

We are recommending at this time only the enactment of a program to regulate future surface mining. We believe it is essential that the States and the Federal Government move forward now with that part of the program. While it is important and desirable to remedy past mistakes if possible, we believe that it is even more important to prevent future ones now.

The reclamation of previously mined areas is a very complex subject and presents many problems. We are looking into these problems and hope that we can propose a workable program in this area in the not too distant future.

Also, at the direction of the President we will be submitting to him by April 1, 1969, a report, based on studies now being conducted, on the appropriate measures to be taken to prevent and control adverse effects to the environment resulting from underground mines and underground mining operations and the washing, sizing, or concentrating of minerals.

The Bureau of the Budget has advised that this legislative proposal is in accord with the President's program.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

(The draft bill referred to is identical to S. 3132.)

TENNESSEE VALLEY AUTHORITY,
Knoxville, Tenn., April 5, 1968.

Hon. HENRY M. JACKSON,
Chairman, Committee on Interior and Insular Affairs,
U.S. Senate, Washington, D.C.

DEAR SENATOR JACKSON: In Mr. Wagner's absence I am replying to your letter of March 29 in which you request TVA's views with respect to S. 3132 which would provide for cooperation between the Secretary of the Interior and the states in the regulation of surface mining operations.

We strongly endorse legislation along the lines proposed in S. 3132, and we recommend that the Committee report the bill favorably. We think enactment of S. 3132 will help provide the kind of encouragement and assistance to the states that will persuade those not now having legislation for the regulation of surface mining promptly to enact such legislation; and that it will encourage those states which already have such legislation on the books to strengthen it and administer it more effectively. For any states which fail to enact and enforce satisfactory measures for the control of surface mining, S. 3132 provides appropriate administrative machinery whereby the Secretary of the Interior may carry out such functions.

The Bureau of the Budget advises that it has no objection to the presentation of this report from the standpoint of the Administration's program.

Cordially,

FRANK E. SMITH, *Director.*

[S. 3126, 90th Cong., second sess.]

A BILL To provide for the regulation of present and future surface and strip mining, for the conservation, acquisition, and reclamation of surface and strip mined areas, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mined Lands Conservation Act".

SEC. 2. (a) The Congress finds and declares that the mining of minerals by the surface or strip method, both past and present, (1) destroys natural beauty, (2) damages the terrain for an indefinite period, (3) causes erosion of the soil, (4) contributes to water pollution, (5) adversely affects commercial and industrial development, (6) damages real property, (7) destroys forests, wildlife habitat, and other natural resources, (8) menaces the public health and safety, (9) cannot be made subject to uniform conservation requirements because physical and chemical conditions on spoil areas and spoil-bank characteristics can differ from State to State, county to county, bank to bank, and even from spot to spot on a particular bank, and (10) creates, because of the diversity of State regulations, or the lack thereof, competitive disadvantages for firms operating in a given market area and thereby interferes with the orderly and fair marketing of min-