

proceeds were under 10% of gross proceeds, the fee would be 2 percent of the net proceeds. For mines with net proceeds of at least 10 percent but less than 18 percent of gross proceeds, the fee would be 2.5 percent of net proceeds. Mines where the net proceeds were at least 18 percent but less than 26 percent of gross proceeds would pay a fee of 3 percent of net proceeds. If the net proceeds were at least 26 percent but less than 34 percent of gross proceeds, the fee would be 3.5 percent of net proceeds. Where the net proceeds were at least 34 percent but less than 42 percent of gross proceeds the fee would be 4 percent of net proceeds. Mines with net proceeds equal to at least 42 percent but less than 50 percent of gross proceeds would pay a fee of 4.5 percent of net proceeds. And mines whose net proceeds were 50 percent or more of the gross proceeds would pay a fee of 5 percent of the net proceeds.

For the purpose of calculating these fees, the bill defines gross proceeds as the value of any extracted hardrock minerals that are sold, exchanged for good or services, exported ready for use or sale, or initially used in manufacture or service. Net proceeds are defined as how much of the gross proceeds remain after deducting the costs of mine development; mineral extraction; transporting minerals for smelting or similar processing; mineral processing; marketing and delivery to customers; maintenance and repairs of machinery and facilities; depreciation; insurance on mine facilities and equipment; insurance for employees; and royalties and taxes.

Based on Nevada Model—This way of calculating fees resembles one used by Nevada, which collects similar production-based fees from mines in that state. However, the fees in my bill are more moderate than those set by the Nevada law in one important respect—Nevada imposes its maximum fee rate on all mines with net proceeds of \$5 million or more, regardless of the ratio between those net proceeds and the gross proceeds. My bill does not do that—instead, all of its fees are based on the ratio. In other words, under my bill a mine with earnings (i.e., net proceeds) of more than \$5 million per year still might pay the minimum fee if those earnings were less than 10 percent of the gross proceeds.

Offset Provision—Under current law, the United States does not receive royalties from production of hardrock minerals from federal lands. Over the years, there have been frequent proposals to establish royalties for hardrock production, in order to provide a greater return to the American people. I think there are strong arguments in favor of such an approach. Accordingly, this bill would require the Secretary of the Interior to reduce payments under this title so as to offset any royalties hardrock producers may pay in the future pursuant to changes in current law. This is intended to avoid the chance that implementation of a royalty would result in inequitable treatment of a producer covered by both the royalty and Title I of this bill.

Estimated Proceeds From Fees and Use of Fund—There are not sufficient data available to say exactly how much money the fees would bring into the new reclamation fund each year. However, the United States Geological Survey does have information about

the number of operating copper and gold mines and the State of Nevada has data about the money raised by their similar fee system. By extrapolating from those data, it is possible to estimate that the fees provided for in my bill would generate about \$40 million annually for the Abandoned Minerals Mine Reclamation Fund.

Funds in the new reclamation fund would be available for appropriation for grants to States to complete inventories of abandoned hardrock mine sites, as mentioned above. A state with sites covered by the bill could receive a grant of up to \$2 million annually for this purpose. In addition, money from the fund would be available for cleanup work at eligible sites.

To be eligible, a site would have to be within a state subject to operation of the general mining laws that has completed its statewide inventory. Within those states, eligible sites would be those—(1) where former hardrock-mining activities had permanently ceased as of the date of the bill's enactment; (2) that are not on the National Priorities List under the Superfund law; (3) for which there are no identifiable owners or operators; and (4) that lack sufficient minerals to make further mining, re-mining, or reprocessing of minerals economically feasible. Sites designated for remedial action under the Uranium Mill Tailings Radiation Control Act of 1978 or subject to planned or ongoing response or natural resource damage action under the Superfund law would not be eligible for cleanup funding from the new reclamation fund.

The Interior Department could use money from the fund to do cleanup work itself or could authorize use of the money for cleanup work by a holder of one of the new "good Samaritan" permits provided for in the other bill I am introducing today. Among eligible sites, priorities for funding would be based on the presence and severity of threats to public health, safety, general welfare, or property from the effects of past mining and the improvement that cleanup work could make in restoration of degraded water and other resources. The first priority would be for sites where effects of past mining pose an extreme danger. After that, priorities would be sites where past mining has resulted in adverse effects (but not extreme danger) and then those where past mining has not led to equally serious consequences but where cleanup work would have a beneficial effect.

Further, the bill recognizes that in Colorado and other states there are often concentrations of abandoned mining sites that vary in the severity of their threat to the public health and the environment but that can and should be dealt with in a comprehensive manner. Therefore, it provides that sites of varying priority should be dealt with at the same time when feasible and appropriate.

Bill to provide protection for "Good Samaritans": To help encourage the efforts of "good Samaritans," the second bill—entitled the "Abandoned Hardrock Mines Reclamation Facilitation Act"—would create a new program under the Clean Water Act under which qualifying individuals and entities could obtain permits to conduct cleanups of abandoned or inactive hardrock mines.

