

Senator JORDAN. Mr. Abdnor, do you believe the enactment of this legislation would possibly jeopardize the ability of the mining industry of this country to produce the strategic minerals and metals we need for defense and expanding of the industrial economy?

Mr. ABDNOR. Senator, I think the scope of the authority that would be given to the administrator, particularly at the Federal level, would be such that it could conceivably create a situation that would be entirely uneconomic. I don't say this is going to happen, but I say that the authority granted is so broad in this legislation, without any right of appeal to the courts, without any recourse, simply what rests in the judgment of a man, will be imposed upon the mining industry, and some of this will depend upon what the eyes of that man see: Is it beautiful or is it not beautiful?

This is the wide-open approach that gives us such great concern and particularly because this legislation makes no reference to economic feasibility or practical feasibility.

Senator JORDAN. I think you make a good point when you say that there is no opportunity for judicial review of the Secretary's decision, whatever that may be and whoever the Secretary may be.

Mr. ABDNOR. Precisely, sir.

Senator JORDAN. Could not you people in the mining industry suggest amendments to this bill, if you have to have a bill, and I assume that you probably are going to have to have a bill?

What amendments would you suggest that would provide for judicial review, would provide for some of the things that you think this bill lacks? Have you gone into that?

Mr. ABDNOR. No, sir. We have not gone into that at this point. If I were convinced that we had to have a bill, I am confident that we could furnish amendments which would vastly improve this bill as written. However, the problem inherent in Federal legislation is that it encounters the diversity that exists in the total mining industry in all of the States involved. It is these inherent problems that we address ourselves to at this time. Certainly, sir, there could be amendments to vastly improve the bill, but we don't think it would make it a good bill.

Senator JORDAN. So you have not addressed yourselves at this point to any amendment that might make the bill more palatable to your industry?

Mr. ABDNOR. Not specifically. We have pointed out a number of areas which, as I say, I think are inherent in the Federal approach to the problem but there are other areas here such as the one you noted on the matter of lack of judicial review, which obviously could be reflected by corrective amendment.

At an appropriate time, I am sure that upon inquiry of this committee we as an association would be glad to present such information to you. Nevertheless, I again say that at this point we take a position of opposition to the total concept of Federal control.

Senator JORDAN. I understand.

Again I repeat, if a bill is going to be enacted, it might be helpful to this committee if you offered some amendment which in your mind was constructive and would obviate some of the evils you see here.

Mr. ABDNOR. I think we understand that, sir, and certainly it will be brought to the attention of the American Mining Congress for whom I speak.