

105TH CONGRESS
1ST SESSION

H. CON. RES. 119

Expressing the sense of the Congress that the health, safety and general welfare of the residents of the Nation's coalfields should continue to be enhanced by the implementation of the Surface Mining Control and Reclamation Act of 1977 by State and Federal regulatory authorities, and that Congress hereby reaffirms the goals of the Act on its twentieth anniversary, August 3, 1997.

IN THE HOUSE OF REPRESENTATIVES

JULY 23, 1997

Mr. RAHALL (for himself, Mr. MILLER of California, Mr. VENTO, Mr. ROMERO-BARCELÓ, Mr. KENNEDY of Rhode Island, Mr. DEFazio, Mr. ABERCROMBIE, Mr. PICKETT, Mr. ORTIZ, Ms. CHRISTIAN-GREEN, Mr. FALDOMAVAEGA, and Mr. HINCHEY) submitted the following concurrent resolution; which was referred to the Committee on Resources

CONCURRENT RESOLUTION

Expressing the sense of the Congress that the health, safety and general welfare of the residents of the Nation's coalfields should continue to be enhanced by the implementation of the Surface Mining Control and Reclamation Act of 1977 by State and Federal regulatory authorities, and that Congress hereby reaffirms the goals of the Act on its twentieth anniversary, August 3, 1997.

Whereas under the Surface Mining Control and Reclamation Act of 1977 residents of the Nation's coalfields are endowed with the following inalienable rights:

(1) That their private property rights be fully protected from incursions by improper surface and underground coal mining practices undertaken in a manner not in full compliance with the Surface Mining Control and Reclamation Act of 1977, including, but not necessarily limited to, the following—

(A) protection against damage to their homes, farms, water supplies and places of business due to subsidence of the land surface caused by improperly planned or implemented underground coal mining practices,

(B) protection against damage to their homes, farms and places of business due to improper blasting practices engaged in at nearby or adjacent surface coal mining operations, and

(C) protection against damage to their homes, farms and places of business due to the improper disruption of the topographical features of off-permit site areas, giving rise to landslides, erosion and attendant air and water quality deterioration;

(2) That the health, safety and general welfare of coalfield citizens must not be diminished, or threatened, by the failure of State and Federal regulatory authorities to fully and properly implement provisions of the Surface Mining Control and Reclamation Act of 1977

applicable to surface and underground coal mining operations;

(3) That the right of coalfield citizens to enjoy the recreational values of rivers and streams not be diminished by acidic or toxic water pollution due to improperly controlled surface and underground coal mining practices; and

(4) That coal operators, as citizens of the Nation's coalfields, deserve equal protection under the Surface Mining Control and Reclamation Act of 1977 against predatory policies which may be advanced on the State level aimed at providing a competitive advantage for coal producers in one State over those producers in a neighboring State: Now, therefore, be it

1 *Resolved*, That it is the sense of the Congress that
 2 the health, safety and general welfare of the residents of
 3 the Nation's coalfields should continue to be enhanced by
 4 the implementation of the Surface Mining Control and
 5 Reclamation Act of 1977 by State and Federal regulatory
 6 authorities, and that Congress hereby reaffirms the goals
 7 of the Act on its twentieth anniversary, August 3, 1977.

○