

THE WHITE HOUSE
WASHINGTON

June 3, 1952

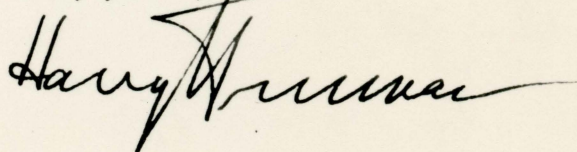
Dear Mr. Carter:

I read your letter of May twenty-eighth with a great deal of interest and I am sorry that I can't agree with you on the title to what is misnamed the Tidelands.

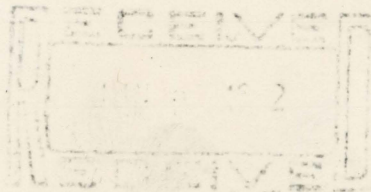
Tidelands are those lands which are exposed between high and low tide. The Federal Government has never laid any claim to them but the waters adjacent to the coast of the United States belong to the Federal Government, as well as all the assets which they contain.

The reason I issued the proclamation laying claim to the mineral contents of the continental shelf was because I did not want any foreign power taking possession of those assets. I am sending you a copy of my veto message which, in my opinion, is a very restrained and factual document.

Sincerely yours,



Mr. Amon G. Carter
Publisher
Fort Worth Star-Telegram
Fort Worth, Texas



TITLE TO CERTAIN SUBMERGED LANDS—VETO MESSAGE

M E S S A G E

FROM

THE PRESIDENT OF THE UNITED STATES

RETURNING

WITHOUT APPROVAL THE JOINT RESOLUTION (S. J. RES. 20) ENTITLED "A JOINT RESOLUTION 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"

MAY 29 (legislative day, MAY 28), 1952.—Read; ordered to lie on the table and to be printed.

To the Senate of the United States:

I return herewith, without my approval, Senate Joint Resolution 20, entitled "Joint resolution 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."

This joint resolution deals with a matter which is of great importance to every person in the United States. I have studied it very carefully, and have taken into account the views and interests of those who support this legislation, as well as of those who are opposed to it.

I have concluded that I cannot approve this joint resolution, because it would turn over to certain States, as a free gift, very valuable lands and mineral resources of the United States as a whole—that is, of all the people of the country. I do not believe such an action would be in the national interest, and I do not see how any President could fail to oppose it.

The lands and mineral resources in question lie under the open sea off the Pacific, the Gulf, and the Atlantic coasts of our country.

Contrary to what has been asserted, this resolution would have no effect whatever on the status of the lands which lie under navigable rivers, lakes, harbors, bays, sounds, and other navigable bodies of water that are inland waters. Neither would it have any effect on the tidelands—that is, the lands along the seashore which are covered at high tide and exposed at low tide. All such lands have long been held by the courts to belong to the States or their grantees, and this resolution would make no change in the situation.

The only lands which would be affected by this resolution extend under the open ocean for some miles seaward from the low-tide mark or from the mouths of harbors, sounds, and other inland waters. What this resolution would do would be to give these lands to the States which happen to border on the ocean.

It has been contended that the joint resolution merely restores to the States property which they owned prior to the 1947 decision of the Supreme Court in the case of *United States v. California*. This argument is entirely erroneous.

Until recent years, little or no attention was paid to the question of who owned these lands under the open sea, since they were for all practical purposes without value. But, about 20 years ago, oil began to be produced in substantial quantities from the submerged lands off the coast of California. Then, for the first time, the legal question of ownership became important and was given serious consideration.

There was uncertainty for a number of years over whether these were State or Federal lands. Even so careful and zealous a guardian of the public interest as the late Secretary of the Interior, Harold Ickes, at first assumed that the undersea lands were owned by the States. When he subsequently made studies of the matter, however, he concluded that the United States had interests in these lands which should be determined by the courts.

Whatever may have been the opinion of various people in the past, the legal controversy has now been finally resolved in the only way such legal questions can be resolved under our Constitution—that is by the courts, in this case by the Supreme Court. It has been resolved by that Court not once but three times. First in 1947, in the case of California, then twice in 1950, in the cases of Louisiana and Texas, the Court held that the submerged lands and mineral resources underlying the open waters of the ocean off the coast of the United States are lands and resources of the United States, and that the various coastal States, as such, do not have and have never had any title to or property interest in such lands or resources. Texas, of course, before it became a State and while it was an independent republic, had whatever rights then existed in the submerged lands off its coast, but the Supreme Court ruled that any such rights were transferred to the United States under the annexation agreement when Texas entered the Union.

