

0024), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3969. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (63); At. No. 1935 (6-23/6-24)" (RIN2120-AA65) (1999-0031), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3970. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model DC-9-80 Series Airplanes, Model MD-88 Airplanes, and Model MD-90-30 Airplanes; Docket No. 98-NM-109 (6-23/6-24)" (RIN2120-AA64) (1999-0250), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3971. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 777 Series Airplanes; Docket No. 99-NM-116 (6-23/6-24)" (RIN2120-AA64) (1999-0252), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3972. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Model L-1011-385 Series Airplanes; Docket No. 97-NM-11 (6-23/6-24)" (RIN2120-AA64) (1999-0251), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3973. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; De Kalb, IL; Docket No. 98-AGL-20 (6-22/6-24)" (RIN2120-AA66) (1999-0208), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3974. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Alexander Schleicher Segelflugzeugbau Model ASK 21 Gliders; Direct Final Rule; Confirmation of Effective Date; Docket No. 91-CE-25 (6-21/6-24)" (RIN2120-AA64) (1999-0253), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3975. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Hamilton, OH; Docket No. 99-AGL-18 (6-22/6-24)" (RIN2120-AA66) (1999-0210), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3976. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Savanna, IL; Docket No. 99-AGL-19 (6-22/6-24)"

(RIN2120-AA66) (1999-0211), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3977. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Willmar, MN; Docket No. 99-AGL-17 (6-22/6-24)" (RIN2120-AA66) (1999-0209), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3978. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Neillsville, WI; Docket No. 99-AGL-23 (6-22/6-24)" (RIN2120-AA66) (1999-0212), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3979. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Juneau, WI; Docket No. 99-AGL-22 (6-22/6-24)" (RIN2120-AA66) (1999-0213), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3980. A communication from the Program Analyst, Office of the Chief Counsel, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Kokomo, IN; Docket No. 99-AGL-21 (6-22/6-24)" (RIN2120-AA66) (1999-0214), received June 24, 1999; to the Committee on Commerce, Science and Transportation.

EC-3981. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Cocos Lagoon, Guam (COTP GUAM 99-011)" (RIN2115-AA97) (1999-0032), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3982. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Heritage of Pride Fireworks, Hudson River, New York (CGD 01-99-056)" (RIN2115-AA97) (1999-0031), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3983. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Clamfest Fireworks, Sandy Hook Bay, Atlantic Highlands, New Jersey (CGD 01-99-071)" (RIN2115-AA97) (1999-0030), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3984. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Glen Cove, New York Fireworks, Hempstead Harbor, NY (CGD 01-99-042)" (RIN2115-AA97) (1999-0035), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3985. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Salvage of Sunken Fishing Vessel CAPE FEAR, Buzzards Bay, MA (CGD 01-99-078)" (RIN2115-AA97) (1999-0034), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3986. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Rowayton Fireworks Display, Bayley Beach, Rowayton, CT (CGD 01-99-081)" (RIN2115-AA97) (1999-0039), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3987. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Saybrook Summer Pops Concert, Saybrook Point, Connecticut River, CT (CGD 01-99-074)" (RIN2115-AA97) (1999-0038), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3988. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Mashantucket Pequot Fireworks Display, Thames River, Groton, CT (CGD 01-99-061)" (RIN2115-AA97) (1999-0037), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3989. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Sag Harbor Fireworks Display, Sag Harbor Bay, Sag Harbor, NY (CGD 01-99-072)" (RIN2115-AA97) (1999-0036), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3990. A communication from the Chief, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety/Security Zone Regulations: Virginia Beach Weekly Fireworks Display, Rudee Inlet, Virginia Beach, Virginia, and Atlantic Ocean, Coastal Waters, between 17th and 20th Street, Virginia Beach, Virginia (CGD 05-99-041)" (RIN2115-AA97) (1999-0033), received June 24, 1999; to the Committee on Commerce, Science, and Transportation.

EC-3991. A communication from the Secretary of Labor, transmitting, pursuant to law, a report relative to the nomination of an Assistant Secretary of Labor for Policy; to the Committee on Health, Education, Labor, and Pensions.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-217. A joint resolution adopted by the General Assembly of the State of Colorado relative to the "Colorado Wilderness Act of

1999"; to the Committee on Energy and Natural Resources.

