

Last Thursday evening, a mother and father were murdered in front of their four children ages 9, 7, 4, and 4 months when Hamas terrorists opened fire on their car. A few days later, another Jewish family was walking in the Old City of Jerusalem after praying at the Western Wall when a Palestinian terrorist went on a stabbing attack. He murdered the father, along with another courageous man who rushed to the scene to the family's aid. Both men leave behind their wives and nine children. In addition to the four murdered, many more Israelis have been seriously wounded from car-ramming, rock-throwing, and brutal knife and screwdriver stabbing attacks in what appears to be a fresh horror—an epidemic of low-tech, brutal attacks by militants who are acting on their own initiative.

These attacks have been incubated by the continued incitement and glorification of violence by the Palestinian leadership, most recently by President Mahmoud Abbas during his address at the United Nations General Assembly. He still has yet to categorically condemn these attacks. It is long past time for the United States and the international community to hold the Palestinians accountable for their incitement and support for terrorism, including through the financial payment to Palestinian terrorists who are jailed in Israel for committing acts of terrorism.

In yet another stark reminder of how closely our nations are connected in this fight, the father murdered last Thursday, Eitam Henkin, was a dual Israeli-American citizen. The terrorist who killed him did not care, as his sole intent was to kill Jews, not to engage in a political process. There is no moral equivalence between Palestinian terrorism and the obligation of Israel to act in defense of its people. To the Israeli people, especially those who are victims of terrorism and their families: I proudly stand in solidarity with you during this challenging time.

#### OBSERVING HISPANIC HERITAGE MONTH

Mr. HELLER. Mr. President, today I wish to recognize Hispanic Heritage Month, a time to honor the many traditions and contributions of America's vibrant Hispanic community. This special time is celebrated from September 15 to October 15 and honors the many Americans whose ancestors originate from Spain, Mexico, the Caribbean, Central America, and South America. I am proud to recognize this month in honor of the many Hispanic Americans who contribute so much to communities across our state and country.

Hispanic Americans make up the largest ethnic minority throughout our Nation, as well as in Nevada. This community is an integral part of our State, helping shape our economy, trade, culture, and intrinsic Nevada footprint. I am thankful for the hard work and

dedication of the many Hispanic Americans whose perseverance has greatly impacted the success of the Silver State. That is why I recently cosponsored a resolution recognizing Hispanic Heritage Month and the fundamental role Hispanic Americans have in the accomplishments of the United States. I am proud to support legislative efforts that distinguish the immense efforts brought forth by this community.

Hispanic Americans play a critical role in our Nation's identity, especially in 2015. As of August 2015, Latino workers represented nearly 17 percent of the workforce and exhibited the largest percentage of labor force participation of any ethnic group with nearly 63 percent. This community is made up of hard-working physicians, surgeons, chief business executives, lawyers, educators, and many other professionals crucial to the success of our country. Latinos represent one in four public school students and 19 percent of college students between the ages of 18 and 24. Hispanic Americans have served the United States in every war, helping bring freedom and democracy to our country. As of July 2015, 164,000 Active-Duty servicemembers from the Hispanic community served and continue to serve our country, maintaining these principal values. The vast influence this community has had on our great Nation warrants only the greatest gratitude.

I ask that today and throughout the rest of this time set aside for Hispanic Heritage Month, we recognize the many contributions that the Hispanic community brings. I join citizens across the Silver State in thanking the many Hispanic Americans who have brought greater strength to our State and our Nation.

#### OBSERVING THE 104TH NATIONAL DAY OF THE REPUBLIC OF CHINA, TAIWAN

Mr. JOHNSON. Mr. President, today I rise to recognize the 104th National Day of the Republic of China, Taiwan, to take place on October 10, 2015.

As a longstanding supporter of Taiwan, I believe the occasion of its National Day is an appropriate time for us to consider our special relationship with Taiwan and the Taiwanese people.

The United States and Taiwan have fostered a mutually beneficial relationship over the years based on shared democratic values and common strategic interests. Taiwan is a fine example of democracy in the Asia-Pacific region and is a trusted friend and trading partner to the United States. Our relationship has realized far-reaching economic and cultural benefits, and I hope that our bonds continue to grow in the years to come.

It is a sincere privilege to offer my compliments to the people of Taiwan on this very special occasion.

Mr. CASSIDY. Mr. President, I would like to take time to recognize that October 10, 2015, will be the 104th National Day of the Republic of China, Taiwan.

