

Yes" (1981), which sold 3 million copies; he also taught it to students, especially, from 1979, through his Harvard Negotiation Project. Like all good tools, it got better with use. In any negotiation, he wrote—even with terrorists—it was vital to separate the people from the problem; to focus on the underlying interests of both sides, rather than stake out unwavering positions; and to explore all possible options before making a decision. The parties should try to build a rapport, check each other out, even just by shaking hands or eating together. Each should "listen actively", as he always did, to what the other was saying. They should recognize the emotions on either side, from a longing for security to a craving for status. And they should try to get inside each other's heads.

That was the theory, and Mr. Fisher delighted to put it into practice. At the Geneva summit of 1985, for example, Ronald Reagan on his advice did not confront Mikhail Gorbachev, but sat by a roaring fire with him while they exchanged ideas. More summits followed. A border war between Peru and Ecuador was nipped in the bud when Mr. Fisher advised the president of Ecuador (once a pupil of his) to sit on a sofa with the Peruvian president, and look at a map with him. Interviewing President Nasser of Egypt in 1970, Mr. Fisher asked him how Golda Meir, then Israel's prime minister, would be regarded at home if she agreed to all his demands. "Boy, would she have a problem!" Nasser laughed. He then grew thoughtful, having briefly seen their dispute from her point of view.

The Middle East, which caused him personal grief, also brought his most public success. His principles were used all through the Camp David negotiations of 1978, from the brainstorming over Jimmy Carter's draft of an agreement (23 rewrites) to the moment when Mr. Carter presented Menachem Begin, the Israeli leader, with signed pictures dedicated, by name, to each of Begin's grandchildren. Deeply affected, Begin began to talk about his family. The accords were signed that day.

He had his failures. As a Pentagon adviser in the 1960s he suggested several "yesable propositions" to put to the North Vietnamese; Robert McNamara listened, but not the military brass. In 1967 he had fun trying to nurse the tiny, dusty island of Anguilla to independent statehood, but the experiment was overturned. South Africa possibly satisfied him most: the Afrikaner cabinet and ANC officials, trained separately by him in negotiation workshops, agreeing to end apartheid without resorting to violence.

#### LESSONS FROM THE SOUK

Mr. Fisher's motivation was as clear as his writing. He hated war. His own service had been as a weather reconnaissance officer; in the course of it he had lost his roommate and many college friends. He had also flown often over Japan, harmless morning flights which the Japanese, pre-Hiroshima, had fatally learned to ignore. All those deaths weighed on him.

More light-heartedly, he grew up as one of six children, preferring to strike bargains rather than land a punch. Later on, still bargain-minded, he would stroll the souks of Damascus or Jerusalem, looking to expand his collection of ancient weights. Every one of those pieces represented a tough negotiation successfully concluded. For those who found his principles too idealistic, he could point to age-old haggling tricks he also recommended: pretending not to be interested, refusing to react to pressure, being prepared to walk away.

His most pleasing bargain, though, was the one he made to get his lot on the Vineyard. There he built a glass and shingle house right between the pounding ocean and Watcha Pond, where ospreys nested. When he

first found the place, the owner refused to part with the few acres he needed. He would sell him only the whole property, 60 acres or so, which cost too much. But Mr. Fisher called in friends, they all clubbed together, the deal was agreed; and he spent 50 glorious summers there, in just the sort of sweet, wise, negotiated peace he always wished for the world.

#### REQUEST FOR CONSULTATION

Mr. COBURN. Mr. President, I ask consent that the following letter be printed in the CONGRESSIONAL RECORD.

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

U.S. SENATE,  
November 13, 2012,

Hon. MITCH MCCONNELL,  
Senate Minority Leader,  
U.S. Senate, Washington, DC.

DEAR SENATOR MCCONNELL: I am requesting that I be consulted before the Senate enters into any unanimous consent agreements or time limitations regarding H.R. 6062, Edward Byrne Memorial Justice Assistance Grant Program Reauthorization Act of 2012.

I support the goals of this legislation and believe state and local law enforcement agencies are a vital part of the criminal justice system in this country. However, I believe the responsibility to support, fund, and hold accountable state and local law enforcement agencies lies with the states and local communities these brave law enforcement officers serve. Furthermore, while I do not believe this issue is the responsibility of the federal government; if Congress does act, we can and must do so in a fiscally responsible manner. My concerns are included in, but not limited to, those outlined in this letter.

