

Do you intend to institute blanket court procedures? And, third, what is your personnel problem with respect to this?

Mr. UDALL. Senator, we do intend to quicken the pace of action and as I have already indicated, the one way I think the Congress could help us to quicken it would be with some kind of recording statute. We are going to need additional personnel. We are planning to add additional personnel, both examiners to hold hearings on persons to ascertain factual data, and so on.

The solicitor might comment on the specific steps that are envisioned here, but it is obvious that we do need to move at a more rapid pace. We also need very judiciously to select out and get into the courts as quickly as we can test cases that will apply across the board.

Now, this does not mean that a particular case, once the rule of law is laid down, of and by itself immediately—as I am sure the Senator will understand, he being a lawyer—demolishes all the claims. But it will certainly make it a lot easier for us once we have the basic law laid down to work with counsel representing claimants and to dispose of those cases that have no merits.

Senator ALLOTT. Would you like to comment, Mr. Barry?

Mr. BARRY. Only that our present pace in the oil shale contest is pretty well set by the complications of the cases at this time. We have been 2 years bringing the contests to trial. They have been continued several times. They were recently continued until June. I do not know whether the last continuance was at our request or at contestees' request. I have been informed that we were ready for trial. The contests had been set to start in April.

But these are extremely difficult cases. These are the old pre-1920 cases involving the issue of discovery; whether oil shale is a valuable mineral in the terms of the 1872 act. This question necessarily requires an enormous amount of technological work. But it has to be done once by us and by the claimants. We have selected claims to raise the issue with a design to test the very best claims so that if it turns out that they do not support a discovery, the rest of the claims would fall according to some sort of domino theory. Although, of course, each has to be contested before it is cleared.

With respect to the claims recently located, it is our misfortune perhaps in this matter but otherwise the good fortune of the States of the Colorado River Basin, that we have a good snowpack. We have not been able to send our people out to inspect the lands to determine the facts and whether a particular claim justifies a contest. The practice is to send a geologist or an engineer to inspect the claim, to report on the facts and, if a contest is filed, to testify at the trial. Most of these recent claims that are in the Piceance Basin, we are informed, are now covered with snow. We expect to get people out there as early as we can this spring.

Senator ALLOTT. Well, then, I assume from your answer—and you correct me if I do not state this correctly—that what you are trying to do is draw some definitive lines from a legal standpoint by which you would hope to include in various classes of cases or classes of decisions a large number of claims so that the ones which have to be individually determined later would hopefully fall into a determination that has already been made in one or other of these classes.