

HONORING THE LIFE AND CONTRIBUTIONS OF JOHNNY MAESTRO

HON. JERROLD NADLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. NADLER. Mr. Speaker, I rise today to honor the memory of a great singer and humanitarian, John Mastrangelo, known to his fans, friends, and fellow musicians as Johnny Maestro. Johnny would have been 73 years old this week, and his influence on popular music and on the New York neighborhoods he loved so dearly is still being felt.

John Mastrangelo was born on Manhattan's Lower East Side on May 7, 1939, graduated from Charles Evans Hughes High School in 1956, and attended Borough of Manhattan Community College.

In 1956, John Mastrangelo joined four teenage singers from Manhattan's Lower East Side to form The Crests. Their vocal harmony was innovative, combining elements of jazz, R&B, and early rock 'n' roll to become true pioneers of rock and roll music. They were one of the first integrated popular vocal groups. While the rest of the country was still struggling with the legacy of Jim Crow, The Crests—Johnny Maestro, who was Italian-American; three African Americans: J. T. Carter, Talmoudge Gough, and Patricia Van Dross (older sister of R&B great Luther Vandross); and Harold Torres, who was Puerto Rican—were recording groundbreaking music. With Johnny Maestro as the lead singer, The Crests recorded hits like "16 Candles," "Trouble in Paradise," "The Angels Listened In" and "Step by Step."

Following his time with The Crests, Johnny Maestro had a short solo career, and then joined another popular New York group, the Del-Satins, as lead singer. In 1968, they merged with a Long Island group, The Rhythm Method, to form The Brooklyn Bridge. The Brooklyn Bridge recorded a series of hits, including "Welcome Me Love," "You'll Never Walk Alone," and "Your Husband, My Wife." They had their biggest hit with Jimmy Webb's "The Worst That Could Happen." Johnny Maestro and The Brooklyn Bridge continued to perform for forty-two years. Johnny Maestro's exceptional tenor voice won accolades from fans and fellow musicians alike. His distinctive voice remained vibrant and strong throughout his fifty-three year career.

Johnny Maestro was more than a great musician; he was also a great humanitarian. Johnny and the Brooklyn Bridge gave generously of their time, performing benefit concerts for numerous good causes.

He performed at many fundraising events on Staten Island such as the Borough President's "Back to the Beach" concert. He also performed for the New York City Fire Department and Police Department, the United States Military, Italian American Association, as well as church and school fundraisers. He performed on the Jerry Lewis Telethon and as part of "We Are the World," which raised funds for worldwide hunger relief.

Johnny Maestro and The Brooklyn Bridge were inducted into the Vocal Group Hall of Fame in 2005, the Long Island Hall of Fame in 2006, and the South Carolina Rhythm and Blues Hall of Fame, just to name a few of their many honors.

On March 26, 2011, the City of New York honored him by renaming the intersection of Mason Avenue and Midland Avenue on Staten Island as "Johnny Maestro Way."

Johnny Maestro and The Brooklyn Bridge were unswerving supporters of our police, fire, military, and Italian-American benevolent associations. The communities I represent warmly remember the benefit concerts Johnny Maestro and The Brooklyn Bridge participated in to aid 9/11 responders and their families. In 2007, Johnny Maestro sang at a concert digitally filmed and sent to bases of our Armed Forces overseas. Johnny Maestro and The Brooklyn Bridge ended their concerts by singing "You'll Never Walk Alone" and dedicated the song to the men and women in uniform. Today, the surviving members of The Brooklyn Bridge continue to honor Johnny's legacy by performing the songs he sang with The Crests and The Brooklyn Bridge, and supporting the humanitarian causes he held so dear.

Sadly, that great voice was stilled when Johnny Maestro died at the age of 70, following a valiant struggle with cancer. He continued to perform up until two months before his death.

Mr. Speaker, Johnny Maestro was the consummate New Yorker. He was talented, and he gave of his gifts and his success for the betterment of his City and those most in need. His life and his art are an example of what is best in our City and in our Nation. I urge all members of the House to join me in remembering and honoring Johnny's Maestro's life and work, and to remember a man whose musical accomplishments and humanitarian deeds have touched the lives of so many people.

COMMERCE, JUSTICE, SCIENCE,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2013

SPEECH OF

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 8, 2012

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 5326) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2013, and for other purposes:

Mr. GEORGE MILLER of California. Mr. Chair, I oppose H.R. 5326, the FY13 Commerce, Justice, Science and Related Agencies Appropriations and am deeply concerned about provisions included in the bill that will roll back important civil rights protections and undermine key protections for youth in the juvenile justice system.

