

WITHHOLDING TAX REPEAL

Mr. BROWN of Massachusetts. Mr. President, I rise in support of H.R. 674. The vote we have tonight is finally an opportunity to pass a truly bipartisan jobs bill, part of the President's jobs package. As I said when we held the first vote to try to repeal the 3-percent withholding tax a couple weeks ago, this vote is a no-brainer. It is pretty simple. Unfortunately, some Members objected to a small portion of that bill, the offset. That should not be a concern this time. The bill we will be voting on shortly just passed the House with 405 votes, and when is the last time we heard that? The bill we are going to vote on today has a new offset that has been endorsed by the President, so I say let's get it done.

If we pass it, every company that does business with the government can go back to thinking about hiring new workers rather than worrying about losing 3 percent of the value of their contracts right upfront, right in the beginning. If we pass it, State and local governments will not be saddled with another costly and unfunded mandate. As I said before, it is a no-brainer. If we pass it, we will finally repeal a tax that costs the government billions more to implement than it actually raises in revenue.

Let's pass this bill and let's end this stealth tax that is extremely expensive to implement and punishes many for the bad acts of a few.

That being said, as we know, we have Veterans Day fast approaching. I thank all of our men and women who have served and continue to serve. I cannot think of anything more meaningful than to come together in a truly bipartisan, bicameral way to help our jobless veterans. Unemployment and homelessness among our Active-Duty veterans and members of the National Guard and Reserves are a national disgrace and we can do better. We should not leave anyone behind. The Active-Duty soldiers and members of the Guard and Reserves fight side by side for our freedom. They face danger together, they are wounded together, and they should be treated as equals when it comes to helping them find jobs.

Back in January, I introduced the Hire-a-Hero Act with Senator KAY HAGAN. It expands the work opportunity tax credit to help companies put our veterans and members of the Guard and Reserves back to work. The President has proposed a similar action in his jobs bill. It did not include guardsmen and reservists, and that is why I hope when we take up the veterans package that I hear is being discussed, the majority leader will actually allow for that to be included. Our guardsmen and reservists, once again, deserve better.

It is time for our Senate colleagues to rally behind the men and women who have served and continue to serve. They are leaving the service and need this opportunity right now. The unemployment rate for veterans is more

than 12 percent. For members of the Guard and Reserves, it is twice the national average, as high as 20 percent in some areas. We need to treat this as a truly bipartisan and hopefully bicameral effort. It is something the American people are yearning for. They are looking for us to show leadership, to actually work together. If we can't work together with our heroes who have served and given to our country at its time of need, then I am not quite sure what we will be able to work on together.

If we do these two things, repeal the 3-percent withholding and help our veterans in 1 day, potentially 1 week, maybe it will usher in a new era of good will, something I know the Chair and I have worked to establish, as have so many other people in this historic Chamber. One good deed can lead to another good deed and that good deed can lead to another good deed, and so on.

Let's start working together. The American people are demanding it. As I have said before, we are Americans first. I may be a Republican—and I am proud to be Republican—but we are Americans first. I am way more proud to be an American. I hope others in this historic Chamber feel the same way and we can put our party differences aside and do something very important for not only our businesses in this country but also for the ones who have given so much in their service to our great Nation while serving in the military.

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.

The PRESIDING OFFICER. The Senator from Virginia.

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

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

TRIBUTE TO FEDERAL EMPLOYEES

ANN MARTIN

Mr. WARNER. Mr. President, I rise today to continue an initiative that was actually started by the Presiding Officer's predecessor, Senator Kaufman, whereby on a fairly regular basis I try to come down and recognize the service of one of our incredible Federal employees. We spend a lot of time in this body talking about policy. We oftentimes spend a lot of time also talking about what government does wrong. There are things government does wrong, but too often we don't acknowledge what government does right, particularly the incredible service many of the folks who work for our Federal Government perform.

Today, I am pleased to honor another great Federal employee, Ms. Ann Martin. Ms. Martin is the Senior Intelligence Research Specialist for the

Treasury Department's Financial Crimes Enforcement Network or FinCEN. She worked with Mexican officials to help disrupt the laundering of billions of dollars derived from illegal U.S. narcotics sales.

At the age of 29—as the Presiding Officer may recall when he was that age—Ms. Martin led a team of financial experts to compile and analyze hundreds of pieces of data. Her research analysis gave unprecedented insight into how Mexican drug cartels finance their operations in both Mexico and the United States. It also provided American and Mexican law enforcement authorities with a number of leads into cross-border money laundering and transnational organized crime groups.

Discussing Ms. Martin's work, James Freis, the Director of FinCEN, explained that “no one had ever put together a picture of this kind of financial movement across our borders.” In other words, nobody put together in an organized way the kinds of activities in which some of these drug cartels were involved.

