As our country fills with more and more people, the natural buffer zones between their various activities diminish at an increasing rate and must be replaced with manmade efforts to insure that conflicts between the rights—personal and property—of all citizens are minimized. Mining reclamation is one aspect of that picture, and we all recognize that.

But the legislation before you is an exceedingly heavyhanded approach with grave potential for restricting the healthy development of our industry wholly out of proportion to the size of the problem. We do not believe Federal legislation is called for; we oppose it as unnecessary, undesirable, and impractical.

It is unnecessary because no plausible case exists for global Federal regulation producing a conflict of jurisdiction over the myriad local conditions which apply to the reclamation of surface-mined lands.

It is undesirable, in that—despite disclaimers to the contrary—this legislation would effectively take over the field of oversight of surface mining for the Federal Government. It would depress and could kill off any incentive or opportunity for the widely diversified courses of action which State and local governing bodies may deem appropriate to their own balanced set of State and local requirements.

It would unnecessarily subject mining operations, vital not only to the Nation's prosperity but also to local economies, to control by a distant department in Washington, with resulting unwarranted costs imposed both on industry and on the Federal Government as well.

It is impractical because it would attempt to apply Federal regulation to an infinite variety of special circumstances which exist throughout the mining industry in the United States.

In discussing this subject, it is important to consider the nature of mining and the economic factors involved. We are gratified to note that subsection 3(a) of the administration bill, S. 3132, proposes as a congressional finding that "extraction of minerals by surface mining is a significant and essential industrial activity and contributes to the economic potential of the Nation." Indeed, this fact cannot be overemphasized. As pointed out in the Department of the Interior's report on "Surface Mining and Our Environment," surface mining in 1965 accounted for approximately four-fifths of the total ore and solid fuels produced in this country.

Open pit mining is often the most practical and generally the only economic way to mine the low-grade deposits which now comprise a major portion of our resource base. The mining industry now relies on mechanization, handling large tonnages of overburden and ores, and large surface plants in order to keep costs down so that these low-grade deposits may be mined, treated, and sold at realistic prices competitive with foreign enterprise.

The average grade of ore for many of our vital mineral products gradually is decreasing over the years, making it necessary for producers to find increasing cost economies to permit the mining of even lower grades. Much of our gold reserves even now cannot be mined because of the unfavorable balance between costs and price.

The mining industry serves the public interest by making available from domestic sources the raw materials basic to our economy and our national welfare. We cannot choose the locations for our production facilities. We must locate our facilities where the minerals are found. Thus, the contribution by the mining industry to the economy