

HONORING ALFRED MULLER,  
AROSA ARSHAD, DIMITRI JONES,  
EBONEE PADILLA, AND  
ESTEFONIA YACTAYO FOR WIN-  
NING THE HONORING OUR FU-  
TURE LEADERS COMPETITION

### HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 24, 2010*

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge five students in my district, Alfred Muller, Arosa Arshad, Dimitri Jones, Ebonee Padilla, and Estefonia Yactayo, from Brentwood High School.

These students will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, they wrote their own rendition of the "I Have a Dream" speech delivered by Martin Luther King, Jr.

I am proud to honor Alfred, Arosa, Dimitri, Ebonee and Estefonia for their academic and personal achievements and congratulate them upon the receipt of this prestigious award.

REGARDING: MR. AMIGO 2009,  
VINCENTE FERNANDEZ, JR.

### HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 24, 2010*

Mr. ORTIZ. Madam Speaker, I rise today to recognize Mr. Vicente Fernandez, Jr., a Mexican Charro, actor and singer, who has been named Mr. Amigo 2009 in Brownsville, Texas, for the Charro Days Fiesta celebration.

Mr. Fernandez has been a lifelong supporter of the Mexican arts and culture through his love for mariachi music as well as being a traditional Charro. These important attributes make him the appropriate Mexican representative for our festivities.

Brownsville, Texas, located in Deep South Texas on the U.S.-Mexico border, is a unique subtropical area of this country—rich in its history and culture. For more than 70 years, this unique celebration, which brings the United States and Mexico together during the week-long events, has continued to attract thousands of people to the Rio Grande Valley.

Mr. Amigo, who has to be a Mexican citizen who has done extensive work in the arts and culture while promoting the bi-cultural, bi-literate, and bi-national efforts of the United States and Mexico, is the attraction of the week-long festivities.

Mr. Vicente Fernandez, Jr., son of the renowned Mr. Vicente Fernandez, an iconic Mexican singer, grew up close to the spotlight seeing his father sing and perform. At a young age, Mr. Vicente Fernandez, Jr. appeared on-stage as a performer at the Teatro Blanquita in Mexico City. He went on to later appear and perform at the El Million Dollar Show in Los Angeles, California.

He has appeared in numerous Mexican films with his father, and together they have recorded several albums, including "El Mayor de los Potrillos" in 2001 and "Vicente Fernandez hijo con Mariachi" in 2002.

In 2006, Mr. Vincent Fernandez, Jr., debuted in Mexico with his show of horses that are trained to gallop while he sings and the mariachi band plays.

In 2009, he fulfilled one of his dreams, showcasing his music at a sold out Palacio de los Deportes, an indoor sports complex in Mexico City, where he sang and performed.

I am humbled that Mr. Vicente Fernandez, Jr., a proven Mexican ambassador of the arts and culture, was able to join our community of Brownsville to celebrate the Charro Days Fiesta.

I ask my colleagues to join me in recognizing the work, leadership, vision and efforts of Mr. Vicente Fernandez, Jr., to promote the arts and culture, which make him an extraordinary Mr. Amigo 2009.

### INTRODUCTION OF THE UNITED STATES PAROLE COMMISSION AUTHORIZATION ACT OF 2010

### HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 24, 2010*

Ms. NORTON. Madam Speaker, today, I introduce the United States Parole Commission Authorization Act of 2010 to permanently authorize the United States Parole Commission (USPC). This bill is intended to prevent a replay of a narrowly averted catastrophe in 2008, when Congress nearly failed to temporarily reauthorize the USPC before its authorization expired. Since 1992, Congress has temporarily reauthorized the USPC five times. Now that the USPC has continuing responsibilities for Federal and District of Columbia Code Offenders, it is important to stabilize this important public safety agency with the same kind of authorization as other Federal law enforcement agencies.

The first three-year reauthorization of the USPC began when the Sentencing Reform Act of 1984 (SRA) abolished Federal parole and replaced it with determinate sentencing, requiring a sentencing judge to impose a fixed term of supervised release that is served by offenders after completing their prison terms. In order to accommodate Federal offenders convicted of crimes while parole was still in effect, the SRA called for the USPC to remain in existence until November 1, 1992, and the USPC has been temporarily reauthorized five times since then. Today, the agency grants, denies or revokes parole from Federal offenders who are not otherwise ineligible for parole, and makes determinations regarding supervised release for others.

