

the public lands. When this task is done, major recommendations for changes to eliminate conflicting laws and to improve public land administration will no doubt be made. It would seem judicious to defer action on S. 3132 until the work of the Public Land Law Review Commission is complete. Moreover, the time limits contemplated for action by the several States appear to be unduly short.

A number of Western States are beginning to study questions of mining practices on the State lands, and Idaho is among them. The problems involved are substantial and will require more than 1 or 2 years for their solution. Cooperative efforts among the States are contemplated, involving initially the mining industry, the universities, and through the Federation of Rocky Mountain States. Hasty action within the States, forced by quickly passed Federal legislation itself not too thoroughly studied, may well lead to poor legislation injurious to the mining industry and thereby injurious to the whole of society, which is strongly dependent on minerals for its general well-being.

It is clear that regulation of surface mining practices and reclamation of surface-mined land in each State is primarily the responsibility of that State. The Federal Government, to the extent that it is interested in these matters, might well convey its interest to the States by means of a congressional resolution urging and encouraging each State to undertake the necessary studies and to enact in due course the necessary legislation. Or it might go a bit further and make some matching funds available to the States, to help with the costly and time-consuming studies that must be carried out before good legislation can be enacted.

Many of the proposed regulations and laws brought forward so far suffer from ambiguous terms and concepts that need to be brought into clear definition; such clear definition in many instances can only be accomplished through extensive research programs. When the work of the Public Land Law Review Commission is complete and the States have had sufficient time to carry out studies and enact good regulations for surface mining practices and land reclamation, then it will be time for the Federal Government, through the Congress, to look at the various State situations. At that time, a judgment can be made whether legislation of the sort represented by S. 3132 is still necessary, if so, then it can be taken up again.

Should the judgment of the Congress be that it is proper at this time to enact legislation of the type represented by S. 3132 then we would wish to participate in efforts designed to modify or amend several parts of the bill in an attempt to make it more workable in our view.

To illustrate the direction such work might go, we will comment below on a few difficulties that we see in S. 3132 in its present form.

Section 3(a) does not go far enough. While stating that surface mining is essential to the economy of the Nation, it should go further and state that because of its importance to the Nation, surface mining is to be actively encouraged in all possible ways to be consistent with the well being of the Nation.

Section 2(b) defines reclamation as reconditioning or restoration. What degree of such reconditioning or restoration is contemplated? Much ambiguity seems to exist here.

Section 2(d) defines a surface mine very broadly. Falling within this definition, and mentioned just to illustrate the breadth of the definition, are barrow pits used by State highway departments in road construc-