

# Truth and Some Consequences

by Jon Spunaugle

During the last few weeks of the year 2005, Congress was trying to pass a Budget Bill entitled Deficit Reduction Act of 2005 (HR 4241) before adjourning for the year end holiday. Contained in a version of the U. S. House of Representatives Bill were two sections (Sections 6201 and 6202) that would make changes to the Mining Law . One section increased the annual fees paid on mining claims and increased, slightly, the size of a mining claim. A second section would have removed the prohibition on patenting a mining claim. This prohibition on patents was put into law in the mid "90s. The patenting of a mining claim transfers, for a fee, the surface rights on public land to the claim owner and thus is, in fact, selling of public lands to private parties. Perhaps you read about all of this in the news reports last December.

Because several sections of this Budget Bill were controversial (including this mining bill change and a provision to open a small part of the Arctic National Wildlife Reserve (ANWAR), to oil drilling and other provisions, this version of the Budget Bill failed to get enough votes to pass and was withdrawn to be modified to remove the controversial provisions. However, Congress is still working on this Budget Bill so stay tuned. It is hard to predict what will happen when Congress reconvenes in late January, 2006. The "sister" legislation to this House Bill is found under Senate Bill S-1932.

When I reviewed the House Bill HR 4241, I did not see any major threat to hobby collectors in either section of the proposed mining law provisions. Those inclined to oppose the patenting of mining claims would feel otherwise. However, I always deplore these "hidden" sections in what is a Bill that should normally contain budget or appropriations language only. It just seems to me that if these things need to be changed then it should be done, in this case, in a separate Bill to change the mining law. Hiding these provisions in these gigantic last minute Bills that are put together hurriedly by staff members and voted on with little debate and even less knowledge of what all they contain is not what most people I talk to think Congress should be doing. A recent example I am reminded of is a Bill passed a year ago that contained a section creating the new "America the Beautiful Pass", Federal Lands Recreation Enhancement Act of 2004. This Act was added as a section of the general appropriations Bill (HR 4818) late in 2004. It was passed as Congress was adjourning a year ago in November. We did not realize what had happened until January, 2005 when it was already the law of the land.

Speaking of the "America the Beautiful Pass" I expect that there will be public input opportunities on the development, use, and cost of this national pass in 2006 in preparation for implementation in 2007. These opportunities will be published in the Federal Register. We'll be watching for them and try to keep you informed.

There is nothing new to report on the Fossil Bill which seems to be bottled up in the U.S. House of Representatives,

Natural Resource Committee for now. LASTLY, if you are aware of any hobby problems in the area of my Committee's responsibility that I have not written about, I would appreciate an e-mail at <jonspe@juno.com> or a phone call at (360) 835-9313 to alert me. This is big country to cover and your concerns are important. I am very grateful for all the feed back that I have received as well as tips on what is going on.

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