The USPC, however, has had important new responsibilities for more than 10 years. To help alleviate a serious financial crisis in the District of Columbia, and at the city's request, the National Capital Revitalization and Self-Government Improvement Act (Revitalization Act) transferred the responsibility for, and the costs of, certain state functions from the District to the Federal Government, including the transfer of responsibility for D.C. Code Offenders from the D.C. Board of Parole to the USPC. The Revitalization Act also eliminated parole in the District, and instituted the District's version of determinate sentencing, similar to the Federal system. The USPC's duties with respect to D.C. Code Offenders vary according to the date on which the crime at issue was committed. For D.C. Code Offenders who committed crimes before August 5, 2000, and are not otherwise eligible for parole,

the USPC is currently responsible for granting, denying or revoking parole, and making determinations regarding supervised release. For D.C. Code Offenders who committed crimes after August 4, 2000, and who are sentenced to a determinate sentence of imprisonment followed by a term of supervised release, the USPC is responsible for making determinations regarding supervised release.

The USPC also has other ongoing duties. These responsibilities include granting or denying parole for United States citizens convicted of crimes in a foreign country who elect to return to the United States to complete their sentences, parole-related functions for certain military and state offenders, and decision-making authority over state offenders who are on state probation or parole and are transferred to Federal authorities under the witness security program.

Today, however, most of the USPC's day-to-day work involves District of Columbia Code Offenders. As of September 2009, the USPC had or will have responsibility for approximately 2,500 Federal offenders and approximately 9,500 D.C. Code Offenders. Eventually, the USPC will have jurisdiction over almost no Federal offenders, but will continue to have jurisdiction over D.C. Code Offenders.

There are two primary reasons for permanently extending the life of the USPC. First, as then-Attorney General Ashcroft reported to Congress in 2002, "there is no District of Columbia or federal agency, other than the USPC, with the staff, procedures, and infrastructure in place to effectively assume the functions of the USPC." And, as Edward F. Reilly Jr., then-Commissioner of the USPC similarly pointed out in his 2008 statement before the Subcommittee on Crime, Terrorism and Homeland Security, there is no other entity with the statutory authority to do so.

Second, and most important, the failure to extend the life of the USPC raises serious due process and ex post facto issues for offenders. In addition to its other provisions, the SRA requires the USPC, before its expiration, to schedule a release date for all parole-eligible offenders. Thus, without an extension, the USPC would be required under federal law to set release dates for all parole-eligible Federal prisoners, within 3 to 6 months before its expiration, or face due process challenges for a failure to set such release dates. This requirement could mean an arbitrary adjustment of prisoners' release dates, as well as the stripping of inmates of their right to contest their release dates, to periodic review and modification of those release dates, and to an earlier release date, after the USPC went out of existence.

This issue has already arisen. In a case before the Federal Third Circuit Court of Appeals in 2008, the petitioner argued that with the expiration of the USPC at the end of that year, and the "winding up" provision in the SRA requiring the USPC to set a release date for offenders within 3 to 6 months before the USPC's expiration, the USPC's decision to set a reconsideration hearing date instead of a release date violated the SRA. In response, the U.S. Attorney did not refute this claim but argued that Congress would likely extend the USPC, rendering moot the petitioner's claim that his right to the setting of a firm parole release date before the USPC's expiration had been violated. The Third Circuit then directed the U.S. Attorney to provide information regarding the pending expiration of the USPC

and the likelihood of its extension. Responding to this directive, the U.S. Attorney argued that the costs of failure to reauthorize the USPC were so high, and the constitutional issues so serious, that reauthorization was essentially guaranteed. "Congress itself has expressed concern over potential ex post facto problems that a failure to authorize might create," the U.S. Attorney wrote, relying on language from the legislative history of the Parole Phaseout Act of 1996. "Constitutional requirements, specifically the ex post facto clause, necessitate the extension of the commission or the establishment of a similar entity authorized by statute to perform its functions."

The Third Circuit crisis in 2008 led Congress to reauthorize the USPC just in time, but only for another 3 years. The ordeal dealt a serious blow to the USPC. This year, we seek to obtain reauthorization not only well ahead of time, but to avoid a ritualistic reauthorization of a permanent law enforcement agency every 3 years. It will be particularly important to bear in mind that the close call the USPC had in the Third Circuit, could be repeated in the other 11 circuits. It is clear that a timely, simple reauthorization would have been beneficial to all concerned—the USPC, Congress, and the courts. I ask Congress to permanently extend the USPC to ensure the smooth and constitutional operation of the Federal and District of Columbia criminal justice systems.

HONORING VALERIE KUTZLER  
AND AUDREY ZAMICHAH FOR  
WINNING THE HONORING OUR  
FUTURE LEADERS COMPETITION

### HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 24, 2010*

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge two students in my district, Valerie Kutzler and Audrey Zamichaw, from East Islip High School.

Valerie and Audrey will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, they wrote their own rendition of the "I Have a Dream" speech delivered by Martin Luther King, Jr.

I am proud to honor Valerie and Audrey for their academic and personal achievements and congratulate them upon the receipt of this prestigious award.

