

## PHIL PEARCE TRIBUTE

**HON. SCOTT R. TIPTON**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 2011*

Mr. TIPTON. Mr. Speaker, it is a great honor to rise in remembrance of Mr. Phil Pearce, for his service in the Air Force, as well as in the National Guard. Mr. Pearce was a true patriot and a man of tremendous character.

Born in Wilson, North Carolina in 1953, Mr. Pearce received his commission as a Second Lieutenant through the U.S. Air Force Academy in 1975, and he later received his Master's degree from UCLA.

During his military career, Mr. Pearce flew B52's at Barksdale Air Force Base in Louisiana, and served with the Louisiana National Guard. He also built artillery shells, missiles, jets, and infrared technologies for the U.S. military and our allies. Mr. Pearce was also a great businessman who constructed the largest pharmacy distribution systems in the world.

Mr. Pearce and his wife Christine Pearce have three children, Sean, Shannon, and Brandon.

Mr. Speaker, Mr. Phil Pearce is an ideal embodiment of service and passion for his country. He will be fondly remembered.

## BUDGET CONTROL ACT OF 2011

SPEECH OF

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, August 1, 2011*

Mr. KUCINICH. Mr. Speaker, S. 365, the Budget Control Act of 2011, is a landmark in American history, but for the wrong reasons. It is a fake solution to a phony crisis. It provides for a radical transformation of the structure of government. It is an attack on the principle of government of the people. All this in the name of fiscal accountability.

The choice we have today, default or dismantling of the social compact through draconian spending cuts, is a false choice. The President could have simply told Congressional leaders back in December of last year that the debt ceiling was not negotiable, and invoked the 14th Amendment as a backstop.

The "debt crisis" was spurred on by credit rating agencies of dubious integrity threatening a downgrade of the nation's credit unless the government cut spending. Most of the cuts are guaranteed to hurt those who live at society's margins, while S. 365 protects the investor class whose interests are served by the rating agencies.

Unelected credit ratings agencies like Standard and Poor's, the self-declared arbiter of U.S. Government creditworthiness, must themselves be subjected to a new level of scrutiny absent in the run-up to the Wall Street crisis. The credit raters helped to create that crisis too by procuring business through selling rating marks. The very idea that the sovereign United States must genuflect to dishonest rating agencies is antiquated and counterproductive to America's economic recovery.

This bill fails on its own terms, which are allegedly about fiscal accountability. The debt has three main drivers:

The first is the recession. If we want to reduce the debt, we have to stimulate the economy, which is hobbled by a jobless recovery. America has 14 million people out of work. We have over \$3 trillion of infrastructure which must be replaced or rebuilt. We should be investing in America, rebuilding America, stimulating the American economy, priming the pump of our economy instead of capping our economic water well. Our GDP is lagging. This bill cuts nearly \$3 trillion in government spending, which is one of our main tools for fighting the recession. So much for the recovery. So much for putting America back to work.

The second reason for the size of the debt is the Bush tax cuts. This bill fails to end the Bush tax cuts for the rich, which added a trillion dollars to the deficit. Not only are the wealthy not paying a fair share of the taxes but their privileged position is locked in, to the detriment to the rest of the society. This single action makes clear that this bill is a vehicle for the rich to get richer and the poor to get poorer.

That working Americans are being offered a tax holiday is one of the cruel ironies of this bill in that the tax holiday adds more to the deficit on one hand, while requiring cuts to pay for it on the other. Those very cuts will undermine the social and economic position of those whom the tax holiday is alleged to help.

The third reason for the size of the debt is the wars. This bill fails to realize savings from ending the wars. Instead it continues the wars in Iraq and Afghanistan at current funding levels for at least another 10 years. According to the Congressional Budget Office, CBO, "The caps would not apply to spending for the wars in Afghanistan and Iraq and for similar activities (sometimes referred to as overseas contingency operations) . . ." If this bill required a slow drawdown of troops as the Reid bill did, it would save at least \$1.2 trillion.

It is inexplicable that we are creating more space for war and less space for jobs, housing, education, caring for our elderly, home heating assistance and a wide range of activities of any government which truly cares for its people.

A policy of no limits for war and hard limits on domestic spending, coupled with hundreds of billions of dollars in tax cuts for the rich, disproportionately affects the poor and middle class. Wall Street has swelled with bailouts, multiple editions of largesse through quantitative easing, skyrocketing executive pay and bonuses, and freedom to gamble the public's money through hedge funds. Main Street has suffered a massive loss of retirement savings, housing security, access to affordable health care, real wages and benefits, full employment and massive loss of small businesses. The wealth of America is being accelerated to the top and this bill pushes that acceleration.

This bill is a direct assault on representative government. The House of Representatives and the Senate consist of 435 and 100 Members, respectively. With the creation of a super-committee, the Congress has been reduced to a czardom where 7 of 12 members are given the power to determine the course of the American economy, with hordes of K Street lobbyists already poised to swoop in to protect their narrow interests against \$1 trillion in deficit reduction measures.

