

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.

The big living room where an army of kids once played seems empty on a pre-Thanksgiving evening. Country station WOKO plays loudly on the radio.

In the kitchen, an aide is helping Pomerleau's 93-year-old wife, Rita, with her dinner. Alzheimer's disease has slowly claimed her.

"It's the worst damn disease," he says. She speaks very little, but still holds his hand and kisses him, he says.

"Come back tomorrow night," he says as he ushers out his visitors. "We're putting up more lights. It's going to look even better."

"This business doesn't happen by itself"

Antonio B. Pomerleau made his first million before he was 45 and has made millions more since. His supermarket-anchored strip malls dot nearly two dozen towns in Vermont and upstate New York. He and his son Ernie have a staff of 25 to help run their real estate businesses.

But here is the patriarch, spending a sunny November afternoon in the artificial light of a windowless Newport bowling alley two hours drive from his Burlington home, talking intently and at length to a tenant whose lease payment cannot amount to more than loose change in the Pomerleau business.

There are gumball machines along the wall, a Nascar-themed light over the pool table and an echoing feel to the place. A lone father and son hurl heavy balls down one of the 10 lanes.

"How's it going?" Pomerleau asks as he lowers himself carefully into a plastic chair beside a row of bowling balls.

"About like last year," Yvan Parenteau, the alley's owner, says.

"That wasn't too good," Pomerleau says.

In fact, the business is struggling. Parenteau has trouble making the rent. He is worried about his fate if the mall is converted to a convention center. Pomerleau makes no promises, only says no deal has been signed yet. "I never skin a bear until I've shot it," he's been telling everyone he meets today.

After an hour, Pomerleau pushes himself up and says goodbye. He climbs into his Mercedes for the trip back to Burlington.

"Now you see my life. This business doesn't happen by itself," he says of his real estate empire.

He lists communities where bowling alleys, some of which he built, have closed. Changing times, he says. He has adjusted Parenteau's rent, allowing him to pay more in the winter, less in summer. He has suggested prize-giving gimmicks to draw in customers, and arranged for the bowling alley to have a more prominent sign on the road. Later, Parenteau will say of Pomerleau, "You couldn't have a better landlord."

Still, Pomerleau says, "If he can't pay the rent, he won't be here next year."

"I'm the boss"

A stairlift descends almost noiselessly from the third floor at Follett House, the elegant 19th-century Burlington mansion the Pomerleaus saved and restored as their offices. Tony Pomerleau climbs off the lift, which he has used since a knee injury.

"Hello, hello, hello," he greets a visitor and leads the way into his office. He is surrounded by signs of success, from the million-dollar view of Lake Champlain outside the window, to the picture of himself with President Reagan.

He rises each day, puts on a suit and tie and goes to the office. He takes business calls over breakfast and into the dinner hour.

The Pomerleau family owns shopping centers in 18 Vermont communities and four in New York. Most are strip malls anchored by a supermarket. They are small by comparison with a University Mall or the Williston

big-box stores. Pomerleau's single largest holding is the Shelburne Road Plaza in Burlington, valued at \$14.6 million.

"What the hell would I want a mall for?" he says. "I make a lot of money the way I do things."

He spotted the attraction of shopping malls early, understood the importance of location, pinched pennies, negotiated hard with his lenders, gave up higher rents for a percentage of a store's gross.

He has transferred ownership of many of his holdings to his children, about \$50 million worth, he says. Ernie Pomerleau, 65, runs the day-to-day operations of the family businesses and does many of his own deals.

So what is the elder Pomerleau's role?

"I'm the boss," Tony Pomerleau insists. "I'm doing deals every day . . . moving that furniture store to Main Street in Newport. I got the Merchants Bank moving into my building in South Burlington . . . lots of deals."

His speech occasionally stutters. "And and and so so . . ." he growls. It's not clear whether he's lost his train of thought, or is simply determined to hold the floor until he's ready for the next sentence.

