

the right thing to do and because it puts the United States back where we belong: as leaders of the international community and defending, protecting, and promoting the quality of rights of all people in our world, regardless of their situation. From equality and nondiscrimination to equal recognition before the law, to access to justice, this convention touches on all these issues that Americans have long held near and dear to our hearts.

Ratifying this convention would reaffirm our leadership, leadership that was established under the landmark Americans with Disabilities Act legislation that this Congress passed in 1990. This was the first of its kind, domestic legislation that addressed the barriers faced by individuals with disabilities. It sent a message to the world that we would support the principles of equal treatment and nondiscrimination with respect to those with disabilities.

I want to recognize Senator TOM HARKIN for his leadership in getting that legislation passed, and it had strong bipartisan support when it was passed back in 1990. That legislation still stands as a model for those who want to replicate our commitments and defend the rights of the disabled in their countries.

I have had a personal opportunity to see what a difference the Americans with Disabilities Act could make in the lives of people, to see the impact this convention could have around the world, because I grew up before ADA was passed and my grandmother was disabled. She couldn't speak or hear. I remember in those days, when she would come to visit us—which wasn't very often because she lived a long way away—we didn't have any technology to allow her to watch television or to answer the phone, the kind of technology that now is available as the result of passing the ADA, technology that I would hope, along with the human rights that come with passing this convention, will soon be available to people in all parts of the world.

We in the United States are already the gold standard when it comes to defending the rights of the disabled. So why would we not want to demonstrate to the world our intention to continue to fight for those less fortunate?

This treaty is not only about ending discrimination against people with disabilities around the world, it is also about protecting the millions of U.S. citizens who travel or live abroad. Ratification will provide the United States with a platform from which we can encourage other countries to adopt and implement the convention standards and to work to end discrimination against people with disabilities.

Let me just respond to some of the concerns we have heard, and some of these have been addressed already. I want to talk about what the treaty does not do.

It in no way, shape, or form infringes on America's sovereignty as a nation. It does absolutely nothing to change

American law. The treaty doesn't impose any legal obligations on the United States, and these facts were confirmed by the U.S. Department of Justice during our consideration of the measure.

The convention has overwhelming support from across the political spectrum. Over 165 disability organizations support the treaty, as do 21 major veterans and military service organizations, including the VFW, the American Legion, and the Wounded Warrior Project. I can't imagine why, at a time when more of our warriors are returning home with injuries and disabilities, we would not want to stand in support of ensuring their rights and protections at home and around the globe.

In closing, I want to quote from John Lancaster, who is a disabled veteran and the former executive director of the National Council on Independent Living, which is one of the oldest disability grassroots organizations run by and for people with disabilities. Mr. Lancaster testified at the Senate Foreign Relations Committee in support of the treaty. I think his message was one of the most powerful, and it is one that I hope all of our colleagues will heed in thinking about consideration of this treaty.

At the hearing he said:

I'm appalled with some of the conversation that has been going on here today.

He was referring to some of the testimony at that hearing. He said:

As a veteran and as someone who volunteered, laid my life on the line for freedom, rights, dignity, and now, to have this whole debate that we're not willing . . . to walk the talk in international circles? To step up in a forum where they advocate these things and to say "We're not afraid to sign this thing?"

We aspire to what's in this convention. This is what we are about as a nation—including people, giving them freedom, giving them rights, giving them the opportunity to work, to learn, to participate. Isn't that what we're about? Isn't that what we want the rest of the world to be about? Well, if we aren't willing to say this is a good thing and to say it formally, what are we about, really?

I think Mr. Lancaster put it very powerfully, and I couldn't agree more with his assessment. This is exactly what we are about as a nation. We should ratify this treaty. We should remind the world why defending the rights of the disabled is a principle that should be at the heart of every civil society.

Mr. President, I hope when we get to the vote on this convention we will see the required votes to ratify this treaty and send to the entire world Mr. Lancaster's message.

Mr. President, I yield the floor.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative 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. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume legislative session.

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

#### 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 for up to 10 minutes each.

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

#### PREVENTING GUN VIOLENCE

Mr. LEVIN. Mr. President, as the 112th Congress returns after the election, we should consider this important question: Have we done our share to help prevent gun violence? Statistics from the Brady Campaign to Prevent Gun Violence give a clear answer—no. Almost 100,000 people die as the result of gun violence in America every single year. This statistic includes 12,000 people who are murdered, 18,000 who commit suicide, and 20,000 under the age of 20. On average, 270 people are shot in the United States every single day.