Consequently, the law has now been determined, and it applies uniformly to all coastal States. Lands under the open sea are not owned by the coastal States, but are lands belonging to the United States—that is, they are lands of all the people of the country.

Accordingly, the real question presented by this joint resolution is not who owns the lands in question. That question was settled by the Supreme Court. The real question this resolution raises is:

Should the people of the country give an asset belonging to all of them to the States which happen to border on the ocean? This resolution would do just that. Despite all the irrelevant contentions which have been made in favor of this resolution, its real purpose and its sole effect would be to give to a few States undersea lands and mineral resources which belong to the entire Nation.

I cannot agree that this would be a wise or proper way to dispose of these lands and mineral resources of the United States. Instead, I think the resources in these lands under the sea should be developed and used for the benefit of all the people of the country, including those who live in the coastal States.

I would not agree to any proposal that would deprive the people of the coastal States of anything that rightfully belongs to them. By the same token, I cannot be faithless to the duty I have to protect the rights of the people of the other States of the Union.

The resources in the lands under the marginal sea are enormously valuable. About 235 million barrels of oil have already been recovered from the submerged lands affected by this joint resolution—nearly all of it from lands off the coasts of California and Louisiana. The oil fields already discovered in these lands are estimated to hold at least 278 million more barrels of oil. Moreover, it is estimated that more than 2½ billion additional barrels of oil may be discovered in the submerged lands that would be given away off the coasts of California, Texas, and Louisiana alone. In addition to oil and gas, it is altogether possible that other mineral resources of great value will be discovered and developed beneath the ocean bed.

The figures I have cited relate only to the submerged lands which are claimed to be covered by this resolution—that is, the marginal belt of land which the sponsors of the resolution say extends seaward 3 marine leagues (10½ land miles) from the low-tide mark off the coast of Texas and the west coast of Florida, and 3 nautical miles (3½ land miles) off all other coastal areas.

The Continental Shelf, which extends in some areas 150 miles or more off the coast of our country, contains additional amounts of oil and other minerals of huge value. One oil well, for example, has already been drilled and is producing about 22 miles off the coast of Louisiana.

While this resolution does not specifically purport to convey lands and resources of the Continental Shelf beyond a marginal belt, the resolution does open the door for the coastal States to come back and assert claims for the mineral resources of “the Continental Shelf lying seaward and outside of” this area. The intent of the coastal States in this regard has been made clear by actions of the State Legislature of Louisiana, which has enacted legislation claiming to extend the State’s boundary 27 miles into the Gulf of Mexico, and of the State Legislature of Texas, which has enacted legislation claiming to extend that State’s boundary to the outer limit of the Continental Shelf. Such an action would extend Texas’ boundary as much as 130 miles into the Gulf of Mexico.

I see no good reason for the Federal Government to make an outright gift, for the benefit of a few coastal States, of property interests worth billions of dollars—property interests which belong to 155 million people. The vast quantities of oil and gas in the submerged ocean lands belong to the people of all the States. They represent

part of a priceless national heritage. This national wealth, like other lands owned by the United States, is held in trust for every citizen of the United States. It should be used for the welfare and security of the Nation as a whole. Its future revenues should be applied to relieve the tax burdens of the people of all the States and not of just a few States.

For these reasons, I cannot concur in donating lands under the open sea to the coastal States, as this resolution would do.

I should like to dispose of some of the arguments which have been made in support of this resolution—arguments which seem to me to be wholly fallacious.

It has been claimed that such legislation as this is necessary to protect the rights of all the States in the lands beneath their navigable inland waters. It has been argued that the decisions of the Supreme Court in the California, Louisiana, and Texas cases have somehow cast doubt on the status of lands under these inland waters. There is no truth in this at all. Nothing in these cases raises the slightest question about the ownership of lands beneath inland waters. A long and unbroken line of Supreme Court decisions, extending back for more than 100 years, holds unequivocally that the States or their grantees own the lands beneath the navigable inland waters within the State boundaries.