While this bill is well-intentioned, it could cost the American people approximately \$800 million per year for 5 years without corresponding offsets, totaling \$4 billion. Furthermore, with the exception of the extra stimulus funding in 2009 through the American Recovery and Reinvestment Act (ARRA), the Byrne Justice Assistance Grant Program (JAG) has never received funding at the level authorized in this legislation. According to the Congressional Research Service (CRS), JAG funding has averaged \$461 million per year since its first appropriation in FY 2005, and appropriations have actually been trending downward since that time. Without including the 2009 ARRA funding, the most Congress has ever appropriated to Byrne JAG in a single year is \$546 million in FY 2009. I recognize this legislation reduces the overall authorization for the Byrne JAG program; however, I do not believe this reduction is sufficient to address the growing federal spending problem in this country.

It is irresponsible for Congress to jeopardize the future standard of living of our children by borrowing from future generations. The U.S. national debt is now over \$16 trillion. That means over \$51,000 in debt for each man, woman and child in the United States. A year ago, the national debt was \$14.7 trillion. Despite pledges to control spending, Washington adds billions to the national debt every single day. In just one year, our national debt has grown by \$19 trillion or 8.8%.

In addition to these fiscal concerns, there are several problems specific to this legislation. First, the Byrne JAG program dupli-

cates other sources of federal funding. State and local governments can use Byrne JAG funds for projects in seven different purpose areas: (1) law enforcement programs; (2) prosecution and court programs; (3) prevention and education programs; (4) corrections and community corrections programs; (5) drug treatment programs; (6) planning, evaluation, and technology improvement programs; and (7) crime victim and witness programs. Several of these broad purpose areas are already covered by other federal grant programs including Community Oriented Policing Services (COPS), Second Chance Act grants, drug and mental health court grants, and the Debbie Smith DNA Backlog Grant program, among others.

Second, Congress, particularly the Senate, has not performed sufficient oversight of the Byrne JAG program to justify its reauthorization at this time. Before reauthorizing this or any program, Congress should perform oversight to determine how a grant program is performing, evaluate how grantees use federal funds, measure the results of the program, and analyze whether there are other federal programs funding the same purposes. In my federal deficit reduction plan, Back in Black, I noted that critics on the right and left, along with the Department of Justice Office of the Inspector General, agree Byrne JAG experiences waste, fraud, and abuse in a variety of ways and should be reformed. Thus, I do not believe Congress should blindly reauthorize this program without oversight through a detailed review of its policies and practices.

Finally, I do not believe the federal government has the authority under the Constitution to provide federal funds to state and local governments for use on state and local criminal justice systems. Article I, Section 8 of the Constitution enumerates the limited powers of Congress, and nowhere are we tasked with funding or becoming involved with state and local criminal issues.

There is no question state and local law enforcement play a vital role in maintaining order and safety in many communities. However, I believe this issue is the responsibility of the states and not the federal government. Despite these constitutional limitations, if Congress does act in this area we should evaluate the program as most American individuals and companies must do with their own resources; we should review current programs, determine any needs that may exist, and prioritize those needs for funding by cutting from the federal budget programs fraught with waste, fraud, abuse, and duplication.

Sincerely,

TOM A. COBURN, M.D.,  
United States Senator.

#### WYOMING TAXPAYERS ASSOCIATION

Mr. BARRASSO. Mr. President, I rise today to submit for the RECORD a document that I think everyone in this body should consider.

There is no question that our Nation is facing a challenging financial future.

Our country needs real leadership to recognize the problems that we are facing and address them directly.

For 75 years, my home State has benefited from the knowledge and expertise of the Wyoming Taxpayers Association. The Wyoming Taxpayers Association has fought for transparency, equity, balance, and stability for Wyoming taxpayers.

There is no question that the U.S. Tax Code is a mess and in need of serious reform.

As we look to address our debt crisis and reform the Tax Code, we should take a responsible, sensible approach to taxation.

The Wyoming Taxpayers Association's "Cornerstones of Taxation" provides an excellent foundation that we should consider as we debate the future of the U.S. Tax Code.

I ask unanimous consent to have printed in the RECORD the Wyoming Taxpayers Association's "Cornerstones of Taxation."

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

WYOMING TAXPAYERS ASSOCIATION'S  
"CORNERSTONES OF TAXATION"

Justification:

Is there a justified need for the tax and is it fiscally prudent?

Are existing government funds spent efficiently before considering a new tax?

Is the primary goal of the tax to generate revenue or does it modify behavior or influence policy?

Equity:

Does the tax impose equal and uniform liabilities upon similarly situated taxpayers?

Is the tax constitutional?

Does the tax disadvantage one taxpayer over another?

Balance:

Does the tax result in diversification in taxation?

Does the tax influence decisions regarding spending, saving or investing?

Does the tax concentrate a financial burden on a few and will the tax distort economic behavior?

Stability:

Is the tax stable and predictable under changing political, economic, regulatory and environmental conditions?

Transparency:

Is the tax visible, accountable and auditable?

Is the tax easy to understand, administer and cost effective to collect?

