

run her campaign for Colorado's Attorney General.

Mr. Koether not only worked on campaigns and in politics, he also devoted himself to public service in the Denver area, offering his services to various public boards to better the lives of Coloradans. In addition to serving on the Kent Denver school boards, Mr. Koether spent 54 years of his life on the advisory board of the Salvation Army.

Mr. Koether passed away on Sept. 16, 2011 among his family members and friends who were coming together to celebrate his 98th birthday.

Mr. Speaker, it is an honor to recognize Mr. Herbert F. Koether. The ideals he devoted himself to and his life of public service tangibly affected Coloradans and Americans for the better, and he will be greatly missed by us all.

#### TRIBUTE TO THE 5TH SPECIAL FORCES GROUP

#### HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 23, 2011*

Mrs. BLACKBURN. Mr. Speaker, fifty years ago, a prestigious group of soldiers were activated into the 5th Special Forces Group at Ft. Bragg, North Carolina. Deployed today from Ft. Campbell, Kentucky and serving in regions known and unknown, the men and women of the 5th Special Forces work to gain and secure freedom's cause for the oppressed throughout the world.

The green beret is not the only thing that sets the 5th Special Forces Group apart. Divided into five active duty and two Army National Guard groups, the Special Forces are an integral part of the United States Army and her missions throughout the world. From Vietnam to Afghanistan, these honored soldiers continue to carry out the legacy of excellence, victory, and fidelity to the contract of democracy. Outfitted with the best and the brightest the Armed Forces has to offer, the 5th Special Forces Group celebrates 50 years of special operations as one of the most decorated and well-known Army units.

We owe much of our freedom to those who, like the 5th Special Forces, dedicate their lives to the tenets of this mighty country. With unequalled speed and resolve, they both captured high-profile targets in the Global War on Terror and brought humanity and compassion to areas of the world struggling under humanitarian crisis. As the 5th Special Forces Group continues their work to liberate those in the bonds of oppression, I ask my colleagues to join with me in honoring the mighty work done by the 5th Special Forces and congratulate them as they celebrate 50 years of bringing freedom to the world's darkest places.

#### PALESTINIAN AUTHORITY AND THE U.N.

#### HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 23, 2011*

Mr. GARRETT. Mr. Speaker, I rise today in objection to the Palestinian Authority's blatant

attempt to circumvent its past agreements and treaties with Israel and seek a unilateral declaration of statehood at the United Nations (UN) later today.

Peace between the Israelis and the Palestinians will not be settled through a resolution at the United Nations. Lasting peace will only be achieved through direct negotiations between Israel and the Palestinians.

The Palestinian Authority's unilateral declaration of statehood directly contradicts UN Resolution 242, which states that the two nations must work together to achieve peace in the region so that both states are secure.

When Resolution 242 was passed, President Johnson stated, "It is clear . . . that a return to the situation of June 4, 1967 will not bring peace. There must be secure and there must be recognized borders. Some such lines must be agreed to by the neighbors involved."

Now is the time for the UN and the Palestinian Authority to heed that advice. The borders should not be dictated to the Israelis; rather, an agreement should be based on direct negotiations between the two states. Recognition in any way by the UN will only embolden the belligerent Palestinians to avoid the negotiating table and circumvent direct negotiations with Israel.

An affirmative vote by the UN Security Council, even with a United States veto, will have dire consequences for years to come. I urge the UN to reject the resolution so that both nations can return to the negotiating table without pre-conditions.

#### INTRODUCING THE INVESTING INCOME AT HOME ACT OF 2011

#### HON. RICK LARSEN

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 23, 2011*

Mr. LARSEN of Washington. Mr. Speaker, today I am pleased to introduce the Investing Income at Home Act of 2011, legislation that simplifies the outdated personal holding company ("PHC") tax regime and will help certain closely held companies invest money here at home to create jobs and help our economy recover.

Enacted in 1934, the PHC tax provisions (sections 541–547 of the Internal Revenue Code) are outdated. The goal of the PHC tax when it was originally enacted was to prevent wealthy individuals from avoiding the individual income tax on passive income like interest, dividends and rents by forming corporations to hold these investments.

In the 1930s the corporate tax rate was 13.5 percent and the top individual income tax rate was 63 percent. This 49.5 percent differential between the top corporate and individual tax rate—coupled with the ability to liquidate and distribute appreciated corporate assets without tax consequences—provided an incentive for wealthy individuals to incorporate their portfolio investments. Those incentives have largely vanished under current law. First, the top marginal tax rate for both individuals and corporations is 35%. Second, corporate liquidating distributions of appreciated assets are taxed at the corporate level. Current law provides no incentive to incorporate portfolio investments to escape the individual income tax. The PHC tax is an obsolete tax that should be repealed.