Long Island Sound, for example, was determined by the courts to be an inland water many years ago. So were Mobile Bay, and Mississippi Sound, and San Francisco Bay, and Puget Sound. Chesapeake and Delaware Bays, and New York and Boston Harbors, are inland waters. The Federal Government neither has nor asserts any right or interest in the lands and resources underlying these or other navigable inland waters within State boundaries. Neither does it have or assert any right or interest in the tidelands, the lands lying between the high and low watermarks of the tides. All this has been settled conclusively by the courts.

If the Congress wishes to enact legislation confirming the States in the ownership of what is already theirs—that is, the lands and resources under navigable inland waters and the tidelands—I shall, of course, be glad to approve it. But such legislation is completely unnecessary, and bears no relation whatever to the question of what should be done with lands which the States do not now own—that is, the lands under the open sea.

The proponents of this legislation have also asserted that under the Supreme Court rulings the Federal Government may interfere with the rights of the States to control the taking, conservation, and development of fish, shrimp, kelp, and other marine animal or plant life. It is also asserted that the Federal Government may interfere with the rights to filled-in or reclaimed lands, or the rights relating to docks, piers, breakwaters, or other structures built into or over the ocean. I can say simply and categorically that the executive branch of the Government has no intention whatever of undertaking any such thing. If the Congress finds any cause for apprehension in this regard, it can easily settle the matter by appropriate legislation, which I would be very happy to approve. But these assertions provide no excuse for passing legislation to give to a few States—at the expense of the people of all the others—rights they do not now have to very valuable lands and minerals beneath the open sea.

I have considered carefully the arguments that have been advanced to the general effect that, regardless of the decisions of the Supreme Court, the coastal States ought to own the lands beneath the marginal sea. These arguments have been varied and ingenious. I cannot review all of them here. Suffice it to say I have found none of these arguments to be persuasive.

The fact is that the Federal Government, and not the States, obtained the rights to these lands by the action of the Executive, beginning with a letter from Secretary of State Thomas Jefferson in 1793, when he asserted jurisdiction, on behalf of the United States as against all other nations, over the 3-mile belt of ocean seaward of the low-tide mark. Neither then nor at any other time did the Federal Government relinquish any authority over this belt. The rights to this ocean belt, in other words, are and always have been Federal rights, maintained under international law by the National Government on behalf of all the people of the country.

It has been strongly urged upon me that the case of Texas differs from that of the other coastal States, and that special considerations entitle Texas to submerged lands lying off its coast. I recognize that the situation relating to Texas is unique. Texas was an independent Republic for 9 years before she was admitted to the Union, in 1845, "on an equal footing with the existing States." During those 9 years it had whatever rights then existed in submerged lands of the marginal sea.

Texas entered the Union pursuant to a joint resolution of annexation, enacted by the Congress. Some of the provisions of the annexation resolution are not clear in their meaning as they apply to the present question. Thus, the resolution granted to Texas "all the vacant and unappropriated lands lying within its limits," but at the same time it also required Texas to cede to the United States "all * * * ports and harbors * * * and all other property and means pertaining to the public defense."

The legal question relating to ownership of submerged lands off the coast of Texas may have been different and more difficult than the legal question with respect to California and Louisiana. But the Supreme Court decided that when Texas entered the Union on an equal footing with the other States, thereupon ceasing to be an independent nation, it transferred national external sovereignty to the United States and relinquished any claims it may have had to the lands beneath the sea.

Not only has the Supreme Court ruled upon the difficult legal question, but in enacting Senate Joint Resolution 20 the Congress decided that all the coastal States should be treated in the same manner as Texas. In view of this, it obviously is impossible for me to consider the resolution exclusively from the standpoint of the unique situation relating to Texas.

As to those parts of the Continental Shelf that lie beyond the marginal belt that would be transferred by Senate Joint Resolution 20, the States have no grounds for asserting claims. There can be no claim that these lands lay within the boundaries of any States at the time of their admission to the Union. Neither can there be any claim of an historical understanding that these were State lands. More important, the Nation's rights in those lands, as in the case of the marginal belt, are national rights based upon action taken by the Federal Government.

In 1945 the President issued a proclamation declaring that the natural resources of the subsoil and sea bed of the Continental Shelf beneath the high seas appertain to the United States, and are subject to its jurisdiction and control. This proclamation asserts the interests of the United States in the land and resources under the high seas well beyond the 3-mile belt of territorial sea established in Jefferson's time. This jurisdiction was, of course, asserted on behalf of the United States as a whole, and not just on behalf of the coastal States.