HOUSE JOINT RESOLUTION 99-1020

Whereas, H.R. 829, the "Colorado Wilderness Act of 1999", proposes to designate another approximately one million four hundred thousand acres of land in Colorado as wilderness prior to the revision of many of Colorado's forest plans, thereby usurping the United States Forest Service's land management review process and ignoring the original wilderness recommendations made to the United States Congress by the United States Bureau of Land Management ("BLM") that totaled four hundred thirty-one thousand acres; and

Whereas, H.R. 829 was drafted without input from either the general public or local elected officials and does away with local control over land management; and

Whereas, Federal lands in Colorado have been exhaustively studied for their wilderness suitability under the "Wilderness Act" of 1964, the Department of Agriculture's second roadless area review and evaluation (RARE II), the wilderness evaluation by the BLM, the "Colorado Wilderness Act of 1980", and the "Colorado Wilderness Act of 1993"; and

Whereas, Many acres of federal lands slated for wilderness designation do not qualify as pristine as required by the "Wilderness Act" of 1964; and

Whereas, The United States Congress considered the option of wilderness designation of federal lands in Colorado and designated several areas under the "Wilderness Act" of 1964 and approved two statewide wilderness bills. One of those statewide wilderness bills was enacted in 1980 and classified one million four hundred thousand acres as wilderness. The other was enacted in 1993 and provided wilderness protection for six hundred eleven thousand seven hundred acres, bringing the total wilderness acreage in Colorado to three million three hundred thousand to date; and

Whereas, The United States Congress declared that lands once studied and found to be unsuitable for wilderness designation should be returned to multiple-use management; and

Whereas, H.R. 829 creates a federal reserved water right for each wilderness area, an approach specifically rejected in the 1980 and 1993 wilderness bills; and

Whereas, The designation of downstream wilderness areas may result in the application of the federal "Clean Water Act of 1977" requirements in a manner that interferes with existing and future beneficial water uses in Colorado; and

Whereas, The overall effect of the designation of downstream wilderness areas will be to destroy Colorado's ability to develop and use water allocated to the citizens of this state and under interstate compacts, thereby forfeiting Colorado's water to downstream states; and

Whereas, Many of our rural economies are dependent on a combination of multiple uses of our public lands, such as timber production, oil, gas, and mineral development, and motorized and mechanized recreation, all of which are prohibited by a wilderness designation and also severely inhibits the ability to conduct grazing activities on public lands; and

Whereas, Wilderness designations limit the land management options available to public land managers to protect forest health and dependent watersheds; and

Whereas, Additional wilderness designation puts increased pressure on the new designated lands as well as lands currently open

to multiple-use activities and limits access to only the most physically capable individuals; 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;

That the members of the Sixty-second General Assembly oppose H.R. 829, the "Colorado Wilderness Act of 1999". Be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the United States Secretary of the Interior, the Director of the United States Bureau of Land Management, the President of the United States Senate, the Speaker of the United States House of Representatives, and to each member of Colorado's delegation in the United States Congress.

POM-218. A joint resolution adopted by the General Assembly of the State of Colorado relative to hardrock mining activities; to the Committee on Energy and Natural Resources.

HOUSE JOINT RESOLUTION 99-1023

Whereas, The mining industry is vital to the economy of Colorado, with direct and indirect contributions to the state's economy that exceed \$7.7 billion annually; and

Whereas, Hardrock miners are the highest paid industrial workers in Colorado, earning average annual wages of approximately \$60,000; and

Whereas, The producers of gold, silver, lead, zinc, molybdenum, gypsum, and other minerals located under the general mining laws provide a source of high paying jobs in rural areas of Colorado whose economies are highly dependent upon resource extraction; and

Whereas, Lower mineral commodity prices and other economic factors continue to challenge this industry making it important that state and local governments fashion regulatory programs that are cost effective and yet sufficient to regulate the environmental impacts of hardrock mining activities on public and private lands; and

Whereas, The "Federal Land Policy and Management Act of 1976" requires that mineral activities on federal lands protect the environment and prohibits any mining activity that would result in unnecessary and undue degradation of these areas; and

Whereas, The Bureau of Land Management within the United States Department of the Interior implements the mandate of federal law through regulations codified at 43 C.F.R. subpart 3809, and these laws and regulations are among the many laws that require mineral producers to protect air, water, cultural, 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. subpart 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 meet performance standards, but allows the individual operators to decide how the individual operator will meet environmental standards.

