

CONFIRMING AND ESTABLISHING THE TITLES OF THE STATES TO LANDS BENEATH NAVIGABLE WATERS WITHIN STATE BOUNDARIES AND TO THE NATURAL RESOURCES WITHIN SUCH LANDS AND WATERS, AND PROVIDE FOR THE USE AND CONTROL OF SAID LANDS AND RESOURCES

MAY 7, 1952.—Ordered to be printed

Mr. WALTER, from the committee of conference, submitted the following

### CONFERENCE REPORT

[To accompany S. J. Res. 20]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 20) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources within such lands and waters, and to provide for the use and control of said lands and resources, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment and the Senate agree to the same.

FRANCIS E. WALTER,  
J. FRANK WILSON,  
LOUIS E. GRAHAM,  
CLIFFORD P. CASE,

*Managers on the Part of the House.*

JOSEPH C. O'MAHONEY,  
RUSSELL B. LONG,  
HUGH BUTLER,  
GUY CORDON,

*Managers on the Part of the Senate.*

## STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the joint resolution (S. J. Res. 20) to confirm and establish the titles of the States to lands beneath navigable waters within State boundaries and to the natural resources within such lands and waters, and to provide for the use and control of said lands and resources, submit the following explanation of the effect of the action agreed upon in conference and recommended in the accompanying conference report:

The House amendment substituted in language of the bill H. R. 4484, as agreed to by the House, for the language of the Senate resolution.

The first title of the House amendment was in substance the same as the corresponding part of the Senate resolution except that the former provided for definitions of such matter relating to the area in the Continental Shelf outside State boundaries. Since title III was deleted by the conference, they are superfluous. Those definitions are contained in title I, section 2, subsections (f), (g), (i), (k), and (l) of the House amendment.

Title II of the House amendment was substantially identical with title II of the Senate resolution with the exception that in the latter sections 8 and 9 corresponded similarly to sections 17 and 19 of title III of the House amendment. Section 8 of the Senate resolution and its counterpart in the House amendment, section 17, merely provide that the act shall not affect any of the issues between the United States and the States relating to the ownership or control of the subsoil and seabed of the Continental Shelf lying beyond the lands beneath navigable waters as defined in the bill. Section 9 of the Senate resolution and its counterpart, section 19 of the House amendment, provide for the usual separability clause.

The conference agreement provides in title I for the definitions of various terms which are employed in title II.

Title II of the conference agreement is substantially identical with title II in the Senate resolution and the House amendment. Title II recognizes, confirms, vests, and establishes in the States title to the submerged lands beneath navigable waters within their boundaries and of the natural resources within such lands and waters. The areas affected by this title include all the submerged lands seaward from the coast line for a distance of 3 miles or to the original boundary of any State in any case where such boundary at the time the State entered the Union extended more than 3 miles seaward.

Title II does not affect any of the Federal constitutional powers of regulation and control over the submerged lands and navigable waters within State boundaries. These powers, such as those over commerce, navigation, flood control, national defense, and international affairs, are fully protected. Title II also gives to the Federal Government the

preferred right to purchase, whenever necessary for national defense, all or any portion of the natural resources produced from these submerged lands.

The conference report does not affect any of the areas of the Continental Shelf adjacent to the United States which are outside of such State boundaries.

FRANCIS E. WALTER,  
J. FRANK WILSON,  
LOUIS E. GRAHAM,  
CLIFFORD P. CASE,  
*Managers on the Part of the House.*