Over the years, the United States and Taiwan have maintained a strong relationship based on common values and global interests. I hope to see Taiwan remain a strong ally and trade partner for many years to come as we look towards a mutually prosperous future.

It is a great pleasure to extend my best wishes to the people of Taiwan on this special day.

#### OBSERVING INTERNATIONAL DAY OF THE GIRL

Mr. BOOZMAN. Mr. President, Sunday, October 11, 2015, is the International Day of the Girl. Started 4 years ago, this day is an effort to raise awareness of issues of gender inequality around the world. This year the theme is "The Power of the Adolescent Girl." As the father of three daughters and two granddaughters, I am keenly aware of the power of our girls, as well as the challenges that they face.

For these reasons, I was proud to welcome a delegation of young women from Arkansas to my office in July. These ladies were attending a leadership summit here in Washington, D.C., and came to my office to advocate on issues related to human trafficking, gender-based violence, childhood education, and more. I am very proud of them and their efforts to fight the problems girls face around the world.

Across the globe, girls and young women face incredible odds and challenges. Over the last 15 years, work by the United States and our partners has resulted in real change. Girls are now more likely than ever to enroll in primary school and receive important vaccinations and are much less likely to suffer health and nutritional problems than ever before. It is important that we continue these efforts, along with our partners, to solidify the gains that we have made and reach for even greater successes.

I thank the young women from Arkansas and across the country who are making the crucial effort to advocate for those who do not have a voice. I look forward to working with my colleagues to ensure that our children inherit a world of increased possibilities.

#### TRIBUTE TO DETECTIVE WILLIAM J. ZIMMERMAN

Mrs. BOXER. Mr. President, I ask my colleagues to join me in congratulating an extraordinary public servant, Detective William "Bill" Zimmerman, as he retires from the United States Capitol Police force, USCP.

For 32 years, Detective Zimmerman has served the USCP with great distinction, including 28 years with the threat assessment section, the division responsible for investigating threats made against Members of Congress and their families.

To every challenge, Detective Zimmerman brought unparalleled skill and dedication, ultimately helping to establish programs for threat assessment

and management programs that are used by other law enforcement agencies across the United States and in Great Britain. Detective Zimmerman served as the first president of the Washington, D.C., chapter of the Association of Threat Assessment Professionals, and in 2004, he became the inaugural recipient of the association's distinguished Meritorious Service Award.

Throughout his career, Detective Zimmerman consistently went above and beyond the call of duty to protect and serve. For my office, Detective Zimmerman was often our go-to person in an emergency, and he always handled any situation with professionalism, commitment, passion, and calm. Detective Zimmerman is not only the consummate professional, he is also a wonderful human being, and his well-deserved retirement is a huge loss for Congress.

Ralph Waldo Emerson said, "To know one life has breathed easier because you have lived, that is to have succeeded." By that and every other measure, Detective Zimmerman had a remarkably successful career, and I congratulate him, thank him, and wish him all the best as he begins the next exciting chapter.

#### JOINT EMPLOYER DECISION

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD a copy of my remarks to the Committee on Health, Education, Labor, and Pensions at the hearing titled, "Stealing the Dream of Business Ownership: The NLRB's Joint Employer decision."

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

#### JOINT EMPLOYER DECISION

This morning we are having a hearing about the recent National Labor Relations Board decision that threatens to steal the American dream from owners of the nation's 780,000 franchise businesses and millions of contractors.

We will also discuss the legislation I have introduced to undo this decision.

Last week, I met a man named Aslam Khan. He is an immigrant from Pakistan who started out as a dishwasher at Church's Chicken and who today has become a very successful owner of Church's Chicken franchises.

He talked about achieving the American Dream. He said it was possible because of our nation's "free enterprise, entrepreneurial spirit."

But on August 27, the National Labor Relations Board released a decision that threatens to steal the American dream from owners of the nation's 780,000 franchise businesses and millions of contractors.

It threatens to destroy that free enterprise, entrepreneurial spirit.

The labor board's new "joint employer" standard will make big businesses bigger and make the middle class smaller by discouraging larger companies from franchising and contracting work to small businesses.

It is the biggest attack on the opportunity for small businessmen and women in this country to make their way into the middle

class that we've seen in a long, long time—and I am committed to fighting it with legislation that already has 45 cosponsors in the Senate and bipartisan support in the House.

For three decades, federal labor policies have held that two separate employers are "joint employers" if both have direct and immediate control over employment terms and working conditions.

That means two employers who are both responsible for tasks like hiring and firing, setting work hours, issuing direction to employees, determining compensation and handling day to day record keeping.

