burden on the defense budget. They say these costs detract from our ability to respond effectively to more serious potential threats from Iraq and North Korea. Some even suggest the U.S. no longer has the capability to face down another Iraqi invasion of Kuwait.

While I believe the combat readiness of our armed forces needs improvement, I think comments about a ''hollow military'' are overstated. Military operations abroad have led to low readiness ratings in three of the Army's 12 divisions and placed strains on other elements of the force, such as airlift. These trends must be promptly reversed. Even so, we still have by far the best-equipped and best-trained military in the world. The transition to a more mobile force is involving painful adjustments in personnel, base closings and cancellations of new weapons systems. Yet, a recent report authored by a former Army Chief of Staff concluded that readiness is acceptable in most areas.

Improving the readiness of U.S. forces should be the top budget priority for defense spending. Congress, with my support, has taken several steps this year toward this objective. These steps include: protecting military pay raises to ensure retention of high quality personnel; increasing overall spending on operations and maintenance, the key Pentagon account for readiness; increasing spending on airlift and sealift capabilities, which allow our forces to respond quickly to overseas threats in the Persian Gulf and elsewhere; boosting training support for battalion-sized units; promoting ''interservice'' cooperation in combat and other missions, as evidenced by the joint Army-Navy effort in Haiti; and enhancing battlefield weapons systems. I will continue to support efforts to maintain our readiness. I think the military's humanitarian and peacekeeping operations must not be permitted to bleed the Pentagon's budget.

CONCLUSION

The U.S. must be careful about picking and choosing its military missions, so that U.S. forces do not become overextended. We cannot and should not commit U.S. forces to every trouble spot in the world. The key test is whether U.S. interests are threatened. Maintaining the readiness and morale of our military requires that we identify the interests we are prepared to defend by force, while using other means, including coalitions with our friends and allies, to deal with lesser threats to the U.S. national interest. A combat ready American military is essential to our national security.

RETIRED DISABLED LAW ENFORCEMENT OFFICERS' COUNSELING NETWORK

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. TRAFICANT. Mr. Speaker, I rise today to reintroduce an important piece of legislation that I sponsored in the 103d Congress that would establish a national retired disabled law enforcement officers' counseling network, and I urge my colleagues to become cosponsors.

We call on police officers in emergencies. We trust them with our lives, families, and homes. Day in and day out most of us take them for granted to ensure our safety. Yet few of us truly appreciate the overwhelming stress, both mental and physical, that they endure in order to serve us. But there has never been a national proposal to give disabled retired police officers the psychological counseling they may need. Until now.

Too often, retired disabled police officers suffer from depression, feelings of isolation, uncertainty of their futures, and worsening medical conditions. With appropriate counseling, many of these officers will learn to cope with their new lives and some will be able to obtain meaningful employment.

My legislation would establish up to eight officer counseling centers throughout the United States to provide counseling to retired disabled officers and members of their immediate families. Any retired disabled Federal, State, county, city law enforcement officer, or special agent would be eligible to participate in this innovative and necessary program.

I ask all Members to help those who have helped us. Please cosponsor this important legislative initiative.

THE RESCISSION OF CORPS OF ENGINEERS USER FEES

HON. BILL EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. EMERSON. Mr. Speaker, I rise today to introduce legislation to prevent the U.S. Army Corps of Engineers from collecting so-called user fees at certain facilities maintained and operated by the Corps. Specifically, this bill will repeal section 5001, Title V, of the Omnibus Budget Reconciliation Act of 1993 [OBRA] which authorized the Secretary of the Army to establish and collect fees for the use of developed recreation sites and facilities.

These fees have been part of budget fiction for years. The White House has always proposed these onerous taxes and Congress has always rejected them. Unfortunately, these fees became a reality with the passage of OBRA. Furthermore, there are no guarantees that the revenue from these fees will be used by the Corps of Engineers for the maintenance of its facilities. I believe that with these fees going into general revenue—not the Corps budget—people who want to enjoy the great outdoors actually will end up paying twice, once as a taxpayer and once as a user of Corps facilities.

