

EXTENSIONS OF REMARKS

REMEMBERING SHIRLEY ANN
BYARD

HON. BONNIE WATSON COLEMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 14, 2018

Mrs. WATSON COLEMAN. Mr. Speaker, I rise today to honor the life of Shirley Ann Byard, who passed away on August 5, 2018.

Mrs. Byard was born in Scotland County, North Carolina on November 13, 1940 as one of nine daughters of Clyde and Pauline Bennett. She graduated from West Badin High School, Badin, NC in 1958. Mrs. Byard attended Barber-Scotia College and Winston Salem State University and received her undergraduate degree from Rutgers University in 1972. While attending Winston Salem State, Mrs. Byard participated in the Woolworth Lunch Counter protests during the Civil Rights Movement.

Mrs. Byard came to Trenton in 1962 and later worked for the City of Trenton for 30 years. She retired in 2002 as the Program Coordinator for the Office on Aging. Prior to that Mrs. Byard held numerous positions in the city, state, and nonprofit sectors.

Mr. Speaker, Mrs. Byard was a lifetime member of the N.A.A.C.P., member of the National Political Congress of Black Women, member of the Urban League Guild of Metropolitan Trenton and Delta Sigma Theta Sorority, Inc. She was also a long-time member of the Bronzettes, Inc. in affiliation with the New Jersey Federation of Colored Women's Clubs. Mrs. Byard was also a devoted and faithful member of Shiloh Baptist Church. While with family in Maryland, she fellowshiped at Community of Hope A.M.E. Church in Temple Hills.

I am grateful for Mrs. Byard's work in the Trenton area. Not only was she a loving wife, and proud mother and grandmother, she was also a faithful and uplifting presence for her entire community—particularly seniors. I personally found her to be remarkably generous in her kindness to everyone she encountered.

Mr. Speaker, frankly, we need more Shirley Ann Byards. I am happy that she leaves a shining example for future generations to emulate. It is an honor to share with the United States House of Representatives the memory of Shirley. The Trenton community, and in fact our nation as a whole, was made better through her selfless work and tireless service.

With that, on behalf of my constituents in the greater Trenton area, I ask that my colleagues join me in commemorating the wonderful life and legacy of Shirley Ann Byard.

TRIBUTE TO MARLENE AND
LARRY PEARSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 14, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Marlene and

Larry Pearson of Glenwood, Iowa on the very special occasion of their 50th wedding anniversary. They were married on June 15, 1968 in Chicago, Illinois.

Marlene and Larry's lifelong commitment to each other and their family truly embodies Iowa values. As they reflect on their 50th anniversary, I hope it is filled with happy memories. May their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker, I commend this great couple on their 50th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion.

RECOGNIZING THERESA "TERRIE"
IACINO

HON. JIMMY PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 14, 2018

Mr. PANETTA. Mr. Speaker, I rise today to recognize Theresa "Terrie" Iacino on the occasion of her retirement from her position as the Executive Director of Catholic Charities of the Diocese of Monterey. Mrs. Iacino leaves behind a legacy of dedicated public service.

Mrs. Iacino was born in Denver, Colorado and obtained her bachelor's degree in 1972 from Loyola Marymount University. Mrs. Iacino worked as an administrator for the Catholic Diocese of San Jose for twenty-five years. She also taught elementary school at St. Alphonsus School in East Los Angeles and junior high in Cupertino, California. Mrs. Iacino later served as the first Director of Step of Silicon Valley, spearheaded the campaign to cut poverty at Catholic Charities of Santa Clara County, and assumed the position of Executive Director of Catholic Charities of the Diocese of Monterey in 2012.

During her tenure, Mrs. Iacino was instrumental in upgrading the Catholic Charities of the Diocese of Monterey's technology system. These upgrades included the installation of vital programs and a redesign of the organization's website. In addition, Mrs. Iacino redesigned and expanded Catholic Charities Family Supportive Services, a program that provides council for lower income families on achieving financial stability. Mrs. Iacino also extended aid to immigrant families seeking lawful long-term residence in the United States by expanding the organization's Immigration and Citizenship programs.

In addition to her position with Catholic Charities, Mrs. Iacino has dedicated herself to other community causes. She has served as a member of the National Board of the Emergency Food and Shelter Program, where she fought to provide food and shelter assistance to residents in need in Monterey, Santa Cruz, San Luis Obispo, and San Benito counties.

The mission of Catholic Charities of the Diocese of Monterey is to provide specified

human services to the poor and disadvantaged, promote social justice, peace, human dignity, self-determination, and self-sufficiency in accordance with the Gospel and Catholic social justice teachings. Throughout her long career, Mrs. Iacino has successfully carried out this selfless mission. Mr. Speaker, I stand with Catholic Charities of the Diocese of Monterey and the entirety of California's 20th District in expressing our gratitude for Theresa "Terrie" Iacino's many years of meritorious service.