7. That the General Assembly specifically 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 further 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.

POM-219. A joint resolution adopted by the General Assembly of the State of Colorado relative to the Environmental Protection Agency's over-filing against regulated entities in Colorado where Colorado has already taken enforcement action; to the Committee on Environment and Public Works.

HOUSE JOINT RESOLUTION 99-1037

Whereas, Protection of public health and the environment are among the highest priorities of government that requires a united and uniform effort at all levels of government; and

Whereas, The United States Congress has enacted environmental laws to ensure the protection of the nation's environment and consequently the health of the citizens of the United States; and

Whereas, These federal environmental laws often provide for the primacy of their administration and enforcement to be delegated to the individual states; and

Whereas, The United States Environmental Protection Agency (EPA) is responsible for the administration and enforcement of these federal environmental laws; and

Whereas, States that have been delegated primacy have demonstrated to the EPA that they have adopted laws, regulations, and policies at least as stringent as federal laws, regulations, and policies; and

Whereas, The individual states are best able to administer and enforce these envi-

ronmental laws for the benefit of all of their citizens and the citizens of the United States in general; and

Whereas, the EPA and the states have bilaterally developed policy agreements over the past twenty-five years that reflect the roles of the states and the EPA, recognizing that the primary responsibility for enforcement action resides with the individual states, with EPA taking enforcement action principally where an individual state requests assistance or is unwilling or unable to take timely and appropriate enforcement action; and

Whereas, Inconsistent with these policy agreements, the EPA has levied fines and penalties against regulated entities in cases where the state previously took appropriate action consistent with the agreements to bring such entities into compliance; and

Whereas, Colorado statutes give authority to the appropriate state agencies for the administration and enforcement of state and federal environmental laws; and

Whereas, The EPA continues to enforce federal environmental laws despite Colorado's primacy and has acted in areas of violations where the state has already acted; and

Whereas, The EPA has been unwilling to recognize the importance of Colorado's ability to develop methods for the state to meet the standards established by the EPA and federal environmental laws while recognizing state and local concerns and circumstances unique to Colorado; and

Whereas, A cooperative effort between the state and the EPA is essential to ensure such consistency while making certain to consider state and local concerns; and

Whereas, The EPA has been hesitant to recognize that economic incentives and rewarding compliance are acceptable alternatives to acting only after violations have occurred; and

Whereas, The EPA's current enforcement practices and policies result in detailed oversight and over-filing of state actions causing the weakening of Colorado's ability to take effective compliance actions and resolve environmental issues; and

Whereas, The current EPA enforcement policy and actions have had and continue to have an adverse impact on working relationships between the EPA and Colorado and many other western states; and

Whereas, The Western Governors' Association has adopted "Principles for Environmental Protection in the West" which encourages collaboration and not polarization between the EPA and the states, and further encourages the replacement of the command and control structure of the EPA with economic incentives encouraging results and environmental decisions that weigh costs against benefits in taking actions; 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 we ask Congress to require the EPA to recognize that the State of Colorado has the requisite authority, expertise, experience, and resources to administer delegated federal environmental programs by:

(a) Affording Colorado flexibility and deference in the administration and enforcement of delegated federal environmental programs;

(b) Refraining from over-filing against recognized violators where Colorado has negotiated a compliance action in accordance with its approved EPA management systems, so long as that compliance action achieves

compliance with applicable requirements; and

(c) Allowing Colorado the ability to develop plans for achieving national environmental standards established by the EPA that are tailored to meet local conditions and priorities.

(2) That we ask Congress to require the EPA to enter into memoranda of understanding with the individual states that outline performance and set joint goals and measures to ensure compliance with federal environmental laws while recognizing that states that have achieved primacy in environmental programs have the right to direct compliance actions.

