

Labor, and Pensions Committee, and had I been able to attend today's votes, I would have voted in support of final passage of this important legislation.

Additionally, I would have voted to support the Bingaman amendment No. 2111, the Murkowski amendment No. 2108, the Sanders amendment No. 2109 and the McCain amendment No. 2107. I would have voted against tabling the Durbin amendment No. 2127 and voted to table the Paul amendment No. 2143.

During the Senate's debate on S. 2343, the Stop the Student Loan Interest Rate Hike Act of 2012, I would have opposed the Alexander amendment No. 2153 and supported passage of S. 2343.

#### OFFICER SAFETY ACT

Mr. DURBIN. Mr. President, I would like to make clear for the record a matter relating to the Officer Safety Act of 2012. I thank my colleague from Iowa for working with me on this legislation. I cosponsored this bill after changes were made, in the nature of a substitute amendment, to clarify the limited scope of the legislation. The Officer Safety Act clarifies when an officer is "acting under the color of his office" for removal purposes only. As my colleague has stated previously, the bill provides no liability protection. Whether a law enforcement officer is deemed to have been "acting under the color of his office" for removal purposes under 28 U.S.C. §1442(c), as amended, is a separate question from whether that officer should subsequently be held liable for his conduct, whether the officer should be considered immune from suit, or whether the officer's defense in a criminal trial has merit.

The clarification of "color of . . . office" and the expansion of removal eligibility granted by this legislation is not meant to affect those latter determinations of liability and immunity. The bill is simply meant to give these law enforcement officers the ability to make arguments pertaining to liability, immunity, and potential criminal defenses in Federal rather than in State court. Does my colleague agree?

Mr. GRASSLEY. My colleague from Illinois is correct.

#### STRUGGLING AGAINST BUREAUCRACY

Ms. SNOWE. Mr. President, this week is National Small Business Week, which is a time to celebrate the entrepreneurial spirit behind American enterprise. But, as I was reminded by a piece that was published recently in the Wall Street Journal, it is also a time to remember how government can better serve the small businesses in America. In today's economy, the Nation needs an effective regulatory environment that allows small business to grow and create jobs while keeping our families and environment safe. I ask unanimous consent to have this article printed in the RECORD.

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

[From the Wall Street Journal, May 22, 2012]

#### THE RED TAPE DIARIES—ONE SMALL BUSINESS OWNER'S STRUGGLE AGAINST BUREAUCRACY

(By Nicholas N. Owens)

This week is National Small Business Week, a time to celebrate the ingenuity of entrepreneurs—and to consider how government can provide better service to the small enterprises that form the backbone of American industry.

Consider the Environmental Protection Agency official who described his agency's work as akin to crucifixion. In a Web video from 2010 that recently came to light, Al Armendariz likened regulatory enforcement to the Roman imperial practice of crucifying people to serve as an example to others: soldiers would go to "a town somewhere, they'd find the first five guys they saw, and they'd crucify them," he explained. "And then, you know, that town was really easy to manage for the next few years."

Mr. Armendariz's point was that making examples of certain businesses or industries would serve as a deterrent to ensure compliance. But the way he illustrated his point provoked outrage, and within days he had resigned from the agency—proving again that the journalist Michael Kinsley was right to say that a "gaffe" in Washington is when someone accidentally tells the truth.

I know first-hand that Mr. Armendariz's view is a truthful representation of how many regulators view their function. While serving as the Small Business Administration's (SBA) national ombudsman from 2006 to 2009, I worked with small business owners who believed they were falling victim to unfair or excessive regulatory enforcement. All too often, I saw federal regulators take a stridently adversarial stance toward the industries they oversee.

In 2007, for example, I was contacted by Rob Latham, who runs a small Internet sales company in Greenville, S.C. Mr. Latham started his business in 2005 and was prepared to work hard to make it succeed.

He wasn't prepared for how easily a run-in with federal regulators could bring him to the brink of ruin. That's what happened in 2007 after he found himself embroiled in a months-long dispute with the EPA over a shipment of engines he had imported.

The issue came down to labeling. Although the product Mr. Latham was importing met the EPA's environmental standards, regulators ordered the shipment seized because it contained labels that could be removed with a razor blade. (In other words, they were somewhat vulnerable to damage or tampering.) Mr. Latham thought the dispute could be easily resolved but was surprised by the EPA's intransigence—its dedication to junking his entire shipment—when he tried to work with them.

Mr. Latham wasn't ignorant of the regulations that governed his business—quite the opposite. He had carefully studied the rules that governed the products he was importing, and he thought he had taken all appropriate steps to ensure compliance. But as a small business owner with no in-house legal team, he had little idea how complicated the bureaucratic process would be.

