

Sec. 3. *Protecting Employees and Retirees.* The chapter 9 debtor must file a plan for the adjustment of the municipality's debts that then must be confirmed by the bankruptcy court if it satisfies certain criteria specified in Bankruptcy Code section 943. Section 3 of the bill makes several amendments to current law intended to ensure that interests of municipal employees and retirees are better protected. With respect to plan confirmation requirements, section 3 amends Bankruptcy Code section 943 to require consent from such employees and retirees to any plan that impairs—in a manner prohibited by non-bankruptcy law—a collective bargaining agreement, a retiree benefit, including an accrued pension, retiree health, or other retirement benefit protected by state or municipal law or as defined in Bankruptcy Code section 1114(a).

Such consent would be conveyed to the court by the authorized representative of such individuals. Subject to certain exceptions, section 3 specifies that the authorized representative of individuals receiving any retirement benefits pursuant to a collective bargaining agreement is the labor organization that signed such agreement unless such organization no longer represents active employees. Where the organization no longer represents active employees of the municipality, the labor organization that currently represents active employees in that bargaining unit is the authorized representative of such individuals.

Section 3 provides that the exceptions apply if: (1) the labor organization chooses not to serve as the authorized representative; or (2) the court determines, after a motion by a party in interest and after notice and a hearing, that different representation is appropriate. Under either circumstance, the court, upon motion by any party in interest and after notice and a hearing, must order the United States Trustee to appoint a committee of retired employees if the debtor seeks to modify or not pay the retiree benefits or if the court otherwise determines that it is appropriate for that committee be comprised of such individuals to serve as the authorized representative.

With respect to retired employees not covered by a collective bargaining agreement, the court, on motion by a party in interest after notice and a hearing, must order the United States Trustee to appoint a committee of retired employees if the debtor seeks to modify or not pay retiree benefits, or if the court otherwise determines that it is appropriate to serve as the authorized representative of such employees. Section 3 provides that the party requesting the appointment of a committee has the burden of proof.

Where the court grants a motion for the appointment of a retiree committee, section 3 requires the United States Trustee to choose individuals to serve on the committee on a proportional basis per capita based on organization membership from among members of the organizations that represent the individuals with respect to whom such order is entered. This requirement ensures that the committee, in a case where there are multiple labor organizations, fairly represents the interests of the members of those various organizations on a proportional basis.

Finally, section 3 of the bill imposes a significant threshold that must be met before retiree benefits can be reduced or eliminated. Current law has no such requirement. In a case where the municipality proposes in its plan to impair any right to a retiree benefit, section 3 permits the committee to support such impairment only if at least two-thirds of its members vote in favor of doing so.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was \$10,626,877,048,913.08.

Today, it is \$18,080,402,933,324.23. We've added \$7,453,735,606,331.18 to our debt in 5 years. This is over \$7.4 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

HONORING MICK FOUNTS, ED.D., SAN JOAQUIN COUNTY SUPERINTENDENT OF EDUCATION

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2015

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Mick Founts, Ed.D., San Joaquin County Superintendent of Education, who is retiring after many years of outstanding service to our community.

In 1976, Mick Founts graduated from Humboldt State University with a B.A. in English. Four years later, he obtained his Master's Degree in Education and two credentials: Administrative and Pupil Personnel Services. Mick was awarded his Doctor of Education degree from University of the Pacific in 1995. During his 38 year career in education he has been an English classroom teacher, high school and college football coach, assistant principal for a continuation school, assistant principal for a comprehensive high school, a Coordinator of Child Welfare and Attendance, a Director of Alternative Programs, an Assistant Superintendent of Alternative Education Programs and Charters, an Associate Superintendent of County Operated Schools and Programs, Deputy Superintendent of San Joaquin County Office of Education Student Programs and Services, and in 2010 was elected as San Joaquin County Superintendent of Schools. As Superintendent of Schools, Founts is charged with the ultimate responsibility for all activities of San Joaquin County Office of Education.

In 1991 Mick began the San Joaquin County Office of Education Community School Program. The "one.Program" includes Court School as well as Community School and is recognized throughout the State as an innovative alternative education program. It now serves more than 1,500 at-risk students working to overcome obstacles leading to a high school diploma. Mick was the Juvenile Court, Community, and Alternative School Administrators of California President elect (1996–97), President (1997–1998), and Past President (1998–1999).

Superintendent Founts has either authorized or developed some of the most unique public charter schools in California. These include agricultural academies, technology sites, fine and performing arts high schools, collegiate sports academies, career and technical education academies, and many more . . . all

within San Joaquin County. Dr. Founts currently served as a Commissioner on the California State Board of Education Advisory Commission on Charter Schools. His commitment to Career and Technical Education, Agriculture, Migrant Education, Technology, and Outdoor Education is constant, as is his commitment to Teachers College of San Joaquin; the first college operated by a County Office of education. This commitment extends to the many events that SJCOE sponsors for students throughout the County: Academic Decathlon, Science Olympiad, Math Olympiad, Mock Trial, as well as the local and State Spelling Bee, to name just a few.

