

SECTION 218: DEPARTMENT OF JUSTICE RIDER TO WEAKEN AMERICANS WITH DISABILITIES ACT PROTECTIONS

The Americans with Disabilities Act of 1990, ADA, is intended "to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." The ADA provides nondiscrimination protection to ensure that individuals with disabilities have access to and can participate in all aspects of society.

A component of these protections requires that public accommodations construct facilities to be accessible and that existing facilities become accessible when it is "readily achievable." The "readily achievable" expectation is defined as "easily accomplishable and able to be carried out without much difficulty or expense." There is considerable flexibility to determine what is achievable based on a business' particular circumstances.

The Department of Justice has the authority to carry out the mandate to eliminate discrimination against individuals with disabilities under the ADA. In doing so, the Department of Justice finalized regulations in September 2010 which included regulations regarding accessibility of swimming pools. These regulations are based on accessibility standards established by the Access Board that takes into consideration the needs of individuals with disabilities as well as the needs of business.

To comply with the regulation, businesses would need to make an assessment and take steps to accomplish what is "readily achievable" for swimming pool accessibility for that business. For some businesses that may require fixed or portable lifts, while for other business if may not require doing anything until increasing accessibility is "readily achievable" for that business. H.R. 5326 rolls back protections within the ADA by prohibiting the Department of Justice to use funds to implement the standards for swimming pool accessibility. This bill would establish an extremely dangerous precedent weakening the Department of Justice's authority to enforce the ADA weakening critical civil rights protections.

Regardless of whether a person has a disability or not, that person should have the right to access swimming pools. To enable individuals with disabilities to participate fully in their communities, their communities must be accessible to them. Congress should focus on increasing access to community life rather than establishing dangerous precedents which prevent individuals from accessing their communities.

TITLE II

I am strongly opposed to the funding cuts for Title II of the Juvenile Justice Delinquency and Prevention Act, JJDP. The JJDP is first written in 1974 with the goal of supporting states' actions to prevent youth crime and provide certain core protections for children. The law rightfully recognized that clear biological differences between teenagers and adults meant that youth should not be treated in the same manner as adults. Without question, youth must be held accountable for their actions. But justice should not be driven by fads or politics. The juvenile justice system in this country currently affects thousands of children and youth, and the core protections in JJDP are critical to efforts that help reduce youth crime, keep our communities safe, and ensure our juvenile justice system preserves basic rights for the children it serves. The juvenile justice system can be a place of redemption

and rehabilitation or a place where children are thrown away. The funding cuts to Title II of JJDP threaten the existence of these protections, and if this appropriation were enacted, our nation's children, families, and communities would undoubtedly suffer.

LINCOLN HIGH SCHOOL WE THE PEOPLE COMPETITION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. BLUMENAUER. Mr. Speaker, last week an outstanding group of young men and women from Portland, Oregon's Lincoln High School placed first in the national "We the People Competition," a contest sponsored by the Classroom Law Project. It is an extraordinary program that allows young men and women to dive deeply into constitutional theory and the legislative process, and understand what it all means for contemporary America in an all-too-often dysfunctional political arena.

Over the years, it's been my privilege to work with instructors and students on these programs, to have watched them prepare for hours at a time, and watch them celebrate their successes. In the Portland Public School District, we are particularly proud of our high schools Lincoln and Grant, who have competed against each other for the State title for more than 2 dozen years, and consistently are strong contenders at the national level.

Their achievements are testimony not only to the hard work and intelligence of the student competitors, but also to a dedicated core of teachers and citizen volunteers, often prominent judges and lawyers, and alumni of the program who continue their involvement long after they cease to be students. A special shout-out this year and every year should go to Lincoln instructor Tim Swinehart, local attorney Steve Griffith and his volunteer team, and the extraordinarily supportive principal, Peyton Chapman.

As I met with the Lincoln team earlier this spring in preparation for the national championships, it was clear to me that this was a stellar team even by the standards of this terrific program. That they won this year with a team largely composed of sophomores makes it all the more an extraordinary accomplishment. I would willingly grant them voting privileges here in Congress.

In addition to the dedicated coaches and volunteers, I want to recognize this year's winning student team. They are: Avery Ballato, Catherine Barton, Marty Berger, Hallie Blashfield, Ryan Bloom, Danny Brillhart, John Carey, Julian Dann, Julia Eckelmann, Michael Field, Natina Gilbert, Nikhil Goyal, Kendra Hong, Robin Jayaswal, Katie Kelly, Sierra Killian, John Kim, Emma Lane, Duncan MacEachern, William Mao, Olnita Martini, Evan Neuhausen, Sara Newman, Vicki Niu, Sammy Purnell, Justin Richter, Beckett Rueda, Emma Simmons, Sage Smiley, Nita Sridharan, Eri Stern, Mara Strauss, Molly Walls, Carolyn Wheatley, Ajeya Woods and Cole Zollinger.

I urge my colleagues to become acquainted with their local high school constitution competition. I hope the day will come when Con-

gress again gives the financial support to the Classroom Law Project for the civic education that is so important and so critical to preparing students to participate as citizens. With a stronger investment in the Classroom Law Project and programs like We the People, I believe we would all feel better about the future of the Republic.

TRIBUTE TO HONOR FLIGHT OF OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. WALDEN. Mr. Speaker, I rise to recognize the 28 World War II veterans from Oregon who will be visiting their memorial this Saturday in Washington, DC through Honor Flight of Oregon. On behalf of a grateful state and country, we welcome these heroes to the nation's capital.

The veterans on this flight from Oregon are: Melvin Dagsland, U.S. Army; Kenneth Graves, U.S. Army; Frank Hernandez, U.S. Army; Jesse Pollard, U.S. Army; Harold Hayes, U.S. Army; Milton Anderson, U.S. Army Air Forces; James Holbrook, U.S. Army Air Forces; Clarence Mahan, U.S. Army Air Forces; Paul Nielsen, U.S. Army Air Forces; Carl Orndoff, U.S. Army Air Forces; Jack Owens, U.S. Army Air Forces; Donicio Padilla, U.S. Army Air Forces; James Stone, U.S. Army Air Forces; James Hanley, U.S. Army Air Forces; Melvin Pearigen, U.S. Coast Guard; Floyd Burt, U.S. Marine Corps; Delbert Littrell, U.S. Marine Corps; Edward Montagne, U.S. Marine Corps; Eldon Branson, U.S. Navy; Calvin Gorte, U.S. Navy; GL Hamblin, U.S. Navy; Lester Herring, U.S. Navy; Richard Laubert, U.S. Navy; Donald Lister, U.S. Navy; Vincent Monzel, U.S. Navy; Otis Pierce, U.S. Navy; Forest Scott, U.S. Navy; Raymond Woods, U.S. Navy.

These 28 heroes join more than 81,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, DC to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these soldiers, sailors, airmen, and Marines who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Oregon for their exemplary dedication and service to this great country. I especially want to recognize and thank Gail Yakopatz for her tireless work as president of Honor Flight of Oregon.

RECOGNIZING THE RESILIENCE OF JOPLIN, MISSOURI

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 9, 2012

Mr. LONG. Mr. Speaker, I rise today to honor the resilience of the Joplin, Missouri community.