

84TH CONGRESS
1ST SESSION

H. J. RES. 212

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 1955

Mr. FOGARTY introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

To subject the submerged lands under the marginal seas to the provisions of the Outer Continental Shelf Lands Act, and to amend such Act in order to provide that revenues under its provisions shall be used as grants-in-aid of primary, secondary, and higher education.

Whereas as a result of the per curiam opinion of the Supreme Court of the United States of March 15, 1954, it is clear that the United States acquired in a proprietary as well as sovereign capacity the submerged lands beyond the ordinary low-water mark extending seaward from the coasts of the United States and outside of the inland waters (hereinafter referred to as "the submerged lands under the marginal seas"); and

Whereas section 5 of the Submerged Lands Act provides that there is excepted from the operation of section 3 thereof "all

lands acquired by the United States by eminent domain proceedings, purchase, cession, gift, or otherwise in a proprietary capacity”, and in consequence of this exception, the provisions of section 3 of that Act are inapplicable to the submerged lands under the marginal seas: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That this joint resolution may be cited as the “Submerged
4 Lands Under the Marginal Seas Act”.

5 SEC. 2. The provisions of the Outer Continental Shelf
6 Lands Act are hereby made applicable to the submerged
7 lands under the marginal seas as if such lands were a part
8 of the outer Continental Shelf, as defined in such Act, any
9 provision in the Submerged Lands Act to the contrary
10 notwithstanding, and any provisions in the Submerged Lands
11 Act to the contrary are hereby repealed.

12 SEC. 3. The Outer Continental Shelf Lands Act is
13 amended by deleting section 9 and inserting in lieu thereof
14 the following:

15 “SEC. 9. DISPOSITION OF REVENUES.—(a) All rentals,
16 royalties, and other sums paid to the Secretary or the Secre-
17 tary of the Navy under any lease on the outer Continental
18 Shelf for the period from June 5, 1950, to date, and there-
19 after, shall be deposited in the Treasury of the United States

1 and held in a special account and, except for the payment of
2 refunds under the provisions of section 10 of this Act, such
3 moneys shall be appropriated exclusively for the purpose
4 of promoting the national defense and national security
5 through grants-in-aid of primary, secondary, and higher
6 education.

7 “(b) An Advisory Council on Education for National
8 Security is hereby created to be composed of twelve persons
9 to be appointed by the President of the United States
10 with regard to their experience in the relationship of edu-
11 cation to national defense and national security, of whom
12 six shall be from the fields of education, and research in the
13 natural and social sciences. It shall be the function of such
14 Council to recommend to the President of the United States
15 for submission to the Congress not later than January 1,
16 1956, a plan for the allocation of the grants-in-aid of pri-
17 mary, secondary, and higher education provided in para-
18 graph (a) of this section in such manner as will contribute
19 most effectively to meeting the immediate and long-range
20 requirements of education as it relates to national defense and
21 national security.”

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By Mr. FOGARTY

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