In 2013, he was one of twenty Superintendents to work with Governor Brown to support the reform effort aimed at bringing more money to children in our schools. In addition, he championed a variety of programs to fill the void in operations and support programs created from budget cuts in sports, technology, and art clinics, as well as helped fundraise to send more than 200 students to Outdoor Education by way of fundraising.

Also during his term as San Joaquin County Office of Education Superintendent, Mick served as an environmental steward for schools by designing a cutting edge Solar Parking Lot linked to the SJCOE Clean Transportation Technologies Academy and New Energy Academy funded by a partnership between PG&E, SJCOE, and California Department of Education. Its curriculum is devoted to renewable energy and green technology topics with the goal of giving students a foundation for college and jobs in the clean tech industry.

Superintendent Founts was instrumental in the formation of the County's career academy concept that will prepare kids for work and college. His vision created a state-of-the-art career and technical education facility along with regional occupational programs and centers such as Career Academy of Cosmetology. In addition, through SJ Building Futures Academy and SJ Regional Conservation Corps, he helped give young adults viable work skills as well as keeping them off the street by providing a second chance at a high school diploma.

Like his taste for variety in education, Mick also enjoys an array of hobbies. In addition to his career in education, he is a ranch owner and farmer for his family's South African Boer Goat business Biggy Farms and regularly competes in National livestock shows. Mick played and coached both high school and college football and continues to enjoy sports. He can often be found at a local football or basketball game. Mick was raised in a musical family and played in bands during his younger years. He continues to play the guitar for his own enjoyment and has an appreciation for many different musical styles. He also has a love for Victorian homes and he and his family have enjoyed restoring one on their own property.

Mick's impact on students covers many years and it is not unusual to hear grown men refer to him as "coach" to this day. Previous students often call his office or stop by to share that they would not be where they are today had it not been for his influence. When Mick retires at the end of his term, he leaves a legacy that spans many generations.

Mr. Speaker, please join me in honoring and commanding the outstanding contributions made to education and the San Joaquin community by Superintendent Mick Founts and

hereby wish him continued success in his retirement.

INTRODUCTION OF TWO
CORPORATE CRIME BILLS

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2015

Mr. CONYERS. Mr. Speaker, today, I am introducing two bills to help hold accountable corporations who market dangerous products and who violate the law. We rely on corporations to provide necessary goods and services to consumers and to provide jobs for our citizens. Unfortunately, sometimes corporations engage in acts that may harm us or that otherwise run afoul of the law. That is why I am introducing these measures.

The Dangerous Products Warning Act concerns businesses who learn that products they are marketing are dangerous but who do not inform the appropriate federal agency or warn the public.

It amends the federal criminal code to impose a fine and/or prison term of up to 5 years on any business entity or product supervisor with respect to a product or business practice who knows of a serious danger associated with such product or business practice and knowingly fails within 15 days after discovering such danger to inform an appropriate federal agency in writing, warn affected employees in writing, and inform other affected individuals. The bill imposes a fine and/or prison term of up to 1 year on any individual who intentionally discriminates against an employee who informs a federal agency or warns employees of a serious danger associated with a product or business practice.

The Corporate Crime Database Act deals with the concern that the public has inadequate means of learning about the degree to which companies are engaging in acts in violation of the law, and sets up a mechanism to track such violations and make the information available to the public.

The bill directs the Attorney General to: (1) acquire data, for each calendar year, regarding all administrative, civil, and criminal judicial proceedings against any corporation or corporate official involving a felony or misdemeanor or civil charge where potential fines may be \$1,000 or more; (2) establish and maintain a publicly available website on improper conduct by all corporations with annual revenues of more than \$1 billion; and (3) prepare an annual report to Congress detailing the number of civil, administrative, and criminal enforcement actions brought against any corporation or corporate official and the final dispositions of such actions.

With the enactment of these two bills, we would take important steps toward protecting our citizens from harm and empowering them to know which corporations are violating our laws.

TRIBUTE TO MAJOR JACOB
“JAKE” A. WHITESIDE FOR EX-
CEPTIONAL SERVICE TO THE
UNITED STATES ARMY

HON. PETER J. VISCOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2015

Mr. VISCOSKY. Mr. Speaker, I rise to pay tribute to Major Jacob “Jake” A. Whiteside for his dedication to duty and service as a Defense Legislative Fellow. Major Whiteside will be transitioning from his present assignment with my office to serve as the Executive Officer for the 12th Aviation Battalion, United States Army.