The Congressional committee and subcommittee process, with its membership composed of individuals with expertise in specific areas, is designed to encourage thorough consideration of measures which affect the lives of hundreds of millions of Americans. This process is now abandoned. Abandoned with it is the intent of the founding Fathers when they established the House of Representatives specifically to avoid such a dangerous concentration of power. The super-committee is poised to cut Medicare, Medicaid and Social Security while limiting accountability.

We could have avoided this hostage-taking if the President chose to apply his expertise in Constitutional law to invoke the 14th Amendment of the Constitution to raise the debt ceiling. Instead, we are taking America from the New Deal of 1932 to the Raw Deal of 2011. We should be focusing on strengthening Social Security, Medicare and Medicaid and creating jobs. The Democratic Party is running away from its traditional role of protecting the poor, the elderly, and the working class. To whom do these groups now turn?

## A TRIBUTE TO MR. OLEG SMURYGIN

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 2011*

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Mr. Oleg Smurygin for his continued contribution to the health care initiatives of his community.

Mr. Smurygin was born to a middle class Jewish family to Yuriy and Bella Smurygin on April 7, 1966, in Kiev, Ukraine. He attended school in Kiev from 1973 until 1983, when he was recruited into the army for 2 years. Mr. Smurygin served as a Sergeant in the army from 1985 until 1987 under Special Forces by the border of China, Khabarovsk City. Once Mr. Smurygin was discharged in 1987, he attended the University of Kiev, where he graduated with a Bachelors Degree in the Arts in 1991.

In 1992, Mr. Smurygin and his family decided to relocate to the United States as refugees. He supported his family working at Victoria Memorial Hospital in Brooklyn, New York as a full time regular security guard. With more experience, Mr. Smurygin was promoted to shift supervisor and eventually to Director of Security in 2006. Spending over 10 years at Victoria Memorial Hospital, he was awarded Victory Memorial Hospital 10 Year Award of Excellence.

When the Victory Memorial Hospital closed its doors in 2009, Mr. Smurygin headed to the PAIN Institute as a Business Manager.

Mr. Speaker, I urge my colleagues to join me in recognizing the life and accomplishments of Mr. Oleg Smurygin.

## PROCLAMATION

**HON. HENRY C. "HANK" JOHNSON, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 2011*

Mr. JOHNSON of Georgia. Mr. Speaker,

Whereas, thirty two years ago a virtuous woman of God accepted her calling to serve at the Department of Agriculture in Atlanta, Georgia; and

Whereas, Ms. Regenia A. Roberts began her career with the Department of Agriculture as a Stenographer in 1979 and today retires as a Lead Investigative Technician; and

Whereas, this phenomenal woman has shared her time and talents, giving the citizens of our District a friend to help those in need, a fearless leader and a servant to all who wants to insure that the system works for everyone; and

Whereas, Ms. Regenia A. Roberts is a cornerstone in our community that has enhanced the lives of thousands for the betterment of our District and Nation; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Ms. Regenia A. Roberts on her retirement from the Department of Agriculture and to wish her well in her new endeavors;

Now Therefore, I, HENRY C. "HANK" JOHNSON, Jr. do hereby proclaim August 1, 2011 as Ms. Regenia A. Roberts Day in the 4th Congressional District.

Proclaimed, this 1st day of August, 2011.

#### PROVIDING GREATER AUTHORITY AND DISCRETION TO CONSUMER PRODUCT SAFETY COMMISSION

SPEECH OF

**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Monday, August 1, 2011*

Mr. KUCINICH. Mr. Speaker, I rise in opposition to H.R. 2715, a bill which places profits ahead of public health; especially the health of children. Though some flexibility in the Consumer Product Safety Improvement Act's implementation is warranted, this bill goes too far.

According to the Centers for Disease Control and Prevention, CDC, and the Environmental Protection Agency, EPA, there is no safe level of exposure to lead. Even the most minute exposures, including so-called "trace" amounts, have enduring health effects. Lead has many of the same chemical properties as calcium, which is why the body takes it up and deposits in the brain and in bone. However, once lead enters the brain, it doesn't leave. Commonly seen health effects of lead exposure include delays in neurological and physical development, learning disabilities, hyperactivity, lower IQ, hearing loss, reduced attention span, and extremely aggressive behavior. A growing body of research links criminal activity to exposure to lead, which stands to reason given this list of effects.

This bill provides industry with several exemptions from the law and enhances its ability to self-regulate, an approach that has already proven to fail to protect public health. First, the bill exempts all products from the lead standards contained in the Consumer Product Safety Improvement Act except children's products. Though children are disproportionately susceptible to lead exposure, it is a disproven myth that adults are not susceptible. Adults

suffer many of the same effects which are harder to detect because there are no programs to test blood lead levels, BLL, in adults.