He still calculates dollars and cents in his head and appears never to have forgotten a number.

"Now Price Chopper," he begins, and outlines precisely what the CEO of the grocery chain expected to gross at a new store in Champlain, N. Y., and what Pomerleau told him he would gross—and just how wrong Price Chopper was and just how right Tony Pomerleau was: many million dollars right—"but don't put that in the paper," he says of the exact figure he names. "Price Chopper wouldn't like it."

"I make more money today than I ever made in my life, and I don't need it. I give it away," he says. "I'm not old, I'm here every day making all kinds of deals. Everybody has a time limit—except me."

No regrets, no failures, no mistakes

It is a long drive from Burlington to Newport and back. Grace drives, but her father is in control.

"Turn here," he says. As the miles pass by: "Don't go that way . . . go this way . . . don't miss the turn . . . keep going, I'll show you where to stop."

It's a long enough trip for dozens of familiar anecdotes starring Tony Pomerleau: The "\$237,000 profit in 90 days" story. The "I probably opened the first self-service supermarket in the country" story. The "how I beat two sharp guys from Boston in a real estate deal and made a couple million" story.

The car passes White's Tree Farm on Vermont 15 in Essex. Hundreds of tiny Christmas trees grow in long rows.

"There's a guy looking 20 years ahead," he says and notes that he recently bought 18 acres across from the family's expanding shopping center in Milton. Sometime in the future "it'll be worth two, three times what I paid."

"There's a time limit on everything—except me," he says.

A reporter, probing, asks about him about failures, deals that didn't work out.

"I don't remember any," he says. Earlier, it was suggested that his proposal for high rises on the Burlington waterfront—rejected by the city in the early 1980s—might be considered a failure. He brushed the thought aside.

Big regrets in his 95 years?

"No regrets," he says.

His biggest mistake?

There is a long pause.

"The toughest was the wholesale business, but I made a success of it," he says.

"I'm not quite as young as you"

It's 8:30 in the morning when Pomerleau walks into the conference room at the

Shelburne town offices. Town Manager Paul Bohne and Selectman Al Gobeille stand up. They greet him enthusiastically.

Around this town, Pomerleau is the hero of the moment. The future of the little Shelburnewood mobile home park in the center of town has been in limbo for nearly a decade as the park's owner tried to sell.

Pomerleau stepped in earlier this year. His wife's two caregivers live at Shelburnewood and asked him for advice. They were worried about the future of their modest homes.

He decided to buy the mobile home park, replace the aging and inadequate water and sewer lines and give the park it to its residents. He will retain another six acres of the 18-acre parcel for possible future development.

It is one of many acts of charitable giving that have become a bigger part of what people know about Pomerleau. There are the annual children's Christmas parties in Burlington and Newport, the party for 1,200 Vermont National Guardsmen and their spouses. There have been million-dollar gifts to St. Michael's College, the YMCA and to a fund to help mobile home residents rebuild after last year's tropical storm.

He is scornful of businesspeople who, their fortunes made in Vermont, move their official residence to Florida to avoid higher taxes. "It's wrong," he'll say. "You made your money here and Vermont needs you. I pay very big taxes and I never complain."

Now, he sits down with Bohne and Gobeille.

"First of all, I never went into a deal in my life knowing I was going to lose money," he says. "The main reason I'm doing this, these people didn't know where the hell they were going to go."

He's in the driver's seat. He has agreed in principle to give the town a right-of-way for a new road through the Shelburnewood property. The town has a change in configuration to suggest. Bohne and Gobeille deploy arguments.

Pomerleau immediately makes clear he is not interested. Making changes would mean a longer time line for getting the project done.

"This would cause a lot of delay and I'm not quite as young as you," he tells them.

"You've got another 10 years," Gobeille joshes.

"Oh no question, no question," Pomerleau says and changes tack. "No question your idea is good, but I don't want to do it. I don't want to delay it for those people. It would kill them."