Zedek has played a vital role, not just for Michigan Jews, but for the community at large. Even more important than its high profile events with high-level speakers and guests is Shaarey Zedek's 150 years of day-in, day-out service to faith, community and humanity.

Shaarey Zedek has played a vital role in Jewish cultural and political life. It is no coincidence that, as the threat of Nazi Germany rose, Shaarey Zedek hosted one of the most important meetings of American Jews in the May of 1938, warning Americans about Hitler's threat to European Jews and to international security and strongly advocating for Jewish emigration to Palestine to escape Hitler's clutches. And in later years, Shaarey Zedek was one of America's leading voices in support of oppressed Jews in the Soviet Union.

It was Shaarey Zedek where Detroit Tigers slugger Hank Greenberg attended services on Yom Kippur of 1934, in the midst of the American League pennant race, receiving a standing ovation from the congregation, serving as a powerful symbol of Jewish identity, and, as he later put it in his autobiography, pleasing his relieved parents.

Like any religious institution, Shaarey Zedek has first and foremost been a touchstone of faith. Congregation Shaarey Zedek is one of America's most respected synagogues.

Of particular importance to me is the congregation's longstanding dedication to tolerance, not just in matters of faith, but in all matters of conscience. At times of strife and conflict in Michigan and the Nation, and in the face of discrimination or oppression, Shaarey Zedek has consistently served as a voice of reason, peace, understanding and equality.

So this anniversary is important to the Jewish community, and the larger community. But it also means a lot to me personally. Congregation Shaarey Zedek is where my brother and I were bar mitzvahed. It is the spiritual home of many who are dear to me, and to the community of which I am a proud member. I know my colleagues will want to join me in congratulating all those who have made Congregation Shaarey Zedek such an important institution for 150 years, and who will carry that tradition forward in the decades to come.

ADDITIONAL STATEMENTS

TRIBUTE TO SHERIFF KEITH  
FERGUSON

• Mr. BOOZMAN. Mr. President, today I wish to honor Benton County sheriff Keith Ferguson, who is retiring after more than four decades of dedication to safety and law enforcement.

Serving for 32 years with the Arkansas State Police, with more than half of those years as supervisor of Carroll and Benton Counties, Keith made a career out of helping the people of Arkansas.

In 2003 he became the sheriff of Benton County, a position he still holds today. In the past 10 years he has proven his commitment to keeping Arkansans safe. I have worked with Sheriff Ferguson and other community leaders during the institution of the 287(g) Program with Immigration and Customs Enforcement, commonly known as ICE. This local, State, and Federal cooperation has played a key role in combating illegal immigration in Northwest Arkansas.

Keith also helped create a child internet pornography investigation unit to help keep our children safe and has championed the use of inmate labor to help the county through programs such as Habitat for Humanity and the Northwest Arkansas Food Bank.

As sheriff of Benton County, he has improved outreach to children and the elderly and efficiency in the office with upgraded technology and improved equipment and employee training.

Keith's commitment to safety has been recognized at the State level, earning the Arkansas State Police Commendation Award for his heroics in apprehending a suspect and the Northwest Community Valor Award for his role in capturing three prison escapees.

I congratulate Sheriff Keith Ferguson for his outstanding achievements and success in law enforcement, and I ask my colleagues to join me in honoring him on his retirement. I wish him continued success in his future endeavors. Benton County is a better place to live thanks to his years of service and leadership to Arkansas.●

RECOGNIZING THOMPSON-  
MARKWARD HALL

• Mr. HOEVEN. Mr. President, today I wish to recognize the 125th anniversary of Thompson-Markward Hall, formerly known as the Young Women's Christian Home. Thompson-Markward Hall is located on Capitol Hill, directly across from the Senate Hart Building, and has long served as a temporary home for young women studying or working in our Nation's Capital, including many who have interned or worked in congressional offices.

Thompson-Markward Hall was founded in 1833 by Mary G. Wilkinson. Wilkinson, who was grieving the death of her daughter, recognized the need to create a safe housing option for young women moving to Washington seeking employment, and he began housing two young women in her Capitol Hill home. The need for additional space soon led to the securing of a new location at Fifth Street, NW, where the early years of the home were funded through the generosity and hard work of Wilkinson, her friends, benevolent merchants, and other community members.

In 1887, the Young Woman's Christian Home was chartered by Congress and incorporated to provide temporary housing for young women coming to

150TH ANNIVERSARY OF  
CONGREGATION SHAAAREY ZEDEK

Mr. LEVIN. Mr. President, on Oct. 27, many of my fellow Michiganders gathered to recognize an event of enormous historical and cultural significance to our State: the 150th anniversary of Congregation Shaarey Zedek in the City of Southfield, just outside my hometown of Detroit.

For a century and a half, from its humble beginnings in Detroit to its emergence as one of the most important and influential institutions in the American Jewish community, Shaarey