This bill sets forth a series of harmless-sounding criteria to be used to grant specific exemptions that facilitate exposure to lead. If a company decides it wants to manufacture a product that can only be made with dangerous amounts of lead, that is now perfectly acceptable. In exchange, that company would need to show that the product is unlikely to be eaten, even though most lead exposure actually occurs through habitual hand-to-mouth activity after hands come into unwitting contact with the vast array of consumer products that contain lead. That company would also need to show that blood lead levels—of children only—would not be affected. That is not a difficult hurdle since blood only remains in the body for about two weeks before it is expelled or taken up into the brain or bone, where it is nearly impossible to detect.

This bill also gives manufacturers the ability to initiate a petition to exempt their products, without any way to prevent the well-worn tactic of applying for so many exemptions, and submitting so much information, much of which is meaningless, that the agency is effectively paralyzed with work. Worse, the bill allows the CPSC to make decisions about exemptions based solely on information submitted by the manufacturer. It is an inherent conflict of interest to turn over the burden of proof of harm to the company that stands to profit handsomely if no harm is proven. Citizens, advocates, and the CPSC do not have the resources to be able to generate enough information arguing against exemptions to match the volume of applications and information the manufacturers will put out. Chemical companies have been using this tactic for decades to push toxic chemicals through the approval process.

The bill also contains blanket exemptions for narrow interests like off-road vehicles, bicycles, books, and magazines, even though the products are meant for children and most Americans would be surprised to learn that they contain lead at all.

There is a balance to be struck between unnecessarily burdensome regulations and protection of public health. This bill fails to strike that balance.

#### MEMBERS CALL FOR COMMUTA- TION OF POLLARD SENTENCE

**HON. BARNEY FRANK**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 2011*

Mr. FRANK of Massachusetts. Mr. Speaker, yesterday, August 1, I spoke on the floor to renew a request that I made along with 38 of my colleagues that the President commute the long prison sentence of Jonathan Pollard. None of us condone Mr. Pollard's espionage, and we do not ask that he be pardoned for his crime. We do believe that he has already served a much longer sentence than is close to that served for any comparable offense, and we believe that both compassion for an individual and the interests of strengthening American-Israeli ties in a way that can contribute to important decisions being made that

can advance the peace process call for his commutation.

Mr. Speaker, I ask that the text of the letter and the list of signatories be included in today's RECORD.

CONGRESS OF THE UNITED STATES,  
Washington, DC, November 18, 2010.

PRESIDENT BARACK OBAMA,  
The White House,  
1600 Pennsylvania Avenue, Washington, DC.

DEAR MR. PRESIDENT, We write to urge you to use your constitutional power to extend clemency to Jonathan Pollard, thereby releasing him from prison after the time he has already served. Mr. Pollard committed serious crimes and he has expressed remorse. Such an exercise of the clemency power would not in any way imply doubt about his guilt, nor cast any aspersions on the process by which he was convicted. Those who have such views are of course entitled to continue to have them, but the clemency grant has nothing to do with that.

We believe that there has been a great disparity from the standpoint of justice between the amount of time Mr. Pollard has served and the time that has been served—or not served at all—by many others who were found guilty of similar activity on behalf of nations that, like Israel, are not adversarial to us. It is indisputable in our view that the nearly twenty-five years that Mr. Pollard has served stands as a sufficient time from the standpoint of either punishment or deterrence.

In summary, we see clemency for Mr. Pollard as an act of compassion justified by the way others have been treated by our justice system. We urge you to use the clemency power in this case.

Sincerely,

Rep. Barney Frank; Rep. Bill Pascrell, Jr.; Rep. Edolphus Towns; Rep. Anthony Weiner; Rep. Henry A. Waxman; Rep. Gary L. Ackerman; Rep. Gregory W. Meeks; Rep. Maurice D. Hinchey; Rep. Michael E. McMahon; Rep. Janice D. Schakowsky; Rep. John W. Olver; Rep. Eliot L. Engel; Rep. Theodore E. Deutch; Rep. Robert A. Brady; Rep. Donald M. Payne; Rep. Shelley Berkley; Rep. Jerrold Nadler; Rep. Carolyn B. Maloney; Rep. Steven R. Rothman; Rep. Ron Klein; Rep. Raúl M. Grijalva; Rep. Steve Kagen; Rep. Carolyn McCarthy; Rep. Chaka Fattah; Rep. John Lewis; Rep. Frank Pallone Jr.; Rep. Charles B. Rangel; Rep. Robert C. "Bobby" Scott; Rep. Laura Richardson; Rep. James A. Himes; Rep. Brad Sherman; Rep. Patrick J. Kennedy; Rep. Bennie G. Thompson; Rep. John J. Hall; Rep. Sheila Jackson Lee; Rep. Eleanor Holmes Norton; Rep. Robert E. Andrews; Rep. Danny K. Davis; Rep. Niki Tsongas.

#### A TRIBUTE TO DR. MARK GLADSTEIN

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, August 2, 2011*

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Mr. Mark Gladstein for his ongoing ability to serve his community by providing advanced health care options.

Dr. Mark Gladstein is a founder and a medical director of Brooklyn's leading pain management facility, Pain Institute of New York.