(3) That we ask Congress to require the EPA to develop policies and practices that recognize that:

(a) Successful environmental policy and implementation are best accomplished through balanced, open, inclusive approaches where the public and private stakeholders work together to formulate locally-based solutions to environmental issues;

(b) Threats of enforcement action to force compliance with specific technology or processes may not result in environmental protection but, instead, reward delay and litigation, cripple incentives for technological innovation, increase animosity between government, industry, and the public, and increase the cost of environmental protection; and

(c) Effective management of environmental compliance is dependent upon the EPA shifting its focus from threats of enforcement action to one of compliance and the use of all available technologies, tools, and actions of the individual states. Be it further

Resolved, That copies of this resolution be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each member of Colorado's Congressional Delegation, the Director of the Environmental Protection Agency, the Director of the Environmental Protection Agency's Office of Enforcement and Compliance Assistance, and the Regional Administrator of EPA Region VIII.

POM-220. A joint resolution adopted by the General Assembly of the State of Colorado relative to the labeling of agricultural products; to the Committee on Agriculture, Nutrition, and Forestry.

HOUSE JOINT RESOLUTION 99-1043

Whereas, It is essential that consumers have access to accurate facts to make informed choices about the food they purchase; and

Whereas, Current federal legislation requires country-of-origin labeling on frozen produce, but not on meat, poultry, or fresh produce, which creates a confusing double standard for consumers; and

Whereas, The current United States Department of Agriculture policy of placing a grading label on imported meats misleads consumers who believe the label means that the product was produced in the United States; and

Whereas, Many of the trading partners for the United States require country-of-origin labels on food products produced in the United States; and

Whereas, It is estimated that 95% of the 625 million pounds of meat imported into the United States annually is imported for the purpose of additional processing and is therefore exempt from import labeling provisions of the federal "Pure Food and Drug Act"; 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 requests that the United States Congress pass legislation requiring labels that disclose the country of origin on meats, poultry, and fresh produce; and

(2) That the General Assembly requests that the United States Congress pass legislation prohibiting meat and cattle raised or produced outside of the United States and destined for immediate slaughter from carrying the United States Department of Agriculture quality grade label; and be it further

Resolved, That copies of this resolution be sent to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States Congress, each member of the Congressional delegation from Colorado, the Secretary of the United States Department of Agriculture, and the Federal Trade Commission.

POM-221. A joint resolution adopted by the General Assembly of the State of Colorado relative to the "Regional Haze Rule"; to the Committee on Environment and Public Works.

HOUSE JOINT RESOLUTION 99-1047

Whereas, The federal Environmental Protection Agency (EPA) has promulgated the "Regional Haze Rule" which has general national applicability as well as containing alternative provisions that Colorado and other western states may utilize to deal with regional haze problems; and

Whereas, The Grand Canyon Visibility Transport Commission, comprised of the states of Colorado, Arizona, California, New Mexico, Nevada, Oregon, Utah, and Wyoming and the Acoma, Hopi, Hualapai, and Navaho tribe, as well as federal agencies, industry, and environmental groups, spent over 9 million dollars and 3 years of detailed study and analysis to directly address regional haze problems and issued their findings in the 1996 report entitled, "Recommendations for Improving Western Vistas"; and

Whereas, The federal "Regional Haze Rule" ignores the primary recommendations of the Grand Canyon Visibility Transport Commission to seek to improve haze by regulating all sources of haze, including visibility impairing emissions arising from federal lands; and

Whereas, The Grand Canyon Visibility Transport Commission found that unless emissions from all sources of haze are reduced, a recognizable improvement in visibility cannot be achieved; and

Whereas, Colorado is a receptor of haze attributable to upwind sources such as emissions from fires on federal lands, the Republic of Mexico, and sources located in other states; and

Whereas, Colorado has participated since 1996 with other western states in the Western Regional Air Partnership (WRAP), formed as the successor body to implement the Grand Canyon Visibility Transport Commission's comprehensive regional approach to control all sources of regional haze; and

Whereas, As the alternative regional provisions mandated in the "Regional Haze Rule" prevent Colorado from receiving credit in its state implementation plan (SIP) for controlling sources of haze other than stationary sources which the Grand Canyon Visibility Transport Commission report found are not a primary cause of western haze; and

Whereas, Prior to the promulgation of the "Regional Haze Rule", in violation of proce-

ederal fair play, the EPA made major substantive changes to the draft rule without making those changes available for public comment; and

Whereas, The United States Congress, in the 1998-99 EPA appropriations measure, specifically recommended to the EPA that the entire "Regional Haze Rule" be redrafted and made available for full public participation and comment on the substantive draft changes; and

Whereas, Amendments by other agencies and by other persons identified as representing "western state interests" to the draft rule were offered by the EPA without the opportunity for the general public to comment and without allowing for states that participated in the WRAP to receive credit in their SIPs for regulating sources of haze other than stationary sources; 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 United States Congress is urged to subject the "Regional Haze Rule" to congressional rule review, to reject the rule, and return it to the EPA for proper participation by all interested parties prior to promulgation in accordance with the requirements of the federal "Administrative Procedures Act."

