

IN TRIBUTE TO THE MEMORY OF
VESTER EUGENE SHULER

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 2007

Mrs. MUSGRAVE. Madam Speaker, I rise to pay tribute to the memory of Vester Eugene Shuler whose warm heart and love of music touched many lives in Colorado. Gene was born in Choestoe, GA, and first came to Colorado when he was 13 years old to work in the sugar beet fields in Weld County. He traveled back and forth between Georgia and Colorado frequently in his early years and later raised his family in North Park Colorado.

Gene spent summers working in Colorado while attending school in Georgia. He proudly served in the United States Army and was sent to Germany in 1945. During his tour of duty he was a mechanic who supervised a garage. He returned home to Georgia to marry his sweetheart Loujine Young on July 17, 1948.

The young couple soon headed west and spent time working and living with Gene's brother Grady and his wife Ethel. They later moved to North Park where Gene worked as a welder and mechanic with Ozark Mahoney. A labor strike closed the mine and sent the young family to California to spend some time with relatives. They soon returned to North Park, living in Coudrey, Pine Springs and finally Walden. Gene worked for the Wilford Garage, Cooper Motors and the Sigma Coal Mines.

Music played a large part of Gene's life. As a young boy Gene stuttered. He began playing music at a young age; it gave him a way to say things he couldn't make out in words. He realized that he could do with music what he couldn't do with words. He knew when it was time to start the music and what music everyone loved to hear. If you knew him at all, then he knew your favorite song. He truly loved the time he shared with the people he cared about.

Gene and Loujine raised 2 children, Carl Shuler and Gwen Hanson. They were blessed with 5 grandchildren and 6 great-grandchildren. They enjoyed traveling and visited Georgia, Florida, Texas, California, Wyoming, Arizona and many places in between.

Gene's life was a lesson in how to enjoy life, honor God, care for others, face difficulties with courage, and make a positive impact on the world. I am proud to honor Gene, a precious veteran, who is the embodiment of all the values that have molded America into the great Nation it is today. May God bless his family, may God bless our veterans, and may God bless America.

RECOGNIZING JUSTIN COLBY
SCHULTZ FOR ACHIEVING THE
RANK OF EAGLE SCOUT

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 2007

Mr. GRAVES. Madam Speaker, I proudly pause to recognize Justin Colby Schultz, a very special young man who has exemplified

the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, and in earning the most prestigious award of Eagle Scout.

Justin has been very active with his troop, participating in many Scout activities. Over the many years Justin has been involved with Scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community.

Madam Speaker, I proudly ask you to join me in commending Justin Schultz for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATING THE COLORADO
ROCKIES ON WINNING THE NA-
TIONAL LEAGUE CHAMPIONSHIP

SPEECH OF

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, December 17, 2007

Mr. UDALL of Colorado. Mr. Speaker, I rise today in support of this resolution congratulating the Colorado Rockies on their National League Championship and first-ever franchise appearance in the World Series.

The entire Colorado delegation joined me in introducing the resolution, and it is now co-sponsored by more than 50 other Members of Congress. I greatly appreciate their support.

The Rockies defied the odds this year by making it to the World Series, capturing the best hopes of Coloradans and giving us all a reason to cheer for their success. Despite a tough loss to a great team in the Boston Red Sox, we remain proud of the Rockies' efforts and astonished at their historic rise to the top of the National League.

Toward the close of the season, the Rockies were the underdogs in the National League pennant race. The challenge of making the playoffs seemed as large and daunting as the mountain range for which the Rockies were named, but the team maintained an optimism and competitive spirit that kept them alive long after commentators had written them off. Winning 21 of their last 22 games prior to the World Series—an unprecedented feat in baseball history—the Rockies rolled over expectations and swept the Arizona Diamondbacks in the NLCS.

The World Series proved to be a bigger challenge than the Rockies could surmount, and they lost in four games to a very talented Red Sox team. Despite the losses, the Rockies carried themselves with dignity and true sportsmanship, giving Coloradans something to be proud of.

As the father of two young athletes I can say that the way the Rockies carried themselves is a tremendous example for our young people. We would have loved to have seen the Rockies bring home a victory this year, but, as Red Sox outfielder Manny Ramirez said during the ALCS, there's always next year. I know I am not alone in looking forward to watching some great Rockies baseball in the future.

I urge all our colleagues to join me in congratulating the Colorado Rockies on a great season and in thanking them for serving as great examples of professional athletes practicing sportsmanship.

THE "PERFORMANCE RIGHTS ACT"
OF 2007

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 18, 2007

Mr. BERMAN. Madam Speaker, today, I join my colleagues in both the House and the Senate in introducing "The Performance Rights Act" of 2007. This legislation is a first step at ensuring that all radio platforms are treated in a similar manner and that those who perform music are paid for their work.

This narrowly tailored bill amends a glaring inequity in America's copyright law—the provision in section 114 that exempts over-the-air broadcasters from paying those who perform the music that we listen to on AM and FM radio. For as long as I have been working on the intellectual property subcommittee, I have been troubled by this policy that sets America apart from every other developed country in the world. The purpose of the bill is to take a necessary step towards platform parity so that any service that plays music pays those who create and own the recordings—just as satellite, cable, and internet radio stations currently do.

I understand that this legislation raises some difficult political issues. Several people have expressed some very legitimate concerns—like the need to accommodate small broadcasters, the possibility of jeopardizing the revenues earned by songwriters and music publishers, or expanding the scope of the law governing music played in restaurants and other public venues. So let me begin by clarifying how we have narrowly tailored this legislation—

(1) The bill repeals the current broadcaster exemption—but it does not apply to bars, restaurants and other venues, or expand copyright protection in any other way.

(2) The bill provides an accommodation of protection for small and non-commercial broadcasters by setting a low flat annual fee with no negotiation, litigation or arbitration expenses. Nearly 77 percent of existing broadcasting stations in this country—including college stations and public broadcasters—will pay only a nominal flat fee, rather than having to pay a percentage of their revenues as royalties.

(3) The bill extends copyright protection to artists, musicians, and the sound recording labels—it does not harm or adversely affect the revenues rightfully paid to songwriters and other existing copyright owners.

For over 20 years I have been convinced that fairness mandates that all those in the creative chain from the artist, musicians and others who bring the recording to life—get compensated for the way they enrich our lives. The U.S. is the only developed country in the world that does not require privately owned over-the-air radio stations to compensate those performers who create the music that broadcasters use to attract the audience that generate their ad revenues. Because of music, radio is able to profit. Not compensating those who create the music is unfair and ultimately harmful to music creation that benefits everyone—including the broadcasters. Furthermore, the law requires all other platforms in the U.S., including satellite and Internet radio, to compensate the copyright owner.