

gamble—\$100 million or \$125 million in the Colorado area, which is the area in which most of the development has taken place, we would still only be talking about 30,000 acres, a little over 30,000 acres, out of approximately 500,000 acres which lie in the Federal domain.

Mr. UDALL. That is correct, Senator. It is a very small fraction.

Let me try to express this situation, if I can, for the benefit of the record. Of course, under the oil leasing statute on the Continental Shelves there are no acreage limitations per company. There is a highest bidder proposition, and this is in areas, of course, where we have some knowledge of what we expect might be there, and companies can and do bid for more than one block, the total acreage of which may be much greater than 5,120 acres. But oil shale is covered under the Mineral Leasing Act, and under a special section of that Act, and, therefore, the 5,120-acre limitation is a limitation by law.

Now, once we have the process developed, once we have the technology, once all the unknowns are known, we may arrive at a point where it may be in the public interest to come back to Congress and to have that specific acreage limitation reconsidered. But I think for the time being it is probably a sound limitation and that this means that oil shale is treated differently, it is treated as a mineral and not as petroleum on the Outer Continental Shelf is treated.

Senator ALLOTT. Well, because of your answer, I will have to make my own position clear. I am not contending, Mr. Udall, that it should be larger than this, but I just wanted to get on the record what we are dealing with.

With respect to patents—and I forget just where you covered this in your statement—I think we make an error here in considering this on a separate basis from any other resource. I have contended for many years, while many others kept quiet in the Senate, that development of oil shale was in the national interest, in the public interest. When I discussed the possibility of the curbs on imports that might occur because of the Suez or Arab-Israel crisis, people looked at me like I was having pipedreams. But this has come about and it has affected particularly Europe, it has affected us, Mr. Secretary, as you well know. It seems to me that in the area of process patents that the greatest deterrent to oil shale development would be for the Government to insist that because the people are working on a public resource that any patents developed would belong to the Federal Government.

If we take this same analogy back to our mining laws, then all of the patents developed during the long tedious years of developing mining in this country—gold, silver, lead, and zinc, the whole thing that your State has, as well as mine, and most Western States—all of these patents should also probably have belonged just as logically, using your line of reasoning, in the public domain.

It occurs to me—and I would like to have your comments on this—that we cannot regard this in the same light as we do any one of the two dozen fields in which the Government puts up a major portion of research costs—we are now putting some \$17 billion a year into research. In those instances the government is actually financing the research, whereas in this instance the private companies are financing the research and, frankly, I think this patent policy will be one of the