

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

nondiscrimination ordinance, and the department had a written policy against sexual harassment, although it did not expressly protect against discrimination based on sexual orientation.

So Officer Nave has filed two separate legal complaints against his former employer. Those complaints are still pending.

If there was one Federal law protecting all Americans from discrimination instead of a patchwork of ineffective and inefficient State and local laws, it would be simpler and less confusing for businesses and employees alike. That is one reason more than 100 of the Nation's largest companies support the Employment Non-Discrimination Act and why most Fortune 500 companies already prohibit persecution based on sexual orientation or gender identity. These companies know that to recruit the best and brightest employees and remain competitive, they must foster an environment where all workers can reach their full potential.

Not only is Speaker BOEHNER's claim that ENDA would hurt business untrue, it is also callous. It fails to take into account the heartbreaking suffering—not to mention lost wages and productivity—that workplace discrimination causes every year.

When Kile Nave was hired by the Audubon Police Department, he already served 20 years—two decades—as a police officer with other departments. This is what Kile said yesterday:

I've been a law enforcement officer since 1989 and I had never experienced anything like what I experienced with my previous employer. . . . But I wasn't going to let them push me out of a job I loved.

So for 3½ years Kile endured torture at the hands of two of his supervisors, including the chief and the deputy chief. Although coworkers described Officer Nave's on-the-job performance as exemplary, his supervisors called him derogatory names, told gay jokes in front of him and about him, and directed profanity-laced rants toward him. This is the chief and the assistant chief.

This is what Officer Nave remembers about trying to get through the ordeal:

Each day I kept thinking, 'It's going to get better today.' But it didn't. As a police officer you're supposed to have thick skin. But it never got any better.

Then, last year, 2 weeks after Officer Nave filed a formal complaint with his chief, he was fired based on charges of insubordination—somebody who had basically been a police officer for one-quarter of a century.

For the first time since he was 16 years old, Kile Nave was unemployed, as he is right now. He is still unemployed. Although Kile would love to return to police work and to doing the job he loves—and he did it for a long time—no department will hire him with a termination on his resume.

With one simple Federal law in place, which is the ENDA bill, people such as Kile could go to work without fearing

such torment—and it was torment. Every American deserves that right and that protection. Every employee deserves to be judged on the quality of his or her work instead of on their sexual orientation or gender identity.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

RIGHT-TO-WORK

Mr. McCONNELL. Mr. President, almost 1 year ago now, Michigan's Governor Rick Snyder signed historic right-to-work legislation into law. At the time he said he viewed it "as an opportunity to stand up for Michigan's workers, to be pro-worker."

The union bosses, the entrenched special interests, and the professional left may have stood in united, militant disagreement, but Michigan's soft-spoken Governor was right. The more venom Big Labor directed at him, the more it seemed to confirm the suspicions of many of the middle-class workers Snyder was trying to help. He was, in fact, on their side.

The truth is, over the years, Big Labor has come to care more about its own perks and power than the workers it was charged with protecting. Snyder knew that and he knew it was time to tip the scales back in favor of workers. He is not alone.

In the Senate, Senator PAUL and I share Governor Snyder's commitment to helping restore worker rights. That is why yesterday we filed an amendment that would enact similar forward-looking reforms at the Federal level.

Our right-to-work amendment is simple enough. It merely calls for repealing the discriminatory clauses in Federal law that allow, as a condition of employment, forcing workers to join a union or forcing workers to pay union dues. In practical terms, here is what that would mean for middle-class folks in Kentucky and across America: If you want to join a union, you can. If you don't want to join a union, you don't have to. That is it. That is all this is about.

This is just common sense. It is basic fairness. According to one survey, about 80 percent of unionized workers agree that employees should be able to decide whether joining a union is for them. But this amendment isn't just about ending institutional discrimination against workers; it is also about job creation, economic growth, and making America more competitive in the 21st century.

Consider the fact that manufacturing employment is one-third higher in States with right-to-work laws or that, according to a recent study, States with right-to-work saw improvements in real personal income and average annual employment compared to what they would have seen without such laws or that many of our Nation's labor

laws were passed in an earlier era, in some cases before many folks even had television sets.

America's labor regulations are antiquated and they need to be updated for the modern world. That is what the flextime legislation I introduced last week sought to achieve, and that is what right-to-work seeks to achieve as well.

Protecting the rights of workers, creating jobs, growing the economy, and keeping pace with the modern world is what right-to-work is all about. It is just common sense. If States such as Michigan, with proud traditions of organized labor, can look their problems in the face and act, then it is time for the Federal Government to act too.

I urge my colleagues to join Senator PAUL and me in supporting this important amendment.

OBAMACARE

Mr. McCONNELL. Mr. President, I wish to say a word about ObamaCare as well.

I wish to remind my colleagues that the President is absolutely correct. He is correct when he says ObamaCare is about so much more than some flawed Web site. It is about people. People such as the California woman with stage 4 gallbladder cancer whose story we read about in the Wall Street Journal just this past weekend. I will read some of what she wrote:

I am a determined fighter and extremely lucky. But this luck may have just run out: My affordable, lifesaving medical insurance policy has been canceled effective December 31.

Here are the impossible choices she says she is left with. She can either get coverage through the exchange and lose access to her cancer doctors or she can pay up to 50 percent more for, as she put it, "the privilege of starting over with an unfamiliar insurance company and impaired benefits."

That is just not right. It is not what the President promised, and it is not the kind of health care reform Americans asked for.

So we should keep our focus where it belongs—on the real people getting hurt by this law.

But that doesn't mean we should stop asking questions about healthcare.gov too. Because if the government can't even run a Web site that it had 3 years—3 years—and hundreds of millions of dollars to create, can Americans entrust the same bureaucracy with even more power over their health care?

The calamitous rollout reminds us that we do not even know if data being submitted over this Web site is 100 percent secure. In today's age of digital scammers, that is a real concern for our constituents. Identity theft is about the last problem Americans need to be dealing with right now, especially with everything else this economy and this law have been throwing right at them. They are already mad enough