

of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

(3) The court shall have jurisdiction to affirm the action of the Secretaries or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

(e) The provisions of sections 101 and 102 pertaining to the Federal standards and mining and reclamation requirements for the administration and regulation of future mining operations by strip or surface method shall not be applicable in any State in which there is a State plan approved under subsection (b) of this section.

SEC. 104. The Secretaries are authorized at any time to cause to be made in a surface or strip mine or previously surfaced or strip mined area such inspections and investigations as they shall deem necessary for the purpose of determining compliance with applicable rules, regulations, standards, and reclamation requirements.

SEC. 105. For the purpose of making any inspection or investigation authorized by this Act, authorized representatives of the Secretaries shall be entitled to admission to, and shall have the right of entry upon or through, any strip or surface mine or previously strip or surface mined area.

TITLE II—RECLAMATION AND CONSERVATION OF SURFACE AND STRIP MINED LANDS OWNED BY STATE AND LOCAL GOVERNMENTS IN THE UNITED STATES

SEC. 201. It is the purpose of this title to facilitate the reclamation and conservation of lands owned by State and local governments that have been adversely affected by strip and surface mining operations and have not been reclaimed prior to the date of enactment of this Act to a level commensurate with the criteria and standards established pursuant to the provisions of title I of this Act, by providing authority to the Secretary of Agriculture to enter into agreements with the States and local governments to provide financial and other assistance for their reclamation: *Provided*, That when the intended use of the lands to be reclaimed is for parks or fish and wildlife, the Secretary of Agriculture shall enter into agreements respecting such lands only after consultation with the Secretary of the Interior.

SEC. 202. (a) (1) To carry out the purpose of this title, the Secretary of Agriculture is authorized to enter into agreements with the various States and local bodies of government for the conservation and reclamation of surface and strip mined lands presently owned or hereafter acquired by them.

(2) Each such agreement shall describe (A) the actions to be taken by the Secretary of Agriculture and by the State or local body of government, (B) the estimated cost of these actions, (C) the public benefits expected to be derived, including but not limited to the benefits of the economy of the State or local area, abatement or alleviation of land and water pollution, public recreation, fish and wildlife, and public health and safety, and (D) the share of the costs to be borne by the Federal Government and by the State or local body of government: *Provided*, That, notwithstanding any other provision of law, the Federal share of the cost shall not exceed the direct identifiable benefits which the Secretary of Agriculture determines will accrue to the public, and shall not in any event exceed 75 per centum of such cost: *Provided further*, That the share of the State or local body of government shall not consist of funds granted under any other Federal program, and (E) such other terms and conditions as the Secretary of Agriculture deems desirable.

(b) The Secretary of Agriculture, in his discretion, may require as a part of any agreement under this section that adequate provision be made for access to and use by the public of lands reclaimed under the provisions of this title.

(c) Each agreement entered into under this section shall contain a reasonable assurance by the State or local body of government that the reclaimed lands which are devoted to public use will be adequately maintained.

SEC. 203. Whenever the Secretary of Agriculture, after reasonable notice and opportunity for hearing, determines that there is a failure to expend funds in accordance with the terms and conditions governing the agreement for approved projects, he shall notify the State that further payments will not be made to the State from appropriations under this Act until he is satisfied that there will no longer be any such failure. Until he is so satisfied the Secretary of Agriculture shall withhold any such payment to such State.