(2) That the member of the General Assembly respectfully request the Governor of Colorado to withdraw from participation in the WRAP until such time as the "Regional Haze Rule" is revised to allow for effective participation of the state of Colorado in control of all sources of haze on an equal basis; and be it further

Resolved, That copies of this resolution be sent to the Governor of the State of Colorado, the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, each member of Colorado's Congressional Delegation, the Director of the Environmental Protection Agency, the Director of the Environmental Protection Agency's Office of Enforcement and Compliance Assistance, and the Regional Administrator of EPA Region VIII.

POM-222. A joint resolution adopted by the General Assembly of the State of Colorado relative to the Endangered Species Act of 1973; to the Committee on Environment and Public Works.

HOUSE JOINT RESOLUTION 99-1051

Whereas, the "Endangered Species Act of 1973" (ESA) needs to be amended to encourage proactive species conservation efforts at the state level rather than reactive, burdensome, and costly efforts at the federal level; and

Whereas, Merely listing a species as threatened or endangered does little to conserve the species; and

Whereas, Many state programs such as Colorado's nongame program have been very successful in conserving species such as the boreal toad without a federal listing; and

Whereas, The ESA should provide incentives for states to adopt proactive approaches to avoid the listing of species under the ESA rather than penalizing such efforts; and

Whereas, The ESA should be amended to provide that a federal listing is not required where a state has already adopted a program to protect the species unless it is absolutely necessary to avoid nationwide extinction; and

Whereas, If a state has an effective program to protect a listed species in place,

that program should be recognized as a reasonable and prudent alternative under the ESA, thereby providing a cost-effective means for species recovery, maintaining state jurisdiction over land and water resources, and allowing economic development to move forward; and

Whereas, States should not be penalized for efforts to enhance or establish populations of species by federal pre-emption once the species is listed, rather, such populations should qualify as experimental under the ESA, thereby maintaining control and regulation of the species by the state; and

Whereas, The ESA should not be applied retroactively, and projects in existence prior to the passage of the ESA that may come up for a federal permit or license renewal but do not involve an expansion of the project or an increase in the environmental impact of the project should not be subject to consultation under Section 7 of the ESA; and

Whereas, Federal implementation of the ESA to protect aquatic species must consider state water rights, and any recovery program should be structured to avoid or minimize intrusion into state authority over water allocation and administration; and

Whereas, The administration's "No Surprises" policy should be adopted as an amendment to the ESA so that permit holders and landowners have some assurance that once ESA requirements have been met, no further mitigation efforts will be required; 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), That we, the members of the Sixty-second General Assembly, urge Congress to adopt these amendments to the federal "Endangered Species Act of 1973"; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of Colorado's Congressional delegation.

POM-223. A joint resolution adopted by the Legislature of the State of Nevada relative to air tours over the Grand Canyon; to the Committee on Commerce, Science, and Transportation.

SENATE JOINT RESOLUTION NO. 21

Whereas, Tourism is the mainstay of the Nevada economy; and

Whereas, The air tour industry is an exciting and strong attraction for visitors to Southern Nevada; and Air tours over the Grand Canyon have been a tourism tradition for more than 70 years and this industry has maintained a strong safety record; and

Whereas, Approximately 800,000 visitors from around the world enjoyed air tours of the Grand Canyon in 1996 and 500,000 of those visitors originated their flights in Southern Nevada; and

Whereas, Air tours are the only way that persons who have certain physical disabilities can experience the grandeur of the Grand Canyon; and

Whereas, In 1996, a study conducted by the University of Nevada, Las Vegas, estimated that air tourism to the Grand Canyon using Southern Nevada air tour operators contributed more than \$374.8 million to the Southern Nevada economy; and

Whereas, The study concluded that the Las Vegas Convention and Visitors Authority generates air tour industry expenditures of \$49.8 million each year; and

