

this case allows us to repeal the damaging 3 percent withholding rule, then so much the better.

At a time when the American people are extremely frustrated with the partisan gridlock and Congress' inability to pass meaningful legislation, this bipartisan bill would provide small businesses with much needed certainty and relief.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BENNET). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. REID. Mr. President, I ask unanimous consent that the motion to proceed to H.R. 674 be adopted; that after the motion is adopted, the majority leader be recognized to offer amendment No. 927 on behalf of Senator TESTER and others; that when the Senate resumes consideration of the bill on Wednesday, November 9, Senator MCCAIN or his designee be recognized to offer a second-degree amendment, No. 928; that no other amendments, points of order, or motions be in order to either amendment or the bill prior to the votes other than budget points of order and the applicable motions to waive; that following morning business on Wednesday, November 9, the Senate proceed to the consideration of the motion to proceed to S.J. Res. 6, as provided under the previous order; that upon the use or yielding back of time, the Senate resume consideration of H.R. 674; further, that at 10 a.m. Thursday, November 10, the Senate proceed to the consideration of the motion to proceed to S.J. Res. 27 as provided under the previous order; that at noon, the Senate resume consideration of the motion to proceed to S.J. Res. 6 and there be up to 5 minutes of debate, equally divided between the two leaders or their designees, prior to a vote on the motion to proceed to S.J. Res. 6; that following the vote, the Senate then proceed to vote on the motion to proceed to S.J. Res. 27; that there be 2 minutes equally divided between the votes; that if either or both motions to proceed are agreed to, then further debate and votes on the joint resolutions be deferred until 2:15 p.m. on Tuesday, November 15, with all other provisions of the previous orders regarding the joint resolutions remaining in effect; that at 2:15 on Thursday, November 10, the Senate resume consideration of H.R. 674; that there be up to 15 minutes of debate on the bill and amendments to run concurrently, with the time equally divided between the two leaders or their designees; that upon the use or yielding back of time, the Senate proceed to vote in relation to the amendments to H.R. 674 in the following order: McCain amendment No.

928 and Reid for Tester amendment No. 927; that the McCain and Reid for Tester amendments be subject to a 60-vote affirmative vote threshold; that upon the disposition of the amendments, the bill be read a third time and the Senate proceed to vote on passage of the bill, as amended, if amended; that upon disposition of H.R. 674, the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to H.R. 2354, the Energy and Water appropriations bill.

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

### 3% WITHHOLDING REPEAL AND JOB CREATION ACT

The PRESIDING OFFICER. The clerk will report the title of the bill.

The legislative 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 to certain health-care related programs, and for other purposes.

#### AMENDMENT NO. 927

(Purpose: To amend the Internal Revenue Code of 1986 to permit a 100 percent levy for payments to Federal vendors relating to property, to require a study on how to reduce the amount of Federal taxes owed but not paid by Federal contractors, and to make certain improvements in the laws relating to the employment and training of veterans)

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID], for Mr. TESTER, for himself, Mrs. MURRAY, Mr. BAUCUS, Ms. STABENOW, Mr. BROWN of Ohio, Mr. REID, Mr. AKAKA, Ms. CANTWELL, Mr. LEAHY, Mr. CASEY, Mr. COONS, Mr. MENENDEZ, Mr. KERRY, Mr. LAUTENBERG, Mr. MERKLEY, Mr. SANDERS, Mrs. SHAHEEN, Mr. BENNET, Mr. WEBB, Mr. BEGICH, Ms. LANDRIEU, Mr. SCHUMER, and Mr. BROWN of Massachusetts, proposes an amendment numbered 927.

(The amendment is printed in today's RECORD under "Text of Amendments.")

### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2012—MOTION TO PROCEED

Mr. REID. Mr. President, I move to proceed to Calendar No. 157, H.R. 2354.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] moves to proceed to H.R. 2354, an Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

#### CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk.

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

The legislative 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. 157, H.R. 2354, an act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2012, and for other purposes.

Harry Reid, Amy Klobuchar, Dianne Feinstein, Patrick J. Leahy, Richard J. Durbin, John F. Kerry, Charles E. Schumer, Al Franken, Tom Udall, Richard Blumenthal, Kirsten E. Gillibrand, Carl Levin, Jeff Merkley, Ron Wyden, Thomas R. Carper, Daniel K. Inouye, Benjamin L. Cardin.

Mr. REID. Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

Mr. REID. Mr. President, I now withdraw my motion.

The PRESIDING OFFICER. The motion is withdrawn.

