

June 30, 1966, made an interim report to the Congress clearly proving that in the national interests the Federal Government has a responsibility to cooperate with States in enacting laws to properly require strip mined land reclamation by the industry.

Mr. Chairman, in October of 1966, I introduced a bill, S. 3882, which in some respects is similar to S. 217 before your Committee today. It dealt with the mining of all minerals. Due to the lateness of the session, no hearings were held. It was based on the Department of Interior's interim report.

Subsequently, on January 12, 1967, I introduced S. 217, which is before you today. The principal difference between my bill of 1966, S. 3882, and S. 217, is that the former dealt with all minerals and S. 217 deals with coal only. The principal reason for the change was that I thought that since the strip mining of coal disturbed by far the greatest number of acres, that problem should be dealt with first and efforts for adequate reclamation should be concentrated in that area. I am not at all adverse to including the mining of all minerals as provided in the Administration's bill, S. 3132. This is borne out by the fact that I am a co-sponsor of that bill.

Mr. Chairman, may I digress briefly from direct reference to the pending bills and say that I have had for many years and continued to have an unrelenting interest in reclamation of spoil banks. I have been called a veteran of the battle of the spoil banks. In 1944, while traveling throughout the State of Ohio in my first campaign for Governor, I was shocked upon seeing thousands of acres of once fruitful and productive land in southeastern hill counties which had been virtually destroyed and converted into row after row of unsightly spoil banks as a result of strip mining operations and little or no attempt by the operator to reclaim the land.

I observed spring-fed streams that were devoid of aquatic life and shore vegetation as a result of toxic sulfuric pollution seeping from exposed and abandoned seams of coal in the final cut. I then solemnly promised myself that if I became Governor of Ohio, I would wage an unrelentless campaign to have legislation enacted into law which would require the strip mine operators who had taken the wealth from the land to restore it to a productive capacity. Finally, after several attempts to obtain legislation, I was successful, and, as a result, thousands of strip mined acres in Ohio have been reclaimed. More needs to be done, however.

Mr. Chairman, while both S. 217 and S. 3132 are based on the findings and recommendations contained in the report by the Secretary of Interior, there are two principal differences. S. 217 deals with coal only and provides some Federal financial assistance to states for reclamation of pre-law or inadequately reclaimed spoil banks. S. 3132 provides for regulation of all open pit or surface mining of all minerals and reclamation of lands disturbed. S. 3132 makes no provision for Federal financial assistance to states for reclamation of pre-law spoil banks. In fact, I had some reservations in attempting to provide Federal assistance in my own bill due to the possibility that such Federal aid might result in a windfall to the mine operators themselves or to private land holders.

S. 217 would 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.

S. 3132 would provide for the cooperation between the Secretary of the Interior and the States with respect to the future regulation of surface mining operations.

Mr. Chairman, I have battled the powerful strip mine lobbies before. I know what advocates of this type of legislation are up against. The opposition will be unmerciful and will pull every possible trick they can out of the book. They will say that legislation of this type is not needed. They have said that for twenty years and look at the unreclaimed spoil banks and those inadequately reclaimed by even the most poor standards. They will tell you that it is not their responsibility, yet they take the wealth from the land and in the process utterly destroy and render it useless. They will say let nature take its course; time and the elements will bring the land back to life. Gentlemen, there are unreclaimed spoil banks in Ohio created more than thirty years ago and today they are just as barren as the day they were created. And, in addition, they will say that the cost of reclamation is too great and that they cannot afford it. The information I am now about to give you, in my opinion, will refute both the claim of non-responsibility and financial inability.