While these fees, ranging from $3 per vehicle to $25 for a yearly pass, may not seem like a lot, the fact of the matter is that the American public has already paid once for these facilities and their continued upkeep. This, in my opinion, is double-dipping by the Federal Government. My legislation would seek to rescind the fee now required as outlined in OBRA for the use of public recreation areas at certain lakes and reservoirs under the jurisdiction of the Army Corps of Engineers.

It's also important to note that the cost of installing boxes at the collection sites, in some instances, can exceed $25,000 depending on the location of the facility. So we are using operating and maintenance funds from the Corps to build the collection boxes in order to hit up the public for more funds that won't necessarily go to the Corps. It's reprehensible that an agency like the Corps of Engineers will spend its own funds so that it can collect money for the general treasury.

This fee structure, as modest as it may be, sets a dire precedent. Americans who want to go boating, camping, or swimming should not be singled out to foot the bill for more Federal spending. Tourism and other recreational activities throughout the country could be negatively impacted with these fees. Folks simply do not want to pay over and over again for something that is already paid for; nor should they.

REFORM OF THE MINING LAW OF 1872

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 4, 1995

Mr. RAHALL. Mr. Speaker, today I am introducing into the 104th Congress legislation to reform the mining law of 1872. Joining me in sponsoring this measure are GEORGE MILLER of California, CHRISTOPHER SHAYS of Connecticut, BRUCE VENTO of Minnesota, NEIL ABERCROMBIE of Hawaii, PETER DEFAZIO of Oregon and JERRY KLECZKA of Wisconsin.

This bill, the Mineral Exploration and Development Act of 1995, is identical to the version of H.R. 322 which passed the House during the last Congress on November 18, 1993, by a bipartisan vote of 316 to 108. In fact, our new Speaker, the gentleman from Georgia [NEWT GINGRICH], voted for this bill at that time. Unfortunately, last year the House-Senate conference committee on mining law reform was unable to reach an agreement.

Today, with the introduction of this measure, we begin where that historical debate left off. In my view, the advent of a new Congress with a Republican majority does not change the fundamental and bipartisan support that continues to be displayed for reforming the mining law of 1872. Indeed, the fiscal austerity being advanced by the Republican leadership may very well enhance our prospects for gaining enactment of this legislation, which has enjoyed the support of the National Taxpayers Union, during this Congress.

Mr. Speaker, for the benefit of my colleagues, many of whom may be new to this issue, in order to explain this measure perhaps it is best to briefly go back to the year 1872. At the time, Ulysses S. Grant resided in the White House. Union troops still occupied the South. The invention of the telephone and Custer's stand at the Little Bighorn were still 4 years away. And in 1872 Congress passed a law that allowed people to go onto public lands in the West, stake mining claims, and, if any gold or silver were found, produce it for free.

In an effort to promote the settlement of the West, Congress said that these folks could also buy the land from the Federal Government for $2.50 an acre.

That was 1872. This is 1995, Yet, today, the mining law of 1872 is still in force.

In 1995, however, for the most part it is not the lone prospector of old, pick in hand, accompanied by his trusty pack mule, who is staking those mining claims. It is large corporations, many of them foreign controlled, who are mining gold owned by the people of the United States for free, and snapping up valuable Federal land at fast-food hamburger prices.

Remaining as the last vestige of frontier-era legislation, the mining law of 1872 played a role in the development of the West. But it also left a staggering legacy of poisoned streams, abandoned waste dumps, and maimed landscapes.

Obviously, at the public's expense, the western mining interests have had a good thing going all of these years. But the question has to be asked: Is it right to continue to allow this speculation with Federal lands, not to require that the lands be reclaimed, and to permit the public's mineral wealth to be mined for free?

