

offenders have decreased over time, White offenders' sentence length has decreased more than Black offenders' sentence length."

And in considering racial disparities in the criminal justice area, the race of the victims must also be considered. Despite reductions in homicides nationwide in recent years to levels not seen since the 1960s, this is not true for the number of homicides of African-Americans. "The number of black male murder victims rose more than 10 percent from 2000 to 2010, to 5,942 from 5,307," according to the Wall Street Journal.

Two areas that the Attorney General has said are criminal enforcement priorities also exhibit disparities. These are financial crimes and child pornography possession. As I have said many times before, I wish the Department would prosecute even one of the executives of the major financial firms whose criminal conduct contributed to the financial crisis.

These two criminal fields both tend to involve White male defendants. Too often, the sentences imposed are too lenient. In addition, these crimes do not carry mandatory minimum sentences. We should consider imposing mandatory minimum sentences for these offenses, both to reduce racial disparities and to give prosecutors additional tools to combat these serious crimes. Since Booker, there have been press reports of people who have been convicted of financial fraud who have received very lenient sentences, far below the guidelines. That is leading to disparity.

One report showed that there have been so many financial fraudsters in New York who have been sentenced merely to probation that lawyers for newly convicted fraudsters have argued that to avoid disparities, their clients must also receive probation. Other press accounts have shown financial criminals who have persuaded judges that the financial benefits these criminals have provided to needy people should be considered to lighten their sentences. No poor defendant would be able to reduce his sentence based on using a portion of his ill-gotten gains to help others.

Another set of defendants who in the post-Booker world have received very lenient sentences is those who are convicted of child pornography possession. Too many judges are lenient in their sentencing. Too often we are seeing that unless the defendant actually molested a child, a judge doesn't impose a serious punishment. More than other Federal crimes, defendants in financial and child pornography cases tend to be White males. Too many judges have given these criminals only a slap on the wrist. After Booker, the only way Congress can control the abuse of discretion that judges are showing in these cases is through imposition of a mandatory minimum sentence.

The Attorney General announced a new policy of not charging certain de-

fendants with crimes that carry mandatory minimum sentences. That raises concerns. Withholding quantities of drugs from indictments may not have the effect he desires, since the judge will know the quantity in any event when the presentencing report is received. The judge can still take that into account when sentencing. Moreover, a dangerous precedent may be established by not charging the greatest offense that can be proved.

All Federal crimes now are typically prosecuted at the highest level that can result in a conviction, unless a plea agreement is reached. This reduces prosecutorial discretion and disparity in charging and sentencing. I hope that the new policy will not be applied or extended in a way that would increase disparity.

Mandatory minimum sentences are not new. The first Congress enacted mandatory minimum sentences in 1790.

Nor are they as inflexible as they are often characterized. According to the sentencing commission, almost half of all offenders convicted of an offense carrying a mandatory minimum sentence are not given such a sentence.

We hear over and over that mandatory minimum sentences are one size fits all. We hear that low level and first time offenders always receive harsh sentences. Not so. The safety valve provision requires judges not to impose mandatory minimum sentences for first time, low-level, nonviolent drug offenders, who have provided all information to the authorities. Mandatory minimum sentences are not imposed on many other offenders because they provide substantial assistance to the government in prosecuting more serious criminals.

Congress in 2010 also passed legislation reducing mandatory minimum sentences for certain crack cocaine offenses. Contrary to standard rules of statutory construction, that law has been interpreted to apply retroactively to people who committed their crimes before enactment of the law. We need to keep that in mind for any sentencing legislation we might enact.

The combination of mandatory minimum sentences and a reduction for substantial assistance provides investigative leads against bigger fish. It is a benefit of mandatory minimum sentences that is not always appreciated. Were we to meaningfully cut back on mandatory minimums, we would lose the ability to bring prosecutions against a large number of major criminals. We should always consider what crimes should carry mandatory minimum sentences and what the length of those sentences should be. But for the reasons I have outlined, it would be a serious mistake to eliminate mandatory minimum sentences, either wholesale or for a class of drug offenses.

I am also troubled by a document the Attorney General released along with his speech entitled, "Smart on Crime."

