

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

SPEECH OF

**HON. STEVEN R. ROTHMAN**

OF NEW JERSEY

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. ROTHMAN of New Jersey. Mr. Chair, I rise in strong support of the Department of Justice's (DOJ) final rule detailing requirements for accessible entry and exit for pools and spas under the Americans with Disabilities Act (ADA), and in opposition to a provision included in the Commerce, Justice, and Science FY13 Appropriations Bill to inhibit DOJ's enforcement of this important rule.

Over twenty years after the passage of the Americans with Disabilities Act, the accessibility of swimming pools and other recreational facilities remains important to people with disabilities around the country. The 54 million Americans living with disabilities deserve to finally be able to enjoy these facilities to the same extent as others in our society.

The Department's process to develop accessibility guidelines for swimming pools began over 7 years ago on September 30, 2004, and the DOJ published the final rule on September 2010 after receiving feedback from all stakeholders and the public. DOJ delayed compliance until May 21, 2012 and issued guidance at the beginning of this year, clarifying the intent of the final rule.

The final rule ensures that small, family-owned business are not overburdened, by only requiring installation of fixed pool lifts for existing pools and spas if it is "readily achievable," meaning that it is not overly costly or burdensome. It strikes an appropriate balance between the needs of Americans living with disabilities and our businesses.

The need for pools and spas to be accessible for people with disabilities is not a new idea, but one that has been in federal law for more than 2 decades. The requirement to remove barriers to accessibility to swimming pools for people with disabilities has been part of the statutory requirement under the Americans with Disabilities Act since it was passed in 1990, almost 22 years ago. The regulatory process is functioning just as it was intended to.

People with disabilities should be able to enjoy the same recreational amenities and opportunities as every other American. Delaying the effective date of the regulations any further will mean another season where people with disabilities will be denied the opportunity to use pools when they travel on vacations with their families or on business.

JADA HERRERA

**HON. ED PERLMUTTER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2012*

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Jada Herrera for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Jada Herrera is a 7th grader at Wheat Ridge 5-8 and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Jada Herrera is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Jada Herrera for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN MEMORY OF DR. ZEB F.  
POINDEXTER, JR.

**HON. AL GREEN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2012*

Mr. AL GREEN of Texas. Mr. Speaker, I would like to honor the memory of a trailblazer, Dr. Zeb Ferdinand Poindexter, Jr. With exceptional distinction, Dr. Poindexter served his community and acted as a role model for young people from diverse backgrounds.

Dr. Poindexter was born in Fort Worth, TX on April 5, 1929. He excelled in school, graduating from Wiley College with a B.S. in 1949 and then Texas Southern University with an M.S. in Endocrinology in 1952. Dr. Poindexter, upon completion of his Master of Science, served our great nation as a Second Lieutenant and later Captain in the United States Air Force. Later, he and the University of Texas (UT) took a bold and historically meaningful step forward when he was accepted into University of Texas School of Dentistry in Houston. He became the first African American to receive a doctoral degree from the school in 1956.

Dr. Poindexter's graduation from and association with the University of Texas (UT) literally changed the image of UT. His indelible example can continue to impact future generations of UT graduates, should UT take another bold and historically meaningful step forward by naming the School of Dentistry in his honor. It would symbolize his commitment to UT, and memorialize UT's commitment to inclusivity and diversity.

After receiving his degree from UT, Dr. Poindexter opened the first dental clinic in south Houston. The clinic still stands as a landmark to his achievement in the Sunnyside neighborhood. After establishing his practice, he went on to form the Zeb F. Poindexter, Jr. Chapter of the Student National Dental Association, and become the first black member of both the University of Texas Dental School

faculty and the Houston District Dental Society.

Dr. Poindexter's leadership and community service have been consistently recognized by his colleagues. Amongst other honors, Dr. Poindexter became the president of the Gulf State Dental Association, life member of the Alpha Phi Alpha Fraternity, Incorporated, board member of the Urban League, and received the University of Texas Outstanding Alumnus Award in 1990.

Finally, Mr. Speaker, Dr. Poindexter will be dearly missed by his wife of 58 years, Ruby Poindexter, son, Dr. Zeb F. Poindexter, III, and daughters, Merlene Russell and Eleanor Patricia Dixon. He is also survived by his sisters, Revodia Johnson, Vandetta King, his brother, James Poindexter, and numerous nieces, nephews, grandchildren, great-grandchildren and great-great grandchildren. He will be remembered in the city of Houston as a dedicated public servant and principled leader.

