

historic, fish, wildlife, and other resources; and

Whereas, The division of minerals and geology in the Colorado department of natural resources, through a cooperative agreement with the Bureau of Land Management, is the lead agency responsible for regulating mining activity on both public and private lands; and

Whereas, Colorado effectively regulates mining operations pursuant to the "Colorado Mined Land Reclamation Act", part 1 of article 32 of title 34, Colorado Revised Statutes, that sets forth very comprehensive permitting, bonding, environmental management, monitoring, and reclamation requirements for hardrock mining activities on both public and private lands; and

Whereas, The Colorado General Assembly strengthened this law in 1993 requiring that mining operators using certain toxic chemicals in mineral extraction meet more stringent standards before receiving authorization to mine; and

Whereas, The United States Department of the Interior, through the Bureau of Land Management, has announced its intention to propose revisions to 43 C.F.R. subpart 3809, that would preempt, conflict with, and duplicate the very effective state program now in place, and replace, it with a plenary federal program that may well lessen the environmental protections available under state law; and

Whereas, In 1998 the United States Congress enacted legislation directing the National Academy of Sciences to perform a study of the adequacy of state and federal laws governing hardrock mining on public lands and submit its findings and recommendations before the Department of the Interior's Bureau of Land Management may finalize changes to regulations under 43 C.F.R. 3809; and

Whereas, Notwithstanding the express mandate of Congress, the Bureau of Land Management proposed revisions to the regulations promulgated under 43 C.F.R. subpart 3809, in February, 1999, before the National Academy of Sciences has concluded, much less submitted, its study and recommendations, and the Bureau of Land Management has failed to consider the National Academy of Sciences' findings or process in fashioning the various regulatory revisions currently awaiting public comment; and

Whereas, Any changes to the regulations promulgated under 43 C.F.R. subpart 3809 must be based upon sound science and compelling policy reasons, and must take into account the findings and recommendations of the National Academy of Sciences' study before the Bureau of Land Management submits its proposal for public comment, yet the comment period on the proposed rules is set to expire on May 10, 1999, before the National Academy of Sciences completes its study of existing laws; now, therefore,

*Be it Resolved by the House of Representatives of the Sixty-second General Assembly of the State of Colorado, the Senate concurring herein:*

1. That the General Assembly calls upon the United States Department of the Interior and the Bureau of Land Management to withdraw the current proposal to amend the federal regulations, 43 C.F.R. subpart 3809 and published at 64 F.R. 6422 on February 9, 1999, governing hardrock mining activity.

2. That the General Assembly calls upon the Bureau of Land Management to await completion of the study currently underway by the National Academy of Sciences of the adequacy of hardrock mining regulations, which must be completed prior to July 31,

1999, and that the Bureau of Land Management refrain from publishing any further changes to the existing rules before it has fully considered the results of the study.

3. That the General Assembly calls upon the Bureau of Land Management, if it decides that further revisions to 43 C.F.R. subpart 3809 are necessary, to fully explain in the preamble to the new regulations how it fashioned its proposals in response to the anticipated findings and conclusions of the National Academy of Sciences' study and give the public at least 90 days to comment on the proposed changes.

4. That the General Assembly opposes changes to 43 C.F.R. subpart 3809 that would preempt the existing Colorado regulatory program or that would duplicate permitting and other requirements.

5. That the General Assembly calls upon the United States Department of the Interior to consider that the mining industry is one of the most heavily regulated industries in the United States and that unreasonable delays in obtaining permits are a significant disincentive to the location of new mines or expansion of existing mines in the United States.

6. That the General Assembly opposes the concept developed as a result of 43 C.F.R. subpart 3809 of using the "Most Appropriate Technology and Practices" which allows the Bureau of Land Management to dictate what type of equipment and technologies are employed by mining operators. Using the "Most Appropriate Technology and Practices" would replace the existing regulatory scheme that requires mining operators to meet performance standards, but allows the individual operators to decide how the individual operator will meet environmental standards.

7. That the General Assembly calls upon the Bureau of Land Management to consider the economic impact on mining and the communities dependent upon mining in Colorado and other states.

8. That the Bureau of Land Management specifically consider the conclusions in the Fraser Report that found that Colorado and many other states were ranked low in investment attractiveness due, in part, to the burden that government regulation imposes on the industry. Colorado received a score of only 24 out of a possible 100 in the Fraser Report.

9. That the General Assembly calls upon the Congress of the United States to impose a moratorium on any appropriations for the continuation or completion of the current rulemaking until the Department of the Interior withdraws the current rulemaking and agrees to fully consider the findings and recommendations of the National Academy of Sciences' study.