In view of the controversy of the last 15 years or so over the disposition of the lands underlying the marginal sea belt, and the more recent problem relating to rights in the remainder of the Continental Shelf, I should like in this message to indicate the outlines of what would appear to me to be a reasonable solution.

First, it is of great importance that the exploration of the submerged lands—both in the marginal sea belt and the rest of the Continental Shelf—for oil and gas fields should go ahead rapidly, and any fields discovered should be developed in an orderly fashion which will provide adequate recognition for the needs of national defense.

Senate Joint Resolution 20, as originally introduced by Senators O'Mahoney and Anderson, and as reported from the Senate Committee on Interior and Insular Affairs, would have filled this need on an interim basis, pending further study by the Congress, by providing for Federal leases to private parties for exploration and development of the oil and gas deposits in the undersea lands. But, as it was amended and passed, the resolution would only make possible the development under State control of the resources of the marginal belt; it makes no provision whatever for developing the resources of the rest of the Continental Shelf.

I wish to call special attention to the need for considering the national-defense aspects of this matter—which the present bill disregards completely.

In recent years we have changed from an oil-exporting to an oil-importing nation. We are rapidly using up our known reserves of oil; we are uncertain how much remains to be found; and we face a growing dependence upon imports from other parts of the world. We need, therefore, to encourage exploration for more oil within lands subject to United States jurisdiction, and to conserve most carefully, against any emergency, a portion of our national oil reserves.

Senate Joint Resolution 20, as it reached me, does not provide at all for the national defense interest in the oil under the marginal sea. Indeed, the latter half of the ambiguous and contradictory terms of section 6 (a) of the resolution appears to bar the United States from exercising any control, for national defense purposes or otherwise, over the natural resources under the sea. While section 6 (b) gives the Government, in time of war, the right of first refusal to purchase oil, and the right to acquire land through condemnation proceedings, these provisions avoid completely the main problem, which is to make sure, before any war comes, that our oil resources are not dissipated.

In contrast to these provisions, Senate Joint Resolution 20, as originally introduced by Senators O'Mahoney and Anderson, provided

in section 7 (a) that the President could, from time to time, withdraw from disposition any unleased lands of the Continental Shelf and reserve them in the interest of national security. In passing the resolution now before me, however, the Congress omitted entirely this or any other similar provision. It is not too much to say that in passing this legislation the Congress proposes to surrender priceless opportunities for conservation and other safeguards necessary for national security. I regard this as extremely unfortunate, and it is for this reason especially that the Department of Defense has strongly urged me to withhold approval from Senate Joint Resolution 20.

I urge the Congress to enact, in place of the resolution before me, legislation which will provide for renewed exploration and prudent development of the oil and gas fields under the open sea, on a basis that will adequately protect the national defense interests of the Nation.

Second, the Congress should provide for the disposition of the revenues obtained from oil and gas leases on the undersea lands. Senate Joint Resolution 20, as introduced by Senators O'Mahoney and Anderson, would have granted the adjacent coastal States 37½ percent of the revenues from submerged lands of the marginal sea. I would have no objection to such a provision, which is similar to existing provisions under which the States receive 37½ percent of the revenues from the Federal Government's oil-producing public lands within their borders.

Another suggestion, which was offered by Senator Hill on behalf of himself and 18 other Senators, was that the revenues from the undersea lands, other than the portion to be paid to the adjacent coastal States under the O'Mahoney-Anderson resolution, should be used to aid education throughout the Nation. When you consider how much good such a provision would do for school children throughout the Nation, it gives particular emphasis to the necessity for preserving these great assets for the benefit of all the people of the country rather than giving them to a few of the States.

Third, I believe any legislation dealing with the undersea lands should protect the equitable interests of those now holding State-issued leases on those lands. The Government certainly should not impair bona fide investments which have been made in the undersea lands, and the legislation should make this clear. Here again, Senate Joint Resolution 20, as introduced by Senators O'Mahoney and Anderson, provided a sensible approach.

But unfortunately, Senate Joint Resolution 20 was converted on the floor of the Senate into legislation which makes a free gift of immensely valuable resources, which belong to the entire Nation, to the States which happen to be located nearest to them. For the reasons stated above, I find neither wisdom nor necessity in such a course, and I am compelled to return the joint resolution without my approval.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 29, 1952.*

S. J. Res. 20

EIGHTY-SECOND CONGRESS OF THE UNITED STATES OF AMERICA, AT THE SECOND SESSION, BEGUN AND HELD AT THE CITY OF WASHINGTON ON TUESDAY, THE EIGHTH DAY OF JANUARY, ONE THOUSAND NINE HUNDRED AND FIFTY-TWO

JOINT RESOLUTION 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.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That this joint resolution may be cited as the "Submerged Lands Act."

