



First, I do not think it necessary to tamper with the 1872 Act in order to have an exploration claim bill. If the Public Land Law Review Commission is authorized, revision of the basic Act could be taken up by Congress based upon the Commission's report.

Second, there is a wide area of common interest between the United States as public land manager, and the mining industry. For example, both sides know that given the technological improvements in geophysics, geochemistry, and the like, prospecting in 20 acre units is not always the most efficient approach. Pressing modern exploration into the strait-jacket of 1872 methods often involves uneconomic activity by industry, and from the Government's standpoint, unnecessary damage to the surface sometimes results. Similarly, it is widely recognized that a larger geographic area is needed in the early stages of exploration than may be needed for mining. Early accommodation to this need may result in more conservative demands for surface at later stages and thus leave more of the surface available for other uses over a longer period of time.

Third, national needs for resources dictate that operators have a reasonable time to develop markets for new materials, particularly in the non-metallics. I've had the feeling that development of new minerals will be aided if the rigidity of our discovery rules were modified. On the other hand, a severe standard often has been necessary to prevent non-mining surface acquisition. We ought to try to accommodate both objectives.

Fourth, it is desirable that the public domain be cleared of title-clouding unpatented mining claims which are not reasonably related to mining objectives. This can best be done, it seems to me, by furnishing some incentive for the industry to cooperate. Rigidity on discovery has tended to preclude cooperation. The sword of Damocles hanging over the bona fide locator who's not sure he can prove discovery under current rulings or current market conditions ought to be removed.

Fifth, an exploration claim bill ought to contemplate significant acreages. In this category, I would think that a basic exploration claim should be a section in size, and possibly up to eight sections permitted to one claimant in one State. I also think claims should conform with our rectangular public land survey system.

The statement of guidelines only lays a foundation. Having set them up, I undertook before coming to this meeting, to try my hand at devising language to implement them. The effort raised more questions than it answered. No purpose would be served by unveiling my draft, since it has no status beyond being a vehicle for discussion with, among others, your public lands committee.

The dialogue is happily now opened. I've assured the Committee, and I assure you, that the Department, so far as I know, has no doctrinaire commitment to any proposal, or any language. My contribution is to suggest, in conclusion, that government, the mining industry, and the public generally have many common objectives. We ought to try to get together.

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