He met with regulators in Washington to resolve the issue but found that they doubled down on their position, becoming hostile and aggressive.

That's when he reached out to my office. Hearing of his plight, I contacted the EPA on his behalf and started working with regulators to resolve the case. Soon thereafter, the regulators relented and allowed Mr.

Latham's imports to move forward—but only after he paid a substantial penalty of \$10,000, an apparent tribute to the regulators to allow them to save face.

The story ends happily: Once the EPA dispute was resolved, Mr. Latham's business grew swiftly. Today his company boasts three warehouses and more than 20 employees.

But had Mr. Latham not connected with my office, he might have lost his business. It's frightening to think what other small business owners encounter in similar situations. What about those who don't know where to turn, or who aren't lucky enough to stumble across the right advice or the right advocate?

As of 2008, small businesses faced an annual regulatory cost of \$10,585 per employee, according to an SBA regulatory impact study published two years ago.

So was Rob Latham crucified? That's too strong a word, because it's likely he wasn't specifically targeted—he was simply caught up in a web of red tape and bureaucracy, and the regulators had little interest in helping him get through the impasse. His struggle is a case study in why we need a regulatory regime that's fair, accountable and allows our economy to grow again.

#### RECOGNIZING NATIONAL SMALL BUSINESS WEEK

Mr. BOOZMAN. Mr. President, this week marks the 49th annual National Small Business Week, a time to celebrate the innovations, ideas, and hard work of our entrepreneurs. Small businesses are the backbone of our economy, accounting for 65 percent of new jobs over the last 17 years. This vital economic component also employs about half of all private sector employees.

As a former small business owner I recognize the difficulty these owners have to plan for future growth and investment. It is our job to make sure we provide an environment that helps these engines of economic growth. We need to make sure our small businesses have the resources they need to continue providing good, well-paying jobs for hard-working Americans. I was pleased to support the American Jobs Act in March. This legislation seeks to increase capital formation, spur the growth of startups and small businesses, and enable more small-scale businesses to enter public markets.

Arkansans are familiar with what it takes to build a business from the ground up. As home to Fortune 500 companies—including the world's largest retailer, Wal-Mart, and the world's largest processor of chicken, Tyson's—that both started as a small business, residents of the Natural State understand the risks and rewards associated with small businesses.

This week the U.S. Small Business Administration recognized the work of Americans who excel in their work to help small businesses. I am proud to say that Kelly Massey of the Henderson State University Small Business and Technology Development Center in Arkadelphia, AR was recognized as the SBA's Small Business Development Center Counselor of the Year winner.

As director of the State's premier business assistance program, Massey dedicates himself to helping the area's small businesses achieve success and promoting the mission and goals of the SBDC program to help spur economic development.

We are also proud of Arkansas Power Electronics International, Inc., for its recognition as the 2012 Arkansas State Small Business Person of the Year. The company continues to strive for success as it develops the next generation of high energy-efficiency power electronics systems. APEI is a great small business model, growing from one person to more than 35 in 15 years, with plans for expansion in the coming years.

These Arkansas business leaders will help move America into the future and construct the groundwork for economic recovery. We need to continue pursuing policies that support the entrepreneurial spirit of these economic building blocks.

#### TAIWAN'S PRESIDENTIAL ELECTION

Mr. LIEBERMAN. Mr. President, on Sunday, the 20th of May, Taiwan marked the second inauguration of President Ma Ying-jeou. Since its first direct presidential elections in 1996, Taiwan's democracy has emerged as model for the rest of the Asia Pacific region. Over these 16 years, power has changed hands twice between Taiwan's two largest political parties, demonstrating for the world the rapid maturation of its democracy and the commitment of its people to exercising their democratic freedoms. I rise today to congratulate President Ma on his inauguration, and note Taiwan's remarkable history as a kindred democracy, key partner in security and trade, and great friend of the United States.

I take deep pride in the partnership between the United States and the people of Taiwan, which is rooted in shared values, shared interests, and a shared vision for a peaceful and prosperous future. For more than 6 decades, the United States has stood with Taiwan as it has transformed into a prosperous free market democracy.

Just as the United States has supported Taiwan, so too has Taiwan been a great friend to America. Taiwan is among America's top trading partners. Moreover, time and time again from the Korean War, to the Vietnam War, to our continued security cooperation today Taiwan has stood shoulder to shoulder with the United States. I am deeply grateful to the people of Taiwan for their contributions to our shared security and prosperity.