### MORNING BUSINESS

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

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

### TRIBUTE TO MR. LEDFORD STEPHENS

Mr. MCCONNELL. Mr. President, I rise today to pay tribute to a respectable Kentucky veteran, Mr. Ledford "Led" Stephens. Ledford, who recently celebrated his 90th birthday, still remembers vividly the time he spent serving overseas in Europe during World War II.

Led grew up across the creek from Lower Cal Hill Cemetery in Pine Knot, KY. When he was 18 years old, he enlisted in the U.S. Army. After passing two physicals, Led was allowed to spend 2 weeks at home before he boarded a train at Stearns station to Fort Thomas. There he received his clothes and was then shipped to Fort Wheeler, GA, for basic training. After completing basic training, Led spent a short time at Camp New Jersey where he received his "impregnated clothes," which were outfits that protected soldiers from gas—this was a clear indicator that he would eventually be shipped overseas.

A short time later, Led remembers boarding a ship in New York that sailed for 14 days and nights before finally reaching Casablanca, North Africa. After arriving, Led and his group were placed with the 3rd Division and sent to assist in the Invasion of Sicily. Led was assigned to the position of 30-caliber machine gunner on his team.

"From there, I went on to the Invasion of Italy. We went in there on a beach and fought our way up," Led recalls. "I met a fellow from Frazer, Kentucky, and we both promised that we

would find each other's people back home if anything happened to either of us. It ended up that he was killed . . . I tried to find his people when I came back home, but I never could find them."

The toil of war eventually took a toll on Led as well. During a battle, "a shell went off close to me, and it did something to my ears," Led says. "My face was numb . . . they loaded me into an ambulance and took me to the 106 Hospital in Naples, Italy." After that, Led spent time recovering in a rest camp and was taken out of combat and was assigned to a port battalion where he loaded and unloaded supplies.

After the war, Led received many medals and ribbons, including the Bronze Star for his service. Once he returned home to Kentucky, Led began a career as a coal-truck driver—he is also an ordained minister in his spare time. Around his 70th birthday, Led fell in love with Lois Neal, a girl he had known from his childhood. The two have been married now for over 18 years and reside happily together in their home in Pine Knot, KY.

I would like to ask that my Senate colleagues join me in thanking Mr. Ledford "Led" Stephens for his patriotism and selflessness. I commend Ledford for his service and accomplishments throughout his life—he is a true inspiration to Kentuckians everywhere. The McCreary County Voice in Whitley City, KY, recently published an article highlighting Ledford's honorable life and service. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the McCreary County Voice, Aug. 11, 2011]

#### MEMORIES OF A SOLDIER

(By Eugenia Jones)

As a youngster, growing up across the creek from Lower Cal Hill Cemetery, Ledford "Led" Stephens never dreamed that he would someday travel to distant lands to serve his country. The American war veteran, who just recently celebrated his 90th birthday, has vivid memories of his time spent in World War II.

He recalls, "When I was 18, I registered for the Army. Next thing I knew, I got a call to go in and get two physicals. I passed the first physical they gave me at Stearns, and then I had to go all the way to Cincinnati for the second one. When I was there in Cincinnati, they told us to say, 'Home' if we wanted to go back home for fourteen days. Me and a buddy wanted to go back home for two weeks. After we got those days at home, I caught a train at the station at Stearns to go back to the Army. There were many people at the station, and they were crying as we headed off for the war. I ended up at Fort Thomas where they issued my clothes. I went on to Fort Wheeler, Georgia, for basic training and then to Camp New Jersey. A buddy of mine from home was there with me. He had his guitar, and one night, he started picking a song about going back home. All at once, he told me that he wanted to go home, but I told him that they would kill us if we took off. They issued us our impregnated clothes there. Those types of clothes protect

the soldiers from gas. We just knew that being issued those clothes meant that we were going overseas for sure."

The hunch about going overseas was correct, and Stephens can still remember leaving the U.S. "From New Jersey, I went to New York where we loaded a ship and sailed for fourteen days and nights. We ended up in Casablanca, North Africa. We spent a couple of weeks there and were put in the 3rd Division. Right about that same time, there was a surrender, and I thought we might get to go home. Instead, we ended up in the Invasion of Sicily. I was the first scout in the town of Messina, Sicily, and, from there, I went on to the Invasion of Italy. We went in there on a beach and fought our way up. I met a fellow from Frazer, Kentucky, and we both promised that we would find each other's people back home if anything happened to either of us. It ended up that he was killed. I was a 30-caliber machine gunner, and he was an assistant with another gunner. That is how he was killed. I tried to find his people when I came back home, but I never could find them."