Bohne and Gobeille make one more pitch, then accept his refusal and drop their proposal.

Pomerleau repeats his objections anyway, one last time.

"For me, I think I'd rather stay with my plan. I might live another 10 years. Five, no question, but 10. . . ."

"Everybody has a time limit"

Pomerleau pushes open the gate in the wrought-iron fence that surrounds the family plot at Resurrection Park Cemetery in South Burlington. "Plot" seems an inadequate word for this cemetery within a cemetery.

A colonnade of pointed cedars leads to a backless façade modeled on a Greek temple, its columns also recalling those at Follett House.

"I like columns," he says. He guides two visitors past the statue of the Virgin Mary, past a bird bath, granite planters, stone benches, all carefully swathed in plastic for the winter. The flowers are beautiful in summer, he says.

"This was all my idea. I didn't ask anybody. Didn't want them to tell me what to do," he says. He jokes, "My kids would probably put me in the woods."

"This is my father here, and my mother," he says, stopping by a row of five stones where he has moved the bodies of his parents, an uncle and an aunt. In an opposite line are the stones for the two daughters, Anne Marie and Ellen, he lost to cancer.

"Go over there," he says, "Look at that one." In a little nook off the main lawn, sits a stone for Jay Lefebvre, the family's housekeeper of 40 years.

"I told her before she died, you are part of the family, you are going to be here with us," he says.

He walks slowly toward the line of columns that serves as a dramatic backdrop. He climbs up three steps. Here, at the head of the family, a bit above them all, a pair of massive, polished slabs are set in the ground. Pomerleau's name is carved on one, his wife's on the other.

The man who constantly jokes that St. Peter has forgotten him has nevertheless prepared.

But Tony, one of his visitors asks, what about "everybody has a time limit—except me"?

"This is just in case," he says.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR ALISON KAMATARIS

• Ms. AYOTTE. Mr. President, today I want to honor my Air Force legislative fellow, active duty MAJ Alison "Babs" Kamataris. For the past year, Babs has been an invaluable member of my legislative team.

Babs has served with honor and distinction in the United States Air Force for nearly 15 years. She is an accomplished Air Force intelligence officer—representing the best our military has to offer. Her career has included a tour in Turkey and two tours in South Korea, as well as six deployments to Iraq and Afghanistan. In Congress, she has been a critical asset to my legislative team, where she has used her tremendous knowledge and experience to help me in my efforts to serve those who serve us, and ensure that our brave servicemembers have the resources they need to carry out their missions and protect our country.

Babs was a natural fit for our office. She grew up in Belmont, NH and attended Norwich University in Vermont. She possesses that rugged, hard-working, do-it-yourself attitude for which Granite Staters are known. We also share a personal connection as Air Force families. Not only has Babs served our country in the Air Force with distinction, but her husband has too. Like my husband Joe, Babs' husband Andy is an A-10 pilot. In fact, Andy deployed to Afghanistan for 4 months this year while Babs worked in my office and served as a conscientious mother to her beautiful 3-year-old daughter, Taylor. Babs and her family deserve our deep admiration and gratitude for their service to our country.

As Babs' tenure in our office comes to a conclusion, we are sad to see her go. We will always consider Babs and her entire Air Force family as part of our team. Babs will continue to serve

our Nation well in positions of increasing responsibility. I look forward to watching her career closely. Babs and Andy are truly the best our country has to offer. I and my staff wish her the very best in her next assignment and beyond.●

TRIBUTE TO DUANE BEESON

• Mrs. BOXER. Mr. President, I would like to take this opportunity to commend the renowned attorney Duane Beeson, who is being honored this year with the Peggy Browning Fund Award in recognition of his tireless efforts and outstanding achievements on behalf of working men and women in the San Francisco Bay area.

As senior partner in the law firm of Beeson, Tayer & Bodine, Duane Beeson is one of the Nation's leading practitioners of public and private sector labor law, including representation of employee benefit plans. He is a member of the California State Bar, the Supreme Court of the United States Bar, and several United States District Courts and Courts of Appeal Bars.

