

to ask consent that at this point an excerpt from the Supreme Court decision in *United States v. California* be inserted in the record.

The CHAIRMAN. Without objection, so ordered.

(The information follows:)

EXCERPT FROM UNITED STATES V. CALIFORNIA, 332 U.S. 19 (1947) AT P. 38

The question of who owned the bed of the sea only became of great potential importance at the beginning of this century when oil was discovered there. As a consequence of this discovery, California passed an Act in 1921 authorizing the granting of permits to California residents to prospect for oil and gas on blocks of land off its coast under the ocean. Cal. Stats. 1921, c. 303. This state statute, and others which followed it, together with the leasing practices under them, have precipitated this extremely important controversy, and pointedly raised this state-federal conflict for the first time. Now that the question is here, we decide for the reasons we have stated that California is not the owner of the three-mile marginal belt along its coast, and that the Federal Government rather than the state has paramount rights in and power over that belt, an incident to which is full dominion over the resources of the soil under that water area, including oil.

Senator KUCHEL. In which the Court went on to say in part:

We decide for the reasons we have stated that California is not the owner of the three-mile marginal belt along its coasts, and that the Federal Government, rather than the State, has paramount rights in and power over that belt, an incident to which is full dominion over the resources of the soil under that water area, including oil.

Well, I came here in 1952, I guess, the last day of 1952, I don't remember. Anyway, this was a great controversy in my State, because my State had developed these areas seaward to the 3-mile limit, which was the description under which California was admitted to the Union. I joined Senator Holland, and I think both you gentlemen from Louisiana, in sponsoring legislation which restored to the States the traditional 3-mile seabed, except as you have indicated, where there were two States that contended the code Napoleon applied, and you had leagues rather than miles. It was Senator Anderson who opposed that legislation, as he had a right to do. But at that time, before any legislation was passed—there is no question about this, is there, the Federal Government had dominion over and paramount right to, the submerged marginal sea?

Senator ELLENDER. You mean, since that decision?

Senator KUCHEL. Yes, after *United States v. California* and before the enactment of the Submerged Lands Act.

Senator ELLENDER. Since the decision; yes. But prior thereto, the States had the full ownership and rights over the land.

Senator KUCHEL. Senator, the States asserted ownership, but I believe the Supreme Court said they did not have it.

Senator ELLENDER. Well, we could cite you a lot of decisions, and if you read the record, you are going to find that what I am saying is the truth.

Governor McKEITHEN. Senator Kuchel?

Senator KUCHEL. Yes, sir.

Governor McKEITHEN. I think you and I could very well get together. I am dead serious, and I am not trying to be facetious at all because we have the same problem.

I think, first of all, I agree with you on the merits of yours and Senator Jackson's bill. On the other hand, you are from a coastal State,