

bull trout, and pollute rivers, lakes, and drinking water supplies including the famed Clark Fork River and Lake Pend Oreille. Mining is a legitimate use of the public domain. However, due to the pro-mining provisions of the 1872 mining law, the mine proposal outweighs any other consideration: proximity to a wilderness area, endangered species habitat, or degradation of regional water quality.

The Great Basin Mine Watch, a Nevada-based organization, provides another example of local support for mining law reform. This group, along with local officials, is fighting a proposed clay mine that will produce kitty litter. In 2002, the Bush administration intervened in a dispute in Nevada involving a Chicago-based kitty litter company, which was attempting to use the Mining Law of 1872 to circumvent the county's denial of a permit for a mine. The Bush Department of Justice asserted that the county did not have the right to deny the permit because of the 1872 mining law. And, according to the Court, they were right—no Federal statute requires that an operator procure a state or local permit for such operations. In other words, kitty litter rules.

It is time, well past time, that the Congress replace this archaic law with one that reflects our values and goals. Insuring a fair return to the public in exchange for the disposition of public resources, and properly managing our public lands are neither Republican nor Democratic issues. They are simply ones that make sense if we are to be good stewards of America's lands and meet our responsibilities to the American people.

Mr. Speaker, during the years I have labored to reform the Mining Law of 1872 those who defend its privileges—and it is indeed a privilege to be deemed the highest and best use of our public domain lands—have often alleged that reform legislation fails to take into account the contribution of hardrock mining to area economies. They claim that reform would have dire consequences on the industry, that if we did not provide the industry with unfettered access to public lands and public minerals, the industry could no longer survive.

Let me just say at the outset that there is no member in the House of Representatives whose Congressional District is more dependent upon mining for employment and its economic benefits than this gentleman from West Virginia. And when we are talking about the effects of mining, I would suggest that there is little difference between coal mining, or gold mining. The effects, whether measured in terms of employment, or in terms of the environment, are the same.

With that noted, I have engaged in the effort to reform the Mining Law of 1872 these past many years not just for the apparent reasons—valuable minerals mined for free, federal lands available almost for free and no comprehensive federal mining and reclamation standards. But also because I am pro-mining, because I no longer believe that we can expect a viable hardrock mining industry to exist on public domain lands in the future if we do not make corrections to the law today. I do so because there are provisions of the existing law which impede efficient and serious mineral exploration and development. And I do so because of the unsettled political climate governing this activity, with reform if not coming in a comprehensive fashion, certainly continuing to come on a piecemeal basis.

So I say to my colleagues from the western states who resist reform, I understand your

concerns. I have been in your situation. In 1977 I served on what is now called the Resources Committee as a young freshman. I was confronted by legislation being advanced by my chairman, Mo Udall. And I will recall that the coal industry was dragged kicking and screaming into the debate that led to the enactment of the Surface Mining Control and Reclamation Act of 1977.

I voted for that legislation. It was not an easy thing for me to do. But I voted for that bill because in my region of the country we were grappling with a legacy of acidified streams, highwalls, refuse piles, open mine shafts and other hazards associated with coal mining practices. A legacy, I would submit, that we are faced with on lands administered by the Forest Service and the BLM in the western states due to hardrock mining practices.

The fact of the matter is that the gloom and doom predictions made by industry against the federal strip mining act all those years ago did not materialize. Predictions, I would note, that are almost to the word identical to those which industry has leveled at times against this Mining Law of 1872 reform legislation.

Yet, today, the coalfields of this Nation are a much better place in which to live. And today, we are producing more coal than ever before.

Certainly, coal continues to have its controversies, whether they involve mountaintop removal coal mining or the problems we are having with coal waste impoundments. But at least there are laws on the books to deal with those situations.

At least there are in place basic federal mining and reclamation performance standards. At least when one mines coal on federal lands a royalty is paid to the federal government. And at least we are making provision for the restoration of lands left abandoned by past coal mining practices.

