

Senator ANDERSON. Have you had difficulties with the Federal Government before?

Mr. AUVIL. Personally, no.

Senator ANDERSON. Officially?

Mr. AUVIL. Officially, no.

Senator ANDERSON. Then why worry?

Mr. AUVIL. The language of the bill, Senator, worries me. I mean this gives almost complete power to one individual and I am against this in principle.

Senator METCALF. Senator Fannin?

Senator FANNIN. No questions.

Senator METCALF. I believe you have been here during the hearings and I know that you have heard most of the testimony. This suggestion of yours has been made by others, that we have a board of review, and I think every member of this committee for many, many years has been committed to a judicial review and some of us were here when the Administrative Procedure Act was passed to try to get uniformity of review of procedures. I am sure that before any legislation finally is reported there will be appeal procedure provided.

Now, if such a procedure were provided would that alleviate some of your misgivings?

Mr. AUVIL. Yes; it certainly would. The fact that the language of the bill as it is presently written, where a State or an individual or even an operator does not have any right to appeal, bothers me very greatly.

Senator METCALF. I know that all of us are concerned about this delegation of too much power to any individual and as I facetiously mentioned a few minutes ago, many people seem to fear that we are going to have a change of administration and a new secretary that they may distrust. We have had Secretaries of the Interior who have abused some of their powers. I am pleased for you to raise this question and I congratulate Georgia for passing new legislation and moving forward as a State in this area of reclamation.

Mr. AUVIL. Thank you, sir.

Senator METCALF. Thank you.

Senator Fannin, do you want to introduce the next witness?

Senator FANNIN. Thank you very much. I am very pleased to introduce Mr. Edwart Peplow of Arizona, executive secretary of the Arizona Mining Association, a gentleman of wide experience in mining, highly respected in our State of Arizona, whose counsel is solicited generally throughout the mining industry.

I believe he will express the concern of Arizona's mining industry about the impact of this proposed legislation.

I think I express our general concern that legislation, such as the matter before us, centralizes too much power in a department of the Federal Government to the possible detriment of the mining industry. We must be competitive with the other nations of the world and maintain a domestic mining industry that can provide our needs without having to depend on imports dependent on imports.

We should realize that the mining industry often processes low-grade ore on marginal production. We cannot place economic barriers upon them that would inhibit competition. I am very pleased to have Mr. Peplow here with us this morning, Mr. Chairman and Senator