Our society faces an epidemic of gun violence. Consider stories that have gone largely unreported in recent months: Near Chicago, a 16-year-old was shot twice in the head while riding in a car on her way home. A staff member on a prominent university's medical campus accidentally discharged his handgun at work and injured two people. And on election day, a parolee in California walked into the plant where he worked, methodically murdered two of his coworkers, and wounded another two before shooting himself.

Stories like these flash across newspapers for a few days or weeks, and then the national spotlight moves on. But we cannot forget that while reporters may leave, the tragic effects of gun violence linger. They forever alter the lives of good, talented young people, like Ashley Moser, who lost her 6-year-old daughter in the horrific movie theater attack in Aurora, CO. She is partially paralyzed now and faces significant health problems and medical bills. But even after this nightmare, Congress did nothing to prevent guns from falling into the hands of would-be killers.

Congress has the power to act to prevent more of these tragedies. We can take up and pass legislation like S.32, which would prohibit the purchase of the same types of high-capacity magazines that allowed the shooter in Aurora to hurt so many people, so quickly. We could enact S.35, the Gun Show Loophole Act of 2011, which would close the "gun show loophole" by requiring

all gun sellers at gun shows to conduct a Brady criminal background check on prospective purchasers. We could take up and pass S.34, the Denying Firearms and Explosives to Dangerous Terrorists Act of 2011, which would close the "terror gap" by authorizing the Attorney General to deny the transfer of a firearm when an FBI background check reveals that the prospective purchaser is a known or suspected terrorist. These are commonsense measures that would protect the American people by reducing firearm violence in our society.

Mr. President, it was over a month ago that a woman named Nina Gonzalez stood at the second Presidential debate and asked President Obama and Governor Romney a simple question: What would they do to keep assault weapons out of the hands of criminals?

So, as the 112th Congress returns, we have some important unfinished business. There are few tasks before us more important than enacting measures that would help prevent tragedies like the ones occurring far too often around our Nation.

### HONORING OUR ARMED FORCES

SERGEANT JOSEPH A. RICHARDSON

Mr. GRASSLEY. Mr. President, the Nation has lost a brave patriot who died defending freedom. Sergeant Joseph A. Richardson, who grew up in Algona, IA, was killed during a patrol in Paktika province, Afghanistan on November 16, 2012. He was clearly an accomplished, professional soldier as evidenced by his numerous awards, including: the Bronze Star Medal, Purple Heart, Army Commendation Medal, Army Good Conduct Medal, National Defense Service Medal, Afghanistan Campaign Medal with Campaign Star, Iraq Campaign Medal with Campaign Star, Global War on Terrorism Service Medal, Army Service Ribbon, Overseas Service Ribbon, NATO Ribbon, and the Combat Infantry Badge.

SGT Richardson's family released a statement that described Joe as someone who "lived his life full of energy and with passion for everything he did." They also said that, "He loved his job; he loved fighting for his country and our freedom." In fact, he demonstrated this by re-enlisting for six more years in the Army shortly before his untimely death. His love of country and willingness to serve marks Joseph Richardson as one of our nation's finest citizens, and his noble sacrifice immortalizes him among the ranks of our most honored war dead. We owe SGT Richardson and all those like him who have fallen in the name of liberty our infinite gratitude.

We ought also to remember his family in our prayers, including his wife Ashley, his mother, Ginette, his father, Greg, and many other family and friends who will feel his loss very deeply. As those closest to Joseph Richardson remember the life of their loved one, it is incumbent on all Americans to preserve his memory and to reflect

on the enormous price he and other like him have paid to preserve our free way of life.

### VERMONT'S CITIZEN OF THE YEAR, ANTONIO POMERLEAU

Mr. LEAHY. Mr. President, today, the Vermont Chamber of Commerce will recognize the philanthropic contributions of a longtime Vermonter: Antonio Pomerleau. Businessman, community developer, humanitarian all these terms apply to one of Vermont's most celebrated citizens. As I said in a statement to the Senate earlier this month, Marcelle and I are also fortunate to call him family.

But Tony's family extends beyond the Pomerleaus. It has come to encompass the State of Vermont, and his generosity has touched the lives of thousands of Vermonters.