Whereas, The study determined that more than 142,000 foreign visitors, which constitutes 32.4 percent of all foreign visitors,

and more than 9,000 visitors from the United States, which constitutes 23.7 percent of all visitors from within the United States, would forego visits to Southern Nevada if the Grand Canyon air tours were unavailable; and

Whereas, Recent economic downturns in Asia have adversely impacted tourism in Southern Nevada; and

Whereas, The air tour industry provides visual access to back country of the Grand Canyon including many of its most spectacular sights, and without air tours, only a small minority of visitors who have the time and physical ability to hike in the canyon would be afforded the opportunity to appreciate these magnificent sights; and

Whereas, Air tours do not cause a permanent negative impact on the fragile environment of the Grand Canyon as do some other activities; and

Whereas, In 1988, Special Federal Aviation Regulation 50-2 was enacted establishing routes, altitudes and reporting requirements and as a result of this legislation, noise complaints have been dramatically reduced and there has been a substantial restoration of natural quiet to the Grand Canyon; and

Whereas, Since the enactment of the requirements of this regulation, 92 percent of visitors to the park have reported that they were not adversely affected by aircraft sounds, and visitors to the back country have reported seeing or hearing only one or two aircraft a day; and

Whereas, The United States Forest Service concluded in 1992 that there were "few adverse impacts to wilderness users" from aircraft tours and that the flights did not impair the overall enjoyment of the wilderness or reduce the likelihood of repeat visits; and

Whereas, A hearing held on September 2, 1998, by the House National Parks and Public Lands Subcommittee disclosed that the National Park Service noise analysis failed to undergo scientific modeling or peer review; and

Whereas, The National Park Service disclosed on February 2, 1999, its intention to redefine the threshold for substantial restoration of natural quiet in the air tour air space of Grand Canyon National Park at a noticeability level of 8 decibels below natural ambient air sound; and

Whereas, Air tour operators and acoustical experts conclude that this higher threshold proposed by the National Park Service would virtually shut down air tours in the east end air space of the Grand Canyon National Park; and

Whereas, The Federal Aviation Administration now proposes to conduct an environmental assessment of air routes from Las Vegas to the Grand Canyon based solely on sound that could lead to further restriction or capping of flights; and

Whereas, The Nevada Congressional Delegation, the Nevada Commission on Tourism, the Las Vegas Convention and Visitors Authority and McCarran International Airport repeatedly have supported maintaining a viable Southern Nevada air tour industry and continued air access to and from Las Vegas; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada (jointly), That the Nevada Legislature expresses its concern regarding any proposal to redefine the space in which aircraft may be flown over the Grand Canyon and urges the Congress of the United States to effect an outcome for the Southern Nevada air tour industry that will protect, support and sustain the viability of this significant contributor to the tourism economy of

the State of Nevada and the enjoyment of visitors and sightseers; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation, the Grand Canyon Air Tour Council and the United States Air Tour Association; and be it further

Resolved, That this resolution becomes effective upon passage and approval.

POM-224. A resolution adopted by the House of the Legislature of the State of Michigan relative to the "Nuclear Waste Policy Act of 1999"; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 40

Whereas, Enactment of H.R. 45, the Nuclear Waste Policy Act of 1999, would allow movement of spent nuclear fuel from 78 individual locations in 35 states to a single location. A permanent underground repository is needed to provide safe and secure long-term disposal of this spent fuel and waste; and

Whereas, The deadline for acceptance of spent fuel and waste by the Department of Energy was one year ago. H.R. 45 would accelerate acceptance of spent fuel and waste by the Department of Energy by authorizing an interim storage facility at Yucca Mountain; and

Whereas, Michigan residents deserve protection of the \$323.8 million investment they have made toward the construction of a permanent site. They have every right to demand that the federal government honor its commitment to the nation in a timely and cost-effective manner. There can be no further delay in carrying out the provisions of the Nuclear Waste Policy Act of 1982. Michigan residents are entitled to the safety and economic benefit to be gained by permanent disposal; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the Nuclear Waste Policy Act of 1999; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-225. A concurrent resolution adopted by the Legislature of the State of Michigan relative to the "World War II Memorial Completion Act"; to the Committee on Veterans' Affairs.