SECTION 540: EQUAL EMPLOYMENT OPPORTUNITY COMMISSION RIDER TO UNDERMINE THE AGE DISCRIMINATION IN EMPLOYMENT ACT

Despite passage of the Age Discrimination in Employment Act, ADEA, forty-five years ago, older workers continue to face discrimination in the workplace. They are demoted, denied promotions and fired simply because of their age. While the ADEA provides important protections, older workers continue to be hard hit during these difficult economic times. The challenges they face are substantial. As com-

pared to their younger colleagues, older workers have greater difficulty finding new employment and are twice as likely to be out of work for 99 weeks or longer. The EEOC reports that the number of age discrimination charges filed increased by over 70 percent between 2006 and 2011. And according to the AARP, 60 percent of workers interviewed report experiencing or witnessing age discrimination in the workplace.

The protections afforded older workers have been under assault in recent years. In 2009, the Supreme Court rolled back workplace protections for older workers in *Gross v. FBL Financial* decision. In this case, the Supreme Court held that victims of age discrimination must meet a higher burden than other forms of workplace discrimination when bringing a claim. Rather than having to prove age was a motivating factor for an adverse employment action, older workers are now required to show age was the decisive factor when raising an ADEA claim.

The bill before us today would be another significant setback for older workers in this country. H.R. 5326 would prohibit funds made available by the Act to be used to implement, administer, or enforce the Equal Employment Opportunity Commission's, EEOC, final regulations on Disparate Impact and Reasonable Factors Other than Age under the ADEA published in March 2012. According to the EEOC, the rider in H.R. 5326 "would undermine vigorous enforcement of the nation's age discrimination laws at a time when older workers are particularly vulnerable."

The EEOC regulation at issue should not be controversial. It gives employers greater clarity on how to avoid unlawful disparate impacts under the ADEA. This clarity should be welcomed not rejected. EEOC's intent behind the regulation is straightforward, "to bring . . . existing [EEOC] regulation into conformance with . . . Supreme Court precedent and to explain the meaning of RFOA [Reasonable Factor Other than Age] defense to employees, employers, and courts."

Eliminating this regulation would create new confusion on what standards—even outdated ones—might apply in its stead. As a result, H.R. 5326 would create legal uncertainty and uneven results in these cases and would also eliminate important tools for EEOC to use to help employers comply with their obligations under the law.

Instead of spending time rolling back the rights of older workers and creating more legal uncertainty for those who are victims of age discrimination, Congress should be fighting for the rights of older workers in the workplace and working together on a bipartisan basis to reverse the Supreme Court's decision in *Gross v. FBL Financial Group*.

I am also deeply concerned that H.R. 5326 would fund the EEOC at a level which is \$7 million less than the President's request. Last year, the agency received nearly one-million discrimination charge filings—the fourth straight year of record filings. The EEOC must have the resources necessary to combat workplace discrimination and retaliation. Without it, workers will see longer waits as case backlogs increase and the agency's ability to enforce nondiscrimination protections will be undermined.

SECTION 218: DEPARTMENT OF JUSTICE RIDER TO WEAKEN AMERICANS WITH DISABILITIES ACT PROTECTIONS

The Americans with Disabilities Act of 1990, ADA, is intended "to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." The ADA provides nondiscrimination protection to ensure that individuals with disabilities have access to and can participate in all aspects of society.

A component of these protections requires that public accommodations construct facilities to be accessible and that existing facilities become accessible when it is "readily achievable." The "readily achievable" expectation is defined as "easily accomplishable and able to be carried out without much difficulty or expense." There is considerable flexibility to determine what is achievable based on a business' particular circumstances.

The Department of Justice has the authority to carry out the mandate to eliminate discrimination against individuals with disabilities under the ADA. In doing so, the Department of Justice finalized regulations in September 2010 which included regulations regarding accessibility of swimming pools. These regulations are based on accessibility standards established by the Access Board that takes into consideration the needs of individuals with disabilities as well as the needs of business.

To comply with the regulation, businesses would need to make an assessment and take steps to accomplish what is "readily achievable" for swimming pool accessibility for that business. For some businesses that may require fixed or portable lifts, while for other business if may not require doing anything until increasing accessibility is "readily achievable" for that business. H.R. 5326 rolls back protections within the ADA by prohibiting the Department of Justice to use funds to implement the standards for swimming pool accessibility. This bill would establish an extremely dangerous precedent weakening the Department of Justice's authority to enforce the ADA weakening critical civil rights protections.

Regardless of whether a person has a disability or not, that person should have the right to access swimming pools. To enable individuals with disabilities to participate fully in their communities, their communities must be accessible to them. Congress should focus on increasing access to community life rather than establishing dangerous precedents which prevent individuals from accessing their communities.

TITLE II

I am strongly opposed to the funding cuts for Title II of the Juvenile Justice Delinquency and Prevention Act, JJDP. The JJDP is first written in 1974 with the goal of supporting states' actions to prevent youth crime and provide certain core protections for children. The law rightfully recognized that clear biological differences between teenagers and adults meant that youth should not be treated in the same manner as adults. Without question, youth must be held accountable for their actions. But justice should not be driven by fads or politics. The juvenile justice system in this country currently affects thousands of children and youth, and the core protections in JJDP are critical to efforts that help reduce youth crime, keep our communities safe, and ensure our juvenile justice system preserves basic rights for the children it serves. The juvenile justice system can be a place of redemption

and rehabilitation or a place where children are thrown away. The funding cuts to Title II of JJDP threaten the existence of these protections, and if this appropriation were enacted, our nation's children, families, and communities would undoubtedly suffer.

