

\$5.00 per acre, prices set in 1872, without paying a royalty—production fee—on the mining of these minerals to the taxpayer. Since 1872, more than \$245 billion worth of minerals have been extracted from public lands at these bargain-basement prices. Further, a land area equivalent in size to the State of Connecticut has been sold to the mining industry for less than \$5 an acre. Since 1987, when I chaired the Energy and Minerals Subcommittee, I have worked to rewrite this antiquated law, introducing comprehensive reform bills in each successive Congress.

In addition, at my urging, since 1994, and with strong bipartisan support, Congress has placed an annual moratorium on the patenting of mining claim on Federal lands. To be clear, bona fide mining can and does take place on unpatented mining claims. There is no indication or proof that this over one decade ban on the patenting of mining claims has diminished in any respect the actual production of hardrock minerals from unpatented mining claims on western public lands. Yet, the Resources Committee's budget reconciliation recommendations would repeal the moratorium and reinstate patenting—the sale—of these public lands. According to the Congressional Budget Office, this provision would only raise an estimated \$158 million over the next 5 years by patenting public lands for \$1,000 an acre or fair market value of only the surface of the land—far from the true value of the minerals underneath. Let me emphasize that. The Resources Committee provision would allow the sale of potentially mineral rich public lands for the mere cost of the surface estate, completely ignoring the value to the underlying mineral estate. In contrast, an 8 percent royalty on the actual mineral production from mining claims which I have long advocated would raise \$350 million in the same time period. Keep in mind that if one mines coal on Federal lands, the company is required to pay either an 8 percent or 12.5 percent production royalty depending on whether the coal is deep or surface mined. Further, producers of onshore oil and gas on Federal lands pay a 12.5 percent production royalty. But producers of gold, or silver or copper. . . . zero, zilch, nothing.

The Mining Law of 1872 provisions adopted by the Resources Committee without benefit of public hearing also go far beyond just reinstating the much-maligned "patenting" provision. In fact, the provisions would require the Federal Government to sell such public lands to potential buyers, whether or not it is in the public interest to do so. Under the Resources Committee legislation, a prospective purchaser would merely (a) file a mining claim or mill site or "blocks of such claims," (b) present evidence of mineral development work performed on the lands they want to buy totaling at least \$7,500 per claim, (c) pay for a land survey, and (d) show up to get the deed.

As such, under these provisions anyone, including real estate developers and oil and gas companies, could purchase and develop natural areas that are currently important for recreation, wildlife, fisheries or regional drinking water supplies under the guise of a mining law. This would enable oil and gas companies to purchase the land they currently lease from the Federal Government. Not coincidentally, since most Federal oil and gas leases occur on Federal lands not protected by this legislation, this provision would put at risk the rents,

royalties and bonus payments currently collected annually by the Federal Government and shared with the States from onshore oil and gas leases which in fiscal year 2004 totaled \$1.850 billion.

Further, while the Resources Committee legislation would put off-limits to its provisions certain Federal lands, such as National Parks, from location of new mining claims, it does not protect National Forests and Wilderness Study Areas, Areas of Critical Environmental Concern, and other similar areas, even if these other areas have been withdrawn from new mining claim location. For example, there are currently more than 60,000 acres of mining claims in the Tongass National Forest, the largest intact temperate rainforest in the world, which would be available for sale under these provisions. And the Resources Committee provisions do not protect National Parks, Wilderness Areas, and National Wildlife Refuges that have unpatented claims within them. In National Parks alone, there are more than 900 unpatented mining claims that would be subject to sale for \$1,000 per acre if these provisions become law.

In addition, the bill does not require that the lands have been used or will be used for mining. As written, purchasing the land need only facilitate sustainable economic development. Since the term is not defined, sustainable economic development could include condominium construction, ski resorts, gaming casinos, name it. A unanimous Supreme Court said in 1979 that "the Federal mining law surely was not intended to be a general real estate law. The American Law of Mining, the standard industry treatise on the mining law, says that the law does "not sanction the disposal of Federal lands under the mining laws for purposes unrelated to mining." Yet, according to John Leshy, former Solicitor of the Department of the Interior, "Subtitle B is effectively a 'general real estate law' and will put in the hands of corporations, the keys to privatize millions of acres of Federal land."

In order to make it easier to dispose of Federal lands, these provisions would also free the potential buyer from performing "mineral development work" on each unpatented claim or block of claims or millsites. Instead, it states that this type of work should be performed on "the Federal lands identified and submitted for purchase." In other words, the potential buyer need only show that there has been some mineral development work somewhere on the lands being sold. The tracts could be huge because the proposal contains no limit on the acreage or numbers of claims that could be purchased.

Moreover, the provisions so broadly define "mineral development work" as to render it essentially meaningless. It could involve activities that never come close to the land itself; e.g., geologic, geochemical or geophysical surveys, which can be done remotely. It could involve, for example, buying and looking at satellite data, or going through USGS reports; or hiring a consultant to do on-line or library searches. And, it could include environmental baseline studies, or "engineering, metallurgical, geotechnical and economic feasibility studies." Again, consultants doing on-line searches and library work would qualify.