*Be it further resolved,* That a copy of this resolution be transmitted to the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, the President of the United States, the Vice-president of the United States, the Secretary of the United States Department of the Interior, the Director of the Bureau of Land Management, and each member of the Colorado Congressional delegation.

#### HURRICANE FLOYD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 5 minutes.

Mr. ETHERIDGE. Mr. Speaker, I rise today to call attention to a dev-

astating storm that hit eastern North Carolina just in the last few days. People in North Carolina urgently need the help of this Congress to respond to one of the worst disasters to hit our State in recent memory.

Hurricane Floyd devastated much of eastern North Carolina from I-95 east, and some even west of it. Much of it was in my district, but some was in four other congressional districts in eastern North Carolina.

Tonight people are in shelters. Their homes are under water. For some of those people, they have lost everything that they own. Some of them are living on the edge. Others have lost their crops, all their crops for this year.

I have had the occasion to visit farms. I went into homes today, I went into one home of a lady where everything she had was on the street. She was inside her house seated in a lawn chair. That was all she had left. She had lost everything she had.

I went to a businessman who had worked all of his life, today. He had five feet of water from a stream that was not in the flood plain. He had paid his taxes all of his life, and tonight he has lost everything, but he was there cleaning out his business.

It is time for this Congress to face up to our obligations. We have helped people around the world. We have helped others in America. We now call on this Congress to help the people in North Carolina and along the Eastern Seaboard who have suffered one of the worst disasters in recent years.

Some parts of our State had as much as 20 inches of water. Tonight that water is still rising in eastern North Carolina. Some Members may have seen on national TV the carcasses of dead animals floating, and homes under water. It is not over. As many as 1 million poultry may be dead and floating, and they are saying now there may be 100,000 or more hogs.

Some of the finest prime farmland in America is in eastern North Carolina. There happens to be a large portion in my district, and a large portion in the district of the gentlewoman from North Carolina (Mrs. CLAYTON), the gentleman from North Carolina (Mr. MCINTYRE) who spoke a few moments ago, and the gentleman from North Carolina (Mr. JONES).

Just yesterday we had the opportunity to travel over eastern North Carolina with the President and a number of his cabinet members, the gentleman from North Carolina (Mr. PRICE), the gentlewoman from North Carolina (Mrs. CLAYTON), and others. We saw the utter destruction and the anguish on people's faces. Yet, they still have hope. They are waiting for us to act.

The latest numbers I have show that we have over 40 people that are now known dead. Yesterday we heard, as

the gentlewoman will remember, in one of the conversations that people went out in the boat checking houses and heard a knock on the roof. They cut a hole in the roof of a house and rescued 11 people and saved their lives. We may find many others who are dead.

That is unfortunate, but the loss in agricultural commodities and to the farm life of our farmers is extensive.

Mr. PRICE of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. ETHERIDGE. I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Mr. Speaker, it was a source of encouragement to our State for the President to come to North Carolina yesterday, as the gentleman has said, and to have Secretary Rodney Slater there from the Department of Transportation, to have our small business administrator, Ms. Alvarez, with us; to have, from the Department of Agriculture, the chief of the National Resources Service, Pearlie Reed.

The President brought a message of hope and of solidarity, pointing out that we are all in this together. This is the kind of disaster that makes us realize we are all one community.

As the gentleman said, the agricultural aspect of this is particularly devastating. The U.S. Department of Agriculture there on the scene in North Carolina has come up with some preliminary figures, now well over \$1 billion in damage estimates. That includes everything from housing to community facilities to watershed protection efforts to emergency conservation programs and crop disaster assistance. It comes to \$1.19 billion, the estimates from North Carolina at this moment. And of course the water has not even receded yet.

Mr. ETHERIDGE. Mr. Speaker, that number does not even approach the number, if we look at the houses that are lost, the businesses that are under water, and it is still rising.

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#### HURRICANE FLOYD

The SPEAKER pro tempore (Mr. ADERHOLT). Under a previous order of the House, the gentleman from North Carolina (Mr. PRICE) is recognized for 5 minutes.

Mr. PRICE of North Carolina. Mr. Speaker, one aspect of this that is going to confront us in the weeks ahead is the environmental disaster that this represents. When we were in the helicopter flying down to Tarboro where the President spoke and where we met with community leaders and people who have been displaced by this disaster, we went to a shelter where people were talking about how difficult it was. They are, of course, happy to be alive; but it is tough in those shelters. The kids get restless. The situation is uncertain. People have no home to go back to in many cases.