TITLE I

DEFINITION

SEC. 2. When used in this Act—

(a) The term "lands beneath navigable waters" includes (1) all lands within the boundaries of each of the respective States which were covered by waters navigable under the laws of the United States at the time such State became a member of the Union, and all lands permanently or periodically covered by tidal waters up to but not above the line of mean high tide and seaward to a line three geographical miles distant from the coast line of each such State and to the boundary line of each such State where in any case such boundary as it existed at the time such State became a member of the Union, or as heretofore or hereafter approved by Congress, extends seaward (or into the Great Lakes or Gulf of Mexico) beyond three geographical miles, and (2) all filled in, made, or reclaimed lands which formerly were lands beneath navigable waters, as herein defined; the term "boundaries" includes the seaward boundaries of a State or its boundaries in the Gulf of Mexico or any of the Great Lakes as they existed at the time such State became a member of the Union, or as heretofore or hereafter approved by the Congress, or as extended or confirmed pursuant to section 4 hereof;

(b) The term "coast line" means the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, which include all estuaries, ports, harbors, bays, channels, straits, historic bays, and sounds, and all other bodies of water which join the open sea;

(c) The terms "grantees" and "lessees" include (without limiting the generality thereof) all political subdivisions, municipalities, public and private corporations, and other persons holding grants or leases from a State, or its predecessor sovereign, to lands beneath navigable waters if such grants or leases were issued in accordance with the constitution, statutes, and decisions of the courts of the State in which such lands are situated, or of its predecessor sovereign: *Provided, however*, That nothing herein shall be construed as conferring upon said grantees or lessees any greater rights or interests other than are described herein and in their respective grants from the State, or its predecessor sovereign;

(d) The term "natural resources" shall include, without limiting the generality thereof, fish, shrimp, oysters, clams, crabs, lobsters, sponges, kelp, and other marine animal and plant life but shall not include water power, or the use of water for the production of power, at any site where the United States now owns the water power;

(e) The term "lands beneath navigable waters" shall not include the beds of streams in lands now or heretofore constituting a part of the public lands of the United States if such streams were not meandered in connection with the public survey of such lands under the laws of the United States;

(f) The term "State" means any State of the Union;

(g) The term "person" includes any citizen of the United States, an association of such citizens, a State, a political subdivision of a State, or a private, public, or municipal corporation organized under the laws of the United States or of any State.

TITLE II

LANDS BENEATH NAVIGABLE WATERS WITHIN STATE BOUNDARIES

SEC. 3. RIGHTS OF THE STATES.—It is hereby determined and declared to be in the public interest that title to and ownership of the lands beneath navigable waters within the boundaries of the respective States, and the natural resources within such lands and waters, and the right and power to control, develop, and

use the said natural resources all in accordance with applicable State law be, and they are hereby, subject to the provisions hereof, recognized, confirmed, established, and vested in the respective States or the persons who were on June 5, 1950, entitled thereto under the property law of the respective States in which the land is located, and the respective grantees, lessees, or successors in interest thereof; and the United States hereby releases and relinquishes unto said States and persons aforesaid all right, title, and interest of the United States, if any it has, in and to all said lands, moneys, improvements, and natural resources, and releases and relinquishes all claims of the United States, if any it has, arising out of any operations of said States or persons pursuant to State authority upon or within said lands and navigable waters. The rights, powers, and titles hereby recognized, confirmed, established, and vested in the respective States and their grantees are subject to each lease executed by a State, or its grantee, which was in force and effect on June 5, 1950, in accordance with its terms and provisions and the laws of the State issuing, or whose grantee issued, such lease, and such rights, powers, and titles are further subject to the rights herein now granted to any person holding any such lease to continue to maintain the lease, and to conduct operations thereunder, in accordance with its provisions, for the full term thereof, and any extensions, renewals, or replacements authorized therein, or heretofore authorized by the laws of the State issuing, or whose grantee issued such lease: *Provided, however*, That, if oil or gas was not being produced from such lease on and before December 11, 1950, then for a term from the effective date hereof equal to the term remaining unexpired on December 11, 1950, under the provisions of such lease or any extensions, renewals, or replacements authorized therein, or heretofore authorized by the laws of the State issuing, or whose grantee issued, such lease: *Provided, however*, That all rents, royalties, and other sums payable under such lease and the laws of the State issuing or whose grantee issued such lease between June 5, 1950, and the effective date hereof, which have not been paid to the State or its grantee issuing it or to the Secretary of the Interior of the United States, shall be paid to the State or its grantee issuing such lease within ninety days from the effective date hereof: *Provided, however*, That nothing in this Act shall affect the use, development, improvement, or control by or under the constitutional authority of the United States of said lands and waters for the purposes of navigation or flood control or the production of power at any site where the United States now owns or may hereafter acquire the water power or be construed as the release or relinquishment of any rights of the United States arising under the constitutional authority of Congress to regulate or improve navigation or to provide for flood control or the production of power at any site where the United States now owns the water power: *Provided further*, That nothing in this Act shall be construed as affecting or intending to affect or in any way interfere with or modify the laws of the States which lie wholly or in part westward of the ninety-eighth meridian, relating to the ownership and control of ground and surface waters; and the control, appropriation, use, and distribution of such waters shall continue to be in accordance with the laws of such States.