EXPRESSING APPRECIATION FOR  
REPRESENTATIVE DALE KILDEE

SPEECH OF

### HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 23, 2010*

Mr. PETERS. Mr. Speaker, I rise here today to honor Congressman DALE KILDEE on the occasion of his twenty thousandth vote.

Congressman KILDEE has proudly represented Flint area residents in Michigan's State House, State Senate and U.S. Congress for over 46 years.

Only missing twenty seven votes during his thirty three years in Congress, with a large portion of those during a hospital stay, Con-

gressman KILDEE has been nicknamed the "Cal Ripken of Congress". His strong work ethic demonstrated in his exceptional voting record has also translated into many legislative victories.

Throughout his career, Congressman KILDEE has been a champion for children, from serving as a local high school teacher, to Chairman of the House Page Program, to working to establish child protection measures and additional development programs for children as a Member of Congress.

As a senior member of the Education and Labor Committee, and as the Democratic Chairman of the Congressional Auto Caucus, Congressman KILDEE has been a tireless supporter of auto workers in Michigan and around the nation, helping to establish worker retraining programs and new job opportunities. Through these efforts, Dale was able to establish a Job Corps Center in Flint to provide vocational and academic training for young people with the goal of helping them to improve their own quality of life.

I am proud to serve alongside my good friend DALE KILDEE, who has been a fighter for the people of Michigan; from his avid protection of our Great Lakes, to his support for worker protection laws and support of children's education. DALE has served as a mentor to me throughout my career in Michigan public office and I am proud to call him a friend, and happy to be able to congratulate him on the occasion of his 20,000th vote here in the House of Representatives.

HONORING CONGRESSMAN  
CHARLIE WILSON

### HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 24, 2010*

Mr. QUIGLEY. Madam Speaker, I rise today in honor of Congressman Charles Wilson, who passed away on February 10th, 2010. Representative Wilson was a great statesman who served the 2nd Congressional District in Texas from 1972–1996.

Charles was born in a small town in Texas, where he developed a deep sense of pride as a Texan and a strong dedication to the American way. As a young man he served in the United States Navy where he rose through the ranks and was given the privilege to serve as part of a Soviet Union nuclear intelligence unit based out of the Pentagon. While serving in the military, 27-year-old Charles was able to effectively run for and win the office of State Representative in his native Texas. This began a 12-year political career in Texas that earned him the nickname "liberal from Lufkin".

In 1972, Wilson was elected to the U.S. House of Representatives, where he became most recognized for his role in the dismantling of the communist Soviet Union's occupation of Afghanistan. He deeply believed in the sovereignty of the Afghani people and was able to use his influence on the House Appropriations Subcommittee on Defense to help provide the funding for their liberation. Although the media has primarily focused on his accomplishments abroad, Charles always maintained Lufkin, Texas as one of his number one priorities. Some of his greatest domestic accomplishments include the creation of the 100,000-acre

Big Thicket National Preserve and the Lufkin VA Hospital.

Madam Speaker, Charles Wilson was a political giant who brought his Texas-sized gusto for democracy and his passion for serving the American people to our Nation's capitol. He will be greatly missed not only by his wife and sister, but by the American people.

HONORING CHRISTINA CAPUTO  
FOR WINNING THE HONORING  
OUR FUTURE LEADERS COM-  
PETITION

### HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 24, 2010*

Mr. ISRAEL. Madam Speaker, I rise today to acknowledge a student in my district, Christina Caputo, from Half Hollow Hills West High School.

Christina will receive the Honoring Our Future Leaders Award on February 27, 2010. To win this award, she wrote her own rendition of the "I Have a Dream" speech delivered by Martin Luther King, Jr.

I am proud to honor Christina for her academic and personal achievements and congratulate her upon the receipt of this prestigious award.

RECOGNIZING GREG FIRST OF  
ZEPHYRHILLS, FLORIDA

### HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 24, 2010*

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor Greg First of Zephyrhills, FL. For most of his life, Greg has been a faithful servant to his community, volunteering himself to many causes which have helped to enrich the lives of many.

Born to Jimmy and Mary First in Bedford, Ohio, Mr. First moved to Zephyrhills with his family at the age of ten. After graduating from Zephyrhills High School, he attended the University of Maryland and served in the United States Air Force from 1968 to 1972.

Mr. First has volunteered himself, quite literally, having donated a total of 16 gallons of blood while Director of Public Relations for Blood Net, in addition to volunteering for Meals on Wheels, Relay for Life, and a local hospice. He has kept up the spirits of Zephyrhills residents as an announcer for Main Street parades and high school football games. A three-time president of the Chamber of Commerce, Mr. First has been a Christian Radio DJ, a lifetime Am Vet member, and he even started his own local news website, "What's Up Zephyrhills?"

Madam Speaker, on February 26, the city of Zephyrhills will honor Greg's achievements. I ask you to join me today to honor him on the floor of the House. May we all give back to our communities as much as Mr. First has.