In that document the Department favors diversion and supervision rather

than incarceration for what it terms low-level, non-violent offenders. The Department says it encourage U.S. Attorneys to use "best practices" of diversion for non-violent offenders and supervision for more serious offenders. The document says, "Examples of eligible defendants are those charged with non-violent bank robberies." What bank robberies does the Attorney General think are non-violent? If a person hands the teller a note that says, "I have a gun, hand over the money," but he does not actually have a gun, is that a non-violent offense? No, it is not. Robbery always involves violence or the threat of violence. There is no such thing as a non-violent bank robbery. Those who commit that crime should go to jail, not be released back into the community under supervision, as the Department is advocating.

There is a danger that some of what the Attorney General is proposing is unjustified leniency and would harm public safety.

Madam President, I appreciate that the Attorney General has offered ideas on sentencing. I agree with some. Others are misguided, even dangerous. I will work with him where I can. But we cannot have a proper debate on sentencing reform without understanding how we have reached our current situation, why unwarranted disparities exist, and what changes in sentencing would improve rather than harm the situation.

The Judiciary Committee will hold a hearing on mandatory minimum sentences and proposed legislation on Wednesday. As I have stated, there are some common misunderstandings on this subject. I hope that more clarity will emerge as a result of the hearing.

CROSSROADS CHURCH

Mr. PORTMAN. Madam President, today I wish to congratulate Crossroads Church on 50 years of ministry in Pickaway County, OH. The Crossroads Church held its first service in 1963 under the leadership of Rev. Roy Ferguson.

Crossroads Church was created as an extension of Circleville First Church to provide ministry in the growing community. In 1998, as it continued to grow, the church purchased 71 acres just east of the city of Circleville. In October 2001, Crossroads Church opened its doors for the first service at the new spacious location.

Crossroads Church remains grounded in the traditions of the Christian faith. Today, I congratulate all who have been involved in the first 50 years of ministry to Circleville.

ADDITIONAL STATEMENTS

THORNTON, NEW HAMPSHIRE

• Ms. AYOTTE. Madam President, today I wish to honor Thornton, NH—a town in Grafton County that is celebrating the 250th anniversary of its

founding. I am proud to join citizens across the Granite State in recognizing this special occasion.

Thornton is a gateway community to New Hampshire's beautiful White Mountains—welcoming visitors from near and far throughout the year. This picturesque community represents the very best of New Hampshire's proud heritage.

The land that would become Thornton was granted in a charter by Governor Benning Wentworth on July 6, 1763, one of New Hampshire's great statesmen, to a small group of settlers including Doctor Matthew Thornton. Thornton later represented New Hampshire as a representative to the Continental Congress, and signed the Declaration of Independence. The town was named to honor Thornton for his service to New Hampshire.

The town's population has grown to include over 2,400 residents. The patriotism and commitment of the people of Thornton are reflected in part by their record of service in defense of our Nation.

Notable Thornton residents include 19th century abolitionist Moses Cheney, a conductor with the Underground Railroad, and MIT professor and nutritionist Nevin S. Scrimshaw.

Thornton is home to one of the oldest remaining meetinghouses in the State. Erected in 1789, the Old Town House is listed on the New Hampshire State Register of Historic Places and serves as an enduring symbol of New Hampshire's tradition of self-governance.

Thornton is a place that has contributed much to the life and spirit of the Granite State. I am pleased to extend my warm regards to the people of Thornton as they celebrate the town's 250th anniversary.●

TRIBUTE TO RITA NEEDHAM

● Mr. BLUNT. Madam President, as we continue our debate about health care reform, I would like to recognize an organization in Missouri that has been a leader in innovation in driving down the healthcare costs for manufacturers and their employees. The Missouri Association of Manufacturers and their CEO, Rita Needham, have been at the forefront of the debate in my State. She is committed to new strategies to provide affordable health care through consortiums of manufacturers that employ more than 2,100 people.

