

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 yea vote on the motion to proceed.