Today, anybody can still go onto Federal lands in States like Nevada and Montana and stake any number of mining claims, each averaging about 20 acres. In order to maintain the mining claim, until very recently all that was required was that the claimholder spend $100 per year to the benefit of the claim. In the event hardrock minerals such as gold or silver are found on the claim, they are mined for free. There are no requirements that a production royalty be paid to the Federal Government.

It is incredible, but true, that an estimated 1.8 billion dollars' worth of hardrock minerals are annually mined from Federal lands in the Western States in this fashion. Yet, the Federal Government does not collect one penny in royalty from any of this mineral production.

Under the mining law of 1872, claimholders can also choose to purchase the Federal land being claimed. They can do this by first showing that the lands have valuable minerals, and then by paying the Federal Government a mere $2.50 or $5.00 an acre depending on the type of claim. This is called obtaining a mining claim patent. Perhaps a good feature in 1872, when the Nation was trying to settle the West. But today there is hardly a need to promote the additional settlement of L.A., San Francisco, or Denver.

Recently, for example, a mining company received preliminary approval to obtain 25 of these patents covering about 2,000 acres of public land in Montana. This company will pay the Federal Government little more than $10,000 for land estimated to contain 32 billion dollars' worth of platinum and palladium.

Moreover, once the mining claim is patented, nothing in this so-called mining law says that it has to be actually mined. The land is now in private ownership. People are free to build condos or ski slopes on it.

For example, a couple of years ago the Arizona Republic carried a story about a gentleman who paid the Federal Government $155 for 61 acres' worth of mining claims. Today, these mining claims are the site of a Hilton hotel. This gentleman now estimates that his share of the resort is worth about $6 million.

Claimholders can also mine these Federal lands with minimal reclamation requirements. The only Federal requirement is that when operating on these lands they do not cause ''unnecessary or undue degradation.'' What does this term mean? It means that they can do whatever they want as long as it's pretty much what all of the other miners are doing. And who will pay the bill for this abuse? Check over the Superfund National Priority List and you will learn the answer.

I might add that the issue of mining law reform does not deal with coal, or that matter, oil and gas. These energy minerals, if located on Federal lands, are leased by the Government, and a royalty is charged. Further, mining law reform does not deal with private lands. The scope of the mining law of 1872 is limited to hardrock minerals such as gold, silver, lead, and zinc on Federal lands in the Western States. That is also the scope of this reform bill.

In brief, the legislation we are introducing today would prohibit the continued give-away of public lands. It would require that mining claims be diligently developed. It would impose a royalty on the production of valuable minerals extracted from Federal lands. And, it would require industry to comply with some basic reclamation standards.

Again, this legislation is identical to the bill which passed the House last year by a bipartisan 3-to-1 margin.

Mr. Speaker, I receive many calls in my office on the issue of mining law reform. When people learn that today, in 1995, gold and silver is still mined off public lands for free, they are, naturally, incredulous. The question is often asked: How come Congress has not done anything to reform the mining law yet?

Frankly, as the Member who commenced this current effort to reform the mining law back in 1987, I, too, am incredulous that this law continues in force in a manner basically unchanged from its 1872 origins. Historically, the western hardrock mining industry has been successful in blocking any and all congressional reform initiatives. Lately, however, I have noticed an increasing sentiment within the more progressive element of the industry to settle this matter once and for all. Perhaps 1995 will be the year in which the voice of this element of the industry will become the dominating voice of the industry overall.

For the benefit of my colleagues, following I offer a brief history on the effort to reform the mining law of 1872:

HISTORY OF MINING LAW REFORM

The genesis of mining law reform dates back to 1879, seven years after the enactment of the Mining Law of 1872. At that time, Congress created the first major Public Land Commission to investigate land policy in the West. One of its major recommendations included a thorough rewrite of the 1872 law which even then was believed by many to undermine efficient mineral development.