But going down there, looking from the air, the unholy stew of hog waste overflowed and municipal systems being overflowed and storage tanks, gasoline storage tanks being uprooted, spilling, it is an awful environmental disaster. The people cannot drink this water. People cannot, of course, have any drainage or any sewage systems.

So it is a disaster that is going to be with us for a long time to come. The cleanup is going to take a long time. It is going to be very expensive. We are going to need our colleagues here to help us with disaster assistance. As this agricultural aid goes through, this very definitely needs to be a part of it.

Mr. ETHERIDGE. Mr. Speaker, if the gentleman will yield, this photograph here I think is one of the photographs taken in eastern North Carolina. The gentlewoman from North Carolina (Mrs. CLAYTON) is here with us, and she was with us yesterday as we went down to Tarboro. I went back today and visited Wilson, parts of Wilson, and into Rocky Mount again and Smithfield.

But in Tarboro yesterday, it was heartening to see people's courage, but it was also heart wrenching to see what they had gone through, the whole town of Smithfield, Tarboro with no water, no sewer, no telling when it will be back up because water has not yet gone down.

Mrs. CLAYTON. Mr. Speaker, if the gentleman from North Carolina (Mr. PRICE) will yield to me, I agree and thank my colleagues for coming to the floor, and I just thank my colleagues for what they are doing so often.

I also visited Wilson today and visited Halifax. I have a map of the 301 that at least a home of 5,000 feet could get in. The railroad was having to be rerouted. The water for schools. I saw at least 50 homes destroyed. I am just coming back from Wayne County where the water has not crested yet.

They are wondering how much they are going to release from the Neuse on Wednesday. They are fearful that the water is going to crest tomorrow. If it released 6,000 cubic feet of water, that goes where? It goes to Wayne County. So we want our colleagues to understand this.

Mr. ETHERIDGE. Mr. Speaker, on the news this morning in Goldsboro, I heard this morning on the news along that point, 14 feet flood stage. The Neuse was supposed to crest today without any release of water right at 30 feet, more than twice flood stage. Water is everywhere. I agree.

Mr. PRICE of North Carolina. Mr. Speaker, reclaiming my time, people talk about 100-year flood. In some areas, this is a 500-year flood. There are areas flooded now that in no one's memory have ever been flooded before. It is unbelievable the extent of devastation, far beyond what could have reasonably been predicted.

Mrs. CLAYTON. Mr. Speaker, I want to just share with my colleagues, the word came from Greenville today that it had to cut all the water off. There

are about 65,000 people that pump there; they were going to lose their utilities. Again, they have not crested. They expect to crest tonight.

What it reaffirms is that we are so interdependent on each other. Someone always lives downstream from somewhere else. So those who are living downstream are beginning to see the manifestation of what it means to have the water come.

There are just thousands of people who are in shelters in Halifax. In fact, there are about 6,000 in Pitt County, about 5,000 in Edgecombe County. I visited today in Wilson, as the gentleman did. Some of the people in Wilson are actually taking people from Greene county as well as Pitt. We find neighbors helping neighbors.

We want to convey to our colleagues we need that same sense of compassion and generosity. By the way, this flood goes all the way to New Jersey.

#### HURRICANE FLOYD

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

Mrs. CLAYTON. Mr. Speaker, I yield to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, there are heart-rending tales. We spoke with many, many people in Tarboro who have gone through things no one should ever have to endure in losing their homes, losing their possessions, and, in some cases, losing the lives of family members.

But it is also at the same time inspiring to see the way people are working together and to see the spirit and the spunk. Also, I think we should pay tribute here, I think we all feel this, to the cooperative effort that governmental agencies are making.

Our governor, Jim Hunt, has been tireless in his work. Our Secretary of Crime Control and Public Safety, Richard Moore, has been on the scene. State agencies, local law enforcement, the National Guard, and the Federal Government is holding up its end of the bargain.

I must say the work of the Small Business Administration and FEMA. James Lee Witt was with us there yesterday, and he is working with us at this moment on how we can craft a disaster assistance package.

So we are very grateful for what has already happened, but we are going to have to be in this for the long haul.

Mr. ETHERIDGE. Mr. Speaker, if the gentlewoman from North Carolina will yield just a moment on that point, not only are we getting tremendous help, but I think FEMA has done an outstanding job. I would echo that. James Lee Witt has been outstanding. All of our agencies at every level. But a lot of our individuals have come forth to do so much.

I was in Rocky Mount, a district that the gentlewoman from North Carolina