A native of Memphis, Tennessee, Major Whiteside was accepted into the Carson-Newman University Reserve Officer Training Corps program in 1999, where he earned a Bachelor of Arts Degree in English Literature and graduated as a Distinguished Military Graduate with the class of 2003. Upon graduation, Jake was commissioned as an Army Aviation Branch Officer. He has subsequently earned a Master’s degree in Legislative Affairs from the George Washington University.

Prior to entering the Army Congressional Fellowship Program, Jake served in numerous tactical leadership and staff assignments as an Army Aviation Branch Officer, and Scout/Attack OH-58 helicopter Pilot. Major Whiteside’s assignments include Flight School Student, United States Army Aviation Center of Excellence, Fort Rucker; Flight Platoon Leader, 1st Battalion (Attack), 82nd Combat Aviation Brigade, Fort Bragg; Future Operations and Current Operations Officer, 1st Squadron, 17th CAV, Fort Bragg; Headquarters Troop Commander, 1st Squadron, 17th CAV, Fort Bragg; Student, Army Aviation Captain’s Career Course, Army Aviation Center of Excellence, Fort Rucker; and most recently Aviation Branch Representative, United States Military Academy, West Point. Additionally, Major Whiteside was deployed in direct support of combat operations in Mosul, Iraq, in 2006–2007, and Regional Command—South, Afghanistan, in 2009–2010. While deployed, Jake accumulated over 500 hours of combat flight time in direct support of soldiers in the fight.

Throughout his career, Major Whiteside has positively impacted his soldiers, peers, and superiors. Our country has been enriched by his extraordinary leadership, thoughtful judgment, and exemplary work.

As a personal matter, in his role as Defense Legislative Fellow, Jake provided me with candid advice and became a trusted source of counsel to me, my personal staff, and committee staff. Blessed with a sterling intellect and nimble mind, he vigorously and effectively addressed any challenging task placed before him. Further, his incomparable work ethic, poise under pressure, and generosity will be sorely missed. To put it simply, Major Whiteside’s performance has set a standard on which I will evaluate all future Congressional Fellows.

Mr. Speaker, it has been a genuine pleasure to have worked with Major Jake Whiteside over the last year. On behalf of a grateful nation, I join my colleagues today in recognizing and commanding Jake for his service to his country and we wish him, his wife Marci, and

boys, Bryce and Gavin, all the best as they continue their journey in the United States Army.

IN RECOGNITION OF THE 100TH
BIRTHDAY OF MERCY HIGH
SCHOOL BURLINGAME’S KOHL
MANSION

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor the Centennial of Mercy High School Burlingame’s Kohl Mansion, an historic and beautiful building with deep meaning for the community and for me personally. As an alumna of Mercy High and the mother of a daughter who also graduated from this outstanding school, this institution has shaped my life.

Today, Mercy High School Burlingame, a Catholic college preparatory high school, educates 400 young women a year, with the majority coming from San Mateo County. About three quarters of the students are Roman Catholic and 90 percent of the students are engaged in at least one extra-curricular activity. Mercy encourages students to discover themselves and explore their dreams; they receive an education of mind, body and spirit. This recipe and small class sizes prove to be highly successful. In the class of 2014, 87 percent matriculated to four year colleges and 13 percent matriculated to community colleges.

Mercy education finds its origins in Ireland in the ministry of Catherine McAuley, the foundress of the Sisters of Mercy. Their work is marked by a special concern for the needs of the poor, in particular women and children. This tradition continues to this day.

The Kohl Mansion was originally built from 1912 to 1914 by Charles Frederick “Freddie” Kohl for his wife Bessie. Kohl, born in San Jose in 1863, grew up in a mansion on an estate in San Mateo, now known as Central Park. His father had made a fortune as the founder of Alaska Commercial Company and so Kohl Junior was used to an opulent lifestyle. Freddie and Bessie’s travels to Europe further inspired them to build the lavish four-story Tudor named “The Oaks.”

In 1924, the Sisters of Mercy bought the house and turned it into a chapel. When the sisters moved down the hill to a new building, Principal Sister Mary Lorenzo Murphy and seven other nuns opened Mercy High School in the mansion in 1931, admitting 36 freshmen and sophomores.

The old Kohl Mansion has embraced technology and modern facilities. Mercy launched its website in 1999. Over the decades, a state-of-the art athletic center with an Olympic size pool, a commercial kitchen, a new cafeteria and a multi-media center were built, among the many improvements. At every step of the way, the focus of the school was to provide its students with the best education and learning environment possible.

Mr. Speaker, I ask the House of Representatives to rise with me to honor one of the finest high schools in the country, Mercy High School Burlingame on the occasion of the Kohl Mansion’s 100th birthday. May this historic building remain the home of education and learning for centuries to come.