This weekend, The Burlington Free Press published a story about Tony's legacy. His is a quintessential success story. From stockboy to economic magnet, Tony has become one of Vermont's most prominent businessmen. Along the way, he has donated millions of his own money to help Vermonters recover in the wake of such natural disasters as Tropical Storm Irene, to help renovate and restore mobile home parks for residents, and, notably, to celebrate the contributions and sacrifices of the many members of the Vermont National Guard and their families.

Few Vermonters have had such a footprint on Vermont's economic and social landscape. Antonio Pomerleau's contributions make him a Vermonter of the Year in 2012, but his legacy will benefit generations of Vermonters to come.

I ask unanimous consent that The Burlington Free Press article, "Tony Pomerleau: The Art of the Dealmaker," be printed in the RECORD.

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

[The Burlington Free Press, Nov. 25, 2012]

#### TONY POMERLEAU: THE ART OF THE DEALMAKER

(By Candace Page)

NEWPORT—Tony Pomerleau leans on his cane and steps into Mill River Furniture on Main Street, just in time for its grand opening ceremony. A dozen people converge on him, filings drawn to a magnet.

The mayor greets him. City councilors introduce themselves. Two local reporters quiz him about the fate of the city's only grocery store if plans go forward to redevelop his strip mall into a hotel and convention center. The head of the downtown association calls him over for a ribbon-cutting photo. "We need you Tony, right in the middle," she says.

The 95-year-old, white-maned shopping center king of Vermont is in his element, back in his native town with a captive audience. He holds court for nearly an hour while the furniture store owner whose event this is left in the background.

"I was 12 when I started work here," Pomerleau begins by recalling his days as a stockboy and window dresser when this

building was a J.J. Newberry's five-and-dime. "I had a knack for windows. This is where I started my success. I learned the customer has to see the merchandise if you want to sell."

Today, he owns the building. "I put \$400,000 into it to fix it up," he says, his words carrying the French-Canadian inflection he has never lost.

He jokes that store owner Skip Gray was "kinda chicken" about moving to Main Street from a much smaller store in the Pomerleau shopping center. His eyes sparkle. He laughs along with the audience at his own jokes.

In a voice graveled by age, he detours into stories that have become his stock in trade. The anecdotes reel off as if from a tape recorder, told and retold in almost exactly the same words.

"It's not what you pay for something, it's what you can get for it," he tells the cluster of people, citing a real estate deal 40 years in the past. "I made \$237,000 in 90 days" he says of a tract of farmland bought, subdivided and sold for three times what he paid.

He laments the just-announced closing of the Eveready battery plant in St. Albans. The company's problem, he says with finality, is that they didn't change with the times by developing new products.

"You gotta do something different from the other fellow," he says. "There's a time limit on everything—except me." The line draws a chuckle from his clutch of listeners, as it always does.

Grace, the youngest of Pomerleau's 10 children, glances up from browsing among bedroom sets.

"He does love an audience," she says.

"See the smoke coming out?"

On a late November night, the outside of Pomerleau's big house on DeForest Heights in Burlington is a neon carnival of Christmas.

Light-bulb-lit reindeer charge across the west lawn pulling a sleigh of presents. Shoulder-high candy canes stick from the north lawn. Christmas lights cling to the eaves and swathe the trees in all directions.

Pomerleau opens the door for guests and pads down a hallway in his slippers to point through the windows of his home office.

"That's a new one this year," he says with childlike pleasure, pointing to a lighted train on the north lawn.

"See, the wheels go around," he says, as lights on the train blink to mimic movement. "See the smoke coming out there. Isn't that cute?" More lights blink.

As a very young child, Pomerleau spent four or five years—the time varies in the telling—in a kind of iron corset after a bad fall when he was two. His father's Barton farm burned. The family moved to Newport. The Depression struck. His father's grocery burned.

In his telling, young Tony went to work barely out of elementary school, making deals, subcontracting the mowing of lawns and washing of cars to other kids or out-of-work men and taking a hefty cut of the pay.

His stories of childhood Christmases are happy ones, of horses and sleighs lined up outside the church for midnight Mass, the bells as the sleighs jingled home, the sound of carols.

But there is another memory as well. He walks into the living rooms and leans against the piano, its top invisible under the rows of photos of his children.

"I was 12 or 13. One day I heard my father say to my mother, 'This is the first Christmas I can't afford any presents.' I went down to the bank and took out \$25—that was money in those days—to give him."

"I came from nothing," he often says, setting the backdrop for stories of his successes.