avoid needless and vexatious litigation as to the relationship between the proposed legislation and existing laws for the administration of federal lands, each such law would have to be specifically amended to state precisely its relationship to the new measure. However, it may be observed that the entire subject of federal administration of the public lands, including the mineral resources of the outer continental shelf, is now under comprehensive review under the Public Land Law Review Commission Act of September 19, 1964, 78 Stat. 982, 43 U.S.C. 1391–1400. We think it preferable not to undertake any radical change in existing federal land policies, such as is proposed by S. 1826, in advance of the Commission's report.

There are other serious policy objections to such an abdication of federal responsibility as is here proposed. One of the major aspects of conservation regulation in many states is market-demand proration which seriously distorts competition in interstate commerce. By controlling crude oil supply, market-demand proration directly and substantially affects market prices of this basic energy commodity upon which the economy of consuming states and the nation heavily depend. Moreover, the present system of controlling oil imports rests upon a finding that domestic oil reserves and sources of supply are essential to the national security. In an area so directly related to the basic federal policy of encouraging competition in the market, it is important that the United States retain its independent discretion to determine whether, and to what extent conformity to the diverse practices of the several States will best serve the public interest. Quite apart from that aspect, I should consider it undesirable to give to the States, whose interests here are largely competitive with those of the United States, this sort of control over the exploitation, by federal lessees, of wholly federal properties from which important federal revenues are derived. The situation is quite different from, for example, the Assimilative Crimes Act, where the problem was only to provide the most convenient body of federal law to govern the private conduct of individuals in federal enclaves.

At present, the extension of state conservation authority to the outer continental shelf would present another problem. There has never been a determination of how the offshore interstate boundaries would run if extended across the outer continental shelf, as contemplated by section 4(a)(2) of the Outer Continental Shelf Lands Act, 43 U.S.C. 1333(a)(2). A primary reason for this has been the uncertainty in many cases (for example, between Louisiana and Texas) as to the position of those boundaries within the territorial sea. Until the States settle that portion of their boundaries, it is obviously impossible to establish the seaward extensions. Apparently this has not yet caused any particular problem with respect to the general civil and criminal laws dealt with in section 4(a)(2), but the situation would be very different with respect to conservation regulation in active offshore areas. Federal lessees should not be thus needlessly subjected to the conflicting jurisdictional claims of adjacent States.

Section 4(a) of the Outer Continental Shelf Lands Act, 43 U.S.C. 1333(a), adopts as federal law for the outer continental shelf the laws of the adjacent States (except tax laws) as they existed on August 7, 1953, to the extent that they are not inconsistent with federal laws and regulations, to be administered and enforced by federal officials and courts, and provides—

> (3) The provisions of this section for adoption of State law as the law of the United States shall never be interpreted as a basis for claiming any interest in or jurisdiction on behalf of any State for any purpose over the seabed and subsoil of the Outer Continental Shelf, or the property and natural resources thereof or the revenues therefrom.

Section 4 of S. 1826 would amend this by deleting the words, "or jurisdiction on behalf of any State for any purpose over" and by adding at the end, "except as provided in section 9 of this Act."

While the added phrase would limit the State's claim of "interest" (presumably meaning proprietary interest) to the revenue sharing that amended section 9 would provide, the deletion of reference to "jurisdiction" would seem to indicate that the States would indeed be given an element of sovereign jurisdiction under section 3 of this bill, with respect to conservation laws. Certainly it would be subject to that interpretation. The Department of Justice opposes such a development. While our federal concept of dual domestic sovereignty is well established and reasonably well understood, the introduction of a parallel concept outside state and national boundaries, on the outer continental shelf, appears unwarranted and undesirable. In that area, the United States does not claim sovereignty, but only "jurisdiction, control, and power of disposition"