These provisions also prohibit any other fees or fair-market-value assessments to be applied to "prospecting, exploration, development, mining, processing, or reclamation, and

uses reasonably incident thereto"—which would prohibit the government from levying any royalty or other production fee on mining operations.

As a long time advocate of responsible reform of the Mining Law of 1872, after reflecting on these provisions, I find it hard to believe that they would even be supported by responsible elements in the hardrock mining industry. Further, they represent an assault on America's natural resource heritage and to the American taxpayer. And given my history on this issue, I find them personally insulting as well.

In closing, I would note that the following groups, on behalf of the millions of members from across the country, agree with me that these provisions should be deleted from the Resource Committee's portion of the Budget Reconciliation Package: Taxpayers for Common Sense Action, Alaska Center for the Environment, American Rivers, Amigos Bravos Center for Biological Diversity, Center for Native Ecosystems, Citizens for Victor Clark Fork Coalition, Colorado Environmental Coalition Colorado Information Networks for Responsible Mining, Earth Island Institute, Earthjustice, EARTHWORKS, Environmental Protection Information Center, Environmental Working Group, Friends of the Clearwater, Friends of the Earth, Friends of the Panamints, Gifford Pinchot Taskforce, Great Basin Mine Watch, Greater Yellowstone Coalition, Guardians of the Rural Environment, Idaho Conservation League, Indigenous Environmental Network, The Lands Council, Maricopa. Audubon Society, Mining Impact Coalition of Wisconsin, Montana Environmental Information Center, Mount Graham Coalition, National Environmental Trust, National Wildlife Federation, Natural Resources Defense Council, Northern Alaska Environmental Center, Okanogan Highlands Alliance, Oxfam America, Rock Creek Alliance, Save the Scenic Santa Ritas, SHAWL Society, Sierra Club, Silver Valley Community Resource Center, Siskiyou Regional Education Project, Sky Island Alliance, South East Alaska Conservation Council, Southern Utah Wilderness Alliance, Umpqua Watersheds, Westerners for Responsible Mining, Western Organization of Resource Councils, The Wilderness Society, and Women's Voices for the Earth.

I urge my colleagues to join me in recommending that these provisions be stripped from the Budget Reconciliation Package if they are included by the House Budget Committee. America's public lands are held in trust for future generations. They deserve to be protected, not sold off at fire sale prices. American taxpayers deserve to be paid a fair royalty for the minerals taken from public lands, not to be cheated by a bill that sells their land to corporations for much less than its true worth. We can do better.

#### PERSONAL EXPLANATION

**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 3, 2005*

Mr. MILLER of Florida. Mr. Speaker, I would like to offer a personal explanation of the reason I missed rollcall votes Nos. 559, 560, and 561 on November 2, 2005. It was suspension

votes on H.R. 1606, the Online Freedom of Speech Act, H.R. 4061, the V.A. Information Technology Management Improvement Act, and H.R. 1691, the John H. Bradley Department of Veterans Affairs Outpatient Clinic Designation.

MONICA ARMENTA LEAVES KOB-TV CHANNEL 4

### HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 3, 2005*

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to pay tribute to an exceptional New Mexican and journalist, Monica Armenta. She will be leaving KOB-TV Channel 4 to become the new executive director of the Albuquerque Public Schools Foundation.

Ms. Armenta has worked at KOB-TV for over 20 years, beginning as a 19-year-old intern and she has been the morning news show anchor there for the past 15 years. She has always held herself and her colleagues to a higher standard and this has resulted in the exceptional quality of her news coverage.

She has been recognized by numerous awards throughout her career in broadcast journalism. She is the recipient of the Rocky Mountain Emmy Award 1986-87 for her spot coverage of the Global Hilton hot air balloon crash and she was also given the UNM Professional Achievement Award. Ms. Armenta has been selected as one of New Mexico's 40 top influential people under 40 by New Mexico Business Weekly as well as a YWCA Woman on the Move. Ms. Armenta has also been a notable speaker at conferences, awards dinners and schools.

Aside from being a famous and reliable TV anchor that thousands of New Mexicans welcome into their home every morning, Ms. Armenta has shown herself to be a vital leader in New Mexico and her new job with the Albuquerque Public Schools Foundation is a testament of her continued commitment to enhancing her community.

Ms. Armenta has shown her dedication to bettering education and was a former journalism teacher at West Mesa High School. I commend her for embracing her roots in New Mexico and working to improve the educational system that has been such a part of her life. Ms. Armenta told a reporter in July, "I'm a product of APS and I feel it's time for me to give back."

I have enjoyed appearing with Monica on her program "Eye on New Mexico" and have consistently found her news coverage to be smart, informative and reliable. I admire her exceptional ability to balance her roles as a mother, a wife, a journalist and an activist.