HOUSE CONCURRENT RESOLUTION NO. 35

Whereas, Public Law 103-32, signed in 1993, authorized the establishment of a memorial to the valor of World War veterans. The men and women who fought and who died during the century's darkest hours to secure the freedoms we enjoy today command our lasting gratitude. Their supreme sacrifices continue to touch every American. The World War II Memorial is a small but important step in repaying the immeasurable debt we owe these individuals. Many of these men and women have continued serving their country in community service organizations, such as the Veterans of Foreign Wars and the American Legion. This legislation set in motion a long process of securing support, establishing a site and design, and working with the American Battle Monuments Commission and the National Park Service to bring this project to completion; and

Whereas, in an effort to expedite the establishment of this memorial and to ensure adequate funding for its repair and maintenance in perpetuity, Congress has before it H.R. 1247, the World War II Memorial Completion Act. This bill addresses a variety of issues, especially refining powers and purposes of the fund created to handle the collection and disbursement of money, including the authority to borrow, as well as the protection of intellectual property and licensing rights related to the memorial; and

Whereas, The World War II Memorial, which is to be located in the National Mall in Washington, is an important expression of the nation's debt to a remarkable generation. The World War II Memorial Completion Act will play a vital role in ensuring the success of this venture to perpetuate for future generations the memory of valor and sacrifices that must never be forgotten; now, therefore, be it;

Resolved by the House of Representatives (the Senate concurring), That we memorialize the Congress of the United States to enact the World War II Memorial Completion Act. We urge all parties involved to work cooperatively toward the completion of this important piece of our country's history; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-226. A resolution adopted by the House of the Legislature of the State of Michigan relative to the "World War II Memorial Completion Act"; to the Committee on Veteran's Affairs.

HOUSE RESOLUTION NO. 101

Whereas, Public Law 103-32, signed in 1993, authorized the establishment of a memorial to the valor of World War II veterans. The men and women who fought and who died during the century's darkest hours to secure the freedoms we enjoy today command our lasting gratitude. Their supreme sacrifices continue to touch every American. The World War II Memorial is a small but important step in repaying the immeasurable debt we owe these individuals. Many of these men and women have continued serving their country in community service organizations, such as the Veterans of Foreign Wars and the American Legion. This legislation set in motion a long process of securing support, establishing a site and design, and working with the American Battle Monuments Commission and the National Park Service to bring this project to completion; and

Whereas, in an effort to expedite the establishment of this memorial and to ensure adequate funding for its repair and maintenance in perpetuity, Congress has before it H.R. 1247, the World War II Memorial Completion Act. This bill addresses a variety of issues, especially refining powers and purposes of the fund created to handle the collection and disbursement of money, including the authority to borrow, as well as the protection of intellectual property and licensing rights related to the memorial; and

Whereas, The World War II Memorial, which is to be located on the National Mall in Washington, is an important expression of the nation's debt to a remarkable generation. The World War II Memorial Completion Act will play a vital role in ensuring the success of this venture to perpetuate for future generations the memory of valor and sacrifices that must never be forgotten; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to enact the World War II Memorial Completion Act. We urge all parties involved to work cooperatively toward the completion of this important piece of our country's history; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GORTON, from the Committee on Appropriations, without amendment:

S. 1292. An original bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 2000, and for other purposes (Rept. No. 106-99).

EXECUTIVE REPORTS OF A COMMITTEE

The following executive reports of a committee were submitted:

By Mr. WARNER, for the Committee on Armed Services:

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 1552 and 12203:

To be brigadier general

Col. Edward W. Rosenbaum (Retired), 0000

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

John A. Bradley, 0000
Gerald P. Fitzgerald, 0000
Edward J. Mechenbier, 0000
Allan R. Poulin, 0000
Larry L. Twitchell, 0000

To be brigadier general

Thomas L. Carter, 0000
Richard C. Collins, 0000
John M. Fabry, 0000
Hugh H. Forsythe, 0000
Michael F. Gjede, 0000
Leon A. Johnson, 0000
Howard A. McMahan, 0000
Douglas S. Metcalf, 0000
Jose M. Portela, 0000
Peter K. Sullivan, 0000
David H. Webb, 0000

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Archie J. Berberian II, 0000
Verna D. Fairchild, 0000
Daniel J. Gibson, 0000