Several decades later, in 1908, President Roosevelt created the National Conservation Commission to study Federal land policy in the West, and it, too, made a number of recommendations for reform of the Mining Law. Again, in 1921, a committee appointed by the Director of the Bureau of Mines recommended a series of reforms, developed in concert with mining industry representatives interested in improving the mechanics of the law. These recommendations were embodied in legislation introduced in both houses of Congress and hearings were held in 1922, however, no action was taken at that time.

Following this effort, the next call for reform came at the onset of World War II, when then Secretary of the Interior Harold Ickes endorsed a leasing system for hardrock mining. In 1949, the Hoover Commission on Organization of the Executive Branch of the Government, like the first Public Land Commission, recommended a series of changes to the Mining Law. This effort was succeeded by the President's Materials Policy Commission (the Paley Commission) in 1952 which also recommended revisions, including placing hardrock minerals under a leasing system. Once again, the criticism centered on inefficiencies in mineral development caused by the law.

Between 1964 and 1977 Congress went through another period of debate on mining law reform. The debate became more complex during that time as issues related to abuse and the need for environmental protections were added to the mix. The Public Land Law Review Commission, created by Congress in 1964, made the Mining Law a prominent issue on its agenda. Following issuance of the Commission's report in 1970, Congress debated the issue until 1977, when efforts to reform the mining law collapsed.

After a decade-long hiatus, on June 23, 1987, what was then known as the Subcommittee on Mining and Natural Resources held an oversight hearing on the Mining Law of 1872, initiating the current round of Congressional debate on reform. Subsequently, the Subcommittee held a number of hearings on specific issue areas related to hardrock mining on public lands, such as: hardrock mine reclamation and bonding requirements, abandoned mine land problems, mining claims on Stock Raising Homestead Act lands, uncommon varieties of hardrock minerals, regulation of hardrock mining wastes, and oil shale claims. On September 6, 1990, the Subcommittee on Mining and Natural Resources conducted a hearing on the first reform measure introduced into the House in over a decade, H.R. 3866, sponsored by then Subcommittee Chairman Rahall. This hearing was augmented by several reports produced by the U.S. General Accounting Office at the Subcommittee's request: An Assessment of Hardrock Mining Damage (1988); The Mining Law Needs Revision (1989); Unauthorized Activities Occurring on Hardrock Mining Claims (1990); Patenting of Mining Claims Complies with Law (Oregon Dunes) (1990); and, Increased Attention Being Given to Cyanide Operations (1991).

At the commencement of the 102nd Congress, on February 6, 1991, H.R. 918 was introduced by Rep. Nick Rahall. During the first session of that Congress, the Subcommittee on Mining and Natural Resources held four field hearings on the bill in Denver, Colorado (April 12, 1991); Reno, Nevada (April 13, 1991); Sante Fe, New Mexico (May 3, 1991); and Fairbanks, Alaska (May 25, 1991). Two additional days of hearings were held on the bill in Washington, D.C. on June 18, 1991, and June 20, 1991. On June 24, 1992, H.R. 918 was favorably considered by what was then known as the Committee on Interior and Insular Affairs which reported the bill with amendments by a roll call vote of 26 to 19. The House began floor consideration of the bill, but did not complete action on the measure prior to the adjournment of the 102nd Congress.

At the beginning of the 103rd Congress, on January 5, 1993, Rep. Rahall introduced H.R. 322, which closely mirrored the version of H.R. 918 previously considered on the House Floor. On March 11, 1993, the Subcommittee on Energy and Mineral Resources held a hearing on the bill and on October 28, 1993, the Subcommittee favorably reported the bill as amended. On November 3, 1993, the Committee on Natural Resources favorably reported the bill as amended by a vote of 28 to 14. H.R. 322 was passed by the House on November 18, 1993, by a vote of 316 to 108. Unfortunately, during the 103rd Congress a House-Senate conference committee on mining law reform was unable to reach an agreement.