SUPPORTING THE GOALS AND  
IDEALS OF NATIONAL TEACHER  
DAY

**HON. RUBÉN HINOJOSA**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2012*

Mr. HINOJOSA. Mr. Speaker, I rise in support of H. Res. 645 to urge my colleagues and our nation to observe Teacher Appreciation Week and the monumental contributions of America's teachers.

As a cosponsor of H. Res. 645, I commend our nation's teachers for their tireless work on behalf of millions of students and families; their knowledge and expertise; and their selfless dedication to their profession.

Throughout the year, our nation's teachers spend countless hours preparing lesson plans, evaluating student progress, counseling students and families, and instilling the vital importance of civic responsibility and national service.

In South Texas, we are fortunate to have exceptional educators who work day in and day out to educate and prepare children, youth, and adult learners to lead prosperous and healthy lives.

I especially want to thank Dr. Daniel King, Superintendent of the Pharr-San Juan-Alamo (PSJA) Independent School District, for honoring 44 of PSJA's teachers of the year this month.

Today, it's truly an honor for me to recognize and congratulate two of PSJA's outstanding teachers of year: my daughter, Iliana Hinojosa, a pre-kindergarten teacher at Dr. William Long Elementary who was selected as the PSJA Elementary District Teacher of the Year; and Agnes Ocampo, a science teacher at PSJA Memorial High School who was selected as the PSJA Secondary District Teacher of the Year.

Due to their hard work and extraordinary commitment to students and academic excellence, Iliana and Agnes have advanced to the regional competition. This is quite an accomplishment!

Iliana Hinojosa and Agnes Ocampo are shining examples of what can be achieved in our nation's classrooms. By instilling a love of learning in our children and ensuring that they

succeed, Iliana and Agnes are transforming lives and helping students to reach their full potential.

As our nation observes Teacher Appreciation Week, I urge my colleagues and all Americans to support critical investments in education that help to provide all students with a high quality education and to make teaching one of the most valued professions in America.

IN RECOGNITION OF THE CONTRIBUTIONS OF DEBORAH SZEKELY

**HON. SUSAN A. DAVIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2012*

Mrs. DAVIS of California. Mr. Speaker, I rise today to recognize a treasured member of the San Diego community. Deborah Szekely is an extraordinary woman of tenacity and dedication, and on May 3rd she celebrated her 90th birthday.

Deborah is a renowned health and wellness advocate, philanthropist, community leader, and champion for childhood nutrition. At 90 years old, she represents the beauty and energy that comes from a life committed to health and wellness, and she outpaces younger fitness advocates. She truly lives what she teaches. Along with her husband, Edmond Szekely, she founded Rancho la Puerta, a destination spa and wellness center in Baja California, and the Golden Door Spa in Escondido, California. She is committed to helping others prioritize healthy living.

Deborah has worked with my office on initiatives related to educating children about health and nutrition. She is committed to changing the culture of eating and making sure young children understand the importance of healthy food, and the role it plays in wellness. Ever the energetic advocate, on May 3, 2012, her 90th birthday, Deborah launched wellnesspring.org, a grassroots effort to encourage the creation of a culture of wellness throughout the United States. I appreciate her laser focus when it comes to reaching people and educating them about the importance of living a healthy lifestyle and eating well.

In addition to her healthy living work, Deborah has served as the president of the Inter-American Foundation, worked with the Organization of American States, and served as principal delegate to the Inter-American Commission on Women. She currently works as the Chairman and Founder of the New Americans Museum in San Diego and serves on the Board of Directors for the Center for Science in the Public Interest and the Old Globe Theatre in San Diego.

Deborah ran for Congress in 1982, and while she did not win that election, through that process she conceived the idea of Setting Course, a publication of the Congressional Management Foundation which provides guidance on the fundamentals of managing a congressional office. The first edition of Setting Course was published in 1984, and the 12th edition of Setting Course just recently came out. This manual has been an invaluable resource to congressional offices, including my own. Deborah is still a member of the Board of Directors for the Congressional Manage-

ment Foundation and continues her critical role in the publication of Setting Course.