The exhaustive and comprehensive analysis Ms. Martin conducted supported the Mexican Government's decision in June 2010 to issue new regulations to restrict the amount of U.S. dollars that could be deposited into Mexican banks. As a result, more than 700 suspicious activity reports have been filed from Mexican banks. In other words, we have gotten the leads on 700 potential activities that are now being investigated due to Ms. Martin's work.

While her time working for the Federal Government has been relatively brief, she has already made a major impact. Karen Fleischer, the Deputy Associate Director at FinCEN, had this to say:

I've been in government for 35-plus years and Ann is the kind of person that you want to hold up as an example for others. She is extremely dedicated to the agency's mission.

I hope my colleagues will join me in honoring Ms. Martin, a fellow Virginian, for the excellent work she has done and her commitment to public service.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

3% WITHHOLDING REPEAL AND JOB CREATION ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 674, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 674) to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will now be 30 minutes of debate equally divided and controlled between the Senator from Montana and the Senator from Utah.

Mr. ROCKEFELLER. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time under the quorum call be equally charged.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER. (Mr. MANCHIN.) Without objection, it is so ordered.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

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. 212, H.R. 674, an act to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain health care related programs, and for other purposes.

Harry Reid, Christopher A. Coons, Joe Manchin III, Kay R. Hagan, Dianne Feinstein, Benjamin L. Cardin, Al Franken, Mark Begich, Mark R. Warner, Jeff Bingaman, Tom Udall, Amy Klobuchar, Jeanne Shaheen, Barbara A. Mikulski, Kent Conrad, Michael F. Bennet, Patty Murray.

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

The question is, Is it the sense of the Senate that the debate on the motion to proceed to H.R. 674, an act to amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain health care-related programs, 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.

Mr. DURBIN. I announce that the Senator from Arkansas (Mr. PRYOR) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH), and the Senator from Utah (Mr. LEE), the Senator from Illinois (Mr. KIRK), and the Senator from South Carolina (Mr. DEMINT).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

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

The yeas and nays resulted—yeas 94, nays 1, as follows:

[Rollcall Vote No. 198 Leg.]

YEAS—94

Akaka	Franken	Moran
Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murray
Barrasso	Grassley	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Paul
Bennet	Heller	Portman
Bingaman	Hoeven	Reed
Blumenthal	Hutchison	Reid
Blunt	Inhofe	Risch
Boozman	Inouye	Roberts
Boxer	Isakson	Rubio
Brown (MA)	Johanns	Sanders
Brown (OH)	Johnson (SD)	Schumer
Burr	Johnson (WI)	Sessions
Cantwell	Kerry	Shaheen
Cardin	Klobuchar	Shelby
Carper	Kohl	Snowe
Casey	Kyl	Stabenow
Chambliss	Landrieu	Tester
Coats	Lautenberg	Thune
Coburn	Leahy	Toomey
Cochran	Levin	Udall (CO)
Collins	Lieberman	Udall (NM)
Conrad	Lugar	Vitter
Coons	Manchin	Warner
Corker	McCain	Webb
Cornyn	McCaskill	Whitehouse
Crapo	McConnell	Wicker
Durbin	Menendez	Wyden
Enzi	Merkley	
Feinstein	Mikulski	

NAYS—1

Rockefeller

NOT VOTING—5

DeMint	Kirk	Pryor
Hatch	Lee	

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 1. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

• Mr. PRYOR. Mr. President, due to a prior family obligation, I was unavoidably absent for tonight's vote. I ask the RECORD show that had I been present for vote No. 198, I would have voted yea on the motion to invoke cloture on the motion to proceed to H.R. 674. •

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to speak as in morning business.

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

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 1815 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. ALEXANDER. Mr. President, I thank the Chair, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the quorum be rescinded.

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

MORNING BUSINESS

Mr. MERKLEY. I ask unanimous consent that 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.

VOTE EXPLANATION

Mr. DURBIN. Mr. President, on vote No. 197, the confirmation of Scott Wesley Skavdahl to be U.S. District Judge for the District of Wyoming, I was unavoidably absent. Had I been present, I would have supported the nomination and voted yea.

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN THAT WAS DECLARED IN EXECUTIVE ORDER 12170 ON NOVEMBER 14, 1979—PM 32

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, is to continue in effect beyond November 14, 2011.

Our relations with Iran have not yet returned to normal, and the process of implementing the agreements with Iran, dated January 19, 1981, is still under way. For these reasons, I have determined that it is necessary to continue the national emergency declared on November 14, 1979, with respect to Iran, beyond November 14, 2011.

BARACK OBAMA.
THE WHITE HOUSE, November 7, 2011.