None of this exists with respect to hardrock mining under the Mining Law of 1872.

I believe that with enough courage, and fortitude, we can continue to address the problems facing mining, and dovetail our need for energy and minerals with the necessity of protecting our environment.

For at stake here in this debate over the Mining Law of 1872 is the health, welfare and environmental integrity of our people and our federal lands. At stake is the public interest of all Americans. And at stake is the ability of the hardrock mining industry to continue to operate on public domain lands in the future, to produce those minerals that are necessary to maintain our standard of living.

Mr. Speaker, earlier in these remarks I mentioned that this bill is endorsed by 43 organizations. In an April 11th letter to me, they noted: "The real challenge will be to ensure that any mining on public lands takes place in a manner that protects crucial drinking water supplies and other natural resources, special places, taxpayers, fish and wildlife habitat, and the health and well being of our communities. These organizations are as follows:

Alaska Wilderness League; American Rivers; Amigos Bravos; Bear Creek Council; Clark Fork Coalition; Citizens for Victor; Colorado Environmental Coalition; Colorado Wild; Earthjustice Legal Defense Fund; Endangered Species Coalition; Environmental Working Group; Friends of Pinto Creek; Great Basin Mine Watch; Greater Yellowstone Coalition;

Gila Resources Information Project; High Country Citizens' Alliance; Idaho Conservation League; The Lands Council; Maricopa Audubon Society; Mineral Policy Center; Mining Impact Coalition of Wisconsin; Montana Environmental Information Center; Montana Wilderness Association; National Environmental Trust; National Parks Conservation Association; Natural Resources Defense Council; National Wildlife Federation; New Mexico Environmental Law Center; Northern Alaska Environmental Center; Northern Plains Resource Council; Okanogan Highlands Alliance; Rock Creek Alliance; Scenic America; Sierra Club; San Juan Citizens' Alliance; Siskiyou Regional Education Project; Spearfish Canyon Preservation Trust; Taxpayers for Common Sense; Washington Public Interest Research Group; Western Organization of Resource Councils; The Wilderness Society; Women's Voices for the Earth; and U.S. Public Interest Research Group.

TRIBUTE TO DR. JACK L. HOWARD

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2003

Mr. SKELTON. Mr. Speaker, it has come to my attention that a long and distinguished career in the field of education is coming to an end. Dr. Jack L. Howard, of Lebanon, MO, will retire his position as Superintendent of the Lebanon School District on May 30, 2003.

Dr. Howard graduated from Southwest Missouri State College in 1966 with a Bachelor of Science in Education degree. In 1972, he earned his Master of Science in Education from Southwest Missouri State College and his Education Specialist degree from Central Missouri State University. Dr. Howard earned his Educational Doctorate in December 1982 from the University of Missouri, Columbia.

Dr. Howard has had an exceptional career in education for many years. In 1966, Dr. Howard started his educational career at Macks Creek High School as a teacher of Biology, Social Studies, and Physical Education. In August, 1968, he became Macks Creek High School Principal. From 1969–1971, Dr. Howard left the public schools for a position as Personnel Specialist for the United States Army. He returned to the public school sector in 1972 as the Superintendent of Hermitage Public School. In 1974, he became Dallas County Schools' Assistant Superintendent and was promoted to Superintendent in 1976. He served there until 1984, when he became the Superintendent for Marshfield Reorganized School District. From July 1993 until the present, he has served as Superintendent of Lebanon R–3 Schools.

In addition to his dedication to education, Dr. Howard is a member of Lebanon First Baptist Church and the Lebanon Rotary Club. He also is a member of the Southwest Missouri Administrators Association, the Missouri Association of School Administrators, and the American Association of School Administrators.

Mr. Speaker, Dr. Howard has served the field of education for over 37 years. As he prepares for the next stage in his life, I am certain that my colleagues will join me in wishing him all the best.