I hope everyone understands what we have to get done this week, next week, and the week after.

The reason we are pressing so much work into this limited work schedule is, first of all, it is necessary for a number of reasons and, second, this Senate has worked over the last number of years really hard during holidays. I have traveled, trying to get home for Christmas. I was here on Christmas Eve; I have done that twice. It has been extremely difficult for Christmas, Thanksgiving, and, of course, New Year’s.

It is wonderful to be able to go home to our families, our friends, but we also have work to do. We represent our States, and there is work we cannot do when we can only go home for weekends. Some of us live a long ways away—it takes a day to get there and a day to get back—so it really is more complicated for those who live west of the Mississippi.

The whole point is to communicate to everyone that we are going to try to take Thanksgiving week off and the week after. The Republican leader and I really want to get that done, but we cannot do it if we are held up on procedural matters that are unnecessary.

I have outlined what we need to get done. I have explained this to the Republican leader and explained it to my caucus on more than one occasion. The issue at hand is this: We have a few weekends left. We are going to be out Monday because it is Veterans Day. But all weekends until we leave here for Thanksgiving are going to be work weekends in order to get our work done.

I know people have schedules, but understand that you better keep them pretty loose; otherwise, you are going to be missing some votes around here.

We voted on EDNA last night, and we were able to move that, get past the cloture aspect of that. We have a way of going forward. There is no reason to eat up the whole 30 hours that are postcloture.

I am just telling everybody who is in effect forcing us to do this that it may impinge upon the holidays, the situation dealing with Thanksgiving. I hope we can get out of here on the Friday before Thanksgiving, but it is up to people who I think have gotten into the habit of having unnecessary delays. I need not say more. I really would like, for myself personally and for the Senate, Democrats and Republicans, to have those two weekends off.

#### ENDA

Take a look at where we are postcloture on a motion to proceed to ENDA, the Employment Non-Discrimination Act.

I was disappointed to read yesterday that Speaker BOEHNER opposes the Employment Non-Discrimination Act because he believes it will result in frivolous lawsuits. But coming from a man whose caucus spent \$3 million in taxpayer dollars defending the unconstitutional defense of marriage law in court, that is pretty rich.

Still, I thought it was important to investigate the Speaker’s claim that protecting lesbian, gay, bisexual, and transgender Americans from being denied job opportunities, fired or harassed because of their sexual orientation or gender identity, would risk American jobs. To the contrary, according to a study by the U.S. Government Accountability Office—nonpartisan—in 21 States that have some protection against this kind of discrimination, relatively few lawsuits have resulted. Almost every State with an antidiscrimination law that prevents workplace discrimination against lesbian, gay, bisexual, or transgender individuals had fewer than 10 lawsuits filed between 2007 and 2012, according to the study. In fact, the lack of one clear and consistent Federal standard protecting against this harassment actually creates more confusions for businesses and local government.

So I was also stunned when the Speaker said today that he wasn’t even going to bring it up for a vote. Yesterday he said he didn’t like it. Today he said he was not going to bring it up for a vote. If it came up for a vote in the House, it would pass. We can look at a number of different examples of this litigation aspect he raised.

Take the example of Kile Nave, a veteran police officer who was fired from the Audubon Park Police Department in Louisville, KY, after 3 years of being terrorized by his supervisors. After speaking up against the harassment, he was fired.

Kentucky is 1 of 33 States with no statute preventing discrimination on the basis of sexual orientation or gender identity. But Louisville has a local