Although she will be greatly missed as a journalist, I am certain that she will be a wonderful addition to the APS community. Her energy, intelligence and enthusiasm have always translated into success and I anticipate that her career in the education community will not only be rewarding for her as an individual, but will provide the Albuquerque Public Schools Foundation with a wonderful new voice of leadership. Although the state of New Mexico is losing a valued journalist we are gaining a vocal and significant advocate for the school system.

Mr. Speaker, I ask that my colleagues join me in wishing Monica and her family luck as they embark on this new chapter in their life. Thank you Monica, for your service and contribution to New Mexico.

### HONORING C.J. ENTERPRISES

### HON. ZACH WAMP

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 3, 2005*

Mr. WAMP. Mr. Speaker, I rise today to honor C.J. Enterprises, Inc., for a successful 25 years of service to Tennessee's 3rd Congressional District and our country. Founded in 1980, C.J. Enterprises was created as a consultant service by Mrs. Carolyn Jones, who now serves as the President and CEO. Mrs. Jones is a product of Chattanooga, TN and a graduate of Emory University where she received her degree in health information management. Along with her husband Edward G. Jones, Mrs. Jones has dedicated her career to service in the field of records and information services.

Within its 25 year span, C.J. Enterprises has become one of the premier minority and woman-owned companies in the country providing records and information management services to health care facilities, government agencies, and commercial businesses. C.J. Enterprises has provided exceptional services to customers in over 30 states. The company's growth and success is evident through the numerous awards and accolades for its highly professional and effective services.

C.J. Enterprises is a true example of how dedication, hard work, and commitment can pay off in our nation. Congratulations to C.J. Enterprises, for 25 years of remarkable service to our region, state, and nation.

### ANNOUNCING JEWISH SOCIAL ACTION MONTH

### HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 3, 2005*

Mr. ISRAEL. Mr. Speaker, I rise today in support of the goals and ideals of Jewish Social Action Month.

This first annual Jewish Social Action Month, which is being held in conjunction with the Jewish month of Heshvan, November 3-December 1, 2005, was conceived by Kol Dor, an international group of next-generation young leaders. It is as a result of their vision of encouraging community service and social action that this important initiative is being undertaken around the world.

This month and these days have been selected since they follow Rosh Hashanah and Yom Kippur, the holiest days in the Jewish year. Heshvan follows a time when all Members of the Jewish faith face ourselves, look inward, and cleanse ourselves of all our misdeeds. Then, it is during Heshvan that we look forward to the promise of the New Year.

There is no better way to begin our New Year than by launching into a month-long serious effort to commit to social action. This commitment being made today is not a one-

year-only event. Every year during the Jewish month of Heshvan, Jews around the world will renew our commitment to making this world a better place.

Minister Michael Melchior and Member of Knesset Colette Avital deserve special recognition for their early and strong support for this concept. My Jewish colleagues and Jewish people in many other countries are also launching similar plans in their respective countries from Brazil to Britain.

Additionally, I would also like to make special mention of Kol Dor and the co-chairs of Jewish Social Action Month: Adina Danzig, Executive Director of the Stanford Hillel; Rabbi Gidon Sylvester, assistant to Deputy Minister Michael Melchior; and Yosef I. Abramowitz, CEO of Jewish Family & Life.

I commend the people working to make this goal a reality and urge my colleagues and people of all faiths to participate in community service and commit themselves to the principle of Tikkun Olam, to repairing the world.

### IN HONOR AND REMEMBRANCE OF U.S. MARINE LANCE CORPORAL ROBERT F. ECKFIELD

### HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, November 3, 2005*

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of United States Marine Corporal Robert F. Eckfield of Cleveland, Ohio, who bravely and selflessly heeded the call to duty and made the ultimate sacrifice on behalf of our country.

Family, friends and service to others framed Corporal Eckfield's life. He gained personal strength and faith from those who knew him best and loved him most, especially his mother, Virginia Taylor; father, Robert Eckfield; stepfather, Norman Taylor; brothers and sisters, Nathan, Rachael and Norman; niece Makala; grandparents, Gerald and Doris Eckfield and William and Ruth Taylor; and his girlfriend, Beth Dunkle.

Corporal Eckfield's energetic spirit and expansive heart easily drew others to him. His steadfast focus on serving the public and his leadership abilities were evidenced throughout his life. He attended John Marshall High School and graduated from the Cleveland Christian Academy. Family, friends and service to others were the core components of his life. Corporal Eckfield honorably served three tours of duty.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Corporal Robert F. Eckfield. I extend my deepest condolences to his family members and many friends. The ultimate sacrifice, unwavering service and endless heart that framed his young life will be kept alive in the hearts and memories of everyone who knew and loved him best—his family and friends. Corporal Eckfield's courageous life and legacy of service will be forever honored and remembered by the Cleveland community and by our entire nation.