These permits would give some liability protection to those volunteering to clean up these

sites, while also requiring the permit holders to meet certain requirements.

The bill specifies who can secure these permits, what would be required by way of a cleanup plan, and the extent of liability exposure. Notably, unlike regular Clean Water Act point-source ("NPDES") permits, these new permits would not require meeting specific standards for specific pollutants and would not impose liabilities for monitoring or long-term maintenance and operations. These permits would terminate upon completion of cleanup, if a regular Clean Water Act permit is issued for the same site, or if a permit holder encounters unforeseen conditions beyond the holder's control. I think this would encourage efforts to fix problems like those at the Pennsylvania Mine.

Together, these two bills can help address problems that have frustrated federal and state agencies throughout the country. As population growth continues near these old mines, more and more risks to public health and safety are likely to occur. We simply must begin to address this issue—not only to improve the environment, but also to ensure that our water supplies are safe and usable.

TRIBUTE TO MR. SHAUN BELLE

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. SERRANO. Mr. Speaker, I rise during this month devoted to the celebration of Black History to pay tribute to Mr. Shaun Belle, an outstanding individual who continues to be a great asset to the people of my community.

Shaun is the president and CEO of the Mount Hope Housing Company, a community organization that develops and manages affordable housing as well as provides sustainable programs such as youth services, employment and job training for youth, real estate development, and family asset building.

Shaun has held several key financial and management positions in various corporations and previously served as Chief Financial Officer for Mount Hope and its affiliate corporations. He is actively involved in community revitalization and redevelopment in the Tri-State area. In addition to his leadership at Mt. Hope, Shaun serves as chairman of Comprehensive Community Revitalization Inc.; Board Treasurer for The Institute for Urban Family Health; Board Director of the Primary Care Development Corporation and he is a former board member of the Bronx Area Health Education Center.

Shaun holds degrees in Economics and Business Management from Howard University and is a graduate of the Columbia University Institute for Non-Profit Management. He is also a graduate of the Harvard Business School's Executive Education Program.

Throughout his career Shaun has helped to revitalize not only dilapidated areas of the Bronx but also the lives of people in those areas. As a direct result of his efforts more young people in the Bronx have the necessary skills to hold a job and more parents are able to provide better lives for their families.

Mr. Speaker, during the month of February it has been our tradition as a nation to honor the achievements and contributions of legendary African Americans such as Dr. King, Robert Smalls, and Dr. Carver; leaders who dedicated their lives to uplifting not only their people but their nation as well. I believe that it is important that we continue not only to recognize these great Americans but also to pay homage to those who continue in their footsteps today, dedicating their lives to uplifting this nation. In that spirit I ask my colleagues to join me in honoring Mr. Shaun Belle for his outstanding service to the people of my community.

A PROCLAMATION HONORING
SEAN WYATT DILLON

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. NEY. Mr. Speaker:

Whereas, Matthew and Elizabeth Dillon are celebrating the arrival of their son, Sean Wyatt Dillon; and

Whereas, Sean Wyatt Dillon was born on January 6, 2005 and weighed eight pounds and two ounces; and

Whereas, Matthew and Elizabeth Dillon are proud to welcome their new son into their home; and

Whereas, Sean Wyatt Dillon will be a blessed addition to his family, bringing love, joy, and happiness for many years to come.

Therefore, I join with Members of Congress and Congressional Staff in celebrating with Matthew and Elizabeth Dillon the birth of Sean Wyatt Dillon.

HONORING THE ACHIEVEMENTS OF
BEXAR COUNTY TAX ASSESSOR-
COLLECTOR SYLVIA S. ROMO

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 10, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Sylvia S. Romo for her extraordinary accomplishments in business and her exemplary record of public service.

Sylvia Romo was the first woman to be elected to the Office of the Tax Assessor-Collector of Bexar County. She is the first Latina elected to any countywide executive post. Her commitment, expertise, and innovation resulted in a better and more responsive tax system for her constituents.

Sylvia Romo distinguished herself during two terms in the Texas House of Representatives. She was the first freshman member of the body to pass a major constitutional amendment, and one of only three women ever to serve on the prestigious Ways and Means Committee. She authored more than 92 bills, and worked tirelessly to promote business growth and to protect the interests of women and disadvantaged businesses.

Ms. Romo is an inspiring business leader in her community. A graduate of the University of Texas at San Antonio, she worked for more than 20 years as a certified public accountant. She is now the President of her own accounting firm, Sylvia Romo and Associates, Ltd, which has been recognized for excellence by state and local business organizations.

She served as an advisor to the President's Advisory Committee on Women's Business Ownership, and was named one of the Top Women of the Decade in the United States by the Business and Professional Women's Foundation of New York City.

Mr. Speaker, a lifelong San Antonio resident and mother of four sons, Ms. Romo is truly one of the outstanding members of her community. She has been a great friend to the people of San Antonio, and a shining example of what one woman's intelligence, generosity, and dedication can accomplish.