SEC. 4. SEAWARD BOUNDARIES.—Any State which has not already done so may extend its seaward boundaries to a line three geographical miles distant from its coast line, or in the case of the Great Lakes, to the international boundary of the United States. Any claim heretofore or hereafter asserted either by constitutional provision, statute, or otherwise, indicating the intent of a State so to extend its boundaries is hereby approved and confirmed, without prejudice to its claim, if any it has, that its boundaries extend beyond that line. Nothing in this section is to be construed as questioning or in any manner prejudicing the existence of any State's seaward boundary beyond three geographical miles if it was so provided by its Constitution or laws prior to or at the time such State became a member of the Union, or if it has been heretofore or is hereafter approved by Congress.

SEC. 5. EXCEPTIONS FROM OPERATION OF SECTION 3 OF THIS ACT.—There is excepted from the operation of section 3 of this Act—

(a) all specifically described tracts or parcels of land and resources therein or improvements thereon title to which has been lawfully and expressly acquired by the United States from any State or from any person in whom title had vested under the decisions of the courts of such State, or their respective grantees, or successors in interest, by cession, grant, quitclaim, or condemnation, or from any other owner or owners thereof by conveyance or by condemnation, provided such owner or owners had lawfully acquired the title to such lands and resources in accordance with the statutes or decisions of the courts of the State in which the lands are located; and

(b) such lands beneath navigable waters within the boundaries of the respective States and such interest therein as are held by the United States in trust for the benefit of any tribe, band, or group of Indians or for individual Indians.

SEC. 6. POWERS RETAINED BY THE UNITED STATES.—(a) The United States retains all its powers of regulation and control of said lands and navigable waters for the purposes of commerce, navigation, national defense, and international affairs, none of which includes any of the proprietary rights of ownership, or of use, development, and control of the lands and natural resources which are specifically recognized, confirmed, established, and vested in the respective States and others by section 3 of this Act.

(b) In time of war when necessary for national defense, and the Congress or the President shall so prescribe, the United States shall have the right of first refusal to purchase at the prevailing market price, all or any portion of the said natural resources, or to acquire and use any portion of said lands by proceeding in accordance with due process of law and paying just compensation therefor.

SEC. 7. Nothing in this Act shall be deemed to amend, modify, or repeal the Acts of July 26, 1866 (14 Stat. 251), July 9, 1870 (16 Stat. 217), March 3, 1877 (19 Stat. 377), June 17, 1902 (32 Stat. 388), and December 22, 1944 (58 Stat. 887), and Acts amendatory thereof or supplementary thereto.

SEC. 8. Nothing in this Act shall be deemed to affect in any wise any issues between the United States and the respective States relating to the ownership or control of that portion of the subsoil and sea bed of the Continental Shelf lying seaward and outside of the area of lands beneath navigable waters, described in section 2 hereof.

SEC. 9. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

SAM RAYBURN,
Speaker of the House of Representatives.

KENNETH MCKELLAR,
President of the Senate pro tempore.

[Endorsement on back:]

I certify that this joint resolution originated in the Senate.

LESLIE L. BIFFLE, *Secretary.*

