

Senator CHURCH. What I am trying to probe for is some assessment on the part of you gentlemen who represent the industry as to whether in your opinion it is more desirable to try to work out with the Department of the Interior regulations that you can live with and which are also acceptable to the Secretary, or whether you think the best interests of the industry lie in the direction of Congress asserting its fundamental authority in this field and establishing, through legislation, the general guidelines that would control the Secretary's action?

Mr. OLSEN. Senator, this is a question which I think we would almost have to answer at a future time. As of now, we are still hopeful of being able to work out something satisfactory with the Secretary of the Interior, based largely on the comments which he made here yesterday morning relative to what his intentions are.

I know that he stated that it was not the intent to completely eliminate the effects of mining on the land. I noted that he also stated it was not his intent to require backfilling unreasonably. It would seem to me that with that common intent we should certainly be able to work something out with him which is going to be satisfactory to everyone. We intend to continue that course and strive our very best to accomplish it in that manner. What the future holds, we cannot say. Therefore, to commit ourselves either way at this point I think would be impossible.

Senator CHURCH. In other words, I interpret your answer to my question as you want to see what the regulations are first before you decide to jump one way or the other.

Mr. EMIGH. May I comment?

Senator CHURCH. Yes, certainly.

Mr. EMIGH. We in minerals are in a strange position here. We are subject to the Interior, and are also subject to the proposed bill. It applies to us as well as to anybody mining on fee lands. We are also subject to the Department of the Interior's regulations. We recognize the problems they have. We still feel in our conference that many of our problems with the Interior have been their lack of understanding of our problems. We thought that was overcome twice. It turns out it wasn't. We are looking forward to these proposed regulations to come up in a few days. In our case we have to work with the Secretary.

Senator METCALF. I think it should be made clear, Senator Church, as part of this discussion, as I understand it, the western phosphate mines are largely on Federal land.

Mr. POWER. That is correct.

Senator METCALF. So, you are not in the situation that they are in Florida, for example, where they are operating on private land?

Mr. POWER. That is correct.

Senator CHURCH. I think you are at the moment in a position where you have to wait and see. I think that this committee ought to also defer any decision as to the pending proposal until we have had an opportunity to examine the proposed regulations and determine what they are going to involve. I hope that we will be in a position to do that sometime soon.

Senator Jordan's questioning brought out very clearly the tremendous economic values that are represented in the mining activity as compared to what the land, itself, would sustain in its natural state. I think that is a very dramatic contrast. After all, we are all engaged