

We are not at this time requesting regulatory authority to deal with the surface problems caused by underground mines and by the various processing steps—washing, sizing, and concentrating—which minerals undergo. However, we shall submit to the President by April 1, 1969, a report on these matters and recommendations for appropriate measures to prevent or control their adverse effects.

This bill also does not address itself directly to the environmental problems of mineral exploration or to conventional oil and gas production. In our role as the major landlord of the nation, however, the Department of the Interior is reviewing these problems and our authority to deal with them on lands under our jurisdiction.

We have reported to the President that there is no uniform Federal policy on reclamation of surface mined Federal lands. The Executive Branch can and should improve its overall position with regard to mined land management and to procurement of mined commodities; and we in Interior are moving to do this. We have been at work since last summer on new Departmental regulations. We are following the President's directive to put our house in order. Much of this can be done under our present authority.

Within a few days we expect to publish a revision of the proposed Departmental regulations which first were published for public comment last July 20. These cover exploration and surface mining under the various mineral leasing and sales statutes. They need not await the passage of new legislation.

S. 3132 includes provisions for criminal penalties, and we have been asked why this is necessary. We believe these provisions will not be needed in dealing with the many responsible mining firms that already are making efforts toward reclamation. But some mining operations, notably in coal, sand, and gravel, can be undertaken by fly-by-night operators. In such cases, injunctions alone might not suffice to prevent a quick in-and-out operation. I should note that criminal penalties are not unusual—they are a feature of some existing State laws. They are just another tool in the effort to protect our natural surroundings.

There is one other comment which should be made. When it becomes national policy that land reclamation must be accomplished, the costs of this work will have to be met. There is no such thing as "a free ride" in mistreatment of our natural resources. Past failures to recognize reclamation as an integral part of mining and to include its costs in the price of the commodity should not be repeated. S. 3132 offers the means to take up this commitment to the future of the American land and the American people.

Senator METCALF. Our next witness is another old friend of this committee, the Honorable John A. Baker, the Assistant Secretary of the Department of Agriculture. We are delighted to have you here, Mr. Secretary, and will you go right ahead in your own way. Would you introduce the men with you?

STATEMENT OF JOHN A. BAKER, ASSISTANT SECRETARY, DEPARTMENT OF AGRICULTURE; ACCOMPANIED BY K. E. GRANT, ASSOCIATE ADMINISTRATOR, D. M. WHITT, DIRECTOR, PLANT SCIENCES, SOIL CONSERVATION SERVICE; E. P. CLIFF, CHIEF, R. G. FLORANCE, LEGISLATIVE REPORTING, AND BYRON BEATTIE, DIRECTOR, WATERSHED MANAGEMENT, FOREST SERVICE

Mr. BAKER. Mr. Chairman, I have with me Chief Ed Cliff of the Forest Service and Byron Beattie, the Associate Administrator of SCS, Ken Grant, Mr. Darnell Whitt and Mr. R. G. Florance, whom this committee knows extremely well. I would ask if I might, Mr. Chairman, that they appear at the table with me to respond to questions.

Senator METCALF. We are delighted to have them and to have their help, their counsel, and their guidance. As I understand it, we have not had a report from the Department of Agriculture on this legisla-