

gress was not fulfilling its constitutional responsibility to make rules governing the use and disposition of public lands. This, they maintained, left the Executive branch within adequate legislative guidelines, and resulted in the assertion of executive authority to fill the void.

(3) It is, therefore, necessary to undertake studies to indicate—

(a) The extent, if any, to which Congress has abdicated its authority;

(b) The extent, if any, to which the Executive has filled the gap by assuming policymaking with regard to the use and disposition of the public lands; and

(c) The extent, if any, to which the Executive has altered congressionally established policy through the assumption of policymaking authority or interpretation of acts of Congress.

(4) Where appropriate, in the review of laws, rules, and regulations, these factors must constantly be kept in mind in order to permit eventual conclusions by the Commission and recommendations for future division of responsibility and authority.

2. To gather definitive data relative to the public lands concerning which the Commission must submit recommendations.

*Comment.*—Relying to the extent possible on existing data, it is essential, before making recommendations, that the Commission have the closest insight possible into the characteristics of these lands. These characteristics should include physical and locational as well as economic considerations that will stem from the compilation of data relative to the demands. In addition, statistical data by States and agencies must be presented in such manner as to identify these characteristics readily. These data differ from those relating to commodity demands (IIC2, above) by being concerned primarily with a description of the lands under study. These data will present a general statistical “picture” of the lands, not a measure of their productivity, nor a measure of the productivity as compared with the Nation’s needs.

3. To review management practices and utilization of federally owned lands and aspects of the Outer Continental Shelf concerning which the Commission is not required to make recommendations but which have characteristics similar to, or are managed in conjunction with, those lands concerning which the Commission is required to submit recommendations.

*Comment.*—(1) Such study is essential, on the one hand, to assure that all criteria for use and management are taken into consideration before the Commission makes its recommendations. On the other hand, some of our studies may develop data as to whether other federally owned or controlled lands or resources should be retained in a category or categories separate and apart from lands and the resources defined in the Act, in which event the Commission’s recommendations may also be found to be applicable to such other lands or resources.

(2) Laws, rules, regulations, practices, and procedures will be studied in this context as they relate to the management, use, and disposition of, for example, national grasslands and LU project lands. Likewise, if management practices are reviewed for the purpose of determining (a) objectives of the national park system, and (b) whether these objectives are being achieved, it would be illogical to examine the practices and procedures of only those