The war eventually took a physical toll on Stephens. He explains, "The Germans came in shelling us. A shell went off close to me, and it did something to my ears. My face was numb. They wanted me to wait to go to the hospital until the 36th Division could relieve us. When I did go to the medics, they were in a long hospital tent. A fellow looked at me and loaded me into an ambulance. They took me to the 106 Hospital in Naples, Italy. After that, I went to a rest camp and some other hospitals. I ended up being taken out of combat and was assigned to a port battalion where I loaded and unloaded supplies."

Stephens did have some fun times while he was overseas. His face lights up with a grin as he tells about the two girls he met while in Europe. "While I was there in Italy, I was sent to a rest camp. I could go to town whenever I wanted. Me and a buddy met two girls in town one day. We went for a ride with them, and I started seeing the girl named Connie quite regularly. I went for a time without seeing her and decided I would go to her house and find her. I went up the stairs and knocked on the door, and an old woman came to the door. She spoke English and said, 'Stephens, come in!' The old woman was Connie's mom. She and Connie were glad to see me. When we shipped out, Connie wanted to go. I went back later to see her, and, this time, there she was! She was locked in the arms of a sailor! Of course, that was the end of our friendship!"

"I met Esther when I was in France. When I first saw her, she was crocheting, and she spoke English. Her sister's name was Julie, and I told my buddy about Julie. The Germans had taken their parents. One day, me and my buddy went and visited. Julie's boyfriend came while we were there. Julie was dating a boy named Scott from Tennessee. She was seeing Scott and my buddy both at the same time. When I left France, I told Esther that someday I would be back for her. When I got back to the States, I planned to go back overseas, but Mrs. Harmon of the draft board thought I should wait awhile. I had already been overseas for thirty months and ten days. I ended up never going back overseas, and I never saw Esther again."

After returning to the States, Stephens, the recipient of many medals and ribbons, including the Bronze Star, spent his life working as a coal-truck driver and, for a few years, he worked in Indiana. At the age of 62, he began working for the Forest Service where he remained for more than three years. Stephens also was an ordained minister.

In his golden years, when he was about 70, Stephens fell in love with Lois Neal. Lois,

who, for many years, owned and operated a grocery store at the top of Davis Hill in Pine Knot, recalls, "When Led started coming to the store, he came regularly!" "Led" adds with a chuckle, "I enjoyed helping her in the store. It sure wasn't the store that I was after. It was Lois! I had my eye on her, and, then, she sent me some roses! We had known each other when we were growing up. Before I went overseas, I remember taking her for a ride in a Model A. I was singing, I'm Sitting on Top of the World' when we went for that ride." The two have now been married for 18 years.

When "Led" finishes telling the stories about his days in WW II, it is easy to see that this man who traveled the world serving his country as a young man is now happy to be "sitting on top of the world" with his lovely wife Lois at their home in Pine Knot, Kentucky.

#### VETERANS DAY

Mr. UDALL of Colorado. Mr. President, I rise to speak on an important holiday we will recognize later this week. Veterans Day is a time we have set aside to pause and remember the veterans who have sacrificed so much for our country. We honor them for their courage and dedication in helping secure our freedom. It is without saying that we are all indebted to these men and women and we celebrate them and their selfless service on behalf of every American.

Last month the celebration of Hispanic Heritage Month came to a close, but as Veterans Day nears, I believe that it is timely and fitting to call attention to the contributions of the American Latinos who have served in every major war of the United States and continue to be an invaluable part of America's military.

Approximately 1.3 million of America's current 22.7 million veterans are of Hispanic origin. In Colorado, each of these veterans deserves our recognition and continued support. Due to the sacrifice of so many from our state, such as Medal of Honor recipient Joe P. Martinez, who was laid to rest in 1943 in Ault, CO, our country has been made stronger.

Other veterans, such as Albert Gonzales, a Colorado Springs resident who currently serves as the national commander of the American G.I. Forum and was recently appointed by President Obama as a member of the National Selective Service Appeal Board, demonstrate the ongoing commitments of Colorado's veterans. Albert represents another example of the thousands of exemplary Coloradan Hispanic veterans.

In Colorado, paying tribute to the State's Hispanic veterans is a strong part of our effort to support all veterans. In the small southeastern Colorado agricultural town of Avondale, which has come to call itself the "Pueblito of Heroes," it has become an annual tradition to recognize the many veterans who have served from this small community. Just this year, they honored long-time resident Eutimio Sandoval who received a Bronze Star,