

news

Committee on Interior and Insular Affairs
Morris K. Udall, Chairman

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House of Representatives
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MINING SUBCOMMITTEE CHAIRMAN RAHALL SAYS BUSH ILL-SERVED BY 11TH HOUR INTERIOR DEPT. ACTIONS

WASHINGTON, D.C. -- U.S. Rep. Nick J. Rahall (D-WV) today said that President-elect George Bush and his Interior Secretary designee, Manuel Lujan, are ill-served by a number of actions being taken by lame-duck Interior Department officials.

"These actions are outrageous and represent a direct assault on the concept of good stewardship of our public resources," Rahall stated.

Rahall, the chairman of the House Subcommittee on Mining and Natural Resources, expressed concerns with the Interior Department's recent proposal to liberalize restrictions on mining within national parks and in the vicinity of cemeteries and dwellings; the Department's decision to continue the give-away of public lands with valuable oil shale reserves for \$2.50 an acre; and, the attempt by top Department officials to block the publication by the Forest Service of stringent new proposed oil and gas leasing regulations pertaining to national forest system lands.

"President-elect Bush is being ill-served by the activities of these Reagan Administration political appointees who in the 11th hour are creating a lot of baggage that will have to be carried by the new Interior Secretary and the Bush Administration," Rahall said.

In the 1977 federal surface mining act, Congress prohibited mining within protected areas such as national parks as well as within 100 feet of cemeteries and 300 feet of homes but made the prohibitions subject to the existence of valid existing rights. Rahall said the Interior Department's recently proposed rule to define the term valid existing rights is so wide-open that if implemented would serve to completely undermine the protections Congress sought to provide for these areas.

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"In light of the fact that the Department first began work on a valid existing rights definition in 1979, you have to be suspicious of the motivations behind the proposal of a rule such as this at this particular time," Rahall said.

"By merely raising the possibility that mining could take place within these protected areas, the Department is doing a disservice to coalfield residents and the public at large. This proposed rule also creates an unsolicited public relations problem for the coal industry in this country, the vast majority of which has no interest in mining in these areas," he added.

Rahall also reiterated the concern he raised with the Department's decision in early December to begin processing title-transferring applications for public oil shale lands prior to completing an intended rulemaking on the criteria to be used in these determinations. Immediately at stake are well over 24,000 acres of federal lands currently covered by applications with an additional 228,000 acres under claim.

In a December 20, 1988, letter to Secretary Hodel, Rahall and Rep. Morris Udall, the chairman of the Committee on Interior and Insular Affairs, wrote that the Department's announcement to process oil shale claims is "disconcerting" in light of the fact that the BLM has not completed its intended rulemaking. The letter urged that in order to restore "public confidence" in its actions, the Department should complete the rulemaking before processing the claims.

Rahall also said he has learned that the Department is seeking to block the publication of draft Forest Service regulations implementing the Federal Onshore Oil and Gas Leasing Reform Act of 1987 that were sent to the Office of Management and Budget. It is Rahall's understanding the draft will not be released for publication due to a complaint filed by an Interior Department official.

"We believe that these proposed regulations underscore a major philosophical difference between the Departments of Interior and Agriculture," an Interior Department official stated in a letter sent to the OMB.

"The draft regulations seek to implement the new management authorities Congress granted to the Forest Service. They would pertain only to national forest lands and as such, the fact that the Interior Department has a philosophical difference with them should not put it in the position of dictating to the Agriculture Department how it chooses to proceed in this matter," Rahall said.