EXTENSIONS OF REMARKS

A PROCLAMATION RECOGNIZING FRANK A. FREGIATO

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, October 3, 2005

Mr. NEY. Mr. Speaker:

Whereas, Frank A. Fregiato is a dedicated citizen worthy of merit and recognition; and

Whereas, Frank A. Fregiato was recently presented with the Law Enforcement Commendation Medal; and

Whereas, Frank A. Fregiato should be commended for his excellence and devotion in the field of law enforcement and for establishing the Live Courts to Our High Schools program.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in honoring and congratulating Frank A. Fregiato for his outstanding accomplishment.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

SPEECH OF

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes:

Mr. POMBO. Mr. Chairman, Section 12(g) of H.R. 3824 clarifies that the operator of a water storage reservoir, water diversion structure, canal or other artificial water delivery facility is not liable for ''take'' of listed aquatic species that is attributable to recreational sportfishing programs managed by a State agency. Over the past several decades, the stocking of sport fish by State agencies has contributed to the decline in populations of native fish. Sport fish frequendy prey upon native fish and compete with native fish for food, breeding habitat and other essential resources. Nevertheless, State operated programs to stock these fish in river systems continue. Likewise, there are continuing adverse effects to native fish resulting from earlier State operated programs which introduced sport fish into the streams. In recent years, some federal agencies have attempted to impose the responsibility for ''take'' of listed native fish resulting from the presence of sport fish in the streams on operators of water storage reservoirs, canals, water diversion structures and other artificial water delivery facilities in the river basin. These operators have been faced with demands that they take on the financial burden of ''mitigating'' for the loss of native listed fish, even though this loss is attributable to the introduction of sport fish under programs managed by State agencies. Section 12(g) makes clear that the operators of water storage reservoirs, water diversion structures, canals and other artificial water delivery facilities are not liable for take of listed native fish under these circumstances, and are not responsible for implementing or financing mitigation measures to offset this take.

HONORING THE PERFORMING RIGHTS ORGANIZATION SESAC ON ITS 75TH ANNIVERSARY

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, October 3, 2005

Mr. COOPER. Mr. Speaker, I rise today to commend the perfomling rights organization SESAC for 75 years of service to the creative forces in music. We in Music City U.S.A. are grateful to SESAC for its continuing work on behalf of the songwriters and publishers who make music happen.

SESAC, which is based in my district in Nashville, has been a valuable force in protecting the rights of songwriters and publishers by defending copyrights against infringement and ensuring that artists receive the royalties they are due. Over the years, the many distinguished artists that have relied on SESAC to protect their artistic creations have included such singer-songwriter legends as Robert Johnson, Bob Dylan and Neil Diamond, Tennessee artists Arlos Smith, Sam and Annie Tate, and Jo Nichols, jazz luminaries Cassandra Wilson and Steve Coleman, R&B/Hip-Hop songwriters Bryan-Michael Cox, Swizz Beatz, and Teddy Riley. SESAC's musical library also includes such classics as Sweet Caroline, I'll Fly Away, and Forever Young, and renowned musicians such as Garth Brooks, U2, LeAnn Rimes, and Luciano Pavarotti, perform songs written by SESAC artists all over the world.

In addition to its representation of songwriters and publishers, SESAC should also be commended for its work to foster public awareness on the importance of copyright protection and the damage done by piracy. As part of the Music United Coalition, SESAC took an active role in the debate surrounding the legality of file-sharing, which was the subject of a recent Supreme Court case. This year, SESAC also sponsored the first Recording Arts Day in Washington, which gave lawmakers an opportunity to leam about the many complex and controversial issues surrounding the music business.

On behalf of my constituents in the Fifth District of Tennessee, I commend SESAC for its years of service and advocacy on behalf of the Nation's songwriters and music publishers, and wish the organization a happy 75th anniversary.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill. (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes:

Mr. UDALL of Colorado. Mr. Chairman, I rise in strong support of this bipartisan substitute.

I am a supporter of the Endangered Species Act, but I have never rejected the idea of changing it. On the contrary, I have repeatedly said that I thought it would be possible to improve the way it was implemented.

So, I regret that I was unable to support H.R. 3824 as ordered reported by the Resources Committee.

I support much of the thrust of the original bill. I support putting more emphasis on recovery plans and on steps to provide incentives for landowners and other private parties to help with recovering species.

And the Resources Committee did make improvements in the original bill.

For example, the committee approved my amendment to retain protections for species listed as ''threatened'' and an amendment I offered with the gentleman from New Mexico, Mr. PEARCE, to authorize the U.S. Fish and Wildlife Service to compensate ranchers for livestock lost to an endangered predator that has been reintroduced into the wild.

Unfortunately, though, other needed amendments were not approved—and as a result I concluded that the bill's defects were still so numerous and so serious that it should not be approved without further changes.

Now, with this substitute, we can keep the best parts of the bill as reported—including the authorization for reimbursement for livestock losses—and make the further improvements that will make it into one that deserves approval by the full House of Representatives.

Like the bill as reported, the substitute, with identical language, will eliminate the critical-habitat provisions of current law that have done relatively little to protect species and so much to foster lawsuits ,and red tape.

And the substitute includes the same language as the bill as reported to codify and expand on regulations ensuring that land owners who enter into conservation agreements with the Fish and Wildlife Service won't be required to do more if circumstances beyond their control change.

But the substitute goes further than the bill as reported by requiring the government first to do as much as possible on public lands to conserve species before it acts to put that burden on private land owners. This is a very important provision that will directly benefit landowners, especially in Colorado and other