

## EXTENSIONS OF REMARKS

### ENDANGERED SPECIES ACT REFORM

**HON. WILLIAM M. THOMAS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 11, 1998*

Mr. THOMAS. Mr. Speaker, I rise today to introduce three bills which will reform the Endangered Species Act and restore sensibility and reasonableness to a system that has run amok. Each bill is targeted toward narrow problems of the Endangered Species Act.

The Fair Process Reform bill will ensure open and equal access to information relied upon by Federal agencies when making decisions on endangered species. Perhaps the single worst complaint I have heard about the current Federal system is that the people who are directly affected by government decisions and bear the burden and cost of compliance are left out of the decision process. From their point of view it is "taxation without representation". Landowners are now stuck with paying the cost of preserving species; yet, they do not have access to the same information held by the Federal government and their input is ignored.

My bill includes provisions for an open access to the public for scientific studies and underlying study data. It also replaces the secret listing process with an open hearing so landowners can participate in the decision making process, and landowner representatives can cross-examine agency personnel and experts. My bill also includes provisions to improve the scientific basis of government decisions such as a minimal information requirements for petitioners, peer review of multiple scientific studies used to support listing or government action, and economic impact analysis of its actions required for listings.

The Fair Land Management Reform bill will ensure that the government pays for obligations it imposes on landowners. This bill includes a provision to compensate landowners for significant government takings. Rural landowners like farmers bear most of the burden for protecting species that society wants to protect; yet, these landowners are the least able to bear that burden. It has become too easy for so-called environmentalists to make "someone else pay" for environmental causes. It's time for society to step up and pay for environmental causes. It's time for society to step up and pay for what it wants.

I also include a provision that limits the mitigation requirements that can be imposed by government. Without proof of any actual species on the land, the Federal government can and does routinely require a landowner to "mitigate" for land use by purchasing other land to relocate or otherwise create habitat for species. Often, several acres of land must be bought for every one acre a landowner wants to use. It doesn't stop there. A landowner must often manage the new "biology project" for the government by putting up fences and hiring biologists for years to look after the

habitat. My bill would limit how much mitigation the government can require.

The Liability Reform bill will stop unfair government penalties against landowners. Rural landowners are frustrated enough at having their lands confiscated for government use. It adds insult to injury when no species are even on the land, yet the government continues to impose these onerous burdens and even the threat of penalties of landowners. Criminal and civil penalties should be limited to actual and intentional takings of an endangered species, not accidental or hypothetical ones. Moreover, if the government knows of a violation occurring, it should warn landowners and give the opportunity to correct the violation through mitigation or repair. My bill includes provisions to do this. My bill also includes "Safe harbor" and "No surprises" provisions to end the string of broken promises and added obligations put on landowners by the government.

The Endangered Species Act needs to be reformed now. My bills are a fair and balanced response to the tragic failures of the current system. I look forward to presenting my bills at House hearings and rapid passage of these bills.

### A SPECIAL TRIBUTE TO THE DEFIANCE HIGH SCHOOL MARCHING BAND OF CLASS FOR THEIR PARTICIPATION IN THE 1999 TOURNAMENT OF ROSE PARADE

**HON. PAUL E. GILLMOR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 11, 1998*

Mr. GILLMOR. Mr. Speaker, I rise today to pay special tribute to an outstanding group of young men and women from Ohio's Fifth Congressional District. The Defiance High School Marching Band of Class.

On January 1, 1999, the Defiance High School Marching Band of Class will be participating in a very special event. On that date, they will be participating in the 1999 Tournament of Roses Parade in Pasadena, California. This is truly a wonderful experience and quite an accomplishment for these talented young people from Ohio's Fifth District. Each January, the parade takes place in conjunction with a plethora of activities surrounding one of the most celebrated athletic contests in all of sports and entertainment—the Rose Bowl.

Historically speaking, the Rose Bowl, the "Grand Daddy of Them All," pits the Big Ten Champion against the winner of the PAC Ten. And, in future years, could very well be the site of college football National Championship Game. I cannot think of a better script than to have the DHS Marching Band of Class in attendance for the entire experience surrounding the Rose Bowl and Tournament of Roses Parade.

The pageantry comradery, pomp, and ceremony that encompass the Rose Bowl and the Tournament of Roses Parade, truly makes

these two enjoined events among America's most wholesome and celebrated gatherings. I cannot think of a more representative, respected, and talented group of young men and women to be Northwest Ohio's ambassadors to the 1999 Tournament of Roses Parade and the Rose Bowl.

Mr. Speaker, the DHS Marching Band of Class is just that—a class organization. From the students who work and train so hard, to the parents and teachers who assist them along the way, the Defiance High School Marching Band of Class is world-class, and in a category all to itself. I urge my colleagues to stand and join me in paying special tribute to the Defiance High School Marching Band of Class, and in wishing them the very best at the 1999 Tournament of Roses Parade. We are very proud of your honors and achievements. Good Luck!

### POUDRE VALLEY HOSPITAL

**HON. BOB SCHAFFER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Friday, September 11, 1998*

Mr. BOB SCHAFFER of Colorado. Mr. Speaker, during the most recent district work period, the Poudre Valley Hospital opened its doors with an invitation to speak with administrators and view the first-rate care the hospital provides to the residents of Fort Collins.

Built 70 years ago, the Poudre Valley Hospital has grown with the community to become a regional medical provider with 27 staff specialties, 1,888 employees, and a multitude of special services serving communities in northern Colorado, southern Wyoming, and western Nebraska. The hospital maintains a Level 2 regional trauma center, a regional heart center, a regional neurosciences center, and a regional orthopedic program in addition to standard hospital services. Through affiliations with smaller clinics throughout its service region, the hospital is able to provide comprehensive care to many people. As a non-profit entity, Poudre Valley also sustains community programs for the poor, the elderly, and the general population.

While proud of the success and growth experienced by the hospital, administrators are frustrated by the Medicare system which comprises 42% of their business. Not only does the Medicare system provide inadequate reimbursement, its labyrinthine regulations make it difficult to work within the system. Regulations and supplemental information bound in black books fill the administrator's cabinets. Additionally, government workers and intermediaries often have different interpretations of the rules or no clear answers at all to the hospital's questions.

Medicare must be reformed. The burdens and inefficiencies of Medicare must also remind us that any attempt to socialize any other facet of health care must be resisted. There is a better way.

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