

and includes any agent thereof charged with the responsibility for the operation of such mine.

SEC. 602. There are authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this Act.

SEC. 603. All appropriations for the purposes of this Act, all moneys received under this Act from the sale or lease of federally owned reclaimed land, repayment and interest costs by owners of nonfederally owned reclaimed land, all donations to the Federal Government for the purposes of this Act, all moneys received from fine or forfeitures, and other revenues resulting from the operations of the continuing land use and management program shall be credited to a special fund in the Treasury to be known as the mined lands reclamation revolving fund. Such moneys shall be available, without fiscal year limitation, for carrying out the provisions of this Act, including purchase and reclamation of land. Amounts accumulating in the fund in excess of the amounts the Secretary deems necessary to carry out the provisions of this Act shall be transferred to miscellaneous receipts of the Treasury.

SEC. 604. If any provision of this Act, or the applicability thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision or circumstances, shall not be affected thereby.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., April 24, 1968.

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

DEAR MR. CHAIRMAN: Your Committee has requested a report on S. 217, a bill "To authorize the Secretary of the Interior to designate within the Department of the Interior an officer to establish, coordinate, and administer programs authorized by this Act, for the reclamation, acquisition, and conservation of lands and water adversely affected by coal mining operations, and for other purposes," and on a similar bill, S. 3126 "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."

These bills would authorize a broad program of regulation of surface and strip mining operations and the reclamation of surface and strip mined lands, although S. 217 is confined to coal mining operations exclusively whereas S. 3126 is general in scope. Within the recent past, President Johnson proposed the "Surface Mining Reclamation Act of 1968." He said that under this legislation—

"Criteria will be established which the States will use in developing their own regulatory plans.

"The States, assisted by Federal grants, will develop their own plans within two years and submit them to the Secretary of the Interior for review and approval.

"The Secretary will impose Federal standards if the State plans are inadequate or if they are not submitted."

Such legislation has been transmitted to the Congress and introduced as S. 3132. In our letter of transmittal of this legislation to the President of the Senate, we stated the following:

"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."

We recommend the early enactment of S. 3132 in lieu of S. 217 or S. 3126.

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

Sincerely yours,

CORDELL MOORE,
Assistant Secretary of the Interior.