Looking to the future, I hope and believe that President Ma's second inauguration will mark another milestone in the deepening relationship between the United States and Taiwan. For all of our progress, we still have a big agenda ahead.

It is past time for us to remove the barriers to trade between the U.S. and

Taiwan and negotiate a Free Trade Agreement with Taiwan. We must also ensure that the people of Taiwan are secure, so they can continue to decide their future for themselves. That, in turn, means the United States should take common-sense steps to deepen our security ties with Taiwan and support Taiwan in acquiring the weapons it needs and has requested. As the United States focuses increasingly on the Asia-Pacific region, the Obama Administration must do more to make Taiwan an integral part of our broader strategy to uphold the balance of power in this critical part of the world as a way to maintain peace.

In closing, I again congratulate President Ma on his inauguration and thank Taiwan's people for their decades of friendship.

#### TRIBUTE TO RICHARD F. WALSH

Mr. MCCAIN. Mr. President, I would be remiss if I did not recognize that today's meeting of the Senate Committee on Armed Services to vote out its annual Defense authorization bill was the last for Richard F. Walsh of my staff. I know Dick's Winnebago is packed and idling outside and is probably out of gas because he delayed his retirement to see us through mark up, but I want to say a few words before we adjourn.

I believe in the nobility of public service, and I think Dick exemplifies that, not just through his tenure here but throughout his entire career. Many may not know that Dick came to the Armed Services Committee after a distinguished 30-year career in the Navy, much of it as a judge advocate. He served in a number of challenging assignments, including counsel to the Chief of Naval Personnel; commander of the Naval Legal Service Office, National Capital Region; director of legislation in the Navy's Office of Legislative Affairs; and executive director for Senate affairs under the Assistant Secretary of Defense for Legislative Affairs.

In 2001, my good friend Senator John Warner hired Dick to handle personnel issues. From the halls of the service academies to the bones of Tripoli, Dick has seen it all. He has worked on issues of military pay, benefits, and education. Some were high profile, others not. Some were for the dogs, literally and figuratively. During his tenure, he strived to ensure fairness in the military justice system and remained vigilant so that military standards continue to reflect the honor of military service. I am proud of the work we did together on the GI bill to ensure the transferability of military benefits to family members. Through it all, he showed himself a consummate professional.

Our committee works on issues vital to our national security and the men and women who protect it. Dick's work in particular over the last decade touches our soldiers, sailors, airmen, marines, and their families, daily, in

very real, very meaningful ways. I know Dick will have mixed emotions when he leaves us, but he can take comfort in the knowledge that he has made a difference.

So from one retired Navy officer to another, I wish Dick Walsh and his wife Gail fair winds and following seas as they board their Winnebago and push off for a well-earned retirement together.

#### REMEMBERING DENISE ADDISON

Mr. NELSON of Nebraska. Mr. President, I rise today to honor the life of one of my long-time aides, Denise Addison, who was a devoted public servant and cherished friend. Sadly, Denise lost her long battle with cancer on May 12, 2012.

Denise first came to my office back in 2001. While I was just starting my Senate career that year, she was already an experienced veteran, having worked in Congress for 25 years.

Although Denise was not a native of Nebraska, having grown up right here in our Nation's capital, she found something special in our great State and adopted it as her own. In 1998, she began working with former Nebraska Senator Chuck Hagel, later transitioning to the office of then-Senator Bob Kerrey, whose staff members were so impressed by Denise's performance that they strongly recommended she be one of my first hires.

Denise's work with my constituent services team was impeccable. She was well aware of how important my constituents are to me and, as such, took great pride in her work. Her amazing memory and attention to detail made her a valuable staff member, and her complete satisfaction with her daily work made her irreplaceable. In this town, it is rare to find someone who possesses all of the qualities Denise brought to my staff, including loyalty, dedication, and genuine fulfillment.

Yet that was the kind of person Denise was—both at work and in her personal life. Even more remarkable than her tenure in the Senate was her commitment to her family—her husband Carl, whom she affectionately called "Mr. A;" her three children, Al, Dominique, and Jasmine; her parents; her five brothers; and her cousins, who were always more like sisters to her.

When Denise and I first started working together, her youngest daughter, Jasmine, was just starting kindergarten. Today, she is almost through high school. Denise was incredibly proud of her children and always put the needs of her family before all else.

Although the last 2 years of Denise's life were definitely a struggle for her, she never complained. Instead, she remained, as always, more concerned for those around her than for herself. I do not think she ever fully recognized what an immense impact she had on all those who knew her.

While Denise was taken from us far too soon, there is solace in knowing