Section 541 of the Internal Revenue Code imposes a corporate level penalty tax of 15% on the undistributed personal holding company income of a PHC. Under current law, this rate is scheduled to return to the highest individual tax rate of 39.6% when the lower dividend tax rate expires in 2011. A corporation constitutes a PHC if 60% of its adjusted gross income is PHC income and if 50% of its stock is owned by five or fewer individual shareholders at any time during the last half of the taxable year. PHC income generally is defined as interest, dividends, royalties, rents, and certain other types of passive investment income.

Furthermore, in the case of a group of corporations filing a consolidated return, the PHC test is generally conducted on the basis of the operations of the consolidated group. However, in certain circumstances the test must be conducted on a separate company basis. When the test is conducted on a separate company basis, a group of corporations filing a consolidated return can easily find that it has a personal holding company tax liability even though a great majority of its revenue is generated from the active conduct of its trade or businesses. The requirement to conduct the PHC tests on a separate company basis often unfairly penalizes corporate groups that are actively engaged in business. A common fact pattern that gives rise to this unwarranted imposition of the PHC tax is where a member of the group receives dividends from controlled foreign subsidiaries. In this case, the separate company PHC tax computation serves as a deterrent to the repatriation and reinvestment of foreign earnings in the United States.

The legislation I am introducing would exclude dividends received from a firm's foreign affiliates and reinvested in the United States from the definition of personal holding company income.

This bill will provide that corporations impacted by the PHC that benefit from the provision would pay the same level of corporate tax as similarly situated publicly traded corporations. This would free them to invest dividends from foreign affiliates into the U.S. economy, helping to create much-needed jobs here in America.

I ask my colleagues to join me in supporting this important legislation that will clean up an outdated part of the Tax Code and help to create good jobs in the United States.

#### RECOGNIZING THE 50TH ANNIVERSARY OF THE FOUNDING OF THE NATIONAL ASSOCIATION OF CONVENIENCE STORES

#### HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 23, 2011*

Ms. MATSUI. Mr. Speaker, I rise today to commemorate the 50th anniversary of the founding of the National Association of Convenience Stores (NACS).

Originally founded in 1961, today NACS represents more than 3,700 companies that do business in more than 50 countries worldwide.

The convenience retailing industry in America generates \$575 billion dollars in sales annually, in its more than 146,000-plus stores across the country, and employs 1.6 million

Americans. NACS has helped the industry experience remarkable growth, convenience store sales today are more than 1,100 times greater than when NACS was founded. Cumulatively, the U.S. convenience store industry alone serves 160 million customers per day in this country alone.

It is convenience stores that keep America's motors running. Convenience stores sell 80 percent of all the gasoline purchased in the country.

NACS represents both large businesses and small family businesses that grow America's economy. More than half of convenience stores are owned by single-store operators. NACS helps member retailers to grow their businesses, from research and marketing to human resources and management.

NACS also helps to advocate for those issues that are vital to these small business owners. From motor fuels policy, to prevention of tobacco sales to minors, to swipe fee reform, NACS is an industry leader in making sure their voices are heard.

Convenience stores provide a speed of transaction that is unparalleled, and the large number of locations and extended hours of operation have redefined convenience, whether for food, fuel or other essential items. The extended hours and flexibility of convenience stores mean that they play a vital role in the communities they serve and customers are able to quickly pick up what they want, when they need it.

Mr. Speaker, in recognizing the many contributions the National Association of Convenience Stores has made to our nation and to our history, I join my colleagues in celebrating the 50th anniversary of its founding.

#### 20TH ANNIVERSARY OF UKRAINE'S INDEPENDENCE

**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 23, 2011*

Mr. LEVIN. Mr. Speaker, I rise today to mark the 20th anniversary of Ukraine's independence from Soviet rule.

Since August 24th, 1991, the people of Ukraine have remained steadfastly focused on securing a stable democracy and a free market economy in Ukraine, and I commend them on their democratic achievements. During the 2004 Orange Revolution, I was proud to stand with hundreds of Ukrainian Americans demonstrating in front of the Embassy in Washington, wearing our orange scarves and demanding that democracy required rejection of a rigged election.

I also rise to express my deep concern over the erosion of democracy under the current Yanukovich Administration, which places the successes of the Orange Revolution in jeopardy. Reports from the April 2011 Freedom House assessment are alarming, particularly the anecdotes of the Administration's use of violence, intimidation, and selective prosecution of opposition leaders and suppression of the media.

We in the United States must continue to stand with those living under oppressive and tyrannical regimes as they struggle for their freedom.