LINCOLN HIGH SCHOOL WE THE PEOPLE COMPETITION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BLUMENAUER. Mr. Speaker, last week an outstanding group of young men and women from Portland, Oregon's Lincoln High School placed first in the national "We the People Competition," a contest sponsored by the Classroom Law Project. It is an extraordinary program that allows young men and women to dive deeply into constitutional theory and the legislative process, and understand what it all means for contemporary America in an all-too-often dysfunctional political arena.

Over the years, it's been my privilege to work with instructors and students on these programs, to have watched them prepare for hours at a time, and watch them celebrate their successes. In the Portland Public School District, we are particularly proud of our high schools Lincoln and Grant, who have competed against each other for the State title for more than 2 dozen years, and consistently are strong contenders at the national level.

Their achievements are testimony not only to the hard work and intelligence of the student competitors, but also to a dedicated core of teachers and citizen volunteers, often prominent judges and lawyers, and alumni of the program who continue their involvement long after they cease to be students. A special shout-out this year and every year should go to Lincoln instructor Tim Swinehart, local attorney Steve Griffith and his volunteer team, and the extraordinarily supportive principal, Peyton Chapman.

As I met with the Lincoln team earlier this spring in preparation for the national championships, it was clear to me that this was a stellar team even by the standards of this terrific program. That they won this year with a team largely composed of sophomores makes it all the more an extraordinary accomplishment. I would willingly grant them voting privileges here in Congress.

In addition to the dedicated coaches and volunteers, I want to recognize this year's winning student team. They are: Avery Ballato, Catherine Barton, Marty Berger, Hallie Blashfield, Ryan Bloom, Danny Brillhart, John Carey, Julian Dann, Julia Eckelmann, Michael Field, Natina Gilbert, Nikhil Goyal, Kendra Hong, Robin Jayaswal, Katie Kelly, Sierra Kilian, John Kim, Emma Lane, Duncan MacEachern, William Mao, Olnita Martini, Evan Neuhausen, Sara Newman, Vicki Niu, Sammy Purnell, Justin Richter, Beckett Rueda, Emma Simmons, Sage Smiley, Nita Sridharan, Eri Stern, Mara Strauss, Molly Walls, Carolyn Wheatley, Ajeya Woods and Cole Zollinger.

I urge my colleagues to become acquainted with their local high school constitution competition. I hope the day will come when Con-

gress again gives the financial support to the Classroom Law Project for the civic education that is so important and so critical to preparing students to participate as citizens. With a stronger investment in the Classroom Law Project and programs like We the People, I believe we would all feel better about the future of the Republic.

TRIBUTE TO HONOR FLIGHT OF OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. WALDEN. Mr. Speaker, I rise to recognize the 28 World War II veterans from Oregon who will be visiting their memorial this Saturday in Washington, DC through Honor Flight of Oregon. On behalf of a grateful state and country, we welcome these heroes to the nation's capital.

The veterans on this flight from Oregon are: Melvin Dagsland, U.S. Army; Kenneth Graves, U.S. Army; Frank Hernandez, U.S. Army; Jesse Pollard, U.S. Army; Harold Hayes, U.S. Army; Milton Anderson, U.S. Army Air Forces; James Holbrook, U.S. Army Air Forces; Clarence Mahan, U.S. Army Air Forces; Paul Nielsen, U.S. Army Air Forces; Carl Orndoff, U.S. Army Air Forces; Jack Owens, U.S. Army Air Forces; Donicio Padilla, U.S. Army Air Forces; James Stone, U.S. Army Air Forces; James Hanley, U.S. Army Air Forces; Melvin Pearigen, U.S. Coast Guard; Floyd Burt, U.S. Marine Corps; Delbert Littrell, U.S. Marine Corps; Edward Montagne, U.S. Marine Corps; Eldon Branson, U.S. Navy; Calvin Gorte, U.S. Navy; GL Hamblin, U.S. Navy; Lester Herring, U.S. Navy; Richard Laubert, U.S. Navy; Donald Lister, U.S. Navy; Vincent Monzel, U.S. Navy; Otis Pierce, U.S. Navy; Forest Scott, U.S. Navy; Raymond Woods, U.S. Navy.

These 28 heroes join more than 81,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, DC to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these soldiers, sailors, airmen, and Marines who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Oregon for their exemplary dedication and service to this great country. I especially want to recognize and thank Gail Yakopatz for her tireless work as president of Honor Flight of Oregon.

RECOGNIZING THE RESILIENCE OF JOPLIN, MISSOURI

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. LONG. Mr. Speaker, I rise today to honor the resilience of the Joplin, Missouri community.