Duane Beeson was born in Berkeley, CA in 1922 and graduated from Berkeley High School, where he met his future wife, Coni. After serving in the U.S. Army in the European theater in World War II, Duane graduated summa cum laude from Lafayette College and earned his LL.B. at Harvard Law School in 1948.

Following law school, Mr. Beeson served as clerk for Judge William E. Orr at the United States Court of Appeals for the Ninth Circuit and was an instructor at the University of San Francisco Law School. As a leading expert on labor law, he has also taught at Hastings College of the Law, George Washington Law School, the University of California Extension, and the University of San Francisco Labor Management School.

In 1950, Mr. Beeson moved to Washington, DC, where he worked for 11 years as an attorney for the National Labor Relations Board, handling appellate and Supreme Court litigation. In 1961, the Beesons had the opportunity to return to their beloved California when Duane was hired by Joseph Grodin, the great labor lawyer and later California Supreme Court Justice, to represent teachers unions in the Bay area. Mr. Beeson became a partner in the firm, which was then known as Brundage Neyhart Grodin & Beeson and is now Beeson, Tayer & Bodine.

In the 1970s and 80s, Joe Grodin and Duane Beeson led their firm into the areas of employment benefits covered by ERISA and related fields in which labor organizations are involved. More recently, the firm has become active in employment law of all kinds—including mediation and negotiation-facilitation services along with representation of individual employees in wage and hour, discrimination, harassment, and other types of cases—and has also de-

veloped a specialty in education law as an outgrowth of representing teacher unions.

I have known and respected Duane Beeson for many years, since my husband Stewart went to work at Duane's firm as a young attorney. As Duane turns 90 and is honored with the Peggy Browning Fund Award, it is my pleasure to salute and celebrate his long and distinguished career representing the working people of California. He is truly one of a kind.●

TRIBUTE TO DR. KNOX MELLON

• Mrs. BOXER. Mr. President, I wish to take this opportunity to recognize the extraordinary service of Dr. Knox Mellon who is retiring from the California Missions Foundation after 8 years as its executive director. Though he will be missed, his contributions to the field of historic preservation will benefit generations to come.

Dr. Mellon has had a long and distinguished career in the field of historic preservation. In 1977, he was appointed as California's first professional State Historic Preservation Officer by Governor Jerry Brown. He served in that position until 1983 and then branched out on his own, starting Knox Mellon and Associates, a consulting firm specializing in historic preservation, oral history, historic research, and strategic planning. Dr. Mellon's firm worked on a number of historic buildings in Southern California, including the Downtown Central Library in Los Angeles, Los Angeles City Hall, the Beverly Hills Hotel, and the L.A. Coliseum. During the same time, Dr. Mellon also found time in his busy schedule to serve as an Adjunct Professor of History at the University of California, Riverside, as well as the Director of the Mission Inn Foundation. In 2000, Dr. Mellon was appointed to a second term as California's State Historic Preservation Officer, this time by Governor Gray Davis. In 2004, he retired from State service and became the executive director of the nonprofit California Missions Foundation.

Founded in 1998, the California Missions Foundation is the only organization dedicated solely to the long-term preservation and restoration of California's 21 missions. Early in Dr. Mellon's tenure as executive director, we worked together with Congressman SAM FARR and Senator DIANNE FEINSTEIN to pass the California Missions Preservation Act. At a 2005 event to celebrate this new law, Dr. Mellon eloquently discussed the historic value of California's missions, which are the most visited historic attractions in the State:

The missions are California's Pyramids. They are a part of our past. They help symbolize the nation's western beginnings. Of all the institutions that define California's heritage, none has the historic significance and emotional impact of the chain of Spanish missions that stretch from San Diego to Sonoma. The missions are an important part of the state's cultural fabric and must be preserved as priceless historic monuments.