

Mr. REILLY. Well, I think this is one of the misfortunes of the horseback approach. I heard the statement the Secretary made. By the same token, I also heard the statement that he made that we would run this law from Washington. I think that is in the record.

Senator METCALF. If in the event that there were failure on the part of the States to act in compliance with the law and proceed, as the legislature would do.

Mr. REILLY. And he would decide it.

Senator METCALF. And it was the coal industry before even I came to Congress that put through a mine safety law. Then you went out to the legislatures and passed the law and most of it is being enforced at the State level. I think that is a pretty good way to do it. I think that putting the whole coal industry on an equally competitive basis in enforcing safety provisions probably has saved some lives and at the same time helped the people who were forward looking, who did have a desire to create safety conditions. It has helped them in their competitive position against the miner who would pay or against the operator who would take a chance.

Mr. REILLY. You won't get discouraged with me, I happen to have one of the best safety records in the industry as a manager.

The point I want to make is this, that when the Secretary makes the statement about the excellence of the Kentucky law, per se, it is being misunderstood in many cases because a law has certain provisions in it. That has not proven what they will do, they are new. I think the best laws in the United States on reclamation are not necessarily in Kentucky or Pennsylvania just because they are the most expensive. Their approach to it is more expensive than it should be, but that does not make it the best. Because something costs the most does not make it the best. I don't believe we want to leave any impression here that we agree that the Pennsylvania law and the Kentucky law are good laws, because I don't think they are. I don't think they get the job done efficiently. I think they cost too much for what they get. That is one man's opinion who is in the field.

Senator METCALF. It is my opinion, however, that Kentucky and Illinois and others—the statistics are in the record twice now—are among the States which have these laws on the books now.

The passage of this bill will not change the competitive position of the people in those areas, but the passage of this bill will change the competitive position of the people in the areas where they have no laws.

Mr. MOODY. Mr. Chairman, any time that we can have 91 percent of this problem covered by State law, certainly if you put another layer of bureaucracy on top of it it is going to cost a lot more money. We are taxpayers and it does cost money. The problem of trying a second blow at the same time in other words, to make both your State operator happy and your Federal operator happy, certainly this morning's little discourse that took place here is indicative of the problem. To my mind your question is almost self-answered. We are saying that 91 percent of this production is covered in the coal industry. We are saying that as long as that is so, give us a chance; don't load some more laws on us at this time.

Senator METCALF. Mr. Hall.