As an educator, human resource manager and administrator, Rita Needham joined the Southwest Area Missouri Association, SAMA, in 1999 as community affairs director. SAMA reached out to support manufacturers in the Springfield, MO area. Needham was elevated to executive director 2 years later and created a health care consortium which provided affordable health care coverage for manufactur-

ers. Rita was the driving force in obtaining a two-year waiver from the Missouri Department of Insurance to en-

able companies of all sizes to join together in a pilot program to purchase group health insurance. Before the consortium was created, the initial 32 companies who joined the SAMA I Consortium had to buy their health insurance individually, but, under the consortium, they were rated as one policy holder therefore achieving significant savings. Six smaller companies who were part of the consortium were able to access affordable health care for the first time. The consortium members were able to achieve long term rate stability, create large group buying power and reduce claim risk in response to their biggest concern—the rising costs of health care.

In 2006, Rita led SAMA's efforts to persuade the Missouri General Assembly to pass House bill 1827, landmark legislation known as the SAMA bill, which allowed manufacturers of all sizes the option of purchasing a group health plan under the consortium.

In 2010, the Southwest Area Manufacturers Association became the Missouri Association of Manufacturers, MAM, with 170 member companies across the State representing 14,500 employees. Today, MAM is a strong voice for manufacturing with free market positions on trade, regulation, tax and energy policy, education, health care and the environment.

Rita is planning to retire this year, but throughout her career she has been a thoughtful, dedicated leader for Missouri manufacturers. I have always relied on her expertise and common sense to better understand how Federal policy impacts health costs for manufacturers.

I wish Rita and her husband Jim a wonderful retirement. There is no doubt that Rita's advocacy and smart leadership have improved the business environment in Missouri.●

LAS VEGAS NATURAL HISTORY MUSEUM

● Mr. HELLER. Madam President, I wish to recognize the Las Vegas Natural History Museum and congratulate it on being awarded national accreditation by the American Alliance of Museums. This accreditation is the highest national recognition of a museum's commitment to public service, professional standards, and excellence in education. This important milestone exemplifies the remarkable progress that the Las Vegas Natural History Museum has made, and attests to the central role the museum plays in educating the local community.

For more than 2 decades, the Las Vegas Natural History Museum has provided Nevadans of all ages and from all walks of life the opportunity to explore the natural treasures of our past. The museum has expanded the small, loaned exhibit with which it began into a premiere, multi-million dollar collection of wildlife and prehistoric exhibits. Today it offers a truly unique educational experience from which count-

less Nevadans have benefited. Under the leadership of Executive Director Marilyn Gillespie, as well as a dedicated board of directors, the Las Vegas Natural History Museum has completed a demanding process in order to become nationally accredited. The museum and its leadership team should be proud of this important achievement.

Centers of learning such as the Las Vegas Natural History Museum enrich our communities by making the learning process an engaging and exciting endeavor. I ask my colleagues to join me in congratulating this exceptional museum and extend my best wishes for many more successful years to come.●

FAITH LUTHERAN MOCK TRIAL TEAM

● Mr. HELLER. Madam President, I wish to recognize an outstanding achievement by a group of hard-working students at Faith Lutheran Junior/Senior High School in Las Vegas. The Faith Lutheran Mock Trial team has been invited to compete in the Seventh Annual Empire Invitational in New York City, and is the first ever Nevada team to be invited to compete in this mock trial event.

Faith Lutheran's mock trial program is part of the school's justice and advocacy program, which is designed to prepare and equip students for academic and professional paths in public policy, law and advocacy. It is notable achievement to be invited to the Empire Invitational event, which is the only mock trial tournament in the country that hosts schools from Canada, Ireland and the United Kingdom. By competing in this year's tournament, Faith Lutheran's mock trial participants will not only receive invaluable experience applying legal principles, but they will also enhance skills that are critical to their future scholastic and vocational success.

Educational activities such as this mock trial tournament open the door to increased possibilities for young students to make a difference in their communities. Faith Lutheran's mock trial team serves as an admirable example to aspiring students across the Silver State.

This special achievement is the result of many hours of teamwork, effort and preparation. The dedicated students and faculty who are part of Faith Lutheran's mock trial team should be immensely proud of the opportunity to represent their school, and the State of Nevada, at this year's Empire Invitational. I ask my colleagues to join me in commending these exceptional students, and wish them a successful and memorable experience at the tournament.●

TRIBUTE TO BECKY NELSON

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize and congratulate Becky Nelson of Sioux Falls, SD for over 38 years of service with Sanford Health.