Last week, members of the Congressional Caucus on Ukraine introduced a bipartisan

resolution to commemorate Ukraine's independence and to express strong and continued support to the Ukrainian people in their efforts toward ensuring democratic principles.

#### TRANSPARENCY IN REGULATORY ANALYSIS OF IMPACTS ON THE NATION ACT OF 2011

SPEECH OF

**HON. CHRIS VAN HOLLEN**

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

*Thursday, September 22, 2011*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2401) to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes:

Mr. VAN HOLLEN. Mr. Chair, today's legislation continues the majority's relentless assault on the Clean Air Act and our nation's public health.

Let's be clear: clean air is not—and has never been—the enemy of economic growth. If history has taught us anything, it is that a healthy environment and a healthy economy go hand in hand. Since 1970, the Clean Air Act has reduced air pollutants by 60 percent while the economy has grown by over 200 percent, with economic benefits expected to reach \$2 trillion by 2010—exceeding costs by more than 30 to 1.

Rather than building on this bipartisan record of cost-effective environmental achievement, today's legislation proposes to block two of the most important Clean Air Act rules in decades: the mercury and air toxics rule and the cross-state air pollution rule.

The proposed mercury and air toxics standards would prevent more than 90% of the mercury from coal-fired power plants to be emitted into the air by 2015—and it would reduce fine particle emissions by 29 percent. More than half of the nation's coal-fired power plants already deploy the technology necessary to meet these standards, whose adoption will prevent 17,000 premature deaths and 120,000 cases of asthma a year.

The long overdue cross-state air pollution rule would require 27 upwind states to reduce their sulfur dioxide emissions by 75 percent and their nitrogen oxide emissions by 54 percent. These reductions will prevent an additional 34,000 premature deaths and 400,000 cases of asthma each year and the "good neighbor" principle it represents is especially important to downwind states like my home state of Maryland, which currently must bear the brunt of air pollution that blows in from other states.

The economic and public health benefits from both of these rules far outstrip the cost of the pollution control technology necessary to achieve them—a fact the one-sided "study" in this legislation is deliberately designed to obscure. And the pollution control technology itself will drive investment and job creation for professionals like engineers, electricians, pipefitters and boilermakers whose expertise and labor will be needed to install it. It's a clear win for our economy and a clear win for our public health.

I urge a no vote.

JOE BLAKE TRIBUTE

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 23, 2011*

Mr. TIPTON. Mr. Speaker, I rise today to honor Mr. Joe Blake, former Chancellor of the Colorado State University System. Since May of 2009, his leadership and influence as the first sole chancellor of the CSU System has been felt far and wide within the state of Colorado.

Before beginning his time with CSU, Mr. Blake served as the President and CEO of the Denver Metro Chamber of Commerce for nearly a decade. His experience with the Chamber coupled with his strong background in job creation played a pivotal role in his ability to lead CSU through tough financial times.

Under the leadership of Mr. Blake, CSU was able to accomplish many important tasks, including the establishment of a stand-alone chancellor operation, the development of its first strategic plan, and the positioning of CSU Global as a viable and integral part of the system.

CSU also launched the Commitment to Colorado, a scholarship program that ensures qualified students of all income levels have the opportunity to attend an institution of higher education. In a time where jobs are becoming scarce, nothing is more important than ensuring the young workforce has the experience, the resources, and the expertise to obtain a sustainable occupation.

Through his dedication and commitment to Colorado's system of higher learning, Mr. Blake has furthered America's objective of bettering its educational system. Mr. Blake has referred to his time as chancellor as having been "the highlight of [his] career." However, Mr. Blake's time with CSU has not yet reached its end. While he is stepping down as chancellor, he will remain with the University to promote donor and alumni relations.

Mr. Speaker, it is an honor to recognize Mr. Joe Blake. His leadership and dedication to CSU has benefited thousands of students and families and I thank him for all he has done for the state of Colorado.

#### CELEBRATING THE 110TH ANNIVERSARY OF FIRST UNITED METHODIST CHURCH

**HON. KENNY MARCHANT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 23, 2011*

Mr. MARCHANT. Mr. Speaker, I rise today to honor the First United Methodist Church of Carrollton. For 110 years, this church has been a centerpiece for spiritual growth and community outreach for the City of Carrollton.

In 1901, a group of 15 Methodists moved to Carrollton, Texas to start a ministry and formed what is known today as First United Methodist Church of Carrollton. Preaching only once a month, founding pastor Reverend John D. Major visited the congregation as the fifth church on his circuit. The congregation met in the attic of W.H. Stephens' store in downtown Carrollton, where the church developed a strong Sunday school program. By 1902,