Under the new "joint employer" standard adopted in August in Browning Ferris Industries, a 3-2 NLRB majority said that merely indirect control or even unexercised potential to control working conditions could make a franchisee and franchisor joint employers.

That means that for all these franchisees and contractors who have worked so hard to build businesses in their communities, hire the right people, and spend 12 hours a day serving customers, meeting a payroll, dealing with government regulations, paying taxes, and trying to make a profit—they will no longer be considered their workers' sole employer. Rather, they are just one of their workers' employers.

And for the businesses that have franchised their brand or used subcontractors to haul their waste or clean their offices—and are now considered one of the employers of those companies' workers—there will be a huge incentive to retake control of those franchises, and retake control of those contracted tasks. Because if you're going to have all the liability of being the boss, you're much better off actually being the boss.

If those businesses stop using franchisees and subcontractors, their costs go up. The system of letting other businesses invest their capital in carrying forward your business goal evaporates.

When costs go up, these businesses lose their ability to grow and create more jobs.

As joint employers, business owners will be forced to engage in collective bargaining and share liability for labor law violations.

As this new standard is applied, we will learn just how much liability an employer will face for another employer's decisions. Will she be required to contribute to healthcare costs, workers compensation and pension funds? Will this scheme mean new "joint employers" will be on the hook for notoriously underfunded multi-employer pension plans?

As if facing legal liability for another employer's labor problems isn't bad enough, the Administration is about to make it even more costly.

The President and his Department of Labor are currently in the process of finalizing regulations that will increase the impact of having labor law violations on your record if you want to contract with the federal government.

Under the Fair Pay and Safe Workplaces regulation, labor law violations will be counted against federal contractors when they bid for contracts.

This change also harms employees:

Millions of employees will lose the ability to negotiate things like pay, hours and leave time with their direct supervisor, because those decisions will now be made between the larger employer and the union.

As one employee put it in an interview with a local Denver news channel: "I would be just another number to a corporation. I'm a person to my employer now."

Franchising will be particularly impacted by this decision.

In my opinion, this is one of the biggest attacks on the opportunity for small business-

men and women in this country to make their way into the middle class that we've seen.

There are 780,000 franchise establishments across this country—and they create nearly 9 million jobs.

Last week I met with a Chattanooga, Tennessee, couple who started their own franchisee location of "Two Men and a Truck," a moving company.

With hard work and commitment, they have been able to grow that first franchisee into 6 locations. They would like to continue growing but this new NLRB decision is causing them to put those plans on hold.

The Two Men and a Truck franchisor is an excellent example of how franchising allow entry into business ownership and the middle class. It was started in Michigan by a mom who had two sons she was ready to put to work. Her first franchisee was her daughter.

It has now grown to 220 franchisees, who have created 8,000 jobs.

38 percent of their franchisees began by working on a truck.

75 percent of Two Men and Truck managers began by working on a truck.

Successfully operating a franchise business is today one of the most important ways to climb the ladder of success.

The International Franchise Association estimates that every \$1 million in lending to starting or growing franchisees creates 40 jobs.

Franchising has been a way for many women and minorities to jump into business ownership.

Women own or co-own nearly half of all franchise businesses.

Minorities own about 20 percent of all franchises.

Why would the NLRB want to cut off this business model, as well as the opportunity of millions of small, local subcontractors to work with larger companies?

The Protecting Local Business Opportunity Act (S. 2015) would roll back the NLRB ruling and reaffirm that an employer must exercise actual, direct and immediate control over essential terms and conditions of employment.

This is the commonsense standard that has been applied for decades.

We have 45 cosponsors on S. 2015 already, and 60 cosponsors on the House bill, including 3 House Democrats. I hope we will be able to add more.

This is an issue that is so important—I believe that Congress must act as soon as possible to stop this destructive policy change from damaging the middle class growth that has made this nation what it is today.

I hope my colleagues on both sides of the aisle will agree.

#### ADDITIONAL STATEMENTS

##### REMEMBERING BOB WHEELER

● Mr. HELLER. Mr. President, today we honor the life and service of Bob Wheeler, whose passing signifies a great loss to Nevada. I send my condolences and prayers to his wife, M.J., and all of Mr. Wheeler's family in this time of mourning. Mr. Wheeler was a man of great wisdom, committed to his family, his country, his State, and his community. He will be greatly missed.

Mr. Wheeler joined the U.S. Air Force in November of 1962, serving in the pararescue career field. Throughout his tenure, Mr. Wheeler remained