I truly admire Deborah's ongoing commitment to helping people of all ages understand the importance of good nutrition, healthy living, and being a force for positive change in their communities.

UNITED STATES DEPARTMENT OF AGRICULTURE'S 150TH ANNIVERSARY

**HON. LAURA RICHARDSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2012*

Ms. RICHARDSON. Mr. Speaker, I rise today to pay tribute to one of our greatest American success stories. Today let us all pause to recognize the United States Department of Agriculture's 150th Birthday.

President Abraham Lincoln established the USDA 150 years ago, on May 15, 1862. That act helped ground our nation's agriculture industry in science, and helped give our nation the ability to lead the world in feeding the globe. One of the first responsibilities delegated to the USDA was the Homestead Act. The Homestead Act gave pre-approved U.S. citizens undeveloped federal land at no cost if they agreed to develop that land. This act led to the settling of the Great Plains; today those lands are the world's largest producers of wheat and corn.

Our nation's agriculture industry has, throughout our history, been a significant force in our economy. One out of every twelve Americans is employed in an agriculture-related industry. So it is important to recognize that agriculture is not just a nostalgic notion of the past but remains a foundation of the American economy. The influence of American farmers and ranchers not only reaches every state and household within the United States, but it can be felt all around the world. The Port of Long Beach, in my district, exports millions of metric tons of agricultural cargo to our vital Asian trade partners every year.

American consumers spend on average less than ten percent of their disposable income on food. That ten percent represents the lowest percentage in the history of the world. By comparison, most European consumers spend more than double that and in developing countries the percentage is often higher than 50 percent. Our nation's advanced system of production agriculture is evidence of how successful the USDA has been in ensuring a safe, affordable and abundant food supply.

Today, the United States is the world leader in the development and use of agricultural biotechnology, contributing to our positive balance of agricultural trade. We must continue supporting policies that promote the smart use of research, science and biotechnology that has enabled production agriculture to thrive. We must embrace the importance of agricultural innovation in the same way we endorse innovation in fields such as health care or communications.

Mr. Speaker, our producers remain a critical source of jobs and innovation. Maintaining a strong agriculture industry is vital to the present and future U.S. economy and is critical to the economic and political stability. It is with great pride and respect that I honor our

nation's farmers and ranchers and extend birthday wishes to the USDA.

TEACHER APPRECIATION WEEK

**HON. DEBBIE WASSERMAN SCHULTZ**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2012*

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to pay tribute to the teachers of Broward and Miami-Dade Counties during National Teacher Appreciation Week, taking place this year from May 7 through May 11, 2012.

This week affords students, parents, and communities across the nation a chance to come together and honor the extraordinary work our teachers are doing in the classroom to transform the lives of young people and educate the next American generation.

It is a time to remember that education is the cornerstone of a vibrant and prosperous America, and to recognize the teachers that make America's successful future a reality.

As a member of Congress and the proud mother of three children in Broward County Public Schools, I see the talent and hard work of our teachers every day—not just in my role as a policy maker, but in a very personal way.

Educating the next generation is an essential and great act of public service—it's a calling that our teachers have answered because they care, they believe in our children, and they choose to make a difference in the lives of future generations.

For our students, nothing is more important than an excellent teacher at the front of the room and in their lives, and now more than ever, we must make an investment in our future by investing in our teachers.

We must provide them with the resources they need to successfully do their jobs, and we must afford them the respect and support that their profession deserves.

Thank you to Florida's teachers for investing your skills and talents into the lives of future generations, and thank you for the sacrifices made each day to ensure that our kids have the tools they need to learn. We are all grateful for your work.

HONORING FALLEN STAFF SGT.

THOMAS KENT FOGARTY

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 10, 2012*

Mr. STARK. Mr. Speaker, I rise, along with my colleague Rep. BARBARA LEE of California, to honor the service and sacrifice of Staff Sgt. Thomas Kent Fogarty, age 30, of Alameda, California. He was killed in action on May 6th, 2012 in Pakista Province, Afghanistan. The married father of two sons, ages 2 and 5, was felled by an improvised explosive device that detonated near the vehicle he was commanding.

My heart goes out to SSG Fogarty's wife Vanessa, their young sons, his parents and his friends for the loss of this noble man and soldier. SSG Fogarty made the ultimate sacrifice in service to his country. His fellow countrymen and women, and I, will be forever grateful.