To be brigadier general

George C. Allen II, 0000
Roger E. Combs, 0000
Michael A. Cushman, 0000
Thomas N. Edmonds, 0000
Jared P. Kennish, 0000
Paul S. Kimmel, 0000
Virgil W. Lloyd, 0000
Alexander T. Mahon, 0000
Marvin S. Mayes, 0000
David E. Mccutchin, 0000

Calvin L. Moreland, 0000
Mark R. Musick, 0000
John D. Rice, 0000
Robert O. Seifert, 0000
Lawrence A. Sittig, 0000
James M. Skiff, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. William J. Begert, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Charles R. Holland, 0000

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Maxwell C. Bailey, 0000

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Alan D. Johnson, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Donald L. Kerrick, 0000

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

To be major general

Brig. Gen. James M. Collins, Jr., 0000
Brig. Gen. Robert W. Smith III, 0000

To be brigadier general

Col. Dennis J. Laich, 0000
Col. Robert B. Ostenberg, 0000
Col. Ronald D. Silverman, 0000

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Robert E. Armbruster, Jr., 0000
Joseph L. Bergantz, 0000
William L. Bond, 0000
Colby M. Broadwater III, 0000
Richard A. Cody, 0000
John M. Curran, 0000
Dell L. Dailey, 0000
John J. Deyerdmond, 0000

Larry J. Dodgen, 0000
James M. Dubik, 0000
Richard A. Hack, 0000
Russel L. Honore, 0000
Roderick J. Isler, 0000
Terry E. Juskowiak, 0000
Geoffrey C. Lambert, 0000
James J. Lovelace, Jr., 0000
Wade H. McManus, Jr., 0000
William H. Russ, 0000
Walter L. Sharp, 0000
Toney Stricklin, 0000
John R. Vines, 0000
Robert W. Wagner, 0000
Craig B. Wheldon, 0000
R. Steven Whitcomb, 0000
Robert Wilson, 0000
Joseph L. Yakovac, Jr., 0000

The following named officer for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general, Chaplain Corps

Col. David H. Hicks, 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Thomas N. Burnette, Jr., 0000

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. Billy K. Solomon, 0000

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Col. Harry B. Axson, Jr., 0000
Col. Guy M. Bourn, 0000
Col. Ronald L. Burgess, Jr., 0000
Col. Remo Butler, 0000
Col. William B. Caldwell IV, 0000
Col. Randal R. Castro, 0000
Col. Stephen J. Curry, 0000
Col. Robert L. Decker, 0000
Col. Ann E. Dunwoody, 0000
Col. William C. Feyk, 0000
Col. Leslie L. Fuller, 0000
Col. David F. Gross, 0000
Col. Edward M. Harrington, 0000
Col. Keith M. Huber, 0000
Col. Galen B. Jackman, 0000
Col. Jerome Johnson, 0000
Col. Ronald L. Johnson, 0000
Col. John F. Kimmons, 0000
Col. William M. Lenaers, 0000
Col. Timothy D. Livsey, 0000
Col. James A. Marks, 0000
Col. Michael R. Mazzucchi, 0000
Col. Stanley A. McChrystal, 0000
Col. David F. Melcher, 0000
Col. Dennis C. Moran, 0000
Col. Roger Nadeau, 0000
Col. Craig A. Peterson, 0000
Col. James H. Pillsbury, 0000
Col. Gregory J. Premo, 0000
Col. Kenneth J. Quinlan, Jr., 0000
Col. Fred D. Robinson, Jr., 0000
Col. James E. Simmons, 0000
Col. Stephen M. Speakes, 0000
Col. Edgar E. Stanton III, 0000
Col. Randal M. Tieszen, 0000
Col. Bennie E. Williams, 0000
Col. John A. Yingling, 0000

The following named officer for appointment in the United States Marine Corps to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Lt. Gen. Carlton W. Fulford, Jr., 0000

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

To be rear admiral (lower half)

Capt. David J. Antanitus, 0000
Capt. Dale E. Baugh, 0000
Capt. Richard E. Brooks, 0000
Capt. Evan M. Chanik, Jr., 0000
Capt. Barry M. Costello, 0000
Capt. Kirkland H. Donald, 0000
Capt. Dennis M. Dwyer, 0000
Capt. Mark J. Edwards, 0000
Capt. Bruce B. Engelhardt, 0000
Capt. Tom S. Fellin, 0000