STAND UP FOR U.S. WORKERS

**HON. GREGORIO KILILI CAMACHO
SABLAN**

OF THE NORTHERN MARIANA ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 14, 2018

Mr. SABLAN. Mr. Speaker, the recently announced decision to lay off "temporarily" hundreds of U.S. workers at the Imperial Pacific International casino construction site in the Northern Mariana Islands raises serious concerns about the use of foreign labor at this project. Pacific Rim, the contractor, announced the lay-off in July pending "contract renegotiations." Meanwhile, work will go on, using foreign workers with H-2B visas to replace the U.S. workers.

Even half-finished, the Imperial Pacific International casino has lifted the economy of the Marianas. So, local news has focused on reassuring the public that work to complete the casino and its associated resort would continue. But these reassurances mean little to the U.S. workers who have lost their jobs, or to their families.

It also raises the question of why the U.S. Department of Labor, as it has reported to me, issued 1,668 foreign labor certifications to Imperial Pacific International to hire the H-2B visa holders, who are now taking the jobs of U.S. workers in apparent contravention of U.S. labor law.

Labor issued these foreign labor certifications to Imperial Pacific International (IPI) despite the history of occupational safety and health and wage and hour violations that the Department previously uncovered at this job site.

In May 2017, after a worker fell to his death and multiple other, serious workplace injuries were treated at the local hospital, the Occupational Safety and Health Administration proposed \$193,750 in penalties for three of IPI's construction subcontractors.

In March 2018, the Department finalized settlements with IPI subcontractors of \$13.9 million for unpaid wages and liquidated damages owed to over 2,400 employees.

In addition to these violations of the Occupational Safety and Health Act and the Fair Labor Standards Act, a raid of the site by the Federal Bureau of Investigation also revealed that the subcontractors had been unlawfully employing persons who were admitted to the United States from China as tourists.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

This record in itself should have raised red flags at the U.S. Department of Labor. But the underlying purpose and process for foreign labor certification seems also in this case to have been subverted.

In order to obtain foreign labor certifications, which are a prerequisite to applying for an H-2B visa, an employer must attest that the job in question will be offered to any qualified and available U.S. worker who applies or is referred for the job opportunity. And in order to obtain an H-2B visa, an employer must attest that they have not laid off and will not lay off any similarly employed U.S. worker, unless the layoff is for lawful, job-related reasons and unless all H-2B workers are laid off first. The present lay-offs of U.S. workers, while work continues using H-2B workers, cannot be consistent with these employer attestations.

Let us look at the history of the Imperial Pacific International worksite:

In fiscal year 2016 the Marianas experienced a labor crisis, when the annual, numerical cap was reached for the Commonwealth Only Transitional Worker (CW) program. For the first time the Department of Homeland Security stopped accepting applications for this foreign labor program, unique to the Marianas. As the Government Accountability Office explained in a 2017 report commissioned by Senate Energy and Natural Resources Committee Chairman LISA MURKOWSKI, Ranking Member MARIA CANTWELL, and I:

Demand for foreign workers in the CNMI exceeded the available number of CW-1 permits in 2016—many approved for workers from China and workers in construction occupations. The construction of a new casino in Saipan is a key factor in this demand.

In fact, GAO reported, the demand for foreign workers jumped from 9,188 in 2014 to a number exceeding the 2016 cap of 13,299, almost entirely because of the demand for construction workers. The result was to crowd out established, local businesses, who employed CW workers and to force long-time foreign workers, who had demonstrated value to our economy and established roots in our community, to return home.

Not only was this crush of construction workers at the casino site economically and socially disruptive, it also did not jibe with the rules for the CW program. CW permits are only available to employers of foreign workers who are ineligible for any other U.S. work visa. Although some of the casino construction workers held CW permits (and some were employed illegally, having entered as tourists), we now know that these workers could well have received H-2B visas. Because, as the U.S. Department of Labor has reported, it issued 1,668 H-2B foreign labor certifications to IPI.

To end further abuse of the CW program and to protect the interests of local businesses in my district and their long-term workers and their families, I introduced legislation that, among other provisions, prohibited any further use of CW permits for new construction workers in the Marianas. Chairman MURKOWSKI observed at her committee's hearing on my bill, H.R. 339, that this bar on the use of CW permits for new construction workers was in her view the most important provision. Not only did it curb the abuse of the CW permit, but it was also meant to force the federal government to make the determination, through the foreign labor certification process, of whether U.S. workers were available for any construc-

tion jobs on offer. President Trump signed my bill into law in August 2017. It became U.S. Public Law 115–53.

IPI quickly responded to these new constraints by hiring Pacific Rim, a U.S.-based firm, to continue construction of the casino. And Pacific Rim president and owner Keith Stewart announced to the Guam Daily Post that he was looking to hire hundreds of skilled U.S. tradesmen for the work. I include in the RECORD comments from Edward Deleon Guerrero, Executive Director of the Commonwealth Casino Commission, who reacted positively to this news in an interview with KSPN-TV in January 2018:

Reporter: IPI is currently in contractual conversations with a new construction company, Pacific Rim, to finish the resort.

Guerrero: We are more confident when we are dealing with a U.S. construction company.

Reporter: IPI's previous, Chinese-based construction companies brought in illegal construction workers and ultimately caused progress on the building to come to a standstill, once the FBI realized what was going on. Guerrero hopes to avoid, quote, 'another fiasco like that from happening again.'

Guerrero: Definitely do not want to see a repeat of that.

Reporter: This time around, however, the work will be done with mostly U.S. based workers.

Guerrero: It is my understanding that all, I mean, most, if not all of the workers are U.S. construction workers.

In March, Pacific Rim held a job fair on Guam, which drew enthusiastic response from U.S. workers, who expressed a willingness to move to Saipan for new work opportunities and the chance to earn overtime and per diem, in addition to their regular pay. At the fair Pacific Rim General Superintendent Tony Costa confirmed to the Post that his company wanted to have around 500 U.S. workers on the IPI site.

Marianas Governor Ralph Torres even testified with pride before the Senate Energy and Natural Resources Committee on February 6 of this year about the turnaround:

I'm proud to announce that because of learning of an issue that was experienced last year, we have signed U.S. contractors to finish the hotel of the casino that was signed, I believe, less than a month ago that will be hiring more U.S. workers to finish the construction of the hotel site.

The Governor also said IPI intended to complete construction by August 2018 and assured the Committee that his administration was closely monitoring labor conditions at the site. It should be noted, too, that the original casino license agreement included the stated objective to have permanent U.S. residents be at least 65 percent of all employees—an objective that has not been met.

The Governor's testimony came at the hearing held to consider the Northern Mariana Islands U.S. Workforce Act, legislation that Chairman MURKOWSKI and I had jointly introduced to incentivize the hiring of U.S. workers in the Marianas. President Trump signed the Act into law on July 24. Among other new protections for U.S. workers, Public Law 115–218 extends to the CW program the requirement for prior U.S. Department of Labor labor certifications, a stipulation the Governor, the Marianas Legislature, and our business community all rightly agreed to.

Despite all these efforts and assurances to U.S. workers, however, at the same time IPI

had begun the process of applying for foreign labor certifications from the U.S. Department of Labor with the intent to secure H-2B visas and hire foreign construction workers. Nominally, these foreign workers were to buttress, not replace Pacific Rim's U.S. workforce. Instead, U.S. workers have now lost their jobs, replaced by foreign workers. Attestations to the U.S. Department of Labor that U.S. workers would not be laid off and replaced with foreign workers have not proven true. Assurances by the Governor to keep watch on the Imperial Pacific job site seem hollow in light of recent events.

This must stop.

The people of the Northern Mariana Islands, whom I represent, are tired of having outside, foreign interests time-after-time give our islands a black eye by skirting the law, cutting corners on safety, playing fast and loose with the rules and thinking they can get away with it, beholden only to their bottom line and a handful of high-ranking local officials.

The U.S. Department of Labor, after enabling IPI by granting 1,668 foreign labor certifications, must take immediate action to step up enforcement and ensure IPI maintains absolute compliance with U.S. law.

TRIBUTE TO VERLENE AND DEAN ARCHER

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 14, 2018

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Verlene and Dean Archer of Orient, Iowa on the very special occasion of their 70th wedding anniversary.

Verlene and Dean's lifelong commitment to each other and their family truly embodies our Iowa values. As they reflect on their 70th anniversary, may their commitment grow even stronger, as they continue to love, cherish, and honor one another for many years to come.

Mr. Speaker I commend this great couple on their 70th year together and I wish them many more. I ask that my colleagues in the United States House of Representatives join me in congratulating them on this momentous occasion and in wishing them both nothing but continued success.

ACKNOWLEDGING MS. JENY WALKER UPON HER RETIREMENT AS CEMETERY DIRECTOR AT MOUNTAIN HOME NATIONAL CEMETERY

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 14, 2018

Mr. ROE of Tennessee. Mr. Speaker, I rise today to acknowledge Ms. Jeny Walker upon her retirement as Cemetery Director at Mountain Home National Cemetery. Ms. Walker was named Director of Mountain Home National Cemetery effective July 27, 2015. She was responsible for all burial, maintenance and administrative operations at the facility.