

Senator JORDAN. Thank you.

Mr. ABDNOR. Thank you, sir.

Senator METCALF. I am very grateful to my colleague from Idaho for bringing up this question of judicial review.

I feel that in almost every instance there should be some judicial review and I hope that you will come up with some suggestions. If you come up with some legislation, I would suggest that maybe you would remember that for many, many years I have fought for judicial review in the appropriate district court, rather than requiring Montanans to travel more than 1,000 miles to San Francisco from Butte. So, I am in complete accord with that.

In your principal discussion, Mr. Abdnor, and your responses to Senator Jordan, you said that this might make us less competitive with foreign production. In other words, if we made the Anaconda Co. or the Kennecott Co. do something about the pit—and I don't think this bill does that—if we did that, Chilean production or something would be more competitive and would put some of our Montana miners or all the miners out of work.

Mr. ABDNOR. I think that is elemental, sir.

Senator METCALF. Then you really didn't mean this was a global bill, did you?

Mr. ABDNOR. I meant global in a sense that you might use the word general or generic applying to the total of the United States under control. Perhaps it was an unfortunate word. In the statement I read, global meant generic throughout the United States.

Senator METCALF. If we had global jurisdiction that would not be a problem, would it?

Mr. ABDNOR. If we could control some of the fellows in the other countries, I think that would be different.

Senator METCALF. I think I mentioned that more than 30 years ago I was a member of the Montana Legislature.

Mr. ABDNOR. Yes, sir.

Senator METCALF. And had introduced similar legislation for gold dredgers who were going down the valleys and the streambeds and were destroying farmland that was much more valuable than some of the land we are discussing today. And the representatives of the American Mining Congress and the mining people came in and opposed that legislation because they didn't want State control.

It would seem to me that you consistently whipsaw us in this business of trying to get some control. Believe me, I want to compliment many of the mining institutions for some of the forward-looking operations that they have had in the 30 years that have elapsed since I introduced that legislation.

You go into the State legislatures and you say you cannot be competitive and the legislature cannot put this sort of law in Montana because the miners cannot compete with the price of copper in Utah and Arizona.

You go into the coal areas and you say that if Kentucky passes, a bill for reclamation and restoration of strip mining, look what it will do for us in the Four Corners Region of Oklahoma and Kansas and so forth. It would seem to me that this